Standards Council Meeting  
Supplemental Agenda  
August 11-14, 2014  

Start Time: 12:00 PM August 11, 2014

NFPA  
1 Batterymarch Park  
Quincy, MA 02169  
(617) 770-3000

| 14-8-1 | Act on the issuance of NFPA 1, *Fire Prevention Code*, with an issuance date of August 14, 2014 and an effective date of September 3, 2014, as acted on at the Association Meeting, with no amendments or appeals. See Related Attachment 14-8-9 |
| 14-8-1-a | **APPEAL**  
THIS APPEAL HAS BEEN WITHDRAWN  
Appeal of W. Koffel of Koffel Fire Protection Engineers, stating the Council acted improperly with the non-certification of ten NITMAMs on NFPA 1 and issuing the document as a consent document. See Attachment 14-8-1-a |
| 14-8-2 | Act on the issuance of NFPA 54, *National Fuel Gas Code*, with an issuance date of August 14, 2014 and an effective date of September 3, 2014, as acted on at the Association Meeting, with one amendment and one appeal as follows: |
| 14-8-2-a | Amendment No. 54-1 (CAM 54-2): Reject Second Revision No. 12 and any Related Portions of First Revision No. 68 and No. 69, thereby recommending previous edition text. This Motion (CAM 54-2) **PASSED** on the floor of the Association Meeting. (No TC ballot required) See Attachment 14-8-2-a |
| 14-8-2-a-1 | **APPEAL**  
Appeal of J. Ranfone of American Gas Association requesting the Council overturn the Association action, and Accept Second Revision No. 12 and any Related Portions of First Revision No. 68 and No. 69 and not delete the new section/paragraph and corresponding annex. This motion (CAM 54-2) **PASSED** on the floor of the Association Meeting. See Attachment 14-8-2-a-1 |
| 14-8-2-a-1-a | Comment received by T. Lemoff of T. Lemoff Engineering on the appeal of J. Ranfone. See SA 14-8-2-a-1-a |
| 14-8-3 | Act on the issuance of NFPA 99, *Health Care Facilities Code*, with an issuance date of August 14, 2014 and an effective date of September 3, 2014, as acted on at the Association Meeting, with one amendment and no appeals as follows: See Related Attachments 14-8-21, 14-8-22 and 14-8-23 |
| 14-8-3-a | Amendment No. 99-1 (CAM 99-1): Reject Second Revision No. 5, thereby recommending previous edition text. This Motion (CAM 99-1) **PASSED** on the floor of the Association Meeting. (NO TC/CC ballot required) See Attachment 14-8-3-a |
| 14-8-4 | Act on the issuance of NFPA 101, *Life Safety Code*, with an issuance date of August 14, 2014 and an effective date of September 3, 2014, as acted on at the Association Meeting, with three amendments and three appeals as follows: See Related Attachments 14-8-24, 14-8-25 and 14-8-26 |
| 14-8-4-a | Amendment No. 101-1 (CAM 101-3): Reject Second Revision No. 123 and any related portions of First Revision No. 427, thereby recommending previous edition text. This Motion (CAM 101-3) PASSED on the floor of the Association Meeting. (NO TC/CC ballot required) See Attachment 14-8-4-a |
| 14-8-4-b | Amendment No. 101-2 (CAM 101-5): Reject Second Revision No. 124 and any related portions of First Revision No. 482, thereby recommending previous edition text. This Motion (CAM 101-5) PASSED on the floor of the Association Meeting. (NO TC/CC ballot required) See Attachment 14-8-4-b |
| 14-8-4-c | APPEAL | Appeal of D. Frable of U. S. General Services Administration, requesting the Council return an identifiable part (i.e. Concentrated Business Use) of Table 7.3.1.2, Occupant Load Factors. The sole intent is that the revisions made to Table 7.3.1.2, that created the new subset category underneath the Business Use category entitled “Concentrated Business Use” in Table 7.3.1.2 not be included in the 2015 edition of NFPA 101. The final outcome would result in the Business Use category in Table 7.3.1.2 would remain as currently stated in the 2012 edition of NFPA 101. See Attachment 14-8-4-c See SA 14-8-4-c |
| 14-8-4-c-1 | | Comment received by K. Bush, Chair of the Safety to Life Mercantile and Business Occupancies Committee on the appeal of D. Frable. See Attachment 14-8-4-c-1 |
| 14-8-4-c-2 | | Three comments received on the appeal of D. Frable. See SA 14-8-4-c-2 |
| 14-8-4-d | APPEAL | Appeal of D. Frable of U. S. General Services Administration, requesting the Council reject Second Revision No. 20 and any related portions of First Revisions, Reject Second Revisions No. 22, No. 24, and No. 23, thereby deleting the new section and corresponding annex and references. This motion (CAM 101-2) FAILED on the floor of the Association Meeting. See Attachment 14-8-4-d See SA 14-8-4-d |
| 14-8-4-d-1 | | One comment received on the appeal of D. Frable. See SA 14-8-4-d-1 |
| 14-8-4-e | | Amendment No. 101-3 (CAM 101-6): Accept Public Comments No. 8 and No. 9. This motion(PASSED TC ballot and PASSED CC ballot) See Attachment 14-8-4-e See SA 14-8-4-e |
| 14-8-4-f | APPEAL | Appeal of J. Scibetta of BuildingReports, requesting the Council overturn the floor action and Accept Public Comment No. 107. This Motion (CAM 101-7) FAILED on the floor of the Association Meeting. See Attachment 14-8-4-f |
| 14-8-4-f-1 | | Comment received by C. Carson, Chair of the Safety to Life Fundamentals Committee on the appeal of J. Scibetta. See Attachment 14-8-4-f-1 |
| 14-8-5 | | Act on the issuance of NFPA 731, Standard for the Installation of Electronic Premises Security Systems, with an issuance date of August 14, 2014 and an effective date of September 3, 2014, as acted on at the Association Meeting, with one amendment and no appeals as follows: |
| 14-8-5-a | | Amendment No. 731-1 (CAMs 731-1): Reject Second Revision No. 9 and Reject Second Revision No. 10, thereby recommending First Draft Text. This Motion (CAM 731-1) PASSED on the floor of the Association Meeting. (PASSED TC ballot) See Attachment 14-8-5-a See SA 14-8-5-a |
| 14-8-6 | | Act on the issuance of NFPA 1192, Standard on Recreational Vehicles, with an issuance date of August 14, 2014 and an effective date of September 3, 2014,
acted on at the Association Meeting, with one amendment and no appeals as follows: See Related Attachment 14-8-31

14-8-6-a Amendment No. 1192-1 (CAM 1192-2): Accept Public Comment No. 6. This Motion (CAM 1192-2) PASSED on the floor of the Association Meeting. (FAILED TC ballot) See Attachment 14-8-6-a

14-8-7 Act on the issuance of NFPA 5000, Building Construction and Safety Code®, with an issuance date of August 14, 2014 and an effective date of September 3, 2014, as acted on at the Association Meeting, with three amendments and no appeals as follows: See Related Attachments 14-8-34, 14-8-35, 14-8-36, 14-8-37, 14-8-38 and 14-8-39

14-8-7-a Amendment No. 5000-1 (CAM 5000-1): Reject Second Revision No. 2, thereby recommending previous edition text. This Motion (CAM 5000-1) PASSED on the floor of the Association Meeting. (NO TC/CC ballot required) See Attachment 14-8-7-a

14-8-7-b Amendment No. 5000-2 (CAM 5000-3): Reject Second Revision No. 115 and any related portions of related First Revision No. 434, thereby recommending previous edition text. This Motion (CAM 5000-3) PASSED on the floor of the Association Meeting. (NO TC/CC ballot required) See Attachment 14-8-7-b

14-8-7-c Amendment No. 5000-3 (CAM 5000-4): Accept Public Comment No. 25. This Motion (CAM 5000-4) PASSED on the floor of the Association Meeting. (PASSED TC ballot and PASSED CC ballot) See Attachment 14-8-7-c

14-8-8 The 2014 Revision Cycle Consent Standards were balloted by the Council with various Issuance and Effective dates as shown below: **No action is necessary**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Issuance Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>NFPA 30B Code for the Manufacture and Storage of Aerosol Products</td>
<td>March 28, 2014</td>
<td>April 17, 2014</td>
</tr>
</tbody>
</table>

The 2014 Revision Cycle Consent Standards were balloted by the Council with an Issuance date of April 29, 2014 and an Effective date of May 19, 2014 as shown below:
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NFPA 30</td>
<td>Flammable and Combustible Liquids Code</td>
</tr>
<tr>
<td>NFPA 79</td>
<td>Electrical Standard for Industrial Machinery</td>
</tr>
<tr>
<td>NFPA 86</td>
<td>Standard for Ovens and Furnaces</td>
</tr>
<tr>
<td>NFA 87</td>
<td>Recommended Practice for Fluid Heaters</td>
</tr>
<tr>
<td>NFPA 88A</td>
<td>Standard for Parking Structures</td>
</tr>
<tr>
<td>NFPA 90A</td>
<td>Standard for the Installation of Air-Conditioning and Ventilating Systems</td>
</tr>
<tr>
<td>NFPA 90B</td>
<td>Standard for the Installation of Warm Air Heating and Air-Conditioning Systems</td>
</tr>
<tr>
<td>NFPA 99B</td>
<td>Standard for Hypobaric Facilities</td>
</tr>
<tr>
<td>NFPA 220</td>
<td>Standard on Types of Building Construction</td>
</tr>
<tr>
<td>NFPA 221</td>
<td>Standard for High Challenge Fire Walls, Fire Walls and Fire Barrier Walls</td>
</tr>
<tr>
<td>NFPA 302</td>
<td>Fire Protection Standard for Pleasure and Commercial Motor Craft</td>
</tr>
<tr>
<td>NFPA 318</td>
<td>Standard for the Protection of Semiconductor Fabrication Facilities</td>
</tr>
<tr>
<td>NFPA 484</td>
<td>Standard for Combustible Metals</td>
</tr>
<tr>
<td>NFPA 1521</td>
<td>Standard for Fire Department Safety Officer</td>
</tr>
<tr>
<td>NFPA 2113</td>
<td>Standard on Selection, Care, Use, and Maintenance of Flame-Resistant Garments for Protection of Industrial Personnel against Flash Fire</td>
</tr>
</tbody>
</table>

The 2014 Revision Cycle Standards that received NITMAMs but were not pursued or the amendment failed at the Association Meeting will have an issuance date of July 7, 2014 and an Effective date of July 27, 2014 as shown below:

<table>
<thead>
<tr>
<th>NFPA 37</th>
<th>Standard for the Installation and Use of Stationary Combustion Engines and gas Turbines</th>
</tr>
</thead>
<tbody>
<tr>
<td>NFPA 59</td>
<td>Utility LP-Gas Plant Code</td>
</tr>
<tr>
<td>NFPA 70E</td>
<td>Standard for Electrical Safety in the Workplace</td>
</tr>
<tr>
<td>NFPA 703</td>
<td>Standard for Fire Retardant-Treated Wood and Fire-Retardant Coatings for Building Materials</td>
</tr>
<tr>
<td>NFPA 750</td>
<td>Standard on Water Mist Fire Protection Systems</td>
</tr>
</tbody>
</table>

The 2014 Fall Revision Cycle Standards that did not develop Second Revisions will have an issuance date of July 7, 2014 and an Effective date of July 27, 2014 as shown below:

<table>
<thead>
<tr>
<th>NFPA 1931</th>
<th>Standard for Manufacturer’s Design of Fire Department Ground Ladders</th>
</tr>
</thead>
<tbody>
<tr>
<td>NFPA 1932</td>
<td>Standard on Use, Maintenance, and Service Testing of In-Service Fire Department Ground Ladders</td>
</tr>
</tbody>
</table>
The 2015 Annual Revision Cycle Standards that did not develop Second Revisions will have an issuance date of July 7, 2014 and an Effective date of July 27, 2014 as shown below:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>NFPA 312</td>
<td>Standard for Fire Protection Vessels During Construction, Conversion, Repair, and Lay-Up</td>
</tr>
<tr>
<td>NFPA 423</td>
<td>Standard for Construction and Protection of Aircraft Engine Test Facilities</td>
</tr>
<tr>
<td>NFPA 1071</td>
<td>Standard for Emergency Vehicle Technician Professional Qualifications</td>
</tr>
</tbody>
</table>

| 14-8-9 | Act on the issuance of proposed Tentative Interim Amendment (TIA) to various sections of the 2012 and Proposed 2015 editions of NFPA 1, Fire Code, (TIA No. 1145). See related Agenda No. 14-8-9 |
|        | 14-8-9-a Text of proposed TIA No. 1145. See Attachment 14-8-9-a |
|        | 14-8-9-b Ballot results of TIA No. 1145. FAILED the TC ballot on both technical merit and emergency nature. See Attachment 14-8-9-b |
|        | 14-8-9-c One comment was received. See Attachment 14-8-9-c |

| 14-8-10 | Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 2.2 and 5.6.1(61) of the 2013 edition of NFPA 10, Standard for Portable Fire Extinguishers, (TIA No. 1147). |
|         | 14-8-10-a Text of proposed TIA No. 1147. See Attachment 14-8-10-a |
|         | 14-8-10-b Ballot results of TIA No. 1147. FAILED the TC ballot on both technical merit and emergency nature. See Attachment 14-8-10-b |
|         | 14-8-10-c One comment was received. See Attachment 14-8-10-c |

<p>| 14-8-11 | Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 6.6.3 of the proposed 2015 edition of NFPA 37, Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines (TIA No. 1102). |
|         | STAFF NOTE: The Council notes that at the July, 2013 Standards Council Meeting, TIA No. 1102 on NFPA 37, Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines, was proposed for the 2010 and 2015 editions. In the Regulations Governing the Development of NFPA Standards (Regs) at Section 5.10, TIA's shall apply to the document existing at the time of issuance, except in the case of a document undergoing revisions where a TIA can apply to the existing and next edition of the document. Since the 2015 edition of NFPA 37 had not been submitted for issuance, the Council did not issue a TIA on the 2015 edition at the time of issuing a TIA on the 2010 edition. The proposed TIA was to be placed on the agenda for issuance concurrently with the 2015 edition of NFPA 37. |
|         | 14-8-11-a Text of proposed TIA No. 1102. See Attachment 14-8-11-a |
|         | 14-8-11-b Ballot results of TIA No. 1102. PASSED the TC ballot on both technical merit and emergency nature. See Attachment 14-8-11-b |
|         | 14-8-11-c One comment was received. See Attachment 14-8-11-c |</p>
<table>
<thead>
<tr>
<th>Type</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>14-8-12</td>
<td>Discuss the issuance of proposed Tentative Interim Amendment (TIA) to Section 1.1.2 of the Proposed 2015 edition of NFPA 45, <em>Standard on Fire Protection for Laboratories Using Chemicals</em>, (TIA No. 1150).</td>
</tr>
<tr>
<td></td>
<td><strong>STAFF NOTE:</strong> NFPA 45 is expected to be a Fall 2014 consent document. The NITMAM Closing Date for Fall 2014 documents is August 22, 2014. If issued by the Standards Council, this TIA will be issued concurrently with the 2015 edition of NFPA 45. If NFPA 45 receives a NITMAM, this TIA will be placed on a future Council agenda for consideration of issuance concurrently with the 2015 edition of NFPA 45.</td>
</tr>
<tr>
<td>14-8-12-a</td>
<td>Text of proposed TIA No. 1150. See Attachment 14-8-12-a</td>
</tr>
<tr>
<td>14-8-12-b</td>
<td>Ballot results of TIA No. 1150. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. See Attachment 14-8-12-b</td>
</tr>
<tr>
<td>14-8-12-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-13</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 6.25.3.3 of the 2014 edition of NFPA 58, <em>Liquefied Petroleum Gas Code</em>, (TIA No. 1135).</td>
</tr>
<tr>
<td>14-8-13-a</td>
<td>Text of proposed TIA No. 1135. See Attachment 14-8-13-a</td>
</tr>
<tr>
<td>14-8-13-b</td>
<td>Ballot results of TIA No. 1135. <strong>FAILED</strong> the TC ballot on both technical merit and emergency nature. See Attachment 14-8-13-b</td>
</tr>
<tr>
<td>14-8-13-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-14</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 5.17.1.3 and Table 5.17.1.3 of the 2014 edition of NFPA 58, <em>Liquefied Petroleum Gas Code</em>, (TIA No. 1153).</td>
</tr>
<tr>
<td>14-8-14-a</td>
<td>Text of proposed TIA No. 1153. See Attachment 14-8-14-a</td>
</tr>
<tr>
<td>14-8-14-b</td>
<td>Ballot results of TIA No. 1153. <strong>FAILED</strong> the TC ballot on both technical merit and emergency nature. Comment Closing Date is July 18, 2014. See Attachment 14-8-14-b <a href="#">See SA 14-8-14-b</a></td>
</tr>
<tr>
<td>14-8-14-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-15</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 590.6(A)(1) of the 2014 edition of NFPA 70®, <em>National Electrical Code®</em>, (TIA No. 1133).</td>
</tr>
<tr>
<td>14-8-15-a</td>
<td>Text of proposed TIA No. 1133. See Attachment 14-8-15-a</td>
</tr>
<tr>
<td>14-8-15-b</td>
<td>Ballot results of TIA No. 1133. <strong>PASSED</strong> the Panel ballot on both technical merit and emergency nature. <strong>PASSED</strong> the CC ballot on correlation but <strong>FAILED</strong> emergency nature. See Attachment 14-8-15-b</td>
</tr>
<tr>
<td>14-8-15-c</td>
<td>Two comments were received. See Attachment 14-8-15-c</td>
</tr>
<tr>
<td>14-8-15-d</td>
<td><strong>APPEAL</strong> Appeal of J. Kovacik of UL, requesting the Council issue the proposed TIA to NFPA 70 (TIA No. 1133). <a href="#">See SA 14-8-15-d</a> ADDITION</td>
</tr>
<tr>
<td>14-8-16</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 520.45 of the 2014 edition of NFPA 70®, <em>National Electrical Code®</em>, (TIA No. 1151).</td>
</tr>
<tr>
<td>14-8-16-a</td>
<td>Text of proposed TIA No. 1151. See Attachment 14-8-16-a</td>
</tr>
<tr>
<td>14-8-16-b</td>
<td>Ballot results of TIA No. 1151. <strong>PASSED</strong> the Panel ballot on both technical merit and emergency nature. <strong>PASSED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-16-b</td>
</tr>
<tr>
<td>Date</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
</tr>
<tr>
<td><strong>14-8-16-c</strong></td>
<td>Fifteen comments were received. See Attachment 14-8-16-c</td>
</tr>
<tr>
<td><strong>14-8-17</strong></td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 520.21(A) of the 2014 edition of NFPA 70®, <em>National Electrical Code®</em>, (TIA No. 1152).</td>
</tr>
<tr>
<td><strong>14-8-17-a</strong></td>
<td>Text of proposed TIA No. 1152. See Attachment 14-8-17-a</td>
</tr>
<tr>
<td><strong>14-8-17-b</strong></td>
<td>Ballot results of TIA No. 1152. <strong>PASSED</strong> the Panel ballot on both technical merit and emergency nature. <strong>PASSED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-17-b</td>
</tr>
<tr>
<td><strong>14-8-17-c</strong></td>
<td>Sixteen comments were received. See Attachment 14-8-17-c</td>
</tr>
<tr>
<td><strong>14-8-18</strong></td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Table 130.7(C)(15)(A)(a) of the Proposed 2015 edition of NFPA 70E, <em>Standard for Electrical Safety in the Workplace®</em>, (TIA No. 1128).</td>
</tr>
<tr>
<td><strong>14-8-18-a</strong></td>
<td>Text of proposed TIA No. 1128. See Attachment 14-8-18-a</td>
</tr>
<tr>
<td><strong>14-8-18-b</strong></td>
<td>Ballot results of TIA No. 1128. <strong>FAILED</strong> the TC ballot on both technical merit and emergency nature. <strong>FAILED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-18-b</td>
</tr>
<tr>
<td><strong>14-8-18-c</strong></td>
<td>One comment was received. See Attachment 14-8-18-c</td>
</tr>
<tr>
<td><strong>14-8-19</strong></td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 130.7(C)(10)(b)(1), Table H.3(a) and Table H.3(b) of the Proposed 2015 edition of NFPA 70E, <em>Standard for Electrical Safety in the Workplace®</em>, (TIA No. 1132).</td>
</tr>
<tr>
<td><strong>14-8-19-a</strong></td>
<td>Text of proposed TIA No. 1132. See Attachment 14-8-19-a</td>
</tr>
<tr>
<td><strong>14-8-19-b</strong></td>
<td>Ballot results of TIA No. 1132. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. <strong>PASSED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-19-b</td>
</tr>
<tr>
<td><strong>14-8-19-c</strong></td>
<td>No comment were received. No Attachment</td>
</tr>
<tr>
<td><strong>14-8-20</strong></td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 8.9.2 of the 2011 and Proposed 2015 editions of NFPA 85, <em>Boiler and Combustion Systems Hazards Code</em>, (TIA No. 1136).</td>
</tr>
<tr>
<td><strong>14-8-20-a</strong></td>
<td>Text of proposed TIA No. 1136. See Attachment 14-8-20-a</td>
</tr>
<tr>
<td><strong>14-8-20-b</strong></td>
<td>Ballot results of TIA No. 1136. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature and <strong>PASSED</strong> the CC ballot on correlation and emergency nature. See Attachment 14-8-20-b</td>
</tr>
<tr>
<td><strong>14-8-20-c</strong></td>
<td>No comment were received. No Attachment</td>
</tr>
</tbody>
</table>
| 14-8-21 | Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3 and 5.1.13.3.5.13(3) of the Proposed 2015 edition of NFPA 99, *Health Care Facilities Code*, (TIA No. 1115).

