

FINAL MINUTES
Standards Council Meeting
August 4-6, 2009
NFPA Headquarters
1 Batterymarch Park
Quincy, MA 02169
617-770-3000

Members Present:

Jim Pauley, Chair	Roland Huggins
Kerry M. Bell	Joseph M. Jardin
James W. Carpenter	Fred M. Leber (August 3-5)
Shane M. Clary	Danny L. McDaniel
Ronald R. Farr	James A. Milke
Ralph D. Gerdes	Michael T. Newman
J. C. Harrington	

Also Present:

Amy Beasley Cronin, Standards Council Secretary
Linda Fuller, Recording Secretary
Maureen Brodoff, Vice President and Legal Counsel
Chris Dubay, Vice President and Chief Engineer

09-8-1	It was voted to issue NFPA 13, <i>Standard for the Installation of Sprinkler Systems</i> , with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on amendments and appeals as indicated in Minute Items 09-8-1-a, 09-8-1-b, 09-8-1-c (D#09-4), 09-8-1-d, 09-8-1-e, 09-8-1-f (D#09-6), 09-8-1-g (D#09-3), 09-8-1-h (D#09-5).
09-8-1-a	Amendment No.13-1 (CAM 13-4): Accept Comment 13-84. Based on the recommendations of the Technical Correlating Committee and Technical Committee, the Council voted to accept this amendment.
09-8-1-b	Amendment No.13-2 (CAM 13-5): Accept Comment 13-136. This amendment failed to achieve the 2/3 affirmative vote of the Technical Correlating Committee and the Technical Committee necessary to support the amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal was filed in response to the failed amendment. See Minute Item 09-8-1-c (D#09-4).
09-8-1-c	D#09-4 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from David Burkhart from Code Consultants, Inc., requesting that the 2010 edition of NFPA 13, <i>Standard for the Installation of Sprinkler Systems</i> , be issued with the acceptance of Comment 13-136. Specifically, the appeal requests that a new Section 8.15.3.2.5 be added that allows sprinklers to be omitted from exterior stair towers when the tower is separated from the building by a noncombustible exterior landing that has

	<p>openings equivalent to 50% of the stair tower perimeter and when the tower is entirely of noncombustible construction.</p> <p>As background, Proposal 13-195 recommended adding a new section 8.15.3.2.5 that allowed sprinklers to be omitted from stair towers when the tower is separated from the building by an exterior landing that has openings equivalent to 50% of the stair tower perimeter. It was rejected by the Technical Committee on Sprinkler System Installation Criteria (TC) and the Technical Correlating Committee on Automatic Sprinkler Systems (TCC). Subsequently, Comment 13-136 sought again to revise Section 8.15.3.2.5 and recommended revisions to include that the stair landing is noncombustible and that the tower is entirely of noncombustible construction. This comment was rejected by the TC and TCC. A Certified Amending Motion (CAM 13-5) seeking acceptance of Comment 13-136 was made at the 2009 Association Technical Meeting (Tech Session). The amending motion was supported by the NFPA membership, but failed to pass the subsequent balloting of both the TC and the TCC. When a recommended amendment is not approved by the TC and TCC, 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 no change be made to add the new Section 8.15.3.2.5 since it did not exist in the previous edition.</p> <p>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 that new Section 8.15.3.2.5 allowing the omission of sprinklers in stair towers under certain conditions of separation and construction will not be added.</p> <p>If the appellant or others wish to address this or other issues going forward, they can do so in the regular document revision process or as a Tentative Interim Amendment.</p>
09-8-1-d	Amendment No.13-3 (CAM 13-6): Reject Comment 13-141. Based on the recommendations of the Technical Correlating Committee and Technical Committee, the Council voted to accept this amendment.
09-8-1-e	Amendment No.13-4 (CAM 13-11): Reject an Identifiable Part of Comment 13-302. The rejection of the identifiable part results in reinstating Figure A.22.4.4.5.1 (Moody Diagram) and Table A.22.4.4.5.1 (aged pipe table) from the 2007 edition of NFPA 13. Based on the recommendations of the Technical Correlating Committee and Technical Committee, the Council voted to accept this amendment.

09-8-1-f	<p>D#09-6 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Leonard Swantek of Victaulic, requesting that Comment 13-34 be rejected for NFPA 13, <i>Standard for the Installation of Sprinkler Systems</i>. Specifically, the appeal requests the rejection of the following new requirements:</p> <p>6.5.3.1* Pipe joined with grooved couplings shall be joined by a listed combination of couplings, gaskets and groove dimensions.</p> <p>A.6.5.3.1 It is not the intent to require a listed combination of couplings, fittings or valves.</p> <p>6.5.3.2 Grooved connections on fittings and valves, and grooves cut or rolled on pipe shall be dimensionally compatible with the couplings.</p> <p>A.6.5.3.2 Material strength and pressure rating should be considered when determining compatibility.</p> <p>6.5.3.3 Grooved couplings, including gaskets used on dry-pipe, preaction, and deluge systems, shall be listed for dry pipe service.</p> <p>As background, Proposal 13-65 recommended revisions to sections 6.5.3.1, 6.5.3.2 and 6.5.3.3 and associated annex material, and was rejected by the Technical Committee on Sprinkler System Installation Criteria (TC) and the Technical Correlating Committee on Automatic Sprinkler Systems (TCC). Subsequently, Comment 13-34 recommended further revisions. This comment was accepted-in-principle by the TC and the TCC, and alternate language written by the TC was accepted. A Certified Amending Motion (CAM 13-1) seeking rejection of Comment 13-34 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, the default recommendation of the codes and standards development process is that the text modified in Comment 13-34 will be included in the 2010 edition of NFPA 13.</p> <p>The appeal requests that the Standards Council overturn the action that was recommended by the full NFPA codes and standards development process. This recommendation represents the consensus judgment of the responsible technical committee and technical correlating committees, a judgment that was also supported by a vote of the NFPA membership at the 2009 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the full codes and standards process, and failed to persuade the consensus process to adopt his position.</p> <p>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 that the 2010 edition of NFPA 13 will include the text as modified in Comment 13-34 thereby</p>
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	<p>adding requirements for grooved couplings and their dimensional compatibility with the grooves on pipe, fittings and valves.</p> <p>Without attempting to review each argument that the Council has considered and rejected as part of this appeal, the Council noted that the appellant has expressed concern that NFPA 13 not evolve going forward toward rigid dimensional requirements that may limit product designs. The appellants or others should seek to address this concern by engaging with the TC during the document revision process.</p>
09-8-1-g	<p>D#09-3 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from William Kish of No-Burn, Inc., requesting that the 2010 edition of NFPA 13, <i>Standard for the Installation of Sprinkler Systems</i>, be issued without the acceptance of Proposal 13-501.</p> <p>The background is as follows. NFPA 13, Section 8.15.1.2.11 exempts from the requirement of sprinkler protection concealed spaces in which the exposed materials are constructed entirely of fire retardant treated wood as defined by NFPA 703, <i>Standard for Fire Retardant Treated Wood and Fire Retardant Coatings for Building Materials</i>. Proposal 13-501 proposed adding a new explanatory note corresponding to this section in Annex A, <i>Explanatory Material</i>. The annex note, A.8.15.1.2.11, reads as follows:</p> <p style="padding-left: 40px;">A.8.15.1.2.11 The allowance to omit sprinklers for fire retardant treated wood requires a pressure-treated application. It does not apply to coated applications.</p> <p>Proposal 13-501 was accepted by the Technical Committee on Sprinkler System Installation Criteria (TC) and the Technical Correlating Committee on Automatic Sprinkler Systems (TCC). Under the NFPA standards development process, those who disagree with the actions of a technical committee during the Proposal stage of the process are required to register their objections through the filing of appropriate Comments during a Comment phase. This gives the consensus bodies within the NFPA process the opportunity to consider any objections or new information, and the submitting of a Comment is generally a prerequisite to the making of an amending motion during the subsequent Association Technical Meeting of the NFPA membership. In this case, however, neither the appellant nor others submitted any comment seeking the rejection of the new annex note, and, accordingly, an amending motion to reject Proposal 13-501 resulting in the deletion of the new Annex A.8.15.1.2.11 at the 2009 Association Technical Meeting (Tech Session) was not in order. See NFPA <i>Regulations Governing Committee Projects (Regs.)</i> at Section 4.6.6, <i>Summary of Amending Motions at Association Technical Meetings</i>. Having failed to take all of the necessary steps to seek deletion of the annex note within the NFPA codes and standards process, the appellant now brings this appeal requesting that the Council itself reject Proposal 13-501 and delete the annex note.</p> <p>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</p>

