Dear Interested Parties:

At the August 11-14, 2014 meeting, the Standards Council considered an appeal on the above referenced matter.

Please note that a correction has been made to the final decision that was previously sent out on August 26, 2014 for Council agenda item #14-8-15-d. Specifically, the only change is the last paragraph regarding recusals. The rest of the decision remains unchanged.

“Council Members Kerry Bell and Richard Owen recused themselves during the deliberation and vote on this issue.”

Attached is the final decision on the matter.

Sincerely,

Dawn Michele Bellis
Secretary, NFPA Standards Council

c:  D. Berry, S. Everett, L. Fuller, M. Earley
    Members, NEC Code-Making Panel 3 (NEC-P03)
    Members, NEC Correlating Committee (NEC-AAC)
    Members, NFPA Standards Council (AAD-AAA)
    Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA’s codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the NFPA Regulations Governing the Development of NFPA Standards and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the Date of Decision noted in the subject line of this letter.
Standards Council Decision (Final): D#14-6 (REVISED)
Standards Council Agenda Item: SC#14-8-15-d
Date of Decision*: 14 August 2014
TIA No. 1133 on NFPA 70®, National Electrical Code® 2014 edition

SUMMARY OF ACTION (for convenience only; not part of official decision): The Standards Council voted to uphold the appeal and to issue proposed Tentative Interim Amendment (TIA) No. 1133 on the 2014 edition of NFPA 70®, National Electrical Code®.

DECISION:
At its August 11-14, 2014 meeting, the Standards Council considered an appeal from John Kovacik of UL, LLC regarding issuance of proposed Tentative Interim Amendment (TIA) No. 1133 on the 2014 edition of NFPA 70®, National Electrical Code®. Specifically, the appeal seeks modify section 590.6 (A)(1) by including the underlined language as follows:

Receptacle Outlets Not Part of Permanent Wiring. All 125-volt, single-phase, 15-, 20-, and 30-ampere receptacle outlets that are not a part of the permanent wiring of the building or structure and that are in use by personnel shall have ground-fault circuit-interrupter protection for personnel. In addition to this required ground-fault circuit interrupter protection, listed cord sets or devices incorporating listed ground-fault circuit interrupter protection for personnel identified for portable use shall be permitted.

As background, TIA No. 1133 was balloted through Code-Making Panel 3 (CMP) and the National Electrical Code® Correlating Committee (CC) in accordance with the Regulations Governing the Development of NFPA Standards (Regs), to determine if it had the necessary three-fourths majority support on technical merit, correlation and emergency nature to establish a recommendation for issuance. The ballot passed the CMP on technical merit and the CC on correlation merit. In addition, the ballot passed the CMP on emergency nature by an overwhelming majority. The ballot failed, however, by one vote, to achieve the necessary support of the CC on emergency nature.

When a TIA fails to achieve the recommendation of the responsible committees on both merit and emergency nature, the recommendation of the standards development process is to not issue the TIA. The appeal, however, requests that the Council overturn the action recommended by the standards development process, and issue TIA No. 1133. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal.

The Council has voted to uphold the appeal and to issue TIA No. 1133 which revises Section 590.6(A)(1) of NFPA 70®. On appeal, the Council generally defers to the responsible committees on technical issues; here, the CMP supported the technical merit of the TIA and the CC found no issues with correlation. On the issue of emergency nature,
the Council may give less deference to the judgment of a correlating committee where, as here, the CMP voted with near unanimous approval of the TIA.

The effect of this action is that the language proposed for inclusion within the 2014 edition of NFPA 70® by TIA No. 1133, will be included and issued.

Council Members Kerry Bell and Richard Owen recused themselves during the deliberation and vote on this issue.
Reference: 590.6(A)(1)
TIA 14-6
(SC 14-8-15 / TIA Log #1133)

Pursuant to Section 5 of the NFPA Regulations Governing the Development of NFPA Standards, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 70, National Electrical Code®, 2014 edition. The TIA was processed by the NEC® Code-Making Panel 3 and the National Electrical Code® Correlating Committee, and was issued by the Standards Council on August 14, 2014, with an effective date of September 3, 2014.

A Tentative Interim Amendment is tentative because it has not been processed through the entire standards-making procedures. It is interim because it is effective only between editions of the standard. A TIA automatically becomes a public input of the proponent for the next edition of the standard; as such, it then is subject to all of the procedures of the standards-making process.

1. Revise 590.6(A)(1) to read as follows:

590.6 Ground-Fault Protection for Personnel.
(A) Receptacle Outlets.
(1) Receptacle Outlets Not Part of Permanent Wiring. All 125-volt, single-phase, 15-, 20-, and 30-ampere receptacle outlets that are not a part of the permanent wiring of the building or structure and that are in use by personnel shall have ground-fault circuit-interrupter protection for personnel. In addition to this required ground-fault circuit-interrupter protection, listed cord sets or devices incorporating listed ground-fault circuit-interrupter protection for personnel identified for portable use shall be permitted.