14-8-21-a | Text of proposed TIA No. 1115. See Attachment 14-8-21-a

14-8-21-b | Ballot results of TIA No. 1115. **PASSED** the TC ballot on technical merit but **FAILED** emergency nature. **PASSED** the CC ballot on correlation but **FAILED** emergency nature. See Attachment 14-8-21-b

14-8-21-c | One comment was received. See Attachment 14-8-21-c

| 14-8-22 | Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 10.2.3.6(5) and A.10.2.3.6 (5) of the proposed 2015 edition of NFPA 99, *Health Care Facilities Code* (TIA No. 1104).

**STAFF NOTE:** At the July, 2013 Standards Council Meeting, TIA No. 1104 on NFPA 99, *Health Care Facilities Code*, was proposed for the 2012 and 2015 editions. The *Regulations Governing the Development of NFPA Standards (Regs)* at Section 5.10 states that TIAs shall apply to the document existing at the time of issuance, except in the case of a document undergoing revisions where a TIA can apply to the existing and next edition of the document. Since the 2015 edition of NFPA 99 had not been submitted for issuance, the Council did not issue a TIA on the 2015 edition at the time of issuing a TIA on the 2012 edition. The proposed TIA was to be placed on the agenda for issuance concurrently with the 2015 edition of NFPA 99.

14-8-22-a | Text of proposed TIA No. 1104. See Attachment 13-8-22-a

14-8-22-b | Ballot results of TIA No. 1104. **PASSED** the TC ballot on both technical merit and emergency nature; **PASSED** the CC ballot on correlation and emergency nature. See Attachment 13-8-22-b

14-8-22-c | Five comments were received. See Attachment 14-8-22-c

| 14-8-23 | Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3 of the Proposed 2015 editions of NFPA 99, *Health Care Facilities Code*, (TIA No. 1125).

**STAFF NOTE:** The Council notes that at the March, 2014 Standards Council Meeting, TIA No. 1125 on NFPA 99, *Health Care Facilities Code*, was proposed for the 2012 and 2015 editions. The *Regulations Governing the Development of NFPA Standards (Regs)* at Section 5.10 states that TIAs shall apply to the document existing at the time of issuance, except in the case of a document undergoing revisions where a TIA can apply to the existing and next edition of the document. Since the 2015 edition of NFPA 99 had not been submitted for issuance, the Council did not issue a TIA on the 2015 edition at the time of issuing a TIA on the 2012 edition. The proposed TIA was to be placed on the agenda for issuance concurrently with the 2015 edition of NFPA 99.

14-8-23-a | Text of proposed TIA No. 1125. See Attachment 14-8-23-a
<table>
<thead>
<tr>
<th>14-8-23-b</th>
<th>Ballot results of TIA No. 1125. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature and <strong>PASSED</strong> the CC ballot on correlation and emergency nature. See Attachment 14-8-23-b</th>
</tr>
</thead>
<tbody>
<tr>
<td>14-8-23-c</td>
<td>No public comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-24-a</td>
<td>Text of proposed TIA No. 1130. See Attachment 14-8-24-a</td>
</tr>
<tr>
<td>14-8-24-b</td>
<td>Ballot results of TIA No. 1130. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. <strong>PASSED</strong> the CC ballot on correlation and emergency nature. See Attachment 14-8-24-b</td>
</tr>
<tr>
<td>14-8-24-c</td>
<td>One comment was received. See Attachment 14-8-24-c</td>
</tr>
<tr>
<td>14-8-25-a</td>
<td>Text of proposed TIA No. 1138. See Attachment 14-8-25-a</td>
</tr>
<tr>
<td>14-8-25-b</td>
<td>Ballot results of TIA No. 1138. <strong>FAILED</strong> the TC ballot on both technical merit and emergency nature. <strong>FAILED</strong> the CC ballot on correlation and emergency nature. See Attachment 14-8-25-b</td>
</tr>
<tr>
<td>14-8-25-c</td>
<td>Two comments were received. See Attachment 14-8-25-c</td>
</tr>
<tr>
<td>14-8-26-a</td>
<td>Text of proposed TIA No. 1144. See Attachment 14-8-26-a</td>
</tr>
<tr>
<td>14-8-26-b</td>
<td>Ballot results of TIA No. 1144. <strong>FAILED</strong> the TC ballot on technical merit but <strong>PASSED</strong> emergency nature. <strong>FAILED</strong> the CC ballot on correlation but <strong>PASSED</strong> on emergency nature. See Attachment 14-8-26-b</td>
</tr>
<tr>
<td>14-8-26-c</td>
<td>Two comments were received. See Attachment 14-8-26-c</td>
</tr>
<tr>
<td><strong>14-8-27</strong></td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 2.2 and 9.7 of the 2011 edition of NFPA 102, <em>Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures</em> (TIA No. 1137).</td>
</tr>
<tr>
<td>14-8-27-a</td>
<td>Text of proposed TIA No. 1137. See Attachment 14-8-27-a</td>
</tr>
<tr>
<td>14-8-27-b</td>
<td>Ballot results of TIA No. 1137. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. <strong>FAILED</strong> the CC ballot on correlation but <strong>PASSED</strong> emergency nature. See Attachment 14-8-27-b</td>
</tr>
<tr>
<td>14-8-27-c</td>
<td>One comment was received. See Attachment 14-8-27-c</td>
</tr>
<tr>
<td>14-8-28-a</td>
<td>Text of proposed TIA No. 1155. See Attachment 14-8-28-a</td>
</tr>
<tr>
<td>14-8-28-b</td>
<td>Ballot results of TIA No. 1155. <strong>FAILED</strong> the TC ballot on both technical merit and emergency nature. Comment Closing Date is July 18, 2014. See Attachment 14-8-28-b <strong>See SA 14-8-28-b</strong></td>
</tr>
<tr>
<td>14-8-28-c</td>
<td>One comment was received. <strong>See SA 14-8-28-c</strong></td>
</tr>
<tr>
<td>14-8-29-a</td>
<td>Text of proposed TIA No. 1146. See Attachment 14-8-29-a</td>
</tr>
<tr>
<td>14-8-29-b</td>
<td>Ballot results of TIA No. 1146. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. See Attachment 14-8-29-b</td>
</tr>
<tr>
<td>14-8-29-c</td>
<td>One comment was received. See Attachment 14-8-29-c</td>
</tr>
<tr>
<td>14-8-30</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to various sections of the 2013 of NFPA 402, <em>Guide for Aircraft Rescue and Fire-Fighting Operations</em>, (TIA No. 1154).</td>
</tr>
<tr>
<td>14-8-30-a</td>
<td>Text of proposed TIA No. 1154. See Attachment 14-8-30-a</td>
</tr>
<tr>
<td>14-8-30-b</td>
<td>Ballot results of TIA No. 1154. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. Comment Closing Date is July 18, 2014. See Attachment 14-8-30-b See SA 14-8-30-b</td>
</tr>
<tr>
<td>14-8-30-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-31</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 6.4.9 of the proposed 2015 edition of NFPA 1192, <em>Standard on Recreational Vehicles</em>, (TIA No. 1129).</td>
</tr>
<tr>
<td>14-8-31-a</td>
<td>Text of proposed TIA No. 1129. See Attachment 14-8-31-a</td>
</tr>
<tr>
<td>14-8-31-b</td>
<td>Ballot results of TIA No. 1129. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. See Attachment 14-8-31-b</td>
</tr>
<tr>
<td>14-8-31-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td><strong>STAFF NOTE:</strong> NFPA 1952 is expected to be a Fall 2014 consent document. The NITMAM Closing Date for Fall 2014 documents is August 22, 2014. If issued by the Standards Council, this TIA will be issued concurrently with the 2015 edition of NFPA 1952. If NFPA 1952 receives a NITMAM, this TIA will be placed on a future Council agenda for consideration of issuance concurrently with the 2015 edition of NFPA 1952.</td>
<td></td>
</tr>
<tr>
<td>14-8-32-a</td>
<td>Text of proposed TIA No. 1149. See Attachment 14-8-32-a</td>
</tr>
<tr>
<td>14-8-32-b</td>
<td>Ballot results of TIA No. 1149. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature and <strong>PASSED</strong> the CC on both correlation and emergency nature. See Attachment 14-8-32-b</td>
</tr>
<tr>
<td>14-8-32-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-33-a</td>
<td>Text of proposed TIA No. 1148. See Attachment 14-8-33-a</td>
</tr>
<tr>
<td>14-8-33-b</td>
<td>Ballot results of TIA No. 1148. <strong>PASSED</strong> the TC ballot on technical merit and <strong>FAILED</strong> on emergency nature. See Attachment 14-8-33-b See SA 14-8-33-b</td>
</tr>
<tr>
<td>14-8-33-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-34</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 16.4.1 and A.16.4.1 of the Proposed 2015 edition of NFPA 5000®, <em>Building Construction and Safety Code®, (TIA No. 1131).</em></td>
</tr>
<tr>
<td>14-8-34-a</td>
<td>Text of proposed TIA No. 1131. See Attachment 14-8-34-a</td>
</tr>
<tr>
<td>14-8-34-b</td>
<td>Ballot results of TIA No. 1131. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. <strong>PASSED</strong> the CC ballot on correlation and emergency nature. See Attachment 14-8-34-b</td>
</tr>
<tr>
<td>14-8-34-c</td>
<td>No comments were received. No Attachment</td>
</tr>
<tr>
<td>14-8-35</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to various sections of the 2012 and Proposed 2015 editions of NFPA 5000®, <em>Building Construction and Safety Code®, (TIA No. 1139).</em></td>
</tr>
<tr>
<td>14-8-35-a</td>
<td>Text of proposed TIA No. 1139. See Attachment 14-8-35-a</td>
</tr>
<tr>
<td>14-8-35-b</td>
<td>Ballot results of TIA No. 1139. <strong>FAILED</strong> the TC ballot on both technical merit and emergency nature. <strong>FAILED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-35-b</td>
</tr>
<tr>
<td>14-8-35-c</td>
<td>One comment was received. See Attachment 14-8-35-c</td>
</tr>
<tr>
<td>14-8-36</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Section 32.3.7 of the 2012 and Proposed 2015 editions of NFPA 5000®, <em>Building Construction and Safety Code®, (TIA No. 1140).</em></td>
</tr>
<tr>
<td>14-8-36-a</td>
<td>Text of proposed TIA No. 1140. See Attachment 14-8-36-a</td>
</tr>
<tr>
<td>14-8-36-b</td>
<td>Ballot results of TIA No. 1140. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. <strong>FAILED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-36-b</td>
</tr>
<tr>
<td>14-8-36-c</td>
<td>One comment was received. See Attachment 14-8-36-c</td>
</tr>
<tr>
<td>14-8-37</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 34.1.1.2(14), Table 34.1.3.1, and Tables 34.1.3.2(a) through (h) of the 2012 and Proposed 2015 editions of NFPA 5000®, <em>Building Construction and Safety Code®, (TIA No. 1141).</em></td>
</tr>
<tr>
<td>14-8-37-a</td>
<td>Text of proposed TIA No. 1141. See Attachment 14-8-37-a</td>
</tr>
<tr>
<td>14-8-37-b</td>
<td>Ballot results of TIA No. 1141. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. <strong>FAILED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-37-b</td>
</tr>
<tr>
<td>14-8-37-c</td>
<td>One comment was received. See Attachment 14-8-37-c</td>
</tr>
<tr>
<td>14-8-38</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 7.4.1.4.5.3, D.7.4.3, and H.1.1 of the 2012 and Proposed 2015 editions of NFPA 5000®, <em>Building Construction and Safety Code®, (TIA No. 1142).</em></td>
</tr>
<tr>
<td>14-8-38-a</td>
<td>Text of proposed TIA No. 1142. See Attachment 14-8-38-a</td>
</tr>
<tr>
<td>14-8-38-b</td>
<td>Ballot results of TIA No. 1142. <strong>PASSED</strong> the TC ballot on both technical merit and emergency nature. <strong>FAILED</strong> the CC ballot on both correlation and emergency nature. See Attachment 14-8-38-b</td>
</tr>
<tr>
<td>14-8-38-c</td>
<td>One comment was received. See Attachment 14-8-38-c</td>
</tr>
<tr>
<td>14-8-39</td>
<td>Act on the issuance of proposed Tentative Interim Amendment (TIA) to Sections 27.4.5.3(8) and 27.4.6 of the 2012 and Proposed 2015 editions of NFPA 5000®, <em>Building Construction and Safety Code®, (TIA No. 1143).</em></td>
</tr>
<tr>
<td>14-8-39-a</td>
<td>Text of proposed TIA No. 1143. See Attachment 14-8-39-a</td>
</tr>
</tbody>
</table>
### 14-8-39-b
Ballot results of TIA No. 1143. **FAILED** the TC ballot on technical merit but **PASSED** on emergency nature. **FAILED** the CC ballot on both correlation and emergency nature. See Attachment 14-8-39-b.

### 14-8-39-c
One comment was received. See Attachment 14-8-39-c.

### 14-8-40

### 14-8-41
Consider the request of the Mass Evacuation and Sheltering Committee to enter a new document NFPA 1616, *Standard on Mass Evacuation and Sheltering Program*, into the Fall 2016 revision cycle with a proposal closing date of January 5, 2015. The Council approved the establishment of this proposed document at the August 2012 Council Meeting. See Attachment 14-8-41. See SA 14-8-41.

### 14-8-42

### 14-8-43
Consider requests from NFPA Committees to change revision cycles for the following documents:

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>2013</td>
<td>F2017</td>
<td>F2017 to F2016</td>
<td>One time Move</td>
<td>5 years to 4 year cycle</td>
</tr>
<tr>
<td>17A</td>
<td>2013</td>
<td>F2017</td>
<td>F2017 to F2016</td>
<td>One time Move</td>
<td>5 years to 4 year cycle</td>
</tr>
<tr>
<td>87</td>
<td>2011</td>
<td>A2017</td>
<td>A2017 to A2017</td>
<td>Permanent Move</td>
<td>4 to 3 year cycle</td>
</tr>
<tr>
<td>731</td>
<td>2015</td>
<td>A2017</td>
<td>A2017 to F2016</td>
<td>One Time Move</td>
<td>3 to 3 ½ year cycle</td>
</tr>
<tr>
<td>1194</td>
<td>2014</td>
<td>F2016</td>
<td>F2016 to A2017</td>
<td>One Time Move</td>
<td>3 to 3 ½ year cycle</td>
</tr>
<tr>
<td>1936</td>
<td>2010 (F14)</td>
<td>F2019</td>
<td>F2019 to A2017</td>
<td>One Time Move</td>
<td>5 to 2 ½ year cycle</td>
</tr>
</tbody>
</table>

See Attachment 14-8-43. See SA 14-8-43.