	<p>doing so is demonstrated. Moreover, in circumstances such as these, where the appellant has failed to take advantage of all the steps available to him within the process, the Council is especially reluctant to consider overturning the results that have been yielded by that process. The Council, having reviewed the entire record concerning this matter and having considered all the arguments put forth in this appeal, has found no 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 that the 2010 edition of NFPA 13 will include the proposed new annex note A.8.15.1.2.11.</p> <p>Without attempting to review each argument that the Council has considered and rejected as a part of this appeal, the Council makes the following observations. There is no real dispute that the annex note is a correct description of the sprinkler exemption contained in Section 8.15.1.2.11. The appellant's concern appears to be that the annex note somehow conflicts with or would limit the scope of a separate section, namely the "equivalency provision" contained in NFPA 13, Section 1.5. The annex note, however, has no bearing on Section 1.5. NFPA 13, like other NFPA standards, has, in Section 1.5, an equivalency provision that authorizes the Authority Having Jurisdiction to permit the use of systems, methods, or devices that are not otherwise permitted in the standard. Specifically, Section 1.5 provides as follows:</p> <p style="padding-left: 40px;">1.5 Equivalency. Nothing in this standard is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by this standard. Technical documentation shall be submitted to the authority having jurisdiction to demonstrate equivalency. The system, method, or device shall be approved for the intended purpose by the authority having jurisdiction.</p> <p>Annex note A.8.15.1.2.11 corresponds to and explains the sprinkler exemption contained in Section 8.15.1.2.11. It describes what is specifically permitted by one section of the NFPA 13, not what may be authorized by an Authority Having Jurisdiction pursuant to an equivalency determination under Section 1.5. In short, nothing in annex note A.8.15.1.2.11 supersedes the equivalency provision of Section 1.5, which permits the Authority Having Jurisdiction, based on his or her own determination of equivalency, to approve the use of systems, methods or devices in addition to those that are allowed by NFPA 13.</p> <p>Council Member Huggins recused himself during the hearing, deliberation and vote on this issue.</p>
09-8-1-h	<p>D#09-5 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from David Burkhart from Code Consultants, Inc., requesting that the 2010 edition of NFPA 13, <i>Standard for the Installation of Sprinkler Systems</i>, be issued with the acceptance of Comment 13-104. Specifically, the appeal requests revising the requirements for the test connections from "main drain" to "water supply".</p>

	<p>As background, Proposal 13-235 recommended in Section 8.17.4.1 to change “main drain” to “water supply” and was rejected by both the Technical Committee on Sprinkler System Installation Criteria (TC) and the Technical Correlating Committee on Automatic Sprinkler Systems (TCC). Subsequently, Comment 13-104 sought again to revise 8.17.4.1, this time in a somewhat different form. This too was rejected by the TC and TCC. A Certified Amending Motion (CAM 13-7) seeking acceptance of Comment 13-104 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 means under NFPA rules, the default recommendation of the codes and standards development process is that Comment 13-104 continues to be rejected.</p> <p>The appeal requests that the Standards Council overturn the action that was recommended by the full NFPA codes and standards development process. This recommendation represents the consensus judgment of the responsible technical committee and technical correlating committee, a judgment that was also supported by a vote of the NFPA membership at the 2009 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the full codes and standards process, and failed to persuade the consensus process to adopt his position.</p> <p>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.</p>
09-8-2	<p>It was voted to issue NFPA 13D, <i>Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes</i>, with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on amendments and appeals as indicated in Minute Items 09-8-2-a, 09-8-2-a-1 (D#09-8), and 09-8-2-b (D#09-7).</p>
09-8-2-a	<p>Amendment No.13D-1 (CAM 13D- 2): Reject Comment 13D-18. This amendment failed to achieve the 2/3 affirmative vote of the Technical Committee necessary to support the amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal was filed in response to the failed amendment. See Minute Item 09-8-2-a-1 (D#09-8).</p>
09-8-2-a-1	<p>D# 09-8 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, <i>Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes</i>. 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.</p>

	<p>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.</p> <p>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.</p> <p>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.</p>
09-8-2-b	<p>D#09-7 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Mike Cabral from REHAU Unlimited Polymer Solutions, Inc., requesting that NFPA 13D, <i>Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes</i>, be issued with the acceptance of group amending motions on Proposals 13D-27 and 13D-30. Specifically, the appeal seeks to revise text to</p>

	<p>allow for the use of pipe and fittings having a pressure rating of 130 psi for all systems when equipped with a pressure relief valve set to a maximum of 130 psi or connected to a domestic plumbing system.</p> <p>As background, Proposals 13D-27 and 13D-30 were both rejected by the Technical Committee on Residential Sprinkler Systems (TC) and the Technical Correlating Committee on Automatic Sprinkler Systems (TCC). Subsequently, Comment 13D-21 attempted to support Proposal 13D-30 but provided no suggested text and was rejected by the TC and TCC. A Certified Amending Motion (CAM 13D-1) seeking acceptance of Proposals 13D-27 and 13D-30 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 means under NFPA rules, the default recommendation of the codes and standards development process is that the text of Sections 5.2.5.3 and 5.2.1.3 will remain unchanged from the previous edition.</p> <p>The appeal requests that the Standards Council overturn the action that was recommended by the full NFPA codes and standards development process. This recommendation represents the consensus judgment of the responsible technical committee and technical correlating committee, a judgment that was also supported by a vote of the NFPA membership at the 2009 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the full codes and standards process, and failed to persuade the consensus process to adopt his position at each stage.</p> <p>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 is that the text of Sections 5.2.5.3 and 5.2.1.3 will remain unchanged from the previous edition. During the course of the testimony, there were questions raised by the appellant that the TC was out of balance. Upon review of the TC roster (See <i>Regs.</i> at Section 3.2.5), the Council found no basis to conclude that the committee was out of balance. If the appellant or others have specific concerns related to membership going forward, they may raise such concerns through appeals or other requests to the Council, as appropriate.</p>
09-8-3	<p>It was voted to issue NFPA 20, <i>Standard for the Installation of Stationary Pumps for Fire Protection</i>, with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on amendments and appeals as indicated in Decisions for Minute Items 09-8-3-a, 09-8-3-a-1 (D#09-16), 09-8-3-b, and 09-8-3-b-1(D#09-17).</p>
09-8-3-a	<p>Amendment No. 20-1 (CAM 20-1): Return a portion of a Report in the form of an identifiable part of Proposal 20-3 and related Comment 20-2. The identifiable part that is returned reads as follows: “4.3.1 Fire pumps operating in series and their controllers shall</p>

	<p>be located within the same fire pump room.” This amendment failed to achieve the 2/3 affirmative vote of the Technical Committee necessary to support the amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal was filed in response to the failed amendment. See Minute Item 09-8-3-a-1 (D#09-16).</p>
<p>09-8-3-a-1</p>	<p>D#09-16 At its meeting of 4-6 August 2009, the Standard Council considered an appeal from Gayle Pennel, Chair of the Technical Committee on Fire Pumps (TC), requesting the acceptance of Comment 20-2 in the 2010 edition of NFPA 20, <i>Standard for the Installation of Stationary Pumps for Fire Protection</i>. Comment 20-2 sought to further modify a proposed new Chapter 4, <i>Fire Pumps for High-Rise Buildings</i>. Specifically, the appellant seeks to reinstate new Section 4.3.1 requiring fire pumps operating in series and their controllers to be located within the same fire pump room.</p> <p>As background, Proposal 20-3 recommended a new chapter, Chapter 4, <i>Fire Pumps for High-Rise Buildings</i>, that contained the requirement for the location of fire pumps and their controllers. This Proposal was accepted by the TC. Subsequently, Comment 20-2 recommended deletion of the new chapter. The Comment was accepted-in-principle-in-part by the TC, and the TC proposed language that further modified the new chapter, deleting some of text initially accepted in Proposal 20-3, The the requirement, however, for the location of fire pumps and their controllers was not deleted.</p> <p>A Certified Amending Motion (CAM 20-1) seeking to return a portion of a report in the form an identifiable part of Proposal 20-3 and related Comment 20-2 was made at the 2009 Association Technical Meeting (Tech Session). The identifiable part reads as follows:</p> <p style="padding-left: 40px;">4.3.1 Fire pumps operating in series and their controllers shall be located within the same fire pump room.</p> <p>The amending motion was supported by the NFPA membership, but failed to pass the subsequent balloting of the TC. When a recommended amendment is not approved by the TC, 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 proposed new Section 4.3.1 will be deleted since it did not exist in the previous edition.</p> <p>The appeal requests that the Standards Council take action other than that 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</p>

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	<p>recommended by the NFPA codes and standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the proposed new Section 4.3.1 requiring fire pumps operating in series and their controllers be in the same fire pump room will be deleted since it did not exist in the previous edition. Council member Harrington recused himself from deliberations and vote on this issue.</p>
09-8-3-b	<p>Amendment No. 20-2 (CAM 20-3): Accept Comment 20-66. This amendment failed to achieve the 2/3 affirmative vote of the Technical Committee necessary to support the amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal was filed in response to the failed amendment. See Minute Item 09-8-3-b-1 (D#09-17).</p>
09-8-3-b-1	<p>D#09-17 At its meeting of 4-6 August 2009, the Standard Council considered an appeal from Gayle Pennel, Chair of the Technical Committee on Fire Pumps (TC), requesting the acceptance of Comment 20-66 in the 2010 edition of NFPA 20, <i>Installation of Stationary Pumps for Fire Protection</i>. Specifically the appellant sought to reinstate the requirements for limited service controllers.</p> <p>As background, Proposal 20-88 recommended deleting Section 10.7 and associated annex material, thereby deleting the requirements for limited service controllers. This Proposal was accepted by the TC. Subsequently, Comment 20-66 recommended rejection of Proposal 20-88, thereby reinstating the requirements for limited service controllers. The Comment was rejected by the TC.</p> <p>A Certified Amending Motion (CAM 20-3) seeking to accept Comment 20-66 was made at the 2009 Association Technical Meeting (Tech Session). The amending motion was supported by the NFPA membership, but failed to pass the subsequent balloting of the TC. When a recommended amendment is not approved by the TC, 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 Section 10.7 and associated annex containing requirements for limited service controllers will be retained since it existed in the previous edition.</p> <p>The appeal requests that the Standards Council take action other than that 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. The effect of this action is that Section 10.7 and associated annex will be returned to previous edition text, which contains the requirements for the limited service controllers. Council member Harrington recused himself from</p>

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	deliberations and vote on this issue.
09-8-4	It was voted to issue NFPA 52, <i>Vehicular Gaseous Fuel Systems Code</i> , with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on an amendment and appeal as indicated in Decisions for Minute Items 09-8-4-a, 09-8-4-a-1 (D#09-11).
09-8-4-a	Amendment No. 52-1 (CAM 52-1): Accept Comment 52-34. This amendment failed to achieve the 2/3 affirmative vote of the Technical Committee necessary to support the amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal has been filed in response to the failed amendment. See Minute Item 09-8-4-a-1 (D#09-11).
09-8-4-a-1	<p>D#09-11 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Larry Fluer of Fluer, Inc., requesting that the Council accept Comment 52-34 to the 2010 edition of NFPA 52, <i>Vehicular Gaseous Fuel Systems Code</i> (formerly NFPA 52, <i>Vehicular Fuel Systems Code</i>). Specifically, the appeal requests the replacement of existing Table 9.3.1.3, <i>Separation Distances for Outdoor Gaseous Hydrogen Systems</i> with the corresponding extracted table (55:10.3.2.2.1) from NFPA 55, <i>Compressed Gases and Cryogenic Liquids Code</i> (formerly NFPA 55, <i>Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders, and Tanks</i>) and accompanying material as shown in Comment 52-34 to support the Table.</p> <p>As background, Proposal 52-80 recommended that NFPA 52, Table 9.3.1.3, <i>Separation Distances for Outdoor Gaseous Hydrogen Systems</i> be replaced with the equivalent table that was concurrently being developed by the Technical Committee on Industrial and Medical Gases (IMG) for NFPA 55. The Proposal was accepted by the Technical Committee on Vehicular Alternative Fuel Systems (NFPA 52 TC). Subsequently, Comment 52-34 was submitted that recommended the extraction of the NFPA 55 Table. Although the Comment passed during the meeting, it was subsequently rejected by the TC. A Certified Amending Motion (CAM 52-1) seeking acceptance of Comment 52-34 was made at the 2009 Association Technical Meeting (Tech Session). The amending motion was supported by the NFPA membership, but failed to pass the subsequent balloting of the TC by the requisite two-thirds affirmative vote.</p> <p>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 to the Council is that Table 9.3.1.3 shall remain unchanged from the previous edition of NFPA 52.</p> <p>The appeal requests that the Standards Council overturn the action that was recommended by the 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. In this case, the Council has found such a basis in the Council's authority</p>

	<p>to assign jurisdictional scopes among technical committee projects so as to maximize coordination and avoid overlap and conflict among NFPA codes and standards. Accordingly, after reviewing and considering all the information available to it, the Council voted to uphold this appeal.</p> <p>The assignment of jurisdictional scopes among technical committee projects is the direct responsibility of the Standards Council. See, generally, <i>NFPA Regulations Governing Committee Projects</i> at Section 3.1. In the case of the scopes of NFPA 55 and NFPA 52, the Council has previously, after careful review and on request of the Chair of the TC on Industrial and Medical Gases (the NFPA 55 TC), given clear jurisdictional scopes designed to avoid the conflict that has developed here. Specifically, in a March 21-22, 2006 decision, the Council (Council Minute Item 06-3-14) delineated the scopes of the NFPA 55 and NFPA 52 TC's such that the jurisdiction over requirements from the source valve to the vehicle were placed within the scope of the NFPA 52 TC. It was clarified, however, that requirements for hydrogen storage up to the source valve were to be within the scope of the NFPA 55 TC. Moreover, the Council modified the NFPA 52 TC scope to expressly require the TC to "...coordinate its documents...with the Industrial and Medical Gases Committee [i.e., the NFPA 55 TC] with respect to storage of bulk compressed or liquefied hydrogen systems within its scope."</p> <p>It is clear that, according to the scopes assigned to the respective TC's by the Council as clarified in its March 2006 decision (Council Minute Item 06-3-14) the content of the table concerning separation distances of bulk gaseous hydrogen storage is within the jurisdiction of the NFPA 55 TC. It is, moreover, apparent that the NFPA 52 TC has not coordinated with the NFPA 55 TC on this issue, and that retaining the existing NFPA 52, Table 9.3.1.3 and its separation distances for hydrogen would conflict with the corresponding Table in NFPA 55. The Council notes, additionally, that the Table developed for NFPA 55 appears to have been the result of a rigorous process involving a joint task group of the NFPA 2 and NFPA 55 Technical Committees supported by recent research. The inclusion of this table in NFPA 55, moreover, was supported by the vote of the NFPA membership on the Certified Amending Motion seeking the acceptance of Comment 52-34.</p> <p>Accordingly, the Council has voted to uphold the appeal. The effect of this action is the replacement of existing Table 9.3.1.3, <i>Separation Distances for Outdoor Gaseous Hydrogen Systems</i> with the extracted table from NFPA 55 (Table 10.3.2.2.1) and accompanying material to support the Table as shown in Comment 52-34.</p>
09-8-5	<p>It was voted to issue NFPA 72[®], <i>National Fire Alarm and Signaling Code</i>, with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on amendments and appeals as indicated in Minute Items 09-8-5-a, 09-8-5-a-1 (D#09-9), 09-8-5-b, 09-8-5-c, 09-8-5-d, 09-8-5-e, 09-8-5-f, 09-8-5-g, and 09-8-5-h (D#09-10); and with action on concurrently considered TIAs as indicated in Minute Items 09-8-17, 09-8-18, and 09-8-19.</p>
09-8-5-a	<p>Amendment No. 72-1 (CAM 72-8): Accept Comment 72-164. This amendment failed to achieve the 2/3 affirmative vote of the Technical Committee necessary to support the</p>

	<p>amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal was filed in response to the failed amendment. See Minute Item 09-8-5-a-1 (D#09-9).</p>
<p>09-8-5-a-1</p>	<p>D#09-9 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Thomas Hammerberg of the Automatic Fire Alarm Association, Inc., requesting that Comment 72-164 be accepted. Specifically the appeal requests adding a new paragraph 4.4.7.1.18 (2007 edition numbering) to the 2010 edition of NFPA 72[®], <i>National Fire Alarm and Signaling Code</i>. That provision would require that a wire-to-wire short circuit fault, occurring on any voice alarm notification appliance circuit, either before or after the circuit is activated, initiate a trouble signal and isolate the circuit from the rest of the system. The intent of the new paragraph was to specifically address the performance of voice alarm notification appliance circuits, especially after activation of the circuit, so that failure of one circuit would not compromise the voice evacuation system. The reason for rejection indicated by the technical committee was that the specified performance is already addressed in 4.4.7.1.16 and is not limited to a specific mode of operation. The requirements of 4.4.7.1.16 specifically prohibit a short-circuit fault on one notification appliance circuit from affecting the operation of any other alarm notification circuit.</p> <p>As background, Proposal 72-150 which recommended adding new paragraph 4.4.7.1.18 was rejected by the Technical Committee on Fundamentals of Fire Alarm Systems (TC). Subsequently, Comment 72-164 recommended acceptance of the Proposal, and it was also rejected by the TC. A Certified Amending Motion (CAM 72-8) seeking acceptance of Comment 72-164 was made at the 2009 Association Technical Meeting (Tech Session). The amending motion was passed by the NFPA membership. Subsequently, however, it failed the required balloting within the responsible committees because, while it passed the ballot of the Technical Correlating Committee on Signaling Systems for the Protection of Life and Property (TCC), it failed the ballot of the TC. When a recommended amendment is not approved by the committees, 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 amendment is returned to previous edition text. In this case, therefore, the default recommendation that comes to the Council is that new paragraph 4.4.7.1.18 should not be included in the new edition of NFPA 72.</p> <p>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 that paragraph 4.4.7.1.18 will not be added.</p>