### 14-8-44
At the October 2013 meeting, the Council reviewed the request of the Forest and Rural Fire Protection Committee (TC) to reorganize the Project into two new committees, Wildland Fire Management and Wildland and Rural Fire Protection and voted to solicit comments on the reorganization. At the March 2014 meeting, the Council reviewed all the material before them and voted to approve the reorganization of the Forest and Rural Fire Protection Committee to reorganize the Project into two new committees, Wildland Fire Management and Wildland and Rural Fire Protection with the following titles and scopes:

**APPROVED TITLE:** Wildland and Rural Fire Protection Committee

**APPROVED SCOPE:** This committee shall have the primary responsibility for documents on fire protection in wildland, rural, and suburban areas.
<table>
<thead>
<tr>
<th>Title</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPROVED TITLE: Wildland Fire Management Committee</td>
<td>APPROVED SCOPE: This committee shall have the primary responsibility for documents on wildland fire management.</td>
</tr>
<tr>
<td></td>
<td>The Council directed that a call for members interested in serving on the proposed new Committees be published. All existing members of the Forest and Rural Fire Protection Committee are being asked to reapply. Rosters have been developed for these committees. If the rosters for the two committees are approved, the Forest and Rural Fire Protection Committee will be disbanded. See Attachment 14-8-44 See Related Attachments 14-8-53-b and 14-8-53-c</td>
</tr>
<tr>
<td>14-8-45</td>
<td>Consider the request of the Aircraft Rescue and Fire Fighting Committee to revise the committee scope: <strong>PROPOSED SCOPE:</strong> Proposed Committee Scope: This Committee shall have primary responsibility for documents relating to aircraft rescue and fire-fighting. This committee shall not have responsibility for documents incidental to aircraft rescue and firefighting specified within the scope of another NFPA committee. Services and equipment, for procedures for handling aircraft fire emergencies, and for specialized vehicles used to perform these functions at airports, with particular emphasis on saving lives and reducing injuries coincident with aircraft fires following impact or aircraft ground fires. This Committee also shall have responsibility for documents on aircraft hand fire extinguishers and accident prevention and the saving of lives in future aircraft accidents involving fire. See Attachment 14-8-45 See SA 14-8-45</td>
</tr>
<tr>
<td>14-8-46</td>
<td>Consider the request of the Fire Service Training Committee (TC) to transfer the responsibility for NFPA 1402, <em>Guide to Building Fire Service Training Centers</em>, 2012 edition to a new committee entitled, Facilitates for Fire Training and Associated Props. The Fire Service Training Committee is also recommending that the new TC include any material related to building issues and gas props to NFPA 1402. The Fire Service Training Committee would also request that NFPA 1402 skip the Fall 2016 revision cycle and not to exceed the Fall 2021 revision cycle so that the newly formed TC would have time to revise NFPA 1402. <strong>PROPOSED COMMITTEE TITLE:</strong> Facilities for Fire Training and Associated Props <strong>PROPOSED COMMITTEE SCOPE:</strong> This committee shall have primary responsibility for the design, construction, and maintenance of facilities for fire training and for fire training props. Responsibilities of the committee include standards relating to gas-fire props; training structures, props, and simulators used for live fire training rescue training and related tactical and skill training exercises.</td>
</tr>
<tr>
<td>14-8-47</td>
<td>ADMINISTRATIVELY WITHDRAWN</td>
</tr>
<tr>
<td>14-8-48</td>
<td>Approve the request of the IAB/HDSSC to develop a new project on the selection, care, and maintenance of tactical operations video equipment. NFPA and UL have agreed to partner to create standards relating to tactical video cameras and equipment. See Attachment 14-8-48</td>
</tr>
<tr>
<td>14-8-49</td>
<td>The Council reviewed the request of the Wildland Fire Fighting Protective Clothing and Equipment Committee that NFPA consider the establishment of a new document on the selection, care and maintenance (SCAM) of wildland firefighting clothing and equipment. After review of all the material before it, the Council voted to publish a notice to solicit public comments on the need for the project, information on resources on the subject matter, those interested in participating, if established, and other organizations actively involved with the subject. That review period is over and five comments were received supporting the establishment of this document.</td>
</tr>
</tbody>
</table>

**PROPOSED DOCUMENT SCOPE:** This standard shall specify the minimum selection, care, and maintenance requirements of wildland firefighting incidents that include garments, helmets, gloves, footwear, and interface components that are compliant with NFPA 1977, *Standard on Protective Clothing and Equipment for Wildland Fire Fighting*. See Attachment 14-8-49 |
| 14-8-50 | REVISED The Council considered the request of Jim Crawford of Vision 20/20 Project that NFPA establish a standard that helps departments follow the process steps for a Community Risk Reduction plan. The Community Risk Reduction (CRR) plan is the identification and prioritization of risks followed by the coordinated application of resources to minimize the probability or occurrence and/or the impact of unfortunate events. After review of all the material before it, the Council voted to publish a notice to solicit comments on the need for the project, information on resources on the subject matter, those interested in participating if established, and other organizations actively involved with the subject. That review period is over and eighteen comments were received to endorse the development of this project. |

**PROPOSED FIRE PREVENTION ORGANIZATION AND DEPLOYMENT SCOPE:** This Committee shall have primary responsibility for documents on the organization, operation, plan review, deployment, and evaluation of code enforcement, public fire & life safety education, plan review, and fire investigation operations. It shall also have responsibility for documents related to developing the process to conduct Community Risk Assessments and Reduction Programs. See Attachment 14-8-50 |
| 14-8-51 | The Council considered the request of the Liquefied Natural Gas Committee (TC) to cease the development of an NFPA Standard on offshore LNG facilities. The development of this document was approved by the Council March, 2011. |
After review of all the material before it, the Council voted to publish a notice to solicit public comments on the current need for the project and the request of the TC to cease development of an NFPA Standard on offshore LNG facilities. The Council seeks to determine if there still exists interested parties willing to participate in the project, and if standards development activities are still feasible in the current climate. That review period is over and two comments were received to continue the development of this project. See Attachment 14-8-51

**14-8-52**
The Council considered the request of the Loss Prevention Procedures and Practices Committee (TC) that NFPA establish a standard for professional practices for facility fire safety planning and fire safety directors. After review of all the material before it, the Council voted to publish a notice to solicit comments on the need for the project, its intended scope and breadth, information on resources on the subject matter, those interested in participating, and other organizations actively involved with the subject. That review period is over and eight comments were received. Eight comments endorsed the development of this document, one comment was against the development of a document. See Attachment 14-8-52

**14-8-53**
Report of the Membership Task Group (M. Snyder, Chair)

<table>
<thead>
<tr>
<th>14-8-53-a</th>
<th>Act on pending applications for Committee Members.</th>
</tr>
</thead>
<tbody>
<tr>
<td>14-8-53-b</td>
<td>Roster for the Wildland and Rural Fire Protection Committee.</td>
</tr>
<tr>
<td>14-8-53-c</td>
<td>Roster for the Wildland Fire Management Committee.</td>
</tr>
<tr>
<td>14-8-53-d</td>
<td>Act on request from the Vehicular Alternative Fuel Systems Committee for approval for their Guidelines for Additional Clarification of Interest Classifications for NFPA Committee Members.</td>
</tr>
<tr>
<td>14-8-53-e</td>
<td>Discuss International Members on NFPA Committees.</td>
</tr>
<tr>
<td>14-8-53-f</td>
<td>Act on request from the National Fire Sprinkler Association to add an additional category to their multi-rep status.</td>
</tr>
<tr>
<td>14-8-53-g</td>
<td>Act on membership applications from the merger of Hughes Associates and RJA.</td>
</tr>
</tbody>
</table>

**14-8-54**
Report of the Policy and Procedures Task Group (J. Milke, Chair) 54

**14-8-55**
Report of the Recording Secretary on the Minutes for the March 2014 meeting. No Attachment

**14-8-56**
Review the dates and locations of upcoming Council Meetings, as follows:

- October 28-29, 2014
  Nashville, TN

- April 7-8, 2015
  Location TBD

- August 17-20, 2015 (REVISED)
  Quincy, MA

- December 8-9, 2015
<table>
<thead>
<tr>
<th>Location TBD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>14-8-57</strong></td>
</tr>
<tr>
<td><strong>14-8-57-a APPEAL</strong></td>
</tr>
</tbody>
</table>
Item 14-8-1
Please consider this as an Appeal on the issuance of NFPA 1 as a consent document. I request that an emergency meeting of the Motions Committee or the Council be conducted, whichever is necessary, to consider this issue such that the NITMAMs can be heard on the floor of the 2014 Association Technical Meeting.

**Appellant:** William E. Koffel, P.E., FSFPE
President
Koffel Associates, Inc.
8815 Centre Park Drive, Suite 200
Columbia, MD 20145

It should be noted that the Appellant is a Consultant to the American Pyrotechnics Association (APA) but this particular Appeal has not been authorized to be submitted by the APA.

**Statement of Appealed Action:** The improper non-certification of ten NITMAMs on NFPA 1 that were in accordance with the Regulations, resulting in the proposed Issuance of NFPA 1 as a consent document.

**Argument In Support of the Appeal:**

The Final Report of the Motions Committee on Certifying Amending Motions for Presentation at the 2014 Association Technical Meeting June 9-12, 2014 Las Vegas, NV indicates that the ten NITMAM’s I submitted on behalf of the APA were not certified. The Report further indicates that NFPA 1 will be issued as a consent document to be considered for issuance by the Council concurrently with TIA No. 1045. For the record, among other technical issues, TIA No. 1045 deals with the storage and retail sales of consumer fireworks.

The NFPA Technical Meeting Convention Rules empower the Motions Committee to determine if the motion is a proper motion within the Regulations.

2.2 Determination of Proper Motions. **As to each Amending Motion submitted**, the Motions Committee shall determine whether the motion is proper, i.e., is permitted under the Regs, and has been submitted by a person entitled under the Regs to make the motion.

Table 1 of the Regulations states that anyone may make a motion to Reject a Second Revision. In the case of all ten NITMAM’s that I submitted, the Technical Committee made a Second Revision and as such the motion is a proper motion permitted under the Regulations.

In the Final Report of the Motions Committee the reason for not certifying the NITMAM’s was as follows:

*The Motion seeks to retain and/or modify text that is no longer within the scope of NFPA standards development activities. See Council Decision No. 14-1.*

Without any notice to the Technical Committee, interested parties, or the public at large, Council Decision No. 14-1 withdrew NFPA 1124-2013 Edition. This action alone, clearly a violation of NFPA Regulations and ANSI Procedures, is the subject of a Petition to the Board of Directors. As such, unless the Motions Committee is predetermining the outcome of the Petition to the Board of Directors, no one knows that Council Decision No. 14-1...
14-1 will stand. Should Council Decision No. 14-1 be reversed by the Board, at what point in time will the ten NITMAM’s be processed? Will the Standards Council delay the issuance of NFPA 1 to allow for proper consideration of the ten NITMAM’s?

Regardless of the outcome of the Petition to the Board of Directors, the Motions Committee is not empowered to make a determination on whether to certify or not certify a NITMAM based upon anything other than “whether the motion is proper.” This would be a dangerous precedent to allow a select portion of the Standards Council to start “screening” NITMAM’s for any reason other than “whether the motion is proper.” To the best of my knowledge, since the introduction of the NITMAM procedure, this is the first instance in which the Motions Committee has strayed from the question of “whether the motion is proper.”

Lastly, as noted above the Final Report of the Motions Committee states that NFPA 1 will considered concurrently with TIA No. 1045. This is critical to this issue for two reasons:

1. Clearly there is still ongoing standards development activity related to the storage and retail sale of consumer fireworks. Not only will the Council be considering TIA No. 1045, but there are numerous other TIA’s being processed simultaneously and there are clearly quite a few more that will also need to be processed.

2. While the Ballot results for the various TIA’s being processed are not available in time to be considered in filing this Appeal, there are clearly technical and procedural shortcomings with the proposed TIA’s, including TIA No. 1045. If the ten NITMAM’s are certified, the outcome of the Association Meeting may produce a result that has technical merit and at a minimum, would be a temporary action until such time as TIA’s that do accomplish the directions provided in Council Decision No. 14-1 are processed in accordance with the Regulations. Of course, that also assumes that the Board of Directors will support Council Decision No. 14-1 despite the obvious procedural violations associated with the Decision.

Precise Relief Requested: The Appellant requests that the ten NITMAM’s be certified. In doing so, and in order to provide the submitter of the ten NITMAM’s due process, a revised Report of the Motions Committee will need to be circulated immediately with a statement that the failure to previously certify the ten NITMAM’s was an error and that the NITMAM’s do in fact contain proper motions.
DECISION OF THE BOARD OF DIRECTORS
ON A PETITION CONCERNING
STANDARDS COUNCIL DECISION NUMBER 14-1(REVISED)

DATE OF DECISION: Tuesday, May 27, 2014

PETITION NUMBER: 14-02

RE: Standards Council Decision Number: 14-1(Revised)

Introduction and Statement of the Scope of Review

A duly appointed subcommittee of the NFPA Board of Directors consisting of Julie Rochman, Randolph Tucker and Wayne Boyd (Subcommittee) held a conference pursuant to 7.1 of the Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council (Petitions Regs.), to consider the petition of Julie L. Heckman, Executive Director, American Pyrotechnics Association, concerning Standards Council Decision Number 14-1(Revised), relating to the NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, (2013 edition).

Under NFPA rules, the Standards Council has been delegated the responsibility for the administration of the NFPA codes and standards development process, including the adjudication of appeals and the issuance of NFPA codes and standards. (See Regulations Governing the Development of NFPA Standards at 1.7, 2.2). On a petition to the Board of Directors, the Subcommittee must give deference to the judgment of the Standards Council, and will not intervene unless it can be demonstrated that extraordinary circumstances exist requiring Board intervention to protect the integrity of the codes and standards development process or the interests of the Association. (See Petitions Regs. at 3; Regulations Governing the Development of NFPA Standards at 1.7).

Petitions to the Board of Directors are not intended to be a full appeal beyond that already afforded by the Standards Council, but are rather an opportunity for a Subcommittee of the Board to intervene in the event that it determines there to be extraordinary circumstances. Initial review pursuant to 7.1 of the Petitions Regs. is generally handled without a hearing. If it is determined, based on that review, that the petition has no merit, the Subcommittee will, unless it chooses to comment on an issue or issues raised in the petition, issue a brief statement of dismissal.

Statement of Dismissal

After a review of the petition and the record before it pursuant to 7.1 of the Petitions Regs., the Subcommittee has concluded that the petition presents no extraordinary circumstances that would require the intervention of the Board of Directors. Accordingly, the Subcommittee, by unanimous vote, has concluded that the petition has no merit and hereby dismisses the petition. As noted above, a petition is not intended to be a second full appeal beyond that already afforded by the Standards Council. In keeping with this limited purpose, a dismissal under 7.1 of the Petitions Regs. is typically issued on a summary basis without comment. The Subcommittee does not depart from that practice here, except to state the following.

The Subcommittee has carefully reviewed the issues raised by the petitioner, both in this petition and two previous petitions relating to the consumer fireworks retail storage and sales provisions of NFPA 1124. (See, Petition No. 13-1 [March 1, 2013] and Petition No. 13-2 [September 11, 2013]). As with the previous petitions, the dismissal of the present petition signals that the Subcommittee, after its review, has found no merit to the arguments in the petition nor any basis to take any action or provide any relief sought by the petitioner. Beyond that, the Subcommittee wishes to stress that the Standards Council's decision to end the development and issuance of NFPA standards for the storage and retail sales of consumer fireworks is fully within the authority of the Standards Council to administer the NFPA...
Standards Development Process and determine the scope of NFPA standards. See generally *NFPA Bylaws* at Article 8 and the *Regulations Governing the Development of NFPA Standards*, especially Sections 2, 3.3.1, and 4.1. The unprecedented time, attention and thoughtful analysis that the Council has devoted to the exercise of its oversight of the consumer fireworks standards activities more than merits the due deference that this Subcommittee accords to its judgments.
Table B
NITMAMs on Documents for the June 2014 Association Technical Meeting That Were NOT Certified

<table>
<thead>
<tr>
<th>Motion Seq #</th>
<th>NITMAM Log #</th>
<th>Section/Para</th>
<th>Person(s) Authorized to Make the Motion</th>
<th>Amending Motion**</th>
<th>Motion Committee Notes and Comments**</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3</td>
<td>5</td>
<td>65.10.3.6</td>
<td>William Koffel, Koffel Associates, Inc. Rep. American Pyrotechnics Association</td>
<td>Reject SR527</td>
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<td>1-4</td>
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<td>65.10.3.7</td>
<td>William Koffel, Koffel Associates, Inc. Rep. American Pyrotechnics Association</td>
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<td>8</td>
<td>65.10.4.4.2</td>
<td>William Koffel, Koffel Associates, Inc. Rep. American Pyrotechnics Association</td>
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<td>1-7</td>
<td>9</td>
<td>65.10.4.5.1</td>
<td>William Koffel, Koffel Associates, Inc. Rep. American Pyrotechnics Association</td>
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<td>A.65.10.3.6 and A.65.10.3.7</td>
<td>William Koffel, Koffel Associates, Inc. Rep. American Pyrotechnics Association</td>
<td>Reject SR533</td>
<td></td>
</tr>
</tbody>
</table>

Designated Representative in accordance with 4.5.3.5(c) and/or 4.5.3.6 of NFPA’s Regulations Governing the Development of NFPA Standards.

**In describing the Certified Amending Motion and in the Motions Committee Notes and Comments, the Motions Committee sometimes summarizes or displays the results of the certified amending motions under consideration. The actual Revisions and/or Public Comments related to the motion should, however, be consulted for a complete description of the precise text and associated statements.
<table>
<thead>
<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion: Reject Second Revision No. 525:</th>
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<td><strong>1-1</strong></td>
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<tr>
<td></td>
<td><strong>65.10.3.1.1</strong> The requirements of this chapter section shall not apply to permanent CFRS facilities or and Class A and Class B stores where the consumer fireworks are in packages and where, there are no quantities of aerial devices meeting the descriptions in C.3.1.2, of NFPA 1124, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with Section 13.3 NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition. [1124: 7.3.1.1]</td>
</tr>
<tr>
<td></td>
<td><strong>Certified Amending Motion Fails; Committee Second Draft text:</strong></td>
</tr>
<tr>
<td></td>
<td><strong>65.10.3.1.1</strong> The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the descriptions in C.3.1.2, of NFPA 1124, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition. [1124: 7.3.1.1]</td>
</tr>
</tbody>
</table>
NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 3-NFPA 1-2014 [ Section No. 65.10.3.1.1 ]

NFPA 1®, Fire Code 2012 Edition
Referenced Item: Second Revision No. 525-NFPA 1-2013
Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 08:38:15 EST 2014

Signature

☑ By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Second Revision No. 525-NFPA 1-2013 [Section No. 65.10.3.1.1]

65.10.3.1.1
The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the descriptions in C.3.1.2, of NFPA 1124, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition. [1124: 7.3.1.1]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 11:46:44 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results

✔ This item has passed ballot

30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devlin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne
Affirmative All
Adams, Scott W.
Apfelbeck, Anthony C.
Baldassarre, Carl F.
Budzinski, Jim
Bush, Kenneth E.
Collins, Jeffrey P.
DeCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
65.10.3.1 Exempt Amounts.