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	<p>Without attempting to review each argument that the Council has considered as part of this appeal, the Council notes that TC members, in their balloting rejecting the amendment, expressed concern that the proposed amendment language is more restrictive than it needs to be in order to achieve any desired clarification. More significantly the Committee Statement rejecting Comment 72-164, as well as TC members' comments on balloting of the recommended amendment suggest that NFPA 72 already includes requirements that address the circuit performance intended by the amendment. While arguments in support of the appeal suggested that clarification is needed in the requirements of NFPA 72 to assure that product standards properly reflect the intended requirements, the record of the consensus process on this matter suggests that the intended performance is clear. If there is a need for clarification in related product standards, these changes should be addressed to UL or other appropriate product standards developers.</p> <p>Council Member Clary recused himself during deliberations and vote on this issue.</p>
09-8-5-b	Amendment No. 72-2 (CAM 72-11): Accept Comment 72-235. Based on the recommendations of the Technical Correlating Committee and the Technical Committee, the Council voted to accept the amendment.
09-8-5-c	Amendment No. 72-3 (CAM 72-17): Reject an Identifiable Part of Comment 72-394. The rejection of the identifiable part results in the deletion from the table the proposed new (15)(1)(16), which read: "Fire pump supervisory indicating devices – (with a quarterly test frequent – same as current)." Based on the recommendations of the Technical Correlating Committee and the Technical Committee, the Council voted to accept the amendment.
09-8-5-d	Amendment No. 72-4 (CAM 72-18): Accept Comment 72-405. Based on the recommendations of the Technical Correlating Committee and the Technical Committee, the Council voted to accept the amendment.
09-8-5-e	Amendment No. 72-5 (CAM 72-22): Accept and Identifiable Part of Comment 72-457. The acceptance of identifiable part results in the reinstatement of 12.1.6.1.1, which reads as follows: "Refer to the 2010 Annex C for previous nomenclature and cross reference." Based on the recommendations of the Technical Correlating Committee and the Technical Committee, the Council voted to accept the amendment.
09-8-5-f	Amendment No. 72-6 (CAM 72-23): Reject an Identifiable Part of Comment 72-450. The rejection of the identifiable part results in the deletion of 12.4.2.20.3, which reads as follows: "Strobes used solely for mass notification shall be amber in color." Based on the recommendations of the Technical Correlating Committee and the Technical Committee, the Council voted to accept the amendment.
09-8-5-g	Amendment No. 72-7 (CAM 72-26): Reject Comment 72-527. Based on the recommendations of the Technical Correlating Committee and the Technical Committee, the Council voted to accept the amendment.
09-8-5-h	D#09-10 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Josh Elvove from the U.S. General Services Administration, requesting that the 2010 edition of NFPA 72 [®] , <i>National Fire Alarm and Signaling Code</i> be issued with the acceptance of Comment 72-388, (CAM 72-16). Comment 72-388 seeks to delete the words "smoke damper operation" from the test method provisions of Item 23 in Table

	<p>10.4.2.2 (2007 edition numbering). The deletion intends to resolve what the appellant perceives as a conflict between NFPA 72 and NFPA 105, <i>Installation of Smoke Door Assemblies and Other Opening Protectives</i>. Specifically, the appellant notes that NFPA 72 requires testing of smoke dampers and combination fire/smoke dampers on the same annual frequency required for the functional testing of the initiating device (smoke detector) used for their actuation. NFPA 105, however, requires the testing of dampers, not annually, but on a 4 year basis (or 6 years if in a hospital).</p> <p>As background, Proposal 72-495 recommended deletion of the words “smoke damper operation” from the test method provisions of Item 23 in Table 10.4.2.2. This Proposal was rejected by the Technical Committee on Testing and Maintenance of Fire Alarm Systems (TC). Subsequently, Comment 72-388 recommended acceptance of the Proposal. This Comment was accepted-in-principle by the TC, but in doing so, the TC did not delete the words “smoke damper operation” but merely added a paragraph to the advisory Annex A that provided guidance on the reporting of fire safety function problems observed in testing but that did not address the appellant’s principal concern with damper testing frequency. As a consequence, the appellant, at the 2009 Association Technical Meeting (Tech Session), proceeded to make a Certified Amending Motion (CAM 72-16) which sought acceptance of his Comment 72-388 to delete the words “smoke damper operation.” The motion failed to obtain the support of the general NFPA membership in attendance, which means under NFPA rules, the default recommendation of the codes and standards development process is that words “smoke damper operation” are retained in Item 23 of Table 10.4.2.2.</p> <p>The appeal requests that the Standards Council overturn the action that was recommended by the full NFPA codes and standards development process. This recommendation represents the consensus judgment of the responsible technical committee and technical correlating committee, a judgment that was also supported by a vote of the NFPA membership at the 2009 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the full codes and standards process, and failed to persuade the consensus process to adopt his position.</p> <p>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 yielded by the NFPA codes and standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the words “smoke damper operation” are retained in Item 23 of Table 10.4.2.2.</p> <p>Without addressing every argument that has been raised before it, the Council notes that the extent and significance of any conflict between NFPA 72 and NFPA 105 was not clear to the Council, nor did the Council regard it as appropriate for the Council itself to review</p>
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	<p>and resolve the technical issues relating to the extent and frequency of testing of smoke dampers actuated by smoke detectors. In addition, as the appellant himself conceded, the mere deletion of the words “smoke damper operations” from Item 23 would not cure any alleged conflict between NFPA 72 and NFPA 105. Indeed, the testing requirement in Item 23 applies to all “fire safety functions” (or, as used in the 2010 edition, “emergency control functions”). The term “smoke damper operations” is part of a non-exclusive list of examples of emergency control (fire safety) functions, and the mere deletion of the term from the list of examples hardly means that smoke dampers operations are no longer emergency control (fire safety) functions that must be tested along with the related actuation device.</p> <p>While the Council has denied this appeal, the Council recognizes that there are potential jurisdictional issues regarding the respective scopes of NFPA 72 and NFPA 105 concerning provisions for the testing of smoke dampers and combination fire/smoke dampers. The Council also recognizes that other technical committees develop standards for other types of equipment that may be actuated by the fire alarm and other warning systems governed by NFPA 72, and that potential jurisdictional issues between the NFPA 72 project and those technical committees may exist concerning the testing requirements for such equipment. The Council believes that these jurisdictional issues should be reviewed and addressed as part of the Council’s responsibilities to assign scopes and coordinate the activities of the various committee projects within the NFPA standards development system. To assist the Council, the Council is requesting that the NFPA 72 TCC Chair appoint and chair a task group made up of members from the NFPA 72 project, the NFPA 105 technical committee and any other relevant technical committees. The task group should provide the Council with a review and analysis of the jurisdictional issues related to the testing of emergency control (fire safety) functions. In particular, the Council is seeking recommendations from the task group as to how the testing of emergency control (fire safety) functions should be handled among the responsible technical committees so as to assure that all aspects of the end-to-end testing of fire safety systems are addressed and that the responsibilities of the relevant technical committees are clear and any conflicts within the scopes of these technical committees avoided.</p>
09-8-6	<p>It was voted to issue NFPA 80, <i>Standard for Fire Doors and Other Opening Protectives</i>, with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on an amendment in Minute Item 09-8-6-a and with action on a concurrently considered TIA as indicated in Minute Item 09-8-20.</p>
09-8-6-a	<p>Amendment No. 80-1 (CAM 80-1): Accept Comment 80-10. Based on the recommendation of the Technical Committee, the Council voted to accept the amendment.</p>
09-8-7	<p>It was voted to uphold the Association action of returning to committee the proposed 2010 edition of NFPA 99, <i>Standard for Health Care Facilities</i>. In making this decision, the Council approved the Committee’s request to enter the Annual 2011 Revision Cycle without a call for public proposals. See <i>Regs.</i> at Section 4.7.3(c) See Minute Items 09-8-7-a, 09-8-7-b (D#09-12), and related TIA Minute Item 09-8-21.</p>
09-8-7-a	<p>Amendment No. 99-1 (CAM 99-8): Return entire report. Based on the recommendations of the Technical Correlating Committee (TCC) and the Technical Committees (TC) the Council voted to accept the amendment. The Council also approved the request of the</p>

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	TCC to enter NFPA 99 into the Annual 2011 revision cycle without call for public proposals. See Minute Item 09-8-7-b (D#09-12)
09-8-7-b	<p>D#09-12 At its meeting of 4-6 August 2009, the Standard Council considered an appeal from Jan Ehrenwerth, M.D., of Yale University, representing the American Society of Anesthesiologists. The appeal requested that the Council reject the Association action to return the entire report of the 2010 edition of NFPA 99, <i>Standard for Health Care Facilities</i>, and that, instead, the Council issue the proposed 2010 edition.</p> <p>As background, at the 2009 Association Technical Meeting (Tech Session), an amending motion to return the entire report of the 2010 edition of NFPA 99 was made, and was supported by the NFPA membership. Under NFPA rules, when the membership at the Tech Session votes to return a document to committee, the document should not be issued, but should go back for further processing in accordance with one of the available options set forth in the NFPA <i>Regulations Governing Committee Projects (Regs.)</i> at Section 4.4.7.3.</p> <p>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. In the case of an NFPA document that had been returned to Committee by the NFPA membership, it would be rare indeed for the Council to intervene. There is no doubt that, during this revision cycle, the Health Care Facilities committees have done extensive and valuable work in reorganizing and rewriting NFPA 99. Nevertheless the debate and vote of the membership at the Tech Session reflected the view that the document was not yet ready for issuance and that further work was needed. The record before the Council contains adequate support for that view, and the Council must, therefore, respect the outcome of the process. In particular, the Council notes that an informational ballot of the Health Care Facilities committees, while advisory only (see <i>Regs.</i> at Section 4.7.2[a]), and certainly not conclusive, showed significant support for the return to committee, including clear support for the return by the Technical Correlating Committee and three of the seven technical committees. Accordingly, after reviewing and considering all the information available to it, the Council voted to deny the appeal. This means that proposed 2010 edition of NFPA 99 shall not be issued and the existing edition shall remain in effect. See <i>Regs.</i> at Section 4.7.2(a).</p> <p>There remains the question of further processing of NFPA 99. After considering the recommendation of TCC/TCs, the Council is directing that NFPA 99 should be entered into the Annual 2011 cycle and processed according to the option described in the <i>Regs.</i> at Section 4.4.7.3(c). Specifically, under this option, the document will be processed through a full revision cycle without a call for new public proposals. This requires the TCs to reconsider and act on all public proposals previously filed, generate any new TC proposals, and publish and prepare an amended Report on Proposals (ROP), followed by the processing of the new Report on Comments (ROC).</p>
09-8-7-c	See Minute Item 09-8-8-b, D# 09-12
09-8-8	The Council voted to issue NFPA 105, <i>Standard for the Installation of Smoke Door</i>