65.10.3.1.1 The requirements of this chapter section shall not apply to permanent CFRS facilities or and Class A and Class B stores where the consumer fireworks are in packages and where, there are no quantities of aerial devices meeting the descriptions in C.3.1.2, of NFPA 1124, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with Section 13.3 NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition. [1124: 7.3.1.1]

65.10.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition, except as specified in 65.10.3.1.2.1. [1124: 7.3.1.2]

65.10.3.1.2.1 Where the quantity of consumer fireworks on hand includes any quantity of aerial devices meeting the descriptions in C.3.1.2 of NFPA 1124 in any quantity not exceeding the quantities specified in 65.10.3.1.2, temporary CFRS facilities and Class C stores shall only be required to comply with the following sections as applicable:

1. X.X.X 65.10.2.3 for mercantile occupancies per NFPA 101
2. X.X.X 65.10.3.8 for portable fire extinguishers
3. X.X.X 65.10.3.10.2 for No Smoking signs
4. X.X.X 65.10.3.14.1.1 for minimum number of exits
5. X.X.X 65.10.3.14.2 for egress travel distance
6. X.X.X 65.10.3.14.2.4 for dead end aisles
7. X.X.X 65.10.3.14.5 for doors and doorways
8. X.X.X 65.10.3.15.4.1 for covered fuses
9. X.X.X 65.10.3.15.5 for aerial devices (CFRS facilities)
10. X.X.X 65.10.3.16 for electrical equipment
11. X.X.X 65.10.3.17 for heating equipment
12. X.X.X 65.10.3.19 for operations
13. X.X.X 65.10.3.20 for housekeeping
14. X.X.X 65.10.3.21 for training
15. X.X.X 65.10.3.22 for under the influence
16. X.X.X 65.10.4.6.3 for fireworks discharge
17. X.X.X 65.10.4.9.3 for cooking equipment
18. X.X.X 65.10.5.1.2 for consumer fireworks in stores
65.10.6 for stands

[ 1124: 7.3.1.2.1]

65.10.3.1.3

Where the actual weight of the pyrotechnic composition of consumer fireworks is not known, 25 percent of the gross weight of the consumer fireworks, including packaging, shall be permitted to be used to determine the weight of the pyrotechnic composition. [ 1124: 7.3.1.3]

65.10.3.1.3

Where the actual weight of the pyrotechnic composition of consumer fireworks is not known, 25 percent of the gross weight of the consumer fireworks, including packaging, shall be permitted to be used to determine the weight of the pyrotechnic composition. [ 1124: 7.3.1.3 ]

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Wed Oct 31 14:34:35 EDT 2012

Committee Statement and Meeting Notes

Committee Statement: Extract update.
Response Message:

Ballot Results

✓ This item has passed ballot

29 Eligible Voters
1 Not Returned
27 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
1 Abstention

Not Returned
Sanfilippo, Tony

Affirmative All

Abstention
Lathrop, James K.
Potential conflict of Interest
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

6.5 Fire Protection.

6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System…………..6.5.1, A.6.5.1

Issue Date: March 7, 2013
Effective Date: March 27, 2013
<table>
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<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion: Reject Second Revision No. 526:</th>
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<td>1-2</td>
<td><strong>Certified Amending Motion Passes; First Draft text:</strong></td>
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<tr>
<td></td>
<td><strong>65.10.3.1.2</strong> The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition, except as specified in 65.10.3.1.2.1. [1124: 7.3.1.2]</td>
</tr>
<tr>
<td></td>
<td><strong>Certified Amending Motion Fails; Committee Second Draft text:</strong></td>
</tr>
<tr>
<td></td>
<td><strong>65.10.3.1.2</strong> The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition, except as specified in 65.10.3.1.2.1. [1124: 7.3.1.2]</td>
</tr>
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</table>
NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 4-NFPA 1-2014 [ Section No. 65.10.3.1.2 [Excluding any Sub-Sections] ]

NFPA 1®, Fire Code 2012 Edition
Referenced Item: Second Revision No. 526-NFPA 1-2013
Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 08:42:02 EST 2014

Signature

☑️ By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Second Revision No. 526-NFPA 1-2013 [Section No. 65.10.3.1.2
[Excluding any Sub-Sections]]

The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition, except as specified in 65.10.3.1.2.1. [1124: 7.3.1.2]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 11:48:52 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results

✓ This item has passed ballot

30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne

August 5, 2014
Supplemental Agenda - Standards Council Meeting August 11-14, 2014
Affirmative All
Adams, Scott W.
Apfelbeck, Anthony C.
Baldassarra, Carl F.
Budzinski, Jim
Bush, Kenneth E.
Collins, Jeffrey P.
DeCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
65.10.3.1 Exempt Amounts.

65.10.3.1.1 The requirements of this chapter section shall not apply to permanent CFRS facilities or Class A and Class B stores where the consumer fireworks are in packages and where there are no quantities of aerial devices meeting the descriptions in C.3.1.2. of NFPA 1124, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with Section 13.3 NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition. [1124: 7.3.1.1]

65.10.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.8 kg] of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, 250 lb (net) [113.6 kg] of pyrotechnic composition, except as specified in 65.10.3.1.2.1. [1124: 7.3.1.2]

65.10.3.1.2.1 Where the quantity of consumer fireworks on hand includes any quantity of aerial devices meeting the descriptions in C.3.1.2. of NFPA 1124, in any quantity not exceeding the quantities specified in 65.10.3.1.2, temporary CFRS facilities and Class C stores shall only be required to comply with the following sections as applicable:

1. X.X.X 65.10.2.3 for mercantile occupancies per NFPA 101.
2. X.X.X 65.10.3.8 for portable fire extinguishers
3. X.X.X 65.10.3.10.2 for No Smoking signs
4. X.X.X 65.10.3.14.1.1 for minimum number of exits
5. X.X.X 65.10.3.14.2 for egress travel distance
6. X.X.X 65.10.3.14.2.4 for dead end aisles
7. X.X.X 65.10.3.14.5 for doors and doorways
8. X.X.X 65.10.3.15.4.1 for covered fuses
9. X.X.X 65.10.3.15.5.1 for aerial devices (CFRS facilities)
10. X.X.X 65.10.3.16 for electrical equipment
11. X.X.X 65.10.3.17 for heating equipment
12. X.X.X 65.10.3.19 for operations
13. X.X.X 65.10.3.20 for housekeeping
14. X.X.X 65.10.3.21 for training
15. X.X.X 65.10.3.22 for under the influence
16. X.X.X 65.10.4.6.3 for fireworks discharge
17. X.X.X 65.10.4.9.3 for cooking equipment
18. X.X.X 65.10.5.1.2 for consumer fireworks in stores
Where the actual weight of the pyrotechnic composition of consumer fireworks is not known, 25 percent of the gross weight of the consumer fireworks, including packaging, shall be permitted to be used to determine the weight of the pyrotechnic composition.

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Wed Oct 31 14:34:35 EDT 2012

Committee Statement and Meeting Notes

Committee Statement: Extract update.
Response Message:

Ballot Results

✔ This item has passed ballot
29 Eligible Voters
1 Not Returned
27 Affirmative All
 0 Affirmative with Comments
 0 Negative with Comments
 1 Abstention

Not Returned
Sanfilippo, Tony

Affirmative All

Abstention
Lathrop, James K.
Potential conflict of Interest
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Article, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

6.5 Fire Protection.

6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System………….6.5.1, A.6.5.1

Issue Date: March 7, 2013
Effective Date: March 27, 2013

(Note: For further information on NFPA Codes and Standards, please see http://www.nfpa.org/docinfolist)
<table>
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<th>Motion Seq#</th>
<th>Certified Amending Motion: Reject Second Revision No. 527</th>
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<td>1-3</td>
<td><strong>Certified Amending Motion Passes; First Draft text:</strong></td>
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<tr>
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<td>65.10.3.6* An automatic sprinkler system designed and installed in accordance with Section 13.3 and NFPA 13 shall be provided throughout permanent CFRS facilities and stores in which CFRS are conducted in the following buildings:</td>
</tr>
<tr>
<td></td>
<td>(1) New buildings greater than 3,600 ft² (527.2 m²) in area</td>
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<tr>
<td></td>
<td>(2) Existing buildings greater than 7,500 ft² (694 m²) in area [1124: 7.3.6]</td>
</tr>
<tr>
<td></td>
<td><strong>Certified Amending Motion Fails; Committee Second Draft text:</strong></td>
</tr>
<tr>
<td></td>
<td>65.10.3.6* An automatic sprinkler system designed and installed in accordance with Section 13.3 and NFPA 13 shall be provided throughout permanent CFRS facilities and stores in which CFRS are conducted in the following buildings: CFRS facilities and stores shall be limited to the following sizes:</td>
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<td></td>
<td>(1) New buildings greater than 3,000 ft² (278.7 m²) in area</td>
</tr>
<tr>
<td></td>
<td>(2) Existing buildings permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7,500 ft² (694.6 m²) in area [1124:7.3.6]</td>
</tr>
</tbody>
</table>
NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 5-NFPA 1-2014 [ Section No. 65.10.3.6 ]

NFPA 1®, Fire Code 2012 Edition
Referenced Item: Second Revision No. 527-NFPA 1-2013
Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 08:45:04 EST 2014

Signature

☑ By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Second Revision No. 527-NFPA 1-2013 [ Section No. 65.10.3.6 ]

65.10.3.6*
An automatic sprinkler system designed and installed in accordance with Section 13.3 and NFPA 13 shall be provided throughout permanent CFRS facilities and stores in which CFRS are conducted in the following buildings CFRS facilities and stores shall be limited to the following sizes:

1) New buildings greater than 3000 ft² (278.7 m²) in area New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area

2) Existing buildings permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (694.6 m²) in area [1124:7.3.6]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City: State: Zip:
Submittal Date: Fri Aug 23 11:52:09 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results

✔ This item has passed ballot

30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devlin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne

Affirmative All
Adams, Scott W.
Apfelbeck, Anthony C.
Baldassarra, Carl F.
Budzinski, Jim
Bush, Kenneth E.
Collins, Jeffrey P.
DeCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
First Revision No. 444-NFPA 1-2012 [Sections 65.10.3.5, 65.10.3.6, 65.10.3.7]

65.10.3.5 Construction of Buildings and Structures.
Consumer fireworks shall only be permitted to be sold at retail in any of the following buildings or structures, provided that any new building or structure does not exceed one story in height and does not contain a basement:

1. Permanent buildings or structures constructed in accordance with the building code enforced by the AHJ.
2. Tents, canopies, or temporary membrane structures complying with NFPA 102, Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures.
3. Temporary structures constructed in accordance with this chapter.
4. Temporary CFRS stands greater than 800 ft² (74 m²) in area that also meet the requirements for a permanent structure.
5. Vehicles, such as vans, buses, trailers, recreational vehicles, motor homes, travel trailers, trucks, and automobiles, complying with the applicable requirements for CFRS stands [1124: 7.3.5].

65.10.3.6*
An automatic sprinkler system designed and installed in accordance with Section 13.3 and NFPA 13 shall be provided throughout permanent CFRS facilities and stores in which CFRS are conducted in the following buildings:

1. New buildings greater than 36,000 ft² (557.2 m²) in area [1124: 7.3.6].
2. Existing buildings greater than 7500 ft² (694 m²) in area [1124: 7.3.6].

65.10.3.6.1
Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 1 hour and shall be installed in accordance with Section 12.4 and NFPA 80, Standard for Fire Doors and Other Opening Protectives. [1124: 7.3.6.1].

65.10.3.6.1
Any other openings or penetrations in the fire barrier wall shall be protected in accordance with NFPA 101. [1124: 7.3.6.2].

65.10.3.6.1
Every CFRS facility and store shall have no fewer than two portable fire extinguishers with a minimum rating of 2A, at least one of which shall be of the pressurized water type. [1124: 7.3.6.3].

65.10.3.7*
Storage Rooms.
Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be protected with an automatic sprinkler system installed in accordance with Section 43.3 and NFPA 13, Standard for the Installation of Sprinkler Systems, and one of the following:

1. Every storage room shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 1 hour. [1124: 7.3.7].
Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 1 hour and shall be installed in accordance with Section 12.4 and NFPA 80, Standard for Fire Doors and Other Opening Protectives.

In stores, doors in the fire barrier wall shall not be required to have a fire protection rating.

Any other openings or penetrations in the fire barrier wall shall be protected in accordance with NFPA 101.

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address: 
City: 
State: 
Zip: 
Submittal Date: Wed Oct 31 14:50:18 EDT 2012

Committee Statement and Meeting Notes

Committee Statement: Extract update.

Response Message:

Ballot Results

✅ This item has passed ballot

29 Eligible Voters
1 Not Returned
26 Affirmative All
0 Affirmative with Comments
1 Negative with Comments
1 Abstention

Not Returned
Sanfilippo, Tony

Affirmative All

Negative with Comment
Baldassarra, Carl F.

This change needs substantial revisions to comply with the Standards Council directive regarding limitations on the permitted size of buildings. Building areas must be limited to that allowed only for unsprinklered buildings because criteria for the design of sprinklered retail buildings does not exist.
Abstention
Lathrop, James K.
See FR-443
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Article, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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. **Delete the reference in 2.2 to NFPA13, Standard for the Installation of Sprinkler Systems, 2013 edition.**

2. **Revise 6.1.3 to read as follows:**

   **6.1.3** This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. **Revise 6.5.1 and delete 6.5.1.1 to read as follows:**

   **6.5 Fire Protection.**

   **6.5.1** Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. **Revise 6.5.1.2 to read as follows:**

   **6.5.1.2** Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. **Revise 7.3.1.1 and 7.3.1.2 to read as follows:**

   **7.3.1.1** The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System…………..6.5.1, A.6.5.1

Issue Date: March 7, 2013
Effective Date: March 27, 2013

(Note: For further information on NFPA Codes and Standards, please see http://www.nfpa.org/docinfolist)
Motion Seq # 1-4: "Certified Amending Motion: Reject Second Revision No. 528:"

**Certified Amending Motion Passes; First Draft text:**

65.10.3.7 Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be protected with an automatic sprinkler system installed in accordance with Section 13.3 and NFPA 13, *Standard for the Installation of Sprinkler Systems* and or separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 1 hour. \[1124:7.3.7.2\]

**Certified Amending Motion Fails; Committee Second Draft text:**

65.10.3.7 Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be protected with an automatic sprinkler system installed in accordance with NFPA 13, *Standard for the Installation of Sprinkler Systems* and separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 1 hour 2 hours. \[1124:7.3.7\]
NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 6-NFPA 1-2014 [ Section No. 65.10.3.7 [Excluding any Sub-Sectio...]

Referenced Item: Second Revision No. 528-NFPA 1-2013

Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 08:47:56 EST 2014

Signature

[ ] By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Second Revision No. 528-NFPA 1-2013 [ Section No. 65.10.3.7

[Excluding any Sub-Sections] ]

Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be protected with an automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, and separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours. [1124:7.3.7]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 11:55:23 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results

✓ This item has passed ballot

30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devlin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne

Affirmative All
Adams, Scott W.
Apfelbeck, Anthony C.
Baldassarra, Carl F.
Budzinski, Jim
Bush, Kenneth E.
Collins, Jeffrey P.
DeCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
**65.10.3.5** Construction of Buildings and Structures.

Consumer fireworks shall only be permitted to be sold at retail in any of the following buildings or structures, provided that any new building or structure does not exceed one story in height and does not contain a basement:

1. Permanent buildings or structures constructed in accordance with the building code enforced by the AHJ
2. Tents, canopies, or temporary membrane structures complying with NFPA 102, *Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures*
3. Temporary structures constructed in accordance with this chapter
4. Temporary CFRS stands greater than 800 ft² (74 m²) in area that also meet the requirements for a permanent structure
5. Vehicles, such as vans, buses, trailers, recreational vehicles, motor homes, travel trailers, trucks, and automobiles, complying with the applicable requirements for CFRS stands [1124: 7.3.5]

**65.10.3.6**

An automatic sprinkler system designed and installed in accordance with Section 13.3 and NFPA 13 shall be provided throughout permanent CFRS facilities and stores in which CFRS are conducted in the following buildings:

1. New buildings greater than 36,000 ft² (557.2 278.7 m²) in area
2. Existing buildings greater than 7500 ft² (694 m²) in area [1124: 7.3.6]

**65.10.3.6.1**

Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 1 hour and shall be installed in accordance with Section 12.4 and NFPA 80, *Standard for Fire Doors and Other Opening Protectives* [1124: 7.3.6.1].

**65.10.3.6.1**

Any other openings or penetrations in the fire barrier wall shall be protected in accordance with NFPA 101 [1124: 7.3.6.2].

**65.10.3.6.1**

Every CFRS facility and store shall have no fewer than two portable fire extinguishers with a minimum rating of 2A, at least one of which shall be of the pressurized water type [1124: 7.3.6.3].

**65.10.3.7**

Storage Rooms.

Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be protected with an automatic sprinkler system installed in accordance with Section 13.3 and NFPA 13, *Standard for the Installation of Sprinkler Systems*, and or separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 1 hour [1124: 7.3.7].
Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 1 hour and shall be installed in accordance with Section 12.4 and NFPA 80 — Standard for Fire Doors and Other Opening Protectives. 

In stores, doors in the fire barrier wall shall not be required to have a fire protection rating.

Any other openings or penetrations in the fire barrier wall shall be protected in accordance with NFPA 101.