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	<i>Assemblies and Other Opening Protectives</i> , with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on amendments as indicated in Minute Item 09-8-8-a.
09-8-8-a	Amendment No. 105-1 (CAM 105-1): Accept an Identifiable Part of Proposal 105-4. The acceptance of the identifiable part results in the addition of an annex note and asterisk to 6.5.2, the deletion of text in 6.5.5, and no change to 6.6.5. Based on the recommendation of the Technical Committee, the Council voted to accept the amendment.
09-8-9	It was voted to issue NFPA 130, <i>Standard for Fixed Guideway Transit and Passenger Rail Systems</i> , with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting without amendments or appeals.
09-8-10	It was voted to issue NFPA 400, <i>Hazardous Materials Code</i> , with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, without amendments or appeals.
09-8-11	It was voted to issue NFPA 501, <i>Standard on Manufactured Housing</i> , with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, with action on amendments and appeals as indicated in Minute Items 09-8-11-a, 09-8-11-a-1 (D#09-14), 09-8-11-b (D#09-13), 09-8-11-c, and 09-8-11-c-1 (D#09-15).
09-8-11-a	Amendment No. 501-1 (CAM 501-1): Accept Comment 501-7. This amendment failed to achieve the 2/3 affirmative vote of the Technical Committee necessary to support the amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal was filed in response to the failed amendment. See Minute Item 09-8-11-a-1 (D#09-14).
09-8-11-a-1	<p>D#09-14 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Marcelo Hirschler, GBH International, requesting acceptance of Proposal 501-13 in the 2010 edition of NFPA 501, <i>Standard on Manufactured Housing</i>. Specifically the appellant seeks to return to the language accepted during the Report on Proposals (ROP) for Section 5.3.2.6 addressing the interior finish of certain materials in bathrooms. The text reads as follows:</p> <p style="padding-left: 40px;">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.</p> <p>As background, Proposal 501-13 recommended revisions to Section 5.3.2, <i>Flame Spread Requirements</i>, including Section 5.3.2.6, and was accepted by the Technical Committee on Manufactured Housing (TC). Subsequently, Comment 501-7 recommended further revisions to proposed Section 5.3.2.6 and was rejected by the TC. A Certified Amending Motion (CAM 501-1) seeking acceptance of Comment 501-7 was made at the 2009 Association Technical Meeting (Tech Session). The motion obtained the support of the general NFPA membership in attendance, but failed the subsequent balloting of the TC. When a recommended amendment is not approved by the TC, the default recommendation of the codes and standards development process is that the text of Section 5.3.2.6 would return to previous edition text.</p>

	<p>The appeal requests that the Standards Council overturn the action that was recommended by the NFPA codes and standards development process and return to the language accepted during the ROP for Section 5.3.2.6 addressing the interior finish of certain materials in bathrooms. 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. The effect of this action, together with the corresponding action in Standards Council Decision #09-13 (Agenda Item 09-8-11-b) is that Section 5.3.2.6 will be deleted, and the previous edition content of Section 5.3.2.6 will be retained in Section 5.4, where it has now been moved. 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).</p> <p>In making its decision, the Council notes that the proposed language 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.</p>
09-8-11-b	<p>D#09-13 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, <i>Standard on Manufactured Housing</i>. 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:</p> <p style="padding-left: 40px;">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.</p> <p>As background, Proposal 501-13 recommended revisions to Section 5.3.2, <i>Flame Spread Requirements</i>, 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</p>

	<p>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).</p> <p>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.</p> <p>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).</p>
09-8-11-c	<p>Amendment No. 501-2 (CAM 501-3): Accept Comment 501-10. This amendment failed to achieve the 2/3 affirmative vote of the Technical Committee necessary to support the amendment. When this occurs, the recommended action is to return the text in question to the responsible Technical Committee. An appeal was filed in response to the failed amendment. See Minute Item 09-8-11-c-1 (D#09-15).</p>
09-8-11-c-1	<p>D#09-15 At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Marcelo Hirschler, requesting the Council issue 2010 edition of NFPA 501, <i>Standard on Manufactured Housing</i>. Specifically he is seeking to return to the new text accepted during the Report on Proposals (ROP) in Proposal 501-15 for Section 5.4 that reads as follows:</p> <p style="padding-left: 40px;">5.4 Fire Safety of Bathrooms. Materials used for plastic bathtubs, shower units, and tub or shower doors shall comply with the flame spread index of 200 in accordance with 5.3.1 or shall have a radiant panel index not exceeding 200 when tested in accordance with ASTM E162, Standard Test Method for Surface Flammability of Materials Using a Radiant Heat Energy Source.</p> <p>As background, Proposal 501-15 recommended a new Section 5.4, <i>Fire Safety of Bathrooms</i>, and was accepted by the Technical Committee on Manufactured Housing (TC). Subsequently, Comment 501-10 recommended further revisions to proposed new Section 5.4 and was rejected by</p>

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	<p>the TC. A Certified Amending Motion (CAM 501-3) seeking acceptance of Comment 501-10 was made at the 2009 Association Technical Meeting (Tech Session). The motion obtained the support of the general NFPA membership in attendance, but failed the subsequent balloting of the TC. When a recommended amendment is not approved by the TC, 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 proposed new Section 5.4 will be deleted since it did not exist in the previous edition.</p> <p>Although the default is to return to previous edition text thereby eliminating the requirements in 5.4, as was presented by both sides of the appeal, this result was not desired by anyone in the process. Therefore, the appeal requests that the Standards Council overturn the action that was recommended by the NFPA codes and standards development process and return to the language accepted during the ROP instituting a new Section 5.4.</p> <p>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 present a clear and substantial basis on which to overturn the results recommended by the NFPA codes and standards development process. As indicated above, the default recommendation of returning to previous edition text was not advocated by any party or preferred by either the TC or the Tech Session. In these circumstances, and based on the record before it, the Council concludes that the position of the consensus TC, as expressed in its acceptance of Proposal 501-15 should prevail. The effect of this action is that Section 5.4 will remain as written in the ROP in Proposal 501-15.</p>
09-8-12	<p>It was voted to issue, NFPA, 909, <i>Code for the Protection of Cultural Resources Properties - Museums, Libraries, and Places of Worship</i>, with an issuance date of August 6, 2009 and effective date of August 26, 2009, as acted on at the Association Meeting, without amendments or appeals and with action on a concurrently considered Tentative Interim Amendment (TIA) as indicated in Minute Item 09-8-28.</p>
09-8-13	<p>The 2009 Revision Cycle Consent Documents were letter balloted by the Council with an issuance date of May 26, 2009 and effective date of June 15, 2009, as shown below:</p> <ul style="list-style-type: none"> 13R Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances 55 Standard for the Compressed Gases and Cryogenic Fluid Code 99B Standard for Hypobaric Facilities 101A Guide on Alternative Approaches to Life Safety 111 Standard on Stored Electrical Energy Emergency and Standby Power Systems 291 Recommended Practice for Fire Flow Testing and Marking of Hydrants 302 Fire Protection Standard for Pleasure and Commercial Motor Craft 430 Code for the Storage of Liquid and Solid Oxidizers (withdrawal)

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	<p>432 Code for the Storage of Organic Peroxide Formulations (withdrawal) 434 Code for the Storage of Pesticides (withdrawal) 490 Code for the Storage of Ammonium Nitrate (withdrawal) 1123 Code for Fireworks Display 1221 Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments 1720 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments</p> <p>In addition, the Standards Council also approved by letter ballot, as a consent document, NFPA 110, <i>Standard for Emergency and Standby Power Systems</i>. The Standards Council has assigned an issuance date of August 6, 2009 and effective date of August 26, 2009 for this document.</p>
09-8-14	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Table 8.3.1 of the 2008 edition of NFPA 30A, <i>Code for Motor Fuel Dispensing Facilities and Repair Garages</i>, (TIA No. 956). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. Two public comments were received and no appeals were filed.</p>
09-8-15	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Sections 5.4.1.2 and 5.4.2.4(4) of the 2008 edition of NFPA 59, <i>Utility LP-Gas Plant Code</i>, (TIA No. 963). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p>
09-8-16	<p>D#09-18 At its meeting of 4-6 August 2009, the Standard Council considered an appeal from Robert Torbin of Cutting Edge Solutions LLC, requesting the issuance of proposed Tentative Interim Amendment (TIA) No. 941 on the 2008 edition of NFPA 70[®], <i>National Electrical Code</i>[®] (NEC). The proposed TIA seeks to modify Section 250.104, concerning NEC provisions on the bonding of piping systems and exposed structural steel. Specifically, the TIA seeks to add a new provision in 250.104(B) concerning the bonding of corrugated stainless steel tubing (CSST). In material part, the provision would require as follows:</p> <p style="padding-left: 40px;">CSST. Corrugated stainless steel tubing gas piping systems shall be bonded by connection to a metallic piping segment or fitting, either outside or inside the building, between the individual gas meter and the first CSST fitting. The bonding jumper shall be sized in accordance with Table 250.66 based on the size of the service-entrance conductor or feeder supplying each occupancy and as permitted in 250.66(A), (B) and (C) but not smaller than 6 AWG copper (or equivalent).</p> <p>In support of this TIA, the submitter, who is also the appellant here, has argued that the</p>

	<p>revision is the appropriate means of protecting CSST against damage that could be caused if the system is energized due to a lightning strike. He points out that a similar (though not identical) bonding provision has been added to the 2009 edition of NFPA 54, <i>National Fuel Gas Code</i>, and he suggests that a TIA is necessary for correlation and consistency between NFPA 54 and the NEC.</p> <p>The procedural background is as follows. The appellant originally submitted the material that is the subject of this proposed TIA 941 to NEC Code-Making Panel 5 (Panel 5) as Proposal 5-251 in the Annual 2010 Report on Proposals. The Panel 5 rejected the proposal. The NEC Report on Comments meeting will occur in December 2009, and the period for the submittal of Public Comments is open until October 23, 2009. The Council notes that, apart from the task group activities discussed later in this opinion, the appellant or others who wish to pursue the CSST bonding requirements within the regular revision cycle of the NEC should submit Public Comments as they deem appropriate.</p> <p>In addition to submitting a proposal within the regular NEC revision cycle, the appellant submitted proposed TIA 941. The TIA was balloted through Panel 5 and the NEC Technical Correlating Committee (TCC) in accordance with the NFPA <i>Regulations Governing Committee Projects</i>, to determine if it had the necessary three-fourths majority support on technical merit and emergency nature to establish a recommendation for issuance. The ballot failed to achieve the necessary support of Panel 5 on technical merit but passed on emergency nature, and failed the TCC ballot with respect to both correlating merit and emergency nature. Where the ballot does not pass both the Panel 5 and TCC on merit and emergency nature, the default recommendation to the Council is to not issue the TIA.</p> <p>The appeal requests that the Standards Council overturn the action that was yielded by the NFPA codes and standards development process and instead issue the TIA. 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 TIA 941.</p> <p>The Council has determined that there is no basis for it to issue a TIA that has been soundly rejected by the responsible consensus committees. The record before it, however, reveals both jurisdictional and potential technical issues that may require further attention within the standards development process going forward. First, questions have been raised regarding whether the issue addressed by the TIA is properly within the scope of the NEC. In the balloting on the TIA and elsewhere in the record, it has been observed that the scope of the NEC is the practical safeguarding of persons and property from hazards arising “from the use of electricity,” see NEC at 90.1(A), and it has been</p>
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	<p>suggested that a provision, such as the proposed TIA, addressed to the hazards arising from lightning rather than from human use of electricity, is not within the scope of the NEC.</p> <p>Secondly, the Council notes that in addition to jurisdictional/scope concerns, the balloting on the TIA raised questions regarding whether the proposed bonding requirements for CSST have been adequately substantiated. Whether or not the NEC has lightning protection within its scope, Panel 5 has expertise on issues of grounding and bonding. Concerns have been raised by some panel members in the balloting and elsewhere as to whether the bonding requirements proposed for the NEC in the TIA and which, in similar form, are currently contained in NFPA 54 have been adequately substantiated. Although the Technical Committee on Lightning Protection was consulted, it was also stated that no correlation or input from Panel 5 was sought by the Technical Committee responsible for NFPA 54 when it considered and accepted the proposal for bonding of CSST now contained in NFPA 54.</p> <p>The Council believes that there ought to be a review and study of both the jurisdictional/scope issues and the technical questions concerning bonding or other lightning-related technical issues affecting CSST in gas piping systems. The Council believes that these issues are deserving of study both for the purpose of assisting the Council in fulfilling its responsibilities to assign scopes and coordinate and oversee the activities of the various NFPA committee projects and also for the benefit of the technical committees that have or should play a role in reviewing the technical issues relating to CSST.</p> <p>To conduct this review, the Council is requesting that Council Member Farr appoint and chair a task group to report to the Council, made up of members from NEC Panel 5, the technical committees responsible for NFPA 54 and NFPA 780, and any other relevant technical committees. The task group is requested to provide the Council with a review and analysis of the jurisdictional and technical issues relating to lightning and CSST in gas piping systems, to identify and discuss any technical issues that need to be addressed, to identify potential research or data needs, and to identify which technical committee or committees should play a role in addressing the technical issues and what that role should be. The task group's report should include its recommendations as to steps that should be taken so that any issues can be further addressed, if necessary, within the standards development process.</p>
09-8-17	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Sections 12.2.4.2, A.12.2.4, and A.12.2.4.2 of the proposed 2010 edition of NFPA 72[®], <i>National Fire Alarm and Signaling Code</i>, (TIA No. 960). The TIA, having been issued concurrently with the issuance of the 2010 edition, shall be issued as part of that new edition pursuant to the <i>Regulations Governing Committee Projects (Regs.)</i> at Section 5.5 (c). The proposed TIA achieved the necessary support of the Technical Correlating Committee (TCC) on merit and emergency nature. The Technical Committee (TC) achieved support on technical merit, but failed emergency nature by one vote. It was voted by the Council to issue the TIA although it failed by one vote in the TC on emergency nature. The Council will</p>

	<p>generally defer to the responsible TC on technical issues. However the question of emergency nature is one on which the Council has broader discretion to ensure that the question of emergency nature is properly evaluated. TIA 960 addresses a significant correlation issue, and in this regard, the Council gives weight to the TCC's view, expressed in its positive ballot on emergency nature, that the TIA is necessary to avoid creating an unintended and safety related conflict with the NEC by misstating certain provisions of NEC Article 760. In these circumstances and based on a review of the entire record, the Council has no difficulty in concluding that the TIA meets the requirements of the <i>Regs.</i> for demonstrating emergency nature. See <i>Regs.</i> at Section 5.2. No public comments were received and no appeals were filed.</p> <p>This TIA is being issued to the proposed 2010 edition only in accordance with the authority of the Council under Section 5.10 of the <i>Regs.</i></p> <p>Council Member Clary recused himself from the deliberation and vote on this issue.</p>
09-8-18	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Chapter 3 of the proposed 2010 edition of NFPA 72[®], <i>National Fire Alarm and Signaling Code</i>, (TIA No. 961). The TIA, having been issued concurrently with the issuance of the 2010 edition, shall be issued as part of that new edition pursuant to the <i>Regulations Governing Committee Projects (Regs.)</i> at Section 5.5 (c). The proposed TIA achieved the necessary support of the Technical Correlating Committee on merit and emergency nature and the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p> <p>This TIA is being issued to the proposed 2010 edition only in accordance with the authority of the Council under Section 5.10 of the <i>Regs.</i></p>
09-8-19	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Sections 17.4.9 and 17.7.5.5.8 of the proposed 2010 edition of NFPA 72[®], <i>National Fire Alarm and Signaling Code</i>, (TIA No. 964). The TIA, having been issued concurrently with the issuance of the 2010 edition, shall be issued as part of that new edition pursuant to the <i>Regulations Governing Committee Projects (Regs.)</i> at Section 5.5 (c). The proposed TIA achieved the necessary support of the Technical Correlating Committee on merit and emergency nature and the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p> <p>This TIA is being issued to the proposed 2010 edition only in accordance with the authority of the Council under Section 5.10 of the <i>Regs.</i></p>
09-8-20	<p>It was voted to issue a Tentative Interim Amendment (TIA) to Chapter 2, Annex D, and Annex L of the proposed 2010 edition of NFPA 80, <i>Standard for Fire Doors and Other Opening Protectives</i>, (TIA No. 950). The TIA, having been issued concurrently with the issuance of the 2010 edition, shall be issued as part of that new edition pursuant to the <i>Regulations Governing Committee Projects (Regs.)</i> at Section 5.5 (c). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p>