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Wed Oct 31 14:50:18 EDT 2012

Committee Statement and Meeting Notes

Committee Statement: Extract update.
Response Message:

Ballot Results

This item has passed ballot

29 Eligible Voters
1 Not Returned
26 Affirmative All
0 Affirmative with Comments
1 Negative with Comments
1 Abstention

Not Returned
Sanfilippo, Tony

Affirmative All

Negative with Comment
Baldassarra, Carl F.  
This change needs substantial revisions to comply with the Standards Council directive regarding limitations on the permitted size of buildings. Building areas must be limited to that allowed only for unsprinklered buildings because criteria for the design of sprinklered retail buildings does not exist.
Abstention
Lathrop, James K.
See FR-443
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Article, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

   6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

   6.5 Fire Protection.

   6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

   6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

   7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System…………..6.5.1, A.6.5.1

Issue Date: March 7, 2013

Effective Date: March 27, 2013
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<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion:</th>
<th>Reject Second Revision No. 529:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-5</td>
<td><strong>Certified Amending Motion Passes; First Draft text:</strong></td>
<td>65.10.3.7 Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be protected with an automatic sprinkler system installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems and separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours. [1124:7.3.7]</td>
</tr>
<tr>
<td></td>
<td><strong>Certified Amending Motion Fails; Committee Second Draft text:</strong></td>
<td>65.10.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with Section 12.4 and NFPA 80, Standard for Fire Doors and Other Opening Protectives. [1124:7.3.7.1]</td>
</tr>
</tbody>
</table>
NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 7-NFPA 1-2014 [Section No. 65.10.3.7.1 [Excluding any Sub-Sections]]

NFPA 1®, Fire Code 2012 Edition

Referenced Item: Second Revision No. 529-NFPA 1-2013

Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 08:54:53 EST 2014

Signature

[ ] By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Door and window openings in the fire barrier wall shall be protected by self-closing fire
doors or fixed fire windows having a fire protection rating of not less than 1 hour 90
minutes and shall be installed in accordance with Section 12.4 and NFPA 80, Standard
for Fire Doors and Other Opening Protectives. [1124:7.3.7.1]
Apfelbeck, Anthony C.
Baldassarra, Carl F.
Budzinski, Jim
Bush, Kenneth E.
Collins, Jeffrey P.
DeCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
65.10.3.5 Construction of Buildings and Structures.
Consumer fireworks shall only be permitted to be sold at retail in any of the following buildings or structures, provided that any new building or structure does not exceed one story in height and does not contain a basement:

1. Permanent buildings or structures constructed in accordance with the building code enforced by the AHJ.
2. Tents, canopies, or temporary membrane structures complying with NFPA 102, Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures.
3. Temporary structures constructed in accordance with this chapter.
4. Temporary CFRS stands greater than 800 ft² (74 m²) in area that also meet the requirements for a permanent structure.
5. Vehicles, such as vans, buses, trailers, recreational vehicles, motor homes, travel trailers, trucks, and automobiles, complying with the applicable requirements for CFRS stands.

65.10.3.6*
An automatic sprinkler system designed and installed in accordance with Section 13.3 and NFPA 13 shall be provided throughout permanent CFRS facilities and stores in which CFRS are conducted in the following buildings:

1. New buildings greater than 3600 ft² (557.2 m²). 
2. Existing buildings greater than 7500 ft² (694 m²). 

65.10.3.6.1*
Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 1 hour and shall be installed in accordance with Section 12.4 and NFPA 80, Standard for Fire Doors and Other Opening Protectives.

65.10.3.6.1*
Any other openings or penetrations in the fire barrier wall shall be protected in accordance with NFPA 101.

65.10.3.6.1*
Every CFRS facility and store shall have no fewer than two portable fire extinguishers with a minimum rating of 2A, at least one of which shall be of the pressurized water type.

65.10.3.7*
Storage Rooms.
Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be protected with an automatic sprinkler system installed in accordance with Section 13.3 and NFPA 13, Standard for the Installation of Sprinkler Systems, and or separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 1 hour.
Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 1 hour and shall be installed in accordance with Section 12.4 and NFPA 80 — Standard for Fire Doors and Other Opening Protectives. [1124: 7.3.7.1] -

65.10.3.7.1.1 —
In stores, doors in the fire barrier wall shall not be required to have a fire protection rating. [1124: 7.3.7.1.1] -

65.10.3.7.2 —
Any other openings or penetrations in the fire barrier wall shall be protected in accordance with NFPA 101. [1124: 7.3.7.2] -

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Wed Oct 31 14:50:18 EDT 2012

Committee Statement and Meeting Notes

Committee Statement: Extract update.
Response Message:

Ballot Results

✔ This item has passed ballot

29 Eligible Voters
1 Not Returned
26 Affirmative All
0 Affirmative with Comments
1 Negative with Comments
1 Abstention

Not Returned
Sanfilippo, Tony

Affirmative All

Negative with Comment
Baldassarra, Carl F.
This change needs substantial revisions to comply with the Standards Council directive regarding limitations on the permitted size of buildings. Building areas must be limited to that allowed only for unsprinklered buildings because criteria for the design of sprinklered retail buildings does not exist.
Abstention
Lathrop, James K.
See FR-443
Tentative Interim Amendment

NFPA® 1124
Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles
2013 Edition

Reference: 2.2, 6.1.3, 6.5.1, 6.5.1.1, 6.5.1.2, 7.3.1.1, 7.3.1.2, 7.3.6, 7.3.7, 7.3.7.1, 7.4.4.2, 7.4.5.1, 7.5.4, A.6.5.1, A.6.5.1.1, A.7.3.6, A.7.3.7, A.7.5.1.1, and Index
TIA 13-2
(SC 13-3-14/TIA Log #1094)

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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Article, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

6.5 Fire Protection.

6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System..........6.5.1, A.6.5.1

Issue Date: March 7, 2013
Effective Date: March 27, 2013

(Note: For further information on NFPA Codes and Standards, please see http://www.nfpa.org/docinfo/)
Copyright © 2013 All Rights Reserved
NATIONAL FIRE PROTECTION ASSOCIATION
<table>
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<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion: Reject Second Revision No. 530:</th>
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<tbody>
<tr>
<td>1-6</td>
<td><strong>Certified Amending Motion Passes; First Draft text:</strong></td>
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<td></td>
<td>65.10.4.4.2 Where the new CFRS facility is protected per Section 13.3 and NFPA 13, the fire resistance rating of the fire barrier required by 65.10.4.4.1 shall be permitted to be not less than 1 hour. [1124: 7.4.4.2]</td>
</tr>
<tr>
<td></td>
<td><strong>Certified Amending Motion Fails; Committee Second Draft text:</strong></td>
</tr>
<tr>
<td></td>
<td>65.10.4.4.2 Where the new CFRS facility is protected per Section 13.3 and NFPA 13, the fire resistance rating of the fire barrier required by 65.10.4.4.1 shall be permitted to be not less than 1 hour. [1124: 7.4.4.2]</td>
</tr>
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</table>
NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 8-NFPA 1-2014 [ Section No. 65.10.4.4.2 ]

NFPA 1®, Fire Code 2012 Edition
Referenced Item: Second Revision No. 530-NFPA 1-2013
Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 08:58:05 EST 2014

Signature

☑ By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
65.10.4.4.2

Where the new CFRS facility is protected per Section 13.3 and NFPA 13, the fire resistance rating of the fire barrier required by 65.10.4.4.1 shall be permitted to be not less than 1 hour.[-1124: 7.4.4.2]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 11:58:42 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124. Also renumber 65.10.4.4.3 accordingly.
Response Message:

Committee Notes:

<table>
<thead>
<tr>
<th>Date</th>
<th>Submitted By</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug 23, 2013</td>
<td>Gregory Harrington</td>
<td>Renumber 65.10.4.4.3 accordingly.</td>
</tr>
</tbody>
</table>

Ballot Results

This item has passed ballot

30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Affirmative All
Adams, Scott W.
Apfelbeck, Anthony C.
Baldassarra, Carl F.
Budzinski, Jim
Bush, Kenneth E.
Collins, Jeffrey P.
DeCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
First Revision No. 451-NFPA 1-2012 [ Sections 65.10.4.3, 65.10.4.4 ]

65.10.4.3 Construction Materials.
The following construction materials requirements shall apply to new permanent CFRS facilities in jurisdictions that have not adopted a local building code, provided that any new building or structure does not exceed one story in height and does not contain a basement:

(1) Buildings having an area up to and including 8000 ft² (743 m²) shall be permitted to be constructed of any approved construction materials.

(2) Buildings having an area greater than 8000 ft² (743 m²) shall be constructed in accordance with one of the following:
   (a) Buildings shall be constructed of noncombustible or limited-combustible materials.
   (b) Buildings with exterior walls having a fire resistance rating of not less than 2 hours shall be permitted to have the roof decking and its supporting structure and interior partitions constructed of combustible materials.

(3) Roof coverings for any building shall have a minimum rating of Class C as determined in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Standard for Standard Test Methods for Fire Tests of Roof Coverings, NFPA 256, Standard Methods of Fire Tests of Roof Coverings. [1124: 7.4.3]

65.10.4.4 Multiple-Tenant Buildings.

65.10.4.4.1 Where a new CFRS facility is located in a building containing other tenants, the CFRS facility shall be separated from the other tenants by fire barriers complying with NFPA 101, without openings and having no openings and a fire resistance rating of not less than 2 hours. [1124: 7.4.4.1]

65.10.4.4.2 Where the new CFRS facility is protected per Section 13.3 and NFPA 13, the fire resistance rating of the fire barrier required by 65.10.4.4.1 shall be permitted to be not less than 1 hour. [1124: 7.4.4.2]

65.10.4.4.3 Any penetrations of the fire barrier shall be protected in accordance with NFPA 101. [1124: 7.4.4.3]

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Wed Oct 31 17:19:51 EDT 2012

Committee Statement and Meeting Notes
Committee Statement: Extract update.

Response Message:

Ballot Results

✓ This item has passed ballot

29 Eligible Voters
1 Not Returned
26 Affirmative All
0 Affirmative with Comments
1 Negative with Comments
1 Abstention

Not Returned
Sanfilippo, Tony

Affirmative All

Negative with Comment
Baldassarra, Carl F.
This change should be rejected because the allowable building areas need to reflect the maximum areas allowed for unsprinklered buildings only.

Abstention
Lathrop, James K.
See FR-443
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Article, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

   6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

6.5 Fire Protection.

   6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

   6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System………..6.5.1, A.6.5.1
<table>
<thead>
<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion: Reject Second Revision No. 531:</th>
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<tbody>
<tr>
<td>1-7</td>
<td>Certified Amending Motion Passes; First Draft text:</td>
</tr>
<tr>
<td></td>
<td><strong>65.10.4.5.1 Automatic Sprinkler System Alarm.</strong> Any waterflow alarm device shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with Section 13.7 and NFPA 72. [1124: 7.4.5.1]</td>
</tr>
<tr>
<td></td>
<td>Certified Amending Motion Fails; Committee Second Draft text:</td>
</tr>
<tr>
<td></td>
<td><strong>65.10.4.5.1 Automatic Sprinkler System Alarm.</strong> Any waterflow alarm device, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with Section 13.7 and NFPA 72. [1124: 7.4.5.1]</td>
</tr>
</tbody>
</table>
NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 9-NFPA 1-2014 [ Section No. 65.10.4.5.1 ]

NFPA 1®, Fire Code 2012 Edition
Referenced Item: Second Revision No. 531-NFPA 1-2013
Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 08:59:56 EST 2014

Signature

[ ] By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
65.10.4.5.1  Automatic Sprinkler System Alarm.
Any W_{aterflow alarm device devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with Section 13.7 and NFPA 72. [1124: 7.4.5.1]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 12:01:21 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results

✓ This item has passed ballot

30  Eligible Voters
5  Not Returned
25  Affirmative All
0  Affirmative with Comments
0  Negative with Comments
0  Abstention

Not Returned
Devlin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne

Affirmative All
Adams, Scott W.
Apfelbeck, Anthony C.
Baldassarra, Carl F.
Budzinski, Jim
Bush, Kenneth E.
Collins, Jeffrey P.
DeCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

6.5 Fire Protection.

6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System………….6.5.1, A.6.5.1

Issue Date: March 7, 2013

Effective Date: March 27, 2013

(Note: For further information on NFPA Codes and Standards, please see http://www.nfpa.org/docinfolist)
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<td>1-8</td>
<td><strong>Certified Amending Motion Passes; First Draft text:</strong></td>
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<tr>
<td></td>
<td><strong>65.10.5.4 Flame breaks shall be allowed to be omitted in stores protected throughout with an automatic sprinkler system installed in accordance with Section 13.3 and NFPA 13. [1124: 7.5.4]</strong></td>
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<td><strong>65.10.5.4 Flame breaks shall be allowed to be omitted in stores protected throughout with an automatic sprinkler system installed in accordance with Section 13.3 and NFPA 13. [1124: 7.5.4]</strong></td>
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NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 10-NFPA 1-2014 [ Section No. 65.10.5.4 ]

NFPA 1®, Fire Code 2012 Edition
Referenced Item: Second Revision No. 532-NFPA 1-2013
Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 09:31:40 EST 2014

Signature

By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Second Revision No. 532-NFPA 1-2013 [ Section No. 65.10.5.4 ]

65.10.5.4
Flame breaks shall be allowed to be omitted in stores protected throughout with an automatic sprinkler system installed in accordance with Section 13.3 and NFPA 1124.

Notice of Intent to Make a Motion (NITMAM)
Submit a NITMAM

Submitter Information Verification
Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 12:03:15 EDT 2013

Committee Statement and Meeting Notes
Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results
This item has passed ballot
30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devlin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne

Affirmative All
Adams, Scott W.
Apfelbeck, Anthony C.
Baldassarra, Carl F.
Budzinski, Jim
Bush, Kenneth E.
collins, Jeffrey P.
deCrane, Sean
Fangmann, F. Tom
Farmer, Keith L.
Farr, Ronald R.
Fash, Robert
Francis, Sam W.
Hanselka, Reinhard
Kraus, Richard S.
Lovell, Vickie J.
Martin, Valeriano F.
Moore, Wayne D.
Navarra, Joseph L.
Orlowski, Steven
Peterkin, James S.
Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Article, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

6.5 Fire Protection.

6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the...
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System………….6.5.1, A.6.5.1

Issue Date: March 7, 2013

Effective Date: March 27, 2013

(Note: For further information on NFPA Codes and Standards, please see http://www.nfpa.org/docinfolist)
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<td><strong>Certified Amending Motion Passes; First Draft text:</strong></td>
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<tr>
<td>1-9</td>
<td>A.65.10.3.6 Appropriate sprinkler system design criteria should be determined based on an engineering analysis prepared by a fire protection engineer. [1124: A.7.3.6]</td>
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<tr>
<td></td>
<td>A.65.10.3.7 See A.65.10.3.6. [1124: A.7.3.7]</td>
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<td><strong>Certified Amending Motion Fails; Committee Second Draft text:</strong></td>
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<td>A.65.10.3.7 See A.65.10.3.6. [1124: A.7.3.7]</td>
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NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 11-NFPA 1-2014 [ Sections A.65.10.3.6, A.65.10.3.7 ]

NFPA 1®️, Fire Code 2012 Edition
Referenced Item:  Second Revision No. 533-NFPA 1-2013
Motion:  Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 09:37:15 EST 2014

Signature

☑️ By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Second Revision No. 533-NFPA 1-2013 [ Sections A.65.10.3.6, A.65.10.3.7 ]

A.65.10.3.6
Appropriate sprinkler system design criteria should be determined based on an engineering analysis prepared by a fire protection engineer. [1124: A.7.3.6]

A.65.10.3.7
See A.65.10.3.6. [1124: A.7.3.7]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 12:06:11 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results

✓ This item has passed ballot

30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devlin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne

Affirmative All
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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. **Delete the reference in 2.2 to NFPA 13, Standard for the Installation of Sprinkler Systems, 2013 edition.**

2. **Revise 6.1.3 to read as follows:**

   **6.1.3** This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. **Revise 6.5.1 and delete 6.5.1.1 to read as follows:**

   **6.5 Fire Protection.**

   **6.5.1** Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. **Revise 6.5.1.2 to read as follows:**

   **6.5.1.2** Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. **Revise 7.3.1.1 and 7.3.1.2 to read as follows:**

   **7.3.1.1** The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System………..6.5.1, A.6.5.1

Issue Date: March 7, 2013

Effective Date: March 27, 2013

(Note: For further information on NFPA Codes and Standards, please see http://www.nfpa.org/docinfolist)
**Certified Amending Motion:** Reject Second Revision No. 534:

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<td>1-10</td>
<td><strong>A.65.10.3.6</strong> Appropriate sprinkler system design criteria should be determined based on an engineering analysis prepared by a fire protection engineer. [1124: A.7.3.6]</td>
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<td><strong>A.65.10.5.1.1</strong> For existing buildings, appropriate sprinkler system criteria should be determined based on an engineering analysis prepared by a fire protection engineer. [1124: A.7.5.1.1]</td>
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NOTICE OF INTENT TO MAKE A MOTION (NITMAM)

NITMAM No. 12-NFPA 1-2014 [Section No. A.65.10.5.1.1]

NFPA 1®, Fire Code 2012 Edition
Referenced Item: Second Revision No. 534-NFPA 1-2013
Motion: Reject

Comments or Clarification

Submitter Information Verification

Submitter Full Name: William Koffel
Organization: Koffel Associates, Inc.
Street Address: 8815 Centre Park Drive, Suite
City: Columbia
State: MD
Zip: 21045-2107
Submittal Date: Mon Feb 10 09:41:34 EST 2014

Signature

☑ By checking this box I affirm that I am William Koffel, and I understand and intend that, by checking this box, I am creating an electronic signature that will upon my submission of this form, have the same legal force and effect as a handwritten signature.
Second Revision No. 534-NFPA 1-2013 [ Section No. A.65.10.5.1.1 ]

A.65.10.5.1.1
For existing buildings, appropriate sprinkler system criteria should be determined based on an engineering analysis prepared by a fire protection engineer. [ A.7.5.1.1 ]

Notice of Intent to Make a Motion (NITMAM)

Submit a NITMAM

Submitter Information Verification

Submitter Full Name: Gregory Harrington
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Fri Aug 23 12:07:54 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Extract update - incorporates TIA 13-2 on NFPA 1124.
Response Message:

Ballot Results

✔ This item has passed ballot
30 Eligible Voters
5 Not Returned
25 Affirmative All
0 Affirmative with Comments
0 Negative with Comments
0 Abstention

Not Returned
Devlin, John F.
Hipp, Sr., Douglas Michael
Lathrop, James K.
Miller, Richard W.
Waggoner, Wayne

Affirmative All
Adams, Scott W.
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DeCrane, Sean
Fangmann, F. Tom
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Sharry, John A.
Stashak, Catherine L.
Tidwell, J. L. (Jim)
Tucker, Randolph W.
Willse, Peter J.
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

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.