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09-8-21	The Council voted to issue a proposed Tentative Interim Amendment (TIA) to Section 17.3.8.1 of the 2005 edition of NFPA 99, <i>Standard for Health Care Facilities</i> , (TIA No. 927). This TIA was initially considered by the Council at the October, 2008 meeting but deferred action pending a re-ballot of the Technical Correlating Committee (TCC) and the Technical Committee (TC). On re-ballot, the proposed TIA achieved the necessary support of the TCC on both merit and emergency nature. The TC achieved the necessary support on technical merit, but failed on emergency nature. Given that this edition of the document will remain in place because of the return of the proposed 2010 edition [See Minute Item 09-8-7 (D#09-12)] and there is no issue with technical merit, the Council will issue this TIA. The Council will generally defer to the responsible TC on technical issues. However, the question of emergency nature is one on which the Council gives less deference to the judgment of the TC since evaluation of emergency nature often involves issues of a non-technical nature that the Council itself has an obligation to evaluate to ensure fairness in the treatment of subjects addressed by TIAs. This is particularly true where, as here, those voting negatively on the issue of emergency nature have largely failed to provide any real basis for a conclusion. In these circumstances, and based on a review of the entire record, the Council has no difficulty in concluding that the TIA meets the requirements of the <i>Regulations Governing Committee Projects (Regs.)</i> for demonstrating emergency nature. (<i>Regs.</i> at Section 5.2).
09-8-22	The Council did not proceed with the issuance of a proposed Tentative Interim Amendment (TIA) to Chapter 6 of the proposed 2010 edition of NFPA 99, <i>Standard for Health Care Facilities</i> , (TIA No. 952). The proposed 2010 edition of NFPA 99, <i>Standard for Health Care Facilities</i> was returned to the Technical Committee by Association vote and was not issued by the Council as indicated in Minute Item 09-8-7 (D#09-12).
09-8-23	The Council did not proceed with the issuance of a proposed Tentative Interim Amendment (TIA) to Section 5.1.3.4.5.1 of the proposed 2010 edition of NFPA 99, <i>Standard for Health Care Facilities</i> , (TIA No. 955). The proposed 2010 edition of NFPA 99, <i>Standard for Health Care Facilities</i> was returned to the Technical Committee by Association vote and was not issued by the Council as indicated in Minute Item 09-8-7 (D#09-12).
09-8-24	D#09-19 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 [®] , <i>Life Safety Code</i> [®] . 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 <i>Regulations Governing Committee Projects</i> , 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

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	<p>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.</p> <p>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.</p>
09-8-25	<p>It was voted to defer action on issuing a proposed Tentative Interim Amendment (TIA) to Section 43.7.2 of the 2009 edition of NFPA 101, <i>Life Safety Code</i>, (TIA No. 947). The Council directed that the Technical Committees (TCs) be balloted on the editorial corrections that were submitted to the Council by the submitter and chairs of both TCs but were not balloted by the TCs. After balloting on the editorial changes to Sections 43.7.2.1 and 43.7.2.2 by the TCs, the TIA may report back to the Council. The proposed TIA achieved the necessary support of the Technical Correlating Committee on merit and emergency nature and the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p>
09-8-26	<p>It was voted to issue a Tentative Interim Amendment (TIA) to Table 8.3.1 of the proposed 2010 edition of NFPA 110, <i>Standard for Emergency and Standby Power Systems</i>, (TIA No. 965). The TIA, having been issued concurrently with the issuance of the 2010 edition, shall be issued as part of that new edition pursuant to the <i>Regulations Governing Committee Projects (Regs.)</i> at Section 5.5 (c). The proposed TIA achieved the necessary support of the Technical Correlating Committee on merit and emergency nature and the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed. (See Minute Item 08-13).</p> <p>This TIA is being issued to the proposed 2010 edition only in accordance with the authority of the Council under Section 5.10 of the <i>Regs.</i></p>
09-8-27	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Sections 2.3.1, 4.1.2, and 6.2.2 of the 2008 edition of NFPA 259, <i>Standard Test Method for Potential Heat of Building Materials</i> (TIA No. 957). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p>
09-8-28	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Sections 9.12.19 and 9.12.26.1 of the proposed 2010 edition of NFPA 909, <i>Code for the Protection of Cultural Resources Properties - Museums, Libraries, and Places of Worship</i> (TIA No. 962). The TIA, having been issued concurrently with the issuance of the 2010 edition,</p>

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	<p>shall be issued as part of that new edition pursuant to the <i>Regulations Governing Committee Projects (Regs.)</i> at Section 5.5 (c). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p> <p>This TIA is being issued to the proposed 2010 edition only in accordance with the authority of the Council under Section 5.10 of the <i>Regs.</i></p>
09-8-29	<p>The issuance of a proposed Tentative Interim Amendment (TIA) to Sections 3.3.37.1, A.3.3.37.1, 7.3.1, A.7.3.1 and 7.3.2 through 7.3.4.1 of the 2007 edition of NFPA 1500, <i>Standard on Fire Department Occupational Safety and Health Program</i> (TIA No. 938) was administratively withdrawn from the Agenda and deferred to the October 2009 meeting to give adequate time to notify the public commenter's that if they want to appeal they could do so in writing or in person.</p>
09-8-30	<p>The Council considered the issuance of a proposed Tentative Interim Amendment (TIA) to Annex C of the 2007 edition and the proposed 2010 edition of NFPA 1600, <i>Standard on Disaster/Emergency Management and Business Continuity Programs</i> (TIA No. 948). It was voted not to issue the Tentative Interim Amendments because there was a lack of evidence that the TIA was of an emergency nature requiring prompt action and it did not receive the support of the Technical Committee on both technical merit and emergency nature. No public comments were received and no appeals were filed.</p>
09-8-31	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Section 19.6.4.6 (New) of the 2009 edition of NFPA 1901, <i>Standard for Automotive Fire Apparatus</i>, (TIA No. 954). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.</p>
09-8-32	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Section 19.24.2.5.1 (New) of the 2009 edition of NFPA 1901, <i>Standard for Automotive Fire Apparatus</i>, (TIA No. 958). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. One public comment was received and no appeals were filed.</p>
09-8-33	<p>The Council considered the issuance of a proposed Tentative Interim Amendment (TIA) to Sections 4.11.1, 14.1.3.10 thru 14.1.3.15 of the 2009 edition of NFPA 1901, <i>Standard for Automotive Fire Apparatus</i>, (TIA No. 967). It was voted not to issue the Tentative Interim Amendment because there was a lack of evidence that the TIA was of an emergency nature requiring prompt action, and it did not received the support of the Technical Committee on both technical merit and emergency nature. One public comment was received and no appeals were filed.</p>
09-8-34	<p>It was voted to issue a proposed Tentative Interim Amendment (TIA) to Section 19.8.4.10(7) of the 2007 edition of NFPA 1911, <i>Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus</i>, (TIA No. 959). The proposed TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. One public comment was received and no appeals were filed.</p>
09-8-35	<p>The request of T. LeMaster, FotoLum, that NFPA consider the establishment of a new project on high-grade photo luminescence in conjunction with retro reflective properties</p>

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	for fire fighters was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-36	The request of R. Locati, Apex Electrical Interconnection Consultants, LLC, that NFPA consider the establishment of a new project on safety tools for installation and servicing of wiring devices was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-37	The request of D. Hall, Deputy Fire Chief, Westminster Fire Department, that NFPA consider the establishment of a new recommended practice on developing and conducting after action reviews (AAR) or critiques was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-38	The request of E.L. Medlin, APPA, that NFPA consider the establishment of a national safety standard for educational facilities was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-39	The request of the Technical Committee on Hazardous Materials Response Personnel, that NFPA consider the establishment of a new recommended practice on minimum requirements for the organization and management of hazardous materials/weapons of mass destruction (WMD) emergency response program was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-40	The request of S. Pitts, Marine Corps Systems Command that NFPA consider the establishment of a new proposed project on power air purifying respirator (PAPR) was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-41	The request of T. Letterman, Riverside County Fire Department, that NFPA consider the establishment of a new proposed project on use of sprinklers for structure protection from wildfire was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-42	The Council reviewed the request of the NEC Technical Correlating Committee to review the Code-Making Panel 5 Chair's Report regarding jurisdictional responsibility that would impact the Panel Action on Proposal 5-251. See Minute Item 09-8-16 (D#09-18) on related TIA.
09-8-43	The response of the National Electrical Code Technical Correlating Committee (NEC TCC) to review Annex 3.0 regarding the 15 member limitation on Code Making Panels (CMP), and report back as to its rationale for this number, or a proposed revision to Annex 3.0 to reflect its current position on recommended size of CMPs was administratively withdrawn from the Agenda and deferred to the October 2009 meeting.
09-8-44	<p>At the March 2009, the Technical Correlating Committee (TCC) on Fire and Emergency Service Protective Clothing and Equipment reported to the Council that the TCC had assigned the development of a new document on Respiratory Standards for Wildland Fire Fighting to the Technical Committee (TC) on Respiratory Protection Equipment. At that time, the Council directed the TCC to review the membership on the TC and make any membership recommendations necessary to assure that they have appropriate wildland fire fighting expertise to development the document.</p> <p>Documentation was provided to the Council showing which members on the TC have wildland expertise. The Council has determined that the TC on Respiratory Protection Equipment has the appropriate wildland fire fighting expertise to develop the document on</p>