2. Revise 6.1.3 to read as follows:

   6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

   6.5 Fire Protection.

   6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

   6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

   7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.

(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System………….6.5.1, A.6.5.1

Issue Date: March 7, 2013

Effective Date: March 27, 2013

(Note: For further information on NFPA Codes and Standards, please see http://www.nfpa.org/docinfolist)
I. Introduction
This decision arises out of the Standards Council’s review of a complaint that the American Pyrotechnics Association (“APA”) has filed with the American National Standards Institute (“ANSI”). The APA’s complaint to ANSI challenges the Standards Council’s authority to take reasonable action to respond to the consumer fireworks interests’ refusal, over the course of more than ten years, to submit test data demonstrating the technical validity of the sprinkler design criteria for the protection of retail facilities that store and sell consumer fireworks to the general public. Specifically the APA’s complaint seeks, in effect, to oblige the Standards Council to reverse a decision limiting the size and other features of these retail facilities until such time as test data to validate reasonable sprinkler design criteria was submitted to the responsible NFPA Technical Committee on Pyrotechnics (the “Technical Committee”).

In ordinary circumstances, the NFPA would respond to an ANSI complaint through the usual channels within ANSI. We have no doubt that such response to the APA complaint would be successful. In the special circumstances surrounding the NFPA development of consumer fireworks standards, however, the APA’s complaint serves to finally confirm the APA’s unwillingness to meaningfully engage in the kind of standards development that would continue to yield quality standards consistent with the NFPA’s safety mission. This has prompted the Council to reconsider, as it has several times over the troubled history of standards development in this area, whether it was appropriate for NFPA to continue to develop standards for the storage and retail sales of consumer fireworks.

On reconsideration, the Council, pursuant to its authority to determine the scope of NFPA standards activities, has now decided to cease issuing NFPA standards for the storage and retail sales of consumer fireworks. To effectuate that decision, the Council is temporarily withdrawing NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles (2013 edition) (“NFPA 1124”), pending the removal of the consumer fireworks provisions and is providing guidance and taking other actions set forth, below, in Part III of this decision.

II. Background
The Standards Council has addressed issues concerning standards for the storage and retail sales of consumer fireworks in a string of decisions that is unprecedented in length and detail. Those decisions should be consulted for a full understanding of the basis of this decision. See especially Standards Council Decision #12-4 (Standards Council Agenda Item #12-8-11, August 9, 2012) (the “August 2012 Decision”) and Standards Council Decision #08-19 (Standards Council Agenda Item #08-7-38, July 24, 2008) (the “2008..."
NFPA, as a safety organization, has and continues to have, a long-standing advocacy position opposing, on well-documented safety grounds, any use of fireworks by consumers or other members of the general public. In light of that policy, the NFPA did not allow standards development activities related to the use of fireworks by the general public. Nevertheless, despite that opposition, and because the use of consumer fireworks was allowed in most states, the NFPA Board of Directors, in 1999, authorized the development of standards concerning the storage and retail sales of consumer fireworks, should the Standards Council choose to do so. At the urging of the APA and others, the Standards Council decided to proceed with this activity. This eventually led to the incorporation of consumer storage and retail sales provisions (“the consumer fireworks provisions”) into an expanded Chapter 6 and a new Chapter 7 of NFPA 1124 beginning with the 2003 edition followed by new editions in 2006 and 2013.

From the inception, this work has been marked by difficulties. Initial wrangling over which technical committee would have jurisdiction for developing the consumer fireworks provisions gave way over the years to persistent and recurring concerns, voiced repeatedly by the Standards Council, with the paucity of technical data and test results supporting many of the provisions. [See, e.g., Standards Council Decision #03-13 (Standards Council Agenda Item #03-1-10-a, January 17, 2003) (rejecting exemption of existing facilities from certain requirements, based on reasons which included “the Council’s own concerns whether the safety issues [respecting the exemption] . . . have been given adequate consideration”). Standards Council Decision #06-04 (Standards Council Agenda Item #06-3-11, March 21, 2006) (rejecting Technical Committee request to enter three new draft fire test standards on packaging, covered fuses, and flame breaks used in the retail sale and display of consumer fireworks where “little if any research or testing was produced to support the draft standards and there is no clear prospect that the standards development process, once begun, would be supported by adequate technical substantiation”).]

Prominent among these concerns, from the very beginning, was the adequacy of the technical data available to support requirements for how and when storage and retail sales facilities should be protected by automatic sprinklers. See Standards Council Decision #03-14 (Standards Council Agenda Item #03-1-10-d, January 17, 2003) (rejecting as technically unjustified the Technical Committee’s recommended 12,000 square foot area threshold for requiring an automatic sprinkler system in permanent retail sales facilities, noting the lack of adequate large scale fire testing to justify the effective treatment of consumer fireworks as an ordinary hazard occupancy as defined by NFPA 13, Standard for the Installation of Sprinkler Systems, and accepting instead a 6,000 square foot area threshold); Standards Council Decision #04-05 (Standards Council Agenda Item #04-4-13/14/15/16, April 15, 2004) (accepting a Tentative Interim Amendment extending the area threshold for automatic sprinkler requirements to 7,500 square feet for existing permanent facilities, but noting further review and consideration should be forthcoming during the full revision cycle).

Against the background of growing concern with the technical adequacy of the consumer fireworks provisions, the Fire Protection Research Foundation (the Research Foundation) conducted a literature review to assemble and analyze research data related to the hazards
associated with the storage and retail sales of consumer fireworks and to identify research needed to develop appropriate facility fire safety provisions. The Research Foundation hazard assessment, released in October 2007, identified a serious lack of data and clear scientific or technical basis underlying many of the consumer fireworks provisions in NFPA 1124. Prominently included among the noted deficiencies was the sprinkler design criteria (See, Research Foundation report entitled “Fire Safety in Consumer Fireworks Storage and Retail Facilities – Hazard Assessment” released October 1, 2007 authored by Jonathan Perricone, P.E., Schirmer Engineering Corporation) (the “Research Foundation Hazard Assessment”).

At its October 2007 meeting, the Standards Council considered this report and concluded that it raised serious concerns regarding the technical basis for the consumer fireworks provisions of NFPA 1124 and “calls into question whether sufficient research and other technical substantiation exists to support meaningful standards development in this area.” (See Standards Council Agenda Item #08-1-8, January 10, 2008 [revising previous Minute Item #07-10-35, October 3-4, 2007].)

Based upon the findings presented in the Research Foundation Hazard Assessment, the Council indicated that it was contemplating a halt to the further development of NFPA standards on consumer fireworks. Following further proceedings, including a public hearing conducted at the NFPA Annual Meeting, the Council considered the matter further and issued its decision. In that decision the Council cited a number of factors weighing against continued standards development. Although the Council was seriously inclined at this point to end the standards development activities for consumer pyrotechnics, it was highly mindful of the countervailing views expressed by the enforcement community. They urged that the consumer fireworks provisions of NFPA 1124, even though imperfect, were essential to their enforcement activities as these provisions established some important limits. (See 2008 Decision at pp. 3-4.)

The Council stressed that it did not subscribe to the view that the development of a standard by the NFPA is invariably better than no NFPA standard. Indeed, said the Council:

   It is possible that a standard set at a low level and without adequate support can, at some point, impede rather than promote progress and safety. NFPA does not wish to be associated with sustaining a weak standard, without limit, based solely on the argument that it is better than nothing. (Id.)

It concluded, however, that it might still be possible to materially improve and validate the standards. The Council, therefore, decided to allow the consumer fireworks provisions to remain in place in NFPA 1124, extending no further than the 2012 Annual Revision Cycle. In doing so, however, the Council prescribed special conditions related to the nine areas of concern identified in the Research Foundation Hazard Assessment, for the processing of the consumer fireworks provisions through the next revision cycle of NFPA 1124. One of those special conditions addressed the need for validation of the sprinkler design criteria, in relevant part as follows:

   The Council directs that sprinkler system design and installation provisions for both the storage and retail sale of consumer pyrotechnics be developed and adequately substantiated and that supporting testing, data, and other relevant studies be submitted and referenced. (2008 Decision at p. 12.)
In agreeing to continue standards development through one more cycle, the Council stressed that, if the compliance with the special conditions, including the sprinkler design conditions, was not completed by the end of the Annual 2012 cycle, the Council would remove the consumer fireworks provisions from the next edition of NFPA 1124, and the NFPA would no longer develop standards on this subject. (See the 2008 Decision at p. 6.) The Council expressed guarded optimism that the standard could be materially improved, but it noted that:

Ultimately, of course, producing acceptable standards within the time framework set forth in this decision will require a concerted commitment of the industry or others to fund and implement reliable and reviewable research and testing. It is hoped that such a commitment together with the energy and dedication of the participants in the NFPA standards development process will result in enhanced standards in the interests of public safety. (2008 Decision at p. 12)

Four years later, in August 2012, the proposed new edition of NFPA 1124 was presented to the Standards Council for issuance. Although eight of the nine subject areas identified in the 2008 Decision had been addressed, virtually nothing had been done to validate the sprinkler design criteria. Indeed, although the APA had belatedly sponsored the Research Foundation to develop a test plan, (the “Research Foundation Test Plan”), the consumer fireworks interests had taken no steps to even begin the testing. (See August 2012 Decision.) The failure to address the validation of the sprinkler design criteria meant that one of the most important conditions the Council had set for the continued NFPA development of consumer fireworks provisions had, without any justification, not been met.

The Council, however, did not end the development of the consumer fireworks provisions. Rather, the Council offered those interested in continuing the activity an additional opportunity to validate the sprinkler design criteria. Specifically, it issued the 2013 edition of NFPA 1124 with the consumer fireworks provisions, but it set a deadline of one additional year for validation of sprinkler design criteria. The Council cautioned that it would not allow the consumer fireworks provisions to remain in place for more than one year without appropriate substantiation. (August 2012 Decision at p. 8.) During that year, the full scale fire tests set forth in the Research Foundation Test Plan were to be completed and the results used to formulate requirements for sprinkler system design criteria and installation for the storage and retail sales of consumer fireworks. In the event the testing had not occurred by its August 2013 meeting, the Council would direct the processing of a Tentative Interim Amendment ("TIA") to limit the threshold of all permanent consumer fireworks retail sales and storage facilities to the threshold below which automatic sprinkler systems are not required under NFPA 1124 (i.e. less than 3,000 sq. ft. for new buildings and less than 7,500 sq. ft. for existing buildings). In the event neither of these actions had occurred, the Council again reiterated its intent to cease development of the consumer fireworks provisions and withdraw two related test method standards, PYR 1128, Standard Method of Fire Test for Flame Breaks and PYR 1129, Standard Method of Fire Test for Covered Fuse on Consumer Fireworks. (See August 2012 Decision at p. 8.)

Less than six months into the extended deadline, the APA appeared before the Council. It made clear, not only that the consumer fireworks interests would fail to begin or complete the Research Foundation Test Plan within the year, but that these interests had abandoned any intention to conduct the Research Foundation Test Plan and had, instead, decided to
investigate an “alternative test strategy” without specifying or defining what that alternative strategy might be. [See Standards Council Decision #12-17 at p. 4 (Standards Council Agenda Item #12-10-12, October 29-30, 2012).] Given the request for still more time and no apparent commitment on the part of the industry to complete this important safety work, the Council determined that, pursuant to its 2012 Decision, the Council would proceed with a TIA that limited consumer fireworks storage and retail sales facilities to those facilities that, due to such factors as limited area and quantity of materials are not required by NFPA 1124 to have automatic sprinklers. It is the Council’s eventual issuance of this TIA on March 7, 2013, [Standards Council Decision #13-2 (Standards Council Agenda Item #13-3-14-d)] that led the APA to file the appeal to ANSI described at the beginning of this decision.

III. Actions and Guidance.
As indicated earlier, the Council, in the face of the continuing failure to validate the sprinkler design criteria and the consumer fireworks industry’s unwillingness, confirmed in its ANSI appeal, to commit itself to providing such validation, has decided that the NFPA should no longer develop standards for the storage and retail sales of consumer fireworks. In the Council’s view, the NFPA cannot develop such standards without the participation of the consumer fireworks industry and related interests, and it is apparent that these interests lack the commitment to the development of consumer fireworks standards in a manner that can produce and sustain such standards consistent with NFPA’s safety mission.

In order to effectuate that decision, the Council, pursuant to its authority under Sections 2.2, 3.1 and 4.7 of the Regulations Governing the Development of NFPA Standards, is taking the following actions:

(i) Committee Scope. The scope of the Technical Committee on Pyrotechnics is revised to exclude the storage and retail sale of consumer fireworks as follows:

   This Committee shall have primary responsibility for documents on the manufacture, transportation, and storage of consumer and display fireworks, pyrotechnic special effects, and model and high power rocket motors. This Committee shall have primary responsibility for the use of display fireworks and for model and high power rocketry, and the construction, launching, and other operations that involve model and high power rocket motors. The Committee shall have primary responsibility for documents on the wholesale and retail sale and storage of consumer fireworks. The Committee shall have responsibility for the development of fire test standards applicable to the packaging, covered fuses, and flame breaks used in retail sales display of consumer fireworks. The Committee shall coordinate the fire test documents with the Fire Test Committee. The Committee does not have responsibility for documents on the storage and retail sales of consumer fireworks or the use of consumer fireworks by the general public; on the use of pyrotechnic special effects before a proximate audience; on the manufacture, transportation, storage for use of military, automotive, agricultural, and industrial pyrotechnics.

(ii) Temporary withdrawal of NFPA 1124. NFPA 1124 is temporarily withdrawn pending the development of revisions deleting the consumer fireworks provisions from the standard. The Technical Committee should proceed, either through the processing of a TIA
or through the regular revision cycle, to develop revisions removing the consumer fireworks provisions. In addition, the scope statement for the standard should be revised, in a form substantially as follows:

This code shall provide regulations for the construction, use, and maintenance of buildings and facilities for the following: (1) The manufacture and storage of fireworks, novelties and pyrotechnic articles at manufacturing facilities (2) The storage of display fireworks, pyrotechnic articles, salute powder, pyrotechnic and explosive compositions, and black powder at other than display sites (3) The storage of consumer fireworks at distribution facilities (4) The retail sales and related storage of consumer fireworks in consumer fireworks retail sales (CFSR) facilities and stores (5) The transportation on public highways of fireworks, pyrotechnic articles, and components thereof containing pyrotechnic or explosive materials. (6) This code shall not apply to the storage and retail sales of consumer fireworks.

The Council anticipates that it will reissue NFPA 1124 as soon as possible once the Technical Committee has completed this work.


(iv) Other NFPA Standards. The Technical Committee on the Fire Code should process a Tentative Interim Amendment to NFPA 1, Fire Code, to remove all provisions concerning the storage and retail sales of consumer fireworks extracted from NFPA 1124. Other Technical Committees should likewise examine their standards and expeditiously remove references to and extracts from the consumer fireworks provisions of NFPA 1124.

To be clear, it is the intention of the Standards Council, in keeping with this decision and with the NFPA’s long opposition to consumer fireworks, that no NFPA Committees should develop standards for the storage and retail sales of consumer fireworks or for the use of fireworks by members of the public.

IV. Conclusion

The Council stresses that its decision to end the NFPA’s development of standards for the storage and retail sales of fireworks has not been taken lightly. The Council, in particular, is mindful of the enforcer community’s interest in having NFPA develop and maintain these standards. Indeed, it was this interest that prompted the Council and the NFPA Board to entertain the possibility of having NFPA develop these standards despite the NFPA’s strong institutional policy against the use of consumer fireworks. (See 2008 Decision at p. 4.) It was, moreover, at the urging of many in the enforcement community that the Council held back from halting this activity in the face of the concerns raised in 2007 by the Research Foundation Hazard Assessment. Even when, four years later, the consumer fireworks interests failed to fulfill the sprinkler validation condition set forth by the Council for the continued issuance of consumer fireworks provisions, the Council issued the consumer fireworks provisions in the 2013 edition of NFPA 1124, and extended the time to fulfill that condition for an entire year. It is only now that the Council has felt compelled
to act, after the consumer fireworks interests failed yet again to undertake the necessary
testing and after those interests have made clear, through their ANSI appeal, that they will
not accept an NFPA standard unless it includes invalidated sprinkler protection provisions
for consumer fireworks retail sales facilities.

We believe that the record demonstrates the Council’s forbearance and the great lengths to
which the Council has gone to accommodate those enforcement officials who urged us to
continue. Nevertheless, as we have repeatedly said, the Standards Council does not
subscribe to the view, without qualification, that the development of a standard by NFPA
is invariably better than no NFPA standard. The Council, after fifteen years of sustained
effort, has reluctantly concluded that there should be no NFPA standards for the storage
and retail sales of consumer fireworks.

Council Members Chad Beebe and Daniel O’Connor recused themselves during the
deliberation and vote on this issue.
Item 14-8-2-a
<table>
<thead>
<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion: Reject Second Revision No. 12 and any Related Portions of First Revision No. 68 and No. 69, thereby deleting the new section and corresponding annex.</th>
</tr>
</thead>
</table>
| 54-2       | **Recommended Text if Motion Passes:**  

**9.1.24* Existing Appliances.** Where an existing appliance is located within the conditioned space of an existing building envelope, and where a building envelope component other than roofing material is replaced or altered, the appliance installation shall be inspected to verify compliance with the provisions of Section 9.3 and Chapter 12. Where the appliance installation does not comply with Section 9.3 and chapter 12, it shall be altered as necessary to be in compliance with such.

A.9.1.24 Building envelope changes such as the replacement of windows and doors, crack sealing, and the installation of air barriers, will reduce the amount of infiltration air and could impact the amount of combustion air that is available for existing appliance installations. Proper vent sizing and configuration is crucial to maintaining the required vent performance in structures that have reduced air infiltration.

**Recommended Text if Motion Fails:**  

**9.1.24* Existing Appliances.** Where an existing appliance is located within the conditioned space of an existing building envelope, and where a building envelope component other than roofing material is replaced or altered, the appliance installation shall be inspected to verify compliance with the provisions of Section 9.3 and Chapter 12. Where the appliance installation does not comply with Section 9.3 and chapter 12, it shall be altered as necessary to be in compliance with such.

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MEMORANDUM

TO: Technical Committee on National Fuel Gas Code

FROM: Denise Beach, Staff Liaison

DATE: June 13, 2014

SUBJECT: Proposed 2015 Edition of NFPA 54

At the NFPA Technical Meeting (Tech Session), held June 11-12, 2014, NFPA 54 was recommended for issuance with the following:

Amendment 54-2: Reject Second Revision No. 12 and any Related Portions of First Revisions No. 68 and No. 69, thereby deleting the new section and corresponding annex.

Pursuant to section 4.6 and Table 1 of the Regulations Governing the Development of NFPA Standards (Regs), the following are not subject to Committee ballot:

- An Amendment to Reject a Second Revision and related portions of a First Revision.
  Or
- An Amendment to Reject a Second Revision where no First Revision or related part of a First Revision exists.

As a result, NFPA 54 shall be forwarded to the Standards Council for action in accordance with section 4.5.3.7 and 4.7 of the Regs.

The transcripts from the Annual 2014 NFPA Technical Meeting (Tech Session) will be available within two weeks after the Tech Session at: www.nfpa.org/techsession.

Note:
In accordance with 1.6.2(a) of the Regs, anyone who is dissatisfied with the results of the floor motions from the June 2014 NFPA Technical Meeting may appeal the results. Appeals shall be filed no later than twenty days after the NFPA Technical Meeting at which Association action on the issuance of the Standard was recommended. The final date to file any such appeal is July 2, 2014.
two. The motion has failed.

Let's now proceed with discussion on Certified Amending Motion 54-2.

Microphone No. 1, please.

SPEAKER: Good morning. My name is Dan Buuk. I represent the National Association of Home Builders, and I move to reject Second Revision No. 12 and any related portions of First Revisions No. 68 and No. 69, thereby deleting the new section and corresponding annex.

PRESIDING OFFICER: Thank you. There is a motion on the floor to reject Second Revision No. 12 and any related portion to First Revision to No. 68 and 69, thereby deleting the new section and corresponding annex.

Is there a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: Thank you. We do have a second.

Please proceed with discussion on the motion.

Microphone No. 1.

SPEAKER: Thank you, Mr. Chairman.

Again, my name is Dan Buuk, representing National Association of Home Builders, speaking in
support of the motion.

First of all, I like to point out that I'm a member of the Combined National Forest Code Technical Committee being a member of the AGA Z223 Committee. I also agree with the general intent of this new section. However, there are some major issues with it, which I brought forward to the Committee in form of a Public Comment during the second revision. However, it was rejected with no technical substantiation.

I'd like to just make people here aware of what this section would do. First of all, it references Section 9.3 and Chapter 12. Those are the sections with the requirements for combustion air and appliance venting. So what this would do is wherever a building envelope component other than the shingles and roof tiles were altered or replaced, you would have to inspect the combustion air system as well as the appliance venting system and verify that they were up to today's code.

However, first of all, the issue of scoping. The trigger mechanism for this section does not fall under the National Fuel Gas Code. It's in the wrong code. This is a weatherization issue. It belongs in the energy code. The energy
code then should point to Sections 9.3 and Chapter 12 of the National Fuel Gas Code. In other words, right pew, wrong church.

Secondly, there is no minimum requirement for the trigger. If you replace a broken pane of glass, if you replace a panel of vinyl siding doing maintenance work, technically this will be triggered, possibly costing the homeowner thousands of dollars.

The annex language that's up there even mentions cracked ceiling. That's doing caulking. If you caulk one window, this would be triggered.

So I ask you to support the motion. Let us bring this back into the correct code because I believe the intent is good, needs to be addressed. This is an issue that does need to be addressed; so please vote for the motion, and we'll bring it back in the correct code.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Crane, would you like to offer the Committee's position?

SPEAKER: The Committee's position regarding the existing language that is subject of this motion was motivated by the awareness of the
members of the Fuel Gas Code Committee; that the
safety and the operation particularly with regards
to venting and ventilation of gas appliance can be
and has been seen to be materially affected by
changes in the building envelope. The obvious
impact comes from the availability of venting and
ventilation combustion air.

The Committee added a new requirement to
ensure that appliance installations are inspected
to ensure combustion -- combustion and ventilation
air supplies have not been compromised by changes
to the building envelope.

The wording that we see that is the
subject of this motion is the results of the
Committee's work to try to draft a version which
will address fundamental underlying issue, not
about new appliances installation but the condition
and the safety of existing installations as they
may be affected by changes to the building
envelope.

PRESIDING OFFICER: Okay. Thank you,
Mr. Crane.

With that, we will open up debate on the
motion. Please provide your name and affiliation
and whether you're speaking in support or against
the motion.

Microphone No. 2.

UNKNOWN SPEAKER: Paul Cabot with the American Gas Association, and I'm against the motion on the floor.

We were the original proponents of the change and also submitted comments to the Committee that further refines what you see up there as the end result.

Some of the concerns that NHP brought forward to the Committee, after the first public draft, was the fact as a result restricted. Comments provided to the committee and the Committee accepted it. Revised, though, to make it a little less restricted. Allowing, for instance, the changing of roof shingles, allowing for appliances that are not within the condition envelope not to be affected by this change. So if you have appliance in a garage or an attic location, this new section would not be triggered.

Combustion air is a long and venting performance. It's a long-term subject of the National Fuel Gas Code. It is a primary safety concern of the code. It is in the right code.

Other building codes will now start to
reference this section regarding the inspection of
the appliances when major changes to the envelope
are undertaken.

We view this change as no different than a
change to the gas piping system in which, if you
change any portion of that, any appliance through
the piping system, the installer must go back and
evaluate the entire system to make sure it can
provide gas to all the appliances. It's no
different than if an installer was to revise the
venting system, in which case you have to go back
and review to make sure that the entire venting
system is up to code and can vent all the installed
appliance.

This is combustion air. This is venting
performance. It is no different if you change an
aspect of the envelope, which always has been
considered when an installer is judging whether or
not you can use indoor air to supply the combustion
air or you use outdoor air.

So you change the component of the
envelope. It changes, perhaps, the -- impacts,
perhaps, the appliance combustion and venting
performance. There is no difference than we ask
that the installer goes back and make sure that
those appliance -- the existing appliance installation is safe.

    So I encourage the membership to reject the motion and to add this new section into the National Fuel Gas Code.

    PRESIDING OFFICER: Thank you.

Microphone No. 1.

    SPEAKER: Good morning. My name is Rick Youngblood. I'm here representing Ferrell Gas, and I'm speaking in favor of the motion.

    We're concerned that the code is written and places a burden on suppliers and the homeowners. We're concerned that homeowners will be expected to inform the supplier and to make a change to the building envelope. And if the supplier is not made aware of the building envelope, the supplier will be held accountable on inspections that were not performed.

    Thank you.

    PRESIDING OFFICER: Thank you.

Microphone No. 3.

    SPEAKER: Ken Dunkin, Performance Designs Technologies. I'm speaking in favor of the motion.

    I've seen enforcement problems well. I don't see how someone who's in the business of
replacing windows or doors or weatherizing homes has a mechanism for initiating an inspection of gas burning appliances. And you know, if they don't, are they going to be held accountable?

So I don't see how this is enforceable. I would encourage people to vote for the motion.

PRESIDING OFFICER: Thank you.

Microphone No. 1.

SPEAKER: Ted Lamothe, Lamothe Engineering. On this subject, I'm speaking for myself. I'm a member of the committee. I voted against this.

First of all, I am very well aware for the need for proper air for combustion and ventilation for appliances and the need for proper venting. And it is well known that, if you tighten the envelope over the house, you compromise the air. You can choke the appliances, make carbon monoxide. No one wants to see that happen.

And the Committee has addressed this. You don't see carbon monoxide, but it's there, and the requirements for proper air and ventilation. The issue here is, if a carpenter replaces a window, if he doesn't do those calculations, if I caulk the window, I now have to do those calculations. If
you caulk a window, are you going to know how to do
the calculations? Are you going to be able to find
someone who will do them?

I think this is, as it's been said by
others, unenforceable. I think the problem is the
paragraph is very broad. There is some explanation
in the annex. It's not mandatory, but people will
use it to the point of that every time you caulk a
crack, you've got to recheck the envelope.

Certainly, if you replace all windows, yes, it's
important. But remember, replacing a window in
many, many states, is a maintenance issue and
doesn't require a permit. I'm not familiar with
all the states.

Mr. Chairman, thank you. I encourage you
to vote in support of this motion.

PRESIDING OFFICER: Thank you.

Microphone No. 2.

SPEAKER: Paul Cabot with the American Gas
Association in opposition to the motion on the
floor. I heard testimony that this an important
safety issue; so we cannot ignore this. This is an
excellent first step in regards to protection of
existing installation. Not shown here is companion
change that is not subject to any motion here but
that is a completely rewritten Annex G regarding
the inspection on existing appliance installation,
provides a step-by-step way of determining whether
you have sufficient combustion air as well as a
step-by-step method of reviewing whether your
venting system is properly performing.

So the Committee did recognize that the
code did need additional inspection guidance, and
they rewritten, which went from two columns to four
pages. So it recognized that. I just want to
address the enforcement issue. It's outside the
scope of the National Fuel Gas Code that, if we
left up to the local cities and states that adopt
the National Fuel Gas Code as to how they want to
present the permitting requirements for this and
who will be responsible for the inspection.

So, again, I encourage the membership to
support the Committee.

PRESIDING OFFICER: Thank you.

Microphone No. 1.

SPEAKER: Thank you, Mr. Chair.

Dan Buuk representing National Association
of Home Builders speaking in support of the motion.

To address Mr. Cabot's point that scoping
is outside of this document, I would agree.
Unfortunately, it has included the scoping for this section saying that where a building envelope component other than roofing material is replaced or altered. That's the scoping for the rest of this requirement. It doesn't say "as required by building code."

If the building code points to this section, this is the text that you get to. It doesn't offer the ability to reduce that down. The point was made that windows don't require permanent in many areas. Siding also does not. Neither does caulking.

The reason for rejecting my public comment the Committee gave was because the new requirement is needed guidance for weatherization programs. That's the entire statement from the Committee.

Well, this document, the National Fuel Gas Code is not for guidance. This is a law. When it's adopted, it becomes law. It's a requirement. You shall. If you want guidance, you have to do education or some type of get-the-word-out. So this isn't the place for guidance. It also is not the -- what the weatherization programs want.

We received a letter from BPI, one of the nation's leading weatherization organizations. And
they do not like this because it conflicts with their policies, their requirements for checking combustion air and appliance venting. So this --
the reason -- the reason given by the Committee for rejecting the Public Comment goes against the weatherization program that are out there. They do not need this guidance. They already have their own.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone No. 5.

UNKNOWN SPEAKER: I'm Jeff Shapiro with the is National Multifamily Housing Council. I want to thank the proponent for doing a very good job for laying out the issues here. I didn't have a complete grasp until I've heard the testimony. I think they've made a very compelling case to support this motion.

No matter how well intention this may be, it is clearly in the wrong place. When you're changing a window or working weatherization issues, you're not going to the gas code to look for a gas code requirement. If this is needed, it needs to go into a code or a standard where it's going to be seen related to the work that's being done.
Don't support this because -- do support the motion. Don't support what the Committee is recommending because it just doesn't make sense where it's put.

I agree with the proponent and support the motion on the floor to accept the comment.

PRESIDING OFFICER: Thank you.

Microphone No. 2.

SPEAKER: Paul Cabot with the American Gas Association and again in opposition for the motion on the floor.

Some new information was brought to the floor by Mr. Buuk regarding other standing organizations, BPI being one of them, attempting to address this same subject, and that is why the National Field Code put this coverage into it -- into it. Other non NFPA standards, non NC standard developers are beginning to address this. The National Field Gas Code is the nationally recognized expert on this issue, and the Committee took the responsibility upon themselves to add this section.

I agree it's a new subject for the National Fuel Gas Code. Other standards and other codes were referencing this section. And BPI does
not like this section. I understand that. That's because, again, they are attempting to write their own coverage, which is, if anyone took a look at it, would be completely more restrictive than what the National Field Gas Code is presenting here and not based on the technical merits. So, again, this is the right place. This is the right code.

Combustion air venting performance is a primary function of the National Field Gas Code. This section needs to address existing installation where combustion air venting performance is being impacted by changes to the envelope.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone No. 5.

SPEAKER: I'm Larry Felker with Belimo Air Controls. I'm also a member of ICC and author of the book "Dampers and Airflow Control" by yellowing by ASHRAE Publications. And I'm speaking in favor of the motion.

To me, this is absurd that the triggering event could be a crack in the door, the replacement of a seal, the baseboard, under an exterior door. There needs to be a much clearer triggering event at which point you should be checking your

Page 48
ventilation. Ventilation is critically important.
I think we all agree.

The intent of this section of the code
would be -- is very good. It's really written
poorly.

PRESIDING OFFICER: Thank you.
Is there any further discussion on
Motion 54-2 to reject Second Revision No. 12 and
any related portions of First Revision No. 68 and
69, thereby deleting the new section and
corresponding annex?

Mr. Crane, any further comments?

COMMITTEE CHAIR: No further comments.
PRESIDING OFFICER: Thank you.
Seeing none, we will move to a vote.
Before we vote, let me restate the motion that the
motion on the floor again is to reject Second
Revision No. 12 and any related portions of First
Revision No. 68 and 69, thereby deleting the new
section and corresponding annex.

If you wish to vote in favor of the motion
and recommended text screen one, press one.
If you wish to vote against the motion and
recommended text on screen two, press 2. Please
record your vote.
Five seconds, please. Balloting is closed. Thank you.

The results of the vote are 187 for the motion and recommended text on screen one. 53 against the motion and recommended text on screen two. The motion has passed.

Is there any further discussion on NFPA 54? Seeing none, we move to the next document.

Thank you, Mr. Crane.

SPEAKER: Thank you, Mr. Chairman.
Date: June 27, 2014

Appellant: James Ranfone
Managing Director, Codes and Standards
American Gas Association
400 N Capitol St, NW
Washington, DC 20001

Appeal: The American Gas Association (AGA) appeals the membership action relating to motion 54-2 at the June 12, 2014, Technical Meeting, to issue Amendment 54-2 – Reject Second Revision No. 12 and any Related Portions of First Revisions No. 68 and No. 69 thereby deleting the new section and corresponding annex.

Grounds: AGA, founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 71 million residential, commercial and industrial natural gas customers in the U.S., of which 94 percent — over 68 million customers — receive their gas from AGA members. Many AGA members use NFPA 54 to judge the acceptability of customer gas installations, including existing appliance installations. AGA believes new Section 9.1.24 and Annex A.9.1.24 must be included in the 2015 NFPA 54 based on the following grounds:

- AGA members support new Section 9.1.24 as published in the Second Revision Draft. AGA submitted Comment No. 40 to modify the committee proposal published in the First Revision Draft. Our comment served as the basis for the revised Second Revision Draft text.

- The new code requirement addresses a significant life-safety issue. The new requirement will help ensure that adequate combustion air and proper venting performance is maintained in existing dwellings undergoing envelope modifications.

- The NFPA 54 committee is addressing a known safety concern. The NFPA 54 committee is aware that building envelope modifications will impact the availability of air for combustion and can cause localized depressurization conditions resulting in combustion products spillage into the dwelling. The combination of spillage and inadequate combustion air can lead to the formation of excess carbon monoxide. The new requirement is a result of a committee project to address this safety issue. Building occupants may be placed at risk absent the publication of the new requirement.

- NFPA 54 is the leading life safety code on fuel gas installations. The committee has always taken leadership on safety issues quickly responding to urgent issues. Recent issues have included new purging requirements (2012) and revised CSST bonding requirements (2009, 2012, & 2015). Combustion air and venting performance in existing buildings undergoing envelope modifications is a recognized safety issue that the committee is addressing by developing new 9.1.24.
• *The new requirement is within the scope of NFPA 54.* The code has contained combustion air and venting requirements since the first 1972 edition. These requirements are enforced when the initial appliance is installed and for any future replacement appliance. The building envelope is considered as part of those installations in determining if air infiltration is sufficient to supply combustion air and to ensure venting performance. Therefore, a change in the building envelope that may impact air infiltration and venting performance is within NFPA 54’s scope.

• *The new requirement is enforceable.* Section 9.1.24 is written in enforceable language and can be enforced by the adopting AHJ if they so choose. Testimony that the code requirement is unenforceable is based on current experience that many AHJs do not require permits for certain envelope changes (i.e. window replacement, siding replacement) that the new requirement would address. That choice of which activities to require a permit (and trigger inspections/approvals) is at the discretion of the AHJ and can change. The new requirement addresses a life safety issue that the AHJ may not currently be aware of. The AHJ will determine, based on their local conditions, whether or not to enforce any NFPA 54 code requirement. In addition, NFPA 54 contains other essential life safety requirements that are not always subject to a permit or witnessed by the AHJ. A prime example is section 8.3 Purging Requirements.

• *The new requirement will not lead to overly restrictive enforcement.* Testimony was provided that the section 9.1.24 could be overly restrictive since the new requirement could be triggered by the replacement of broken window glass and minor caulking activities. The NFPA 54 Committee is aware that minor such activities could be interpreted to trigger the requirement and therefore added explanatory text in A.9.1.24 to guide the AHJ in determining which building envelop replacement or alternation activities can lead to a life safety concern.

• *Part of NAHB’s public statement may have unduly influenced NFPA membership to vote in favor of the motion.* Mr. Buuck provided testimony at the technical meeting stating that Building Performance Institute (BPI) was not in favor of the new code requirement. That statement is contrary to our understanding. BPI did not provide testimony at the technical meeting and also did not submit comments on section 9.1.24 and A.9.1.24.

• *NFPA would be ceding a significant life safety issue to BPI should the new requirement is not published.* BPI is in the process of developing ANSI Standards for the building weatherization industry. AGA staff participates in BPI working groups addressing its consensus standards addressing relevant material, BPI-1100x and BPI-1200x, which address existing fuel gas appliances. NFPA 54 is the leading Standard for fuel gas installations.

**Relief:** Issue the 2015 National Fuel Gas Code with section 9.1.24 and Annex A.9.1.24 as approved by the NFPA 54 and reported in the Second Revision Draft.

**Hearing:** AGA requests a hearing on this appeal.
two. The motion has failed.

Let's now proceed with discussion on

Certified Amending Motion 54-2.

Microphone No. 1, please.

SPEAKER: Good morning. My name is Dan Buuk. I represent the National Association of Home Builders, and I move to reject Second Revision No. 12 and any related portions of First Revisions No. 68 and No. 69, thereby deleting the new section and corresponding annex.

PRESIDING OFFICER: Thank you. There is a motion on the floor to reject Second Revision No. 12 and any related portion to First Revision to No. 68 and 69, thereby deleting the new section and corresponding annex.

Is there a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: Thank you. We do have a second.

Please proceed with discussion on the motion.

Microphone No. 1.

SPEAKER: Thank you, Mr. Chairman.

Again, my name is Dan Buuk, representing National Association of Home Builders, speaking in
support of the motion.

First of all, I like to point out that I'm a member of the Combined National Forest Code Technical Committee being a member of the AGA Z223 Committee. I also agree with the general intent of this new section. However, there are some major issues with it, which I brought forward to the Committee in form of a Public Comment during the second revision. However, it was rejected with no technical substantiation.

I'd like to just make people here aware of what this section would do. First of all, it references Section 9.3 and Chapter 12. Those are the sections with the requirements for combustion air and appliance venting. So what this would do is wherever a building envelope component other than the shingles and roof tiles were altered or replaced, you would have to inspect the combustion air system as well as the appliance venting system and verify that they were up to today's code.

However, first of all, the issue of scoping. The trigger mechanism for this section does not fall under the National Fuel Gas Code. It's in the wrong code. This is a weatherization issue. It belongs in the energy code. The energy
code then should point to Sections 9.3 and Chapter 12 of the National Fuel Gas Code. In other words, right pew, wrong church.

Secondly, there is no minimum requirement for the trigger. If you replace a broken pane of glass, if you replace a panel of vinyl siding doing maintenance work, technically this will be triggered, possibly costing the homeowner thousands of dollars.

The annex language that's up there even mentions cracked ceiling. That's doing caulking. If you caulk one window, this would be triggered.

So I ask you to support the motion. Let us bring this back into the correct code because I believe the intent is good, needs to be addressed. This is an issue that does need to be addressed; so please vote for the motion, and we'll bring it back in the correct code.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Crane, would you like to offer the Committee's position?

SPEAKER: The Committee's position regarding the existing language that is subject of this motion was motivated by the awareness of the
members of the Fuel Gas Code Committee; that the
safety and the operation particularly with regards
to venting and ventilation of gas appliance can be
and has been seen to be materially affected by
changes in the building envelope. The obvious
impact comes from the availability of venting and
ventilation combustion air.

The Committee added a new requirement to
ensure that appliance installations are inspected
to ensure combustion -- combustion and ventilation
air supplies have not been compromised by changes
to the building envelope.

The wording that we see that is the
subject of this motion is the results of the
Committee's work to try to draft a version which
will address fundamental underlying issue, not
about new appliances installation but the condition
and the safety of existing installations as they
may be affected by changes to the building
envelope.

PRESIDING OFFICER: Okay. Thank you,
Mr. Crane.

With that, we will open up debate on the
motion. Please provide your name and affiliation
and whether you're speaking in support or against
the motion.

Microphone No. 2.

UNKNOWN SPEAKER: Paul Cabot with the American Gas Association, and I'm against the motion on the floor.

We were the original proponents of the change and also submitted comments to the Committee that further refines what you see up there as the end result.

Some of the concerns that NHP brought forward to the Committee, after the first public draft, was the fact as a result restricted. Comments provided to the committee and the Committee accepted it. Revised, though, to make it a little less restricted. Allowing, for instance, the changing of roof shingles, allowing for appliances that are not within the condition envelope not to be affected by this change. So if you have appliance in a garage or an attic location, this new section would not be triggered.

Combustion air is a long and venting performance. It's a long-term subject of the National Fuel Gas Code. It is a primary safety concern of the code. It is in the right code. Other building codes will now start to
reference this section regarding the inspection of
the appliances when major changes to the envelope
are undertaken.

We view this change as no different than a
change to the gas piping system in which, if you
change any portion of that, any appliance through
the piping system, the installer must go back and
evaluate the entire system to make sure it can
provide gas to all the appliances. It's no
different than if an installer was to revise the
venting system, in which case you have to go back
and review to make sure that the entire venting
system is up to code and can vent all the installed
appliance.

This is combustion air. This is venting
performance. It is no different if you change an
aspect of the envelope, which always has been
considered when an installer is judging whether or
not you can use indoor air to supply the combustion
air or you use outdoor air.

So you change the component of the
envelope. It changes, perhaps, the -- impacts,
perhaps, the appliance combustion and venting
performance. There is no difference than we ask
that the installer goes back and make sure that
those appliance -- the existing appliance installation is safe.

So I encourage the membership to reject the motion and to add this new section into the National Fuel Gas Code.

PRESIDING OFFICER: Thank you.

Microphone No. 1.

SPEAKER: Good morning. My name is Rick Youngblood. I'm here representing Ferrell Gas, and I'm speaking in favor of the motion. We're concerned that the code is written and places a burden on suppliers and the homeowners. We're concerned that homeowners will be expected to inform the supplier and to make a change to the building envelope. And if the supplier is not made aware of the building envelope, the supplier will be held accountable on inspections that were not performed.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone No. 3.

SPEAKER: Ken Dunkin, Performance Designs Technologies. I'm speaking in favor of the motion. I've seen enforcement problems well. I don't see how someone who's in the business of
replacing windows or doors or weatherizing homes
has a mechanism for initiating an inspection of gas
burning appliances. And you know, if they don't,
are they going to be held accountable?

So I don't see how this is enforceable. I
would encourage people to vote for the motion.

PRESIDING OFFICER: Thank you.

Microphone No. 1.

SPEAKER: Ted Lamothe, Lamothe
Engineering. On this subject, I'm speaking for
myself. I'm a member of the committee. I voted
against this.

First of all, I am very well aware for the
need for proper air for combustion and ventilation
for appliances and the need for proper venting.
And it is well known that, if you tighten the
envelope over the house, you compromise the air.
You can choke the appliances, make carbon monoxide.
No one wants to see that happen.

And the Committee has addressed this. You
don't see carbon monoxide, but it's there, and the
requirements for proper air and ventilation. The
issue here is, if a carpenter replaces a window, if
he doesn't do those calculations, if I caulk the
window, I now have to do those calculations. If
you caulk a window, are you going to know how to do
the calculations? Are you going to be able to find
someone who will do them?

I think this is, as it's been said by
others, unenforceable. I think the problem is the
paragraph is very broad. There is some explanation
in the annex. It's not mandatory, but people will
use it to the point of that every time you caulk a
crack, you've got to recheck the envelope.

Certainly, if you replace all windows, yes, it's
important. But remember, replacing a window in
many, many states, is a maintenance issue and
doesn't require a permit. I'm not familiar with
all the states.

Mr. Chairman, thank you. I encourage you
to vote in support of this motion.

PRESIDING OFFICER: Thank you.

Microphone No. 2.

SPEAKER: Paul Cabot with the American Gas
Association in opposition to the motion on the
floor. I heard testimony that this an important
safety issue; so we cannot ignore this. This is an
excellent first step in regards to protection of
existing installation. Not shown here is companion
change that is not subject to any motion here but
that is a completely rewritten Annex G regarding
the inspection on existing appliance installation,
provides a step-by-step way of determining whether
you have sufficient combustion air as well as a
step-by-step method of reviewing whether your
venting system is properly performing.

So the Committee did recognize that the
code did need additional inspection guidance, and
they rewritten, which went from two columns to four
pages. So it recognized that. I just want to
address the enforcement issue. It's outside the
scope of the National Fuel Gas Code that, if we
left up to the local cities and states that adopt
the National Fuel Gas Code as to how they want to
present the permitting requirements for this and
who will be responsible for the inspection.

So, again, I encourage the membership to
support the Committee.

PRESIDING OFFICER: Thank you.
Microphone No. 1.
SPEAKER: Thank you, Mr. Chair.
Dan Buuk representing National Association
of Home Builders speaking in support of the motion.
To address Mr. Cabot's point that scoping
is outside of this document, I would agree.
Unfortunately, it has included the scoping for this section saying that where a building envelope component other than roofing material is replaced or altered. That's the scoping for the rest of this requirement. It doesn't say "as required by building code."

If the building code points to this section, this is the text that you get to. It doesn't offer the ability to reduce that down. The point was made that windows don't require permanent in many areas. Siding also does not. Neither does caulking.

The reason for rejecting my public comment the Committee gave was because the new requirement is needed guidance for weatherization programs. That's the entire statement from the Committee.

Well, this document, the National Fuel Gas Code is not for guidance. This is a law. When it's adopted, it becomes law. It's a requirement. You shall. If you want guidance, you have to do education or some type of get-the-word-out. So this isn't the place for guidance. It also is not the -- what the weatherization programs want.

We received a letter from BPI, one of the nation's leading weatherization organizations. And
they do not like this because it conflicts with their policies, their requirements for checking combustion air and appliance venting. So this -- the reason -- the reason given by the Committee for rejecting the Public Comment goes against the weatherization program that are out there. They do not need this guidance. They already have their own.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone No. 5.

UNKNOWN SPEAKER: I'm Jeff Shapiro with the is National Multifamily Housing Council. I want to thank the proponent for doing a very good job for laying out the issues here. I didn't have a complete grasp until I've heard the testimony. I think they've made a very compelling case to support this motion.

No matter how well intention this may be, it is clearly in the wrong place. When you're changing a window or working weatherization issues, you're not going to the gas code to look for a gas code requirement. If this is needed, it needs to go into a code or a standard where it's going to be seen related to the work that's being done.
Don't support this because -- do support the motion. Don't support what the Committee is recommending because it just doesn't make sense where it's put.

I agree with the proponent and support the motion on the floor to accept the comment.

PRESIDING OFFICER: Thank you.

Microphone No. 2.

SPEAKER: Paul Cabot with the American Gas Association and again in opposition for the motion on the floor.

Some new information was brought to the floor by Mr. Buuk regarding other standing organizations, BPI being one of them, attempting to address this same subject, and that is why the National Field Code put this coverage into it -- into it. Other non NFPA standards, non NC standard developers are beginning to address this. The National Field Gas Code is the nationally recognized expert on this issue, and the Committee took the responsibility upon themselves to add this section.

I agree it's a new subject for the National Fuel Gas Code. Other standards and other codes were referencing this section. And BPI does
not like this section. I understand that. That's because, again, they are attempting to write their own coverage, which is, if anyone took a look at it, would be completely more restrictive than what the National Field Gas Code is presenting here and not based on the technical merits. So, again, this is the right place. This is the right code.

Combustion air venting performance is a primary function of the National Field Gas Code. This section needs to address existing installation where combustion air venting performance is being impacted by changes to the envelope.

    Thank you.

    PRESIDING OFFICER: Thank you.

    Microphone No. 5.

    SPEAKER: I'm Larry Felker with Belimo Air Controls. I'm also a member of ICC and author of the book "Dampers and Airflow Control" by yellowing by ASHRAE Publications. And I'm speaking in favor of the motion.

    To me, this is absurd that the triggering event could be a crack in the door, the replacement of a seal, the baseboard, under an exterior door. There needs to be a much clearer triggering event at which point you should be checking your
ventilation. Ventilation is critically important.

I think we all agree.

The intent of this section of the code would be -- is very good. It's really written poorly.

PRESIDING OFFICER: Thank you.

Is there any further discussion on Motion 54-2 to reject Second Revision No. 12 and any related portions of First Revision No. 68 and 69, thereby deleting the new section and corresponding annex?

Mr. Crane, any further comments?

COMMITTEE CHAIR: No further comments.

PRESIDING OFFICER: Thank you.

Seeing none, we will move to a vote.

Before we vote, let me restate the motion that the motion on the floor again is to reject Second Revision No. 12 and any related portions of First Revision No. 68 and 69, thereby deleting the new section and corresponding annex.

If you wish to vote in favor of the motion and recommended text screen one, press one.

If you wish to vote against the motion and recommended text on screen two, press 2. Please record your vote.
Five seconds, please. Balloting is closed. Thank you.

The results of the vote are 187 for the motion and recommended text on screen one. 53 against the motion and recommended text on screen two. The motion has passed.
July 31, 2014

Ms. Dawn Bellis  
NFPA Standards Council  
1 Battymarch Park  
Quincy MA 02269

Dear Ms. Bellis,

This letter contains my objections to the appeal filed by Mr. Jim Ranfone to overturn the vote taken at the NFPA Convention on item 54-2. Please forward this to the members of the Standards Council.

The subject of this appeal is to include new requirements for verifying that sufficient air for combustion and ventilation exist after modifications are made to the envelope of a building. This is an important subject, and I agree with the intent of the new requirements.

The problem is that as written the new requirements cover EVERY change to the envelope of a building, except for roof repairs. While there is little disagreement that the new requirements should apply where all the windows in an older building are replaced, it also applies when one window is replaced, or if one window is re-caulked, or a pane of glass is replaced and broken sealant is replaced. This is further complicated by the fact that repairing one pane of glass in a window or replacing one window, or replacing all the windows in a building does not require a building permit in most jurisdictions. Basically, it is going to be very difficult to enforce the new requirement in most cases. In the case of window repair the repair person (who could be a homeowner) is usually not aware of the requirements of NFPA 54.

If the window installer is familiar with the requirements of NFPA 54, he or she needs to know the air infiltration rate of the building to know which calculation method should be used. The air infiltration rate can be calculated, but is not a simple calculation, requiring complete measurement of the buildings, windows, doors, etc. It can also be measured using a blower door test, which requires a technician with the appropriate equipment to conduct the test.

While this proposed revision to NFPA 54 has merit, it is broadly written and ignores the fact that the message will probably not get to the builders and contractors who it affects, and adds unreasonable requirements to otherwise minor repairs.
Item 14-8-3
<table>
<thead>
<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion: Reject Second Revision No. 5, thereby recommending First Draft text.</th>
</tr>
</thead>
</table>
| 99-1       | **Recommended Text if Motion Passes:**  
10.4.2.3 Household or office appliances not commonly equipped with grounding conductors in their power cords shall be permitted, provided that they are not located within the patient care vicinity. Double-insulated and grounded appliances shall be permitted in the patient care vicinity. |
|            | **Recommended Text if Motion Fails:**  
10.4.2.3 Household or office appliances not commonly equipped with grounding conductors in their power cords shall be permitted, provided that they are not located within the patient care vicinity. Double-insulated and grounded appliances shall be permitted in the patient care vicinity. |
MEMORANDUM

TO: Technical Committee on Medical Equipment

FROM: Jonathan Hart, Staff Liaison

DATE: June 13, 2014


At the NFPA Technical Meeting (Tech Session), held June 11-12, 2014, NFPA 99 was recommended for issuance with the following:

Amendment 99-1: Reject Second Revision No. 5.

Pursuant to section 4.6 and Table 1 of the Regulations Governing the Development of NFPA Standards (Regs), the following are not subject to Committee ballot:

- An Amendment to Reject a Second Revision and related portions of a First Revision.
  Or
- An Amendment to Reject a Second Revision where no First Revision or related part of a First Revision exists.

As a result, NFPA 99 shall be forwarded to the Standards Council for action in accordance with section 4.5.3.7 and 4.7 of the Regs.

The transcripts from the Annual 2014 NFPA Technical Meeting (Tech Session) will be available within two weeks after the Tech Session at: www.nfpa.org/techsession.

Note:

In accordance with 1.6.2(a) of the Regs, anyone who is dissatisfied with the results of the floor motions from the June 2014 NFPA Technical Meeting may appeal the results. Appeals shall be filed no later than twenty days after the NFPA Technical Meeting at which Association action on the issuance of the Standard was recommended. The final date to file any such appeal is July 2, 2014.
The presiding officer will now proceed with the certified amending motion.

PRESIDING OFFICER: Thank you, Mr. Crowley.

Let's now proceed with discussion on the certified amending motion on NFPA 99.

Microphone 5, please.

SPEAKER: Yes. Tim Peter here with Heery International speaking on behalf of the Health Care section code and standard review committee.

I move to accept CAM 99-1.

PRESIDING OFFICER: Thank you. Can you restate the motion, please, that you're proposing?

SPEAKER: Move to accept Certified Amending Motion 99-1.

PRESIDING OFFICER: Motion on the floor is to Reject Second Revision No. 5, thereby recommending the first draft text.

Is there a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: Thank you.

Please proceed with discussion on the motion.

Microphone 5.
SPEAKER: Yeah, we --

PRESIDING OFFICER: I'm sorry. Can you reintroduce yourself?

SPEAKER: Sorry. Tim Peter Heery International speaking on behalf of the Health Care section code and Standards and Review Committee.

This issue is kind of a minor issue, but it's something we felt we at least had to bring to the floor. We don't disagree with what the Committee is doing, but we feel that the way they worded it is an issue. Right now, the way it's worded, it will indicate that all appliances need to be double insulated and grounded. But we think the intent of the Committee was double insulated appliances and grounded appliances were permissible. So we just think the language needs to be cleaned up.

PRESIDING OFFICER: Thank you.

Mr. Crowley, would you like to offer the Committee's position?

COMMITTEE CHAIR: Yes, Mr. Chair.

The Committee processed Public Comment No. 57 in the second revision. In fact, the intent of that revision was to add the word grounded to allow the means of addressing the issue. The
Committee vote was 13, 0. And as the chair of the Correlating Committee, this change either way does not have a correlation issue.

PRESIDING OFFICER: Thank you, Mr. Crowley.

With that, we will open up debate on the motion. Please provide your name, affiliation, whether you're speaking in support or against the motion.

Microphone 5, please.

SPEAKER: My name is Dave Dezney. I'm representing the health care section, speaking in favor of the motion.

Yesterday, at the Health Care Section meeting, the Health