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	wildland respiratory protection.
09-8-45	It was voted to approve the request of the Technical Committee on Smoke Management Systems to combine the 2009 edition of NFPA 92A, <i>Standard for Smoke-Control Systems Utilizing Barriers and Pressure Differences</i> and 2009 edition of NFPA 92B, <i>Standard for Smoke Management Systems in Malls, Atria, and Large Space</i> , into a single standard, NFPA 92, <i>Standard for Smoke Management</i> and enter into the Annual 2011 revision cycle.
09-8-46	The Council approved the request of the Technical Committee on Smoke Management Systems to move NFPA 204, <i>Standard for Smoke and Heat Venting</i> from the Fall 2009 ROC revision cycle to the Annual 2010 ROC revision cycle.
09-8-47	It was voted to approve the request of the Technical Committee (TC) on Fire Tests for a one time revision cycle change for seven documents. The TC is requesting moving NFPA 252, NFPA 257, NFPA 268, NFPA 269, NFPA 275, NFPA 287 and NFPA 288 from the A2011 revision cycle to the F2011 revision cycle.
09-8-48	It was voted to approve the request of the Technical Committee on Electrical Equipment Evaluation, that they enter two new documents, NFPA 790, <i>Standard for Competency of Third Party Field Evaluation Bodies</i> , and NFPA 791, <i>Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation</i> into the Annual 2011 revision cycle.
09-8-49	It was voted to approve the request of the Technical Committee on Industrial Trucks for a one time, three-year revision cycle change for the 2006 edition of NFPA 505, <i>Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operation</i> from the Fall 2014 revision cycle to the Fall 2012 revision cycle.
09-8-50	It was voted to approve the request of the Technical Committee on Forest & Rural Fire Protection that the Standards Council approve a cycle change for the 2008 edition of NFPA 1141, <i>Standard for Fire Protection Infrastructure for Land Development in Suburban and Rural Areas</i> , from the A2012 revision cycle to A2011 revision cycle.
09-8-51	It was voted to approve the request of the Fire Service Training Committee for a one time cycle change for the 2008 edition of NFPA 1404, <i>Standard for Fire Service Respiratory Protection Training</i> , from the Fall 2010 revision cycle to the Fall 2012 revision cycle.
09-8-52	It was voted to approve the request of the Technical Committee on Special Operations Protective Clothing and Equipment that the 2006 edition of NFPA 1983, <i>Standard on Life Safety Rope and Equipment for Emergency Service</i> , slip from the Fall 2010 revision cycle to the Fall 2011 revision cycle.
09-8-53	The Council approved the request of the Technical Committee on Wildland Fire Fighting Protective Clothing and Equipment to move NFPA 1977, <i>Standard on Protective Clothing and Equipment for Wildland Fire Fighting</i> from the Fall 2009 ROC revision cycle to the Fall 2010 ROP revision cycle.
09-8-54	The Council heard the Report of the Policy and Procedures Task Group.
09-8-55	The Council approved the Report of the Membership Task Group, as indicated in Minute Items 09-8-55-a through 09-8-55-e.
09-8-55-a	The Council reviewed the Membership Task Group's recommendations on pending applications for Committee Membership and took appropriate action on each. Changes in Committee membership approved by the Council can be found in Minute Item 09-8-55-a.

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09-8-55-b	The Council considered the correspondence from A. Philips, Oregon Office of State Fire Marshal, regarding Committee Member G. Hanson, Precocious Pyrotechnics. After a careful review of the entire record concerning this matter, the Council found no need for action.
09-8-55-c	The Council reviewed the request of the NEC Technical Correlating Committee (TCC) for approval of the reconstitution of the Technical Committee (TC) for Electrical Safety in the Workplace, responsible for NFPA 70E. The Council voted not to approve the reconstitution of the TC. However, the Council noted that the existing TC lacks representation from small and medium size organizations in the User category. In consideration of the TCC input relative to the size of the TC, the Council requested action be taken to consolidate existing representation of the DOE laboratories and automotive industry to make openings available for additional user representatives rather than expand the size of the TC. This action would include having one user serve as a Principle and the other serving as Alternate. The Council notes that although each of the User representatives represent a different entity, it is the opinion of the Council that they bring similar expertise to the TC. The Council also requested consideration to be given to changing the IEEE interest category from User to Special Expert.
09-8-55-d	It was voted to defer action on the future structure of the Technical Committee on Fire Service Occupational Safety and Health pending additional information being provided to the Council. In reviewing the current structure of this project, the Council is considering establishing a new TC to handle NFPA 1581 and NFPA 1582. The Council is seeking input from the Technical Committee on Fire Service Occupational Safety and Health on this restructuring and any specific correlation issues that may be created if this restructuring were to be implemented.
09-8-55-e	The Council considered the request of T. Lindsey, Travis Lindsey Consulting Services, Inc., requesting regulations to prohibit spouses from serving on the same Technical Committee. After a careful review of the entire record concerning this matter, the Council found no need for action.
09-8-56	<p>It was voted to approve the request of the Technical Committee (TC) on Fixed Guideway Transit Systems to revise their Committee title and scope. The approved title of the TC is Technical Committee on Fixed Guideway Transit and Passenger Rail System. The approved scope of the TC is revised as follows:</p> <p>Committee Scope: This Committee shall have primary responsibility for documents pertaining to fire safety requirements for underground, surface, and elevated fixed guideway transit and passenger rail systems including stations, trainways, emergency ventilation systems, vehicles, emergency procedures, communications and control systems and for life safety from fire and fire protection in stations, trainways, and vehicles. Stations shall pertain to stations accommodating occupants of the fixed guideway transit and passenger rail systems and incidental occupancies in the stations.</p>
09-8-57	It was voted to approve the request of the Technical Committee on Hazardous Materials Protective Clothing and Equipment for a cycle change for NFPA 1991, NFPA 1992, and NFPA 1994 from the F2010 revision cycle to the F2011 revision cycle.
09-8-58	The Council reviewed the request of the Building Code and Safety to Life Technical Correlating Committees (TCC) for the Council to provide guidance to the TCCs as to

	<p>which Technical Committee (TC) should be assigned the responsibility for the high rise building criteria. After a careful review of the entire record concerning this matter, the Council voted to assign the responsibility for the high rise building criteria to the Safety to Life/Building Code Fundamentals Committees. As a result of this decision, the Council also approved a revision of the scopes of the Fundamentals Committee and the Industrial Technical Committees as well as a revision to Chapter 3 of the <i>Supplemental Operating Procedures for the NFPA Committees on Safety to Life</i> to read as follows:</p> <p>Technical Committee on Fundamentals (BLD/SAF-FUN) Committee Scope: This Committee shall have primary responsibility for documents on the basic goals, objectives, performance requirements, and definitions for protection of human life and property from fire, earthquake, flood, wind, and other circumstances capable of producing similar consequences, and on the nonemergency and emergency movement of people, <u>and on high-rise buildings.</u></p> <p>Technical Committee on Industrial, Storage, and Miscellaneous Occupancies (BLD/SAF-IND) Committee Scope: This Committee shall have primary responsibility for documents on protection of human life and property from fire and other circumstances capable of producing similar consequences, and on the emergency movement of people in industrial and storage occupancies, special structures, <u>and windowless and underground buildings,</u> and high-rise buildings.</p> <p style="text-align: center;">Supplemental Operating Procedures for the NFPA Committees on Safety to Life Section 3 Life Safety Technical Committees (TC's)</p> <p>3.1 The Life Safety Technical Committees shall have the responsibilities detailed in the <i>Regulations (see, generally, 3-3 3.3 of the Regulations)</i> and, subject to the continuing approval of the Standards Council, the following document-specific responsibilities:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><i>Life Safety Technical Committee on:</i></td> <td style="width: 50%;"><i>Responsibility</i></td> </tr> <tr> <td>a.</td> <td>Fundamentals: Chapters 1 through 6, <u>Section 11.8 and Chapter 43</u></td> </tr> <tr> <td>b.</td> <td>Means of Egress: Chapter 7 and NFPA-101B, <u>Annexes A and B</u></td> </tr> <tr> <td>...</td> <td></td> </tr> <tr> <td>m.</td> <td>Industrial, Storage, and Miscellaneous Occupancies: Chapters 11 <u>Sections 11.1 through 11.7 and 11.9 through 11.11, and Chapters 40 and 42</u></td> </tr> </table>	<i>Life Safety Technical Committee on:</i>	<i>Responsibility</i>	a.	Fundamentals: Chapters 1 through 6, <u>Section 11.8 and Chapter 43</u>	b.	Means of Egress: Chapter 7 and NFPA-101B, <u>Annexes A and B</u>	...		m.	Industrial, Storage, and Miscellaneous Occupancies: Chapters 11 <u>Sections 11.1 through 11.7 and 11.9 through 11.11, and Chapters 40 and 42</u>
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09-8-59	<p>The Council reconfirmed the dates and places of upcoming meetings, as follows:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">October 27 (am Task Groups)</td> <td style="width: 50%;">San Francisco, CA</td> </tr> <tr> <td>Full Council October 28, 2009</td> <td></td> </tr> </table>	October 27 (am Task Groups)	San Francisco, CA	Full Council October 28, 2009							
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	March 1 (noon Task Groups) Full Council March 2-3, 2010	San Juan, Puerto Rico
	August 2 (noon Task Groups) Full Council August 3-5, 2010	Quincy, MA
09-8-60	It was voted to approve the schedule for the processing of the 2014 edition of NFPA 70, <i>National Electrical Code</i> [®] .	
09-8-61	The Council heard a Report from the Chair of the Inter-Committee Coordination on Emergency Electrical Systems.	

Respectfully submitted,



Linda J. Fuller
Recording Secretary
NFPA Standards Council

October 19, 2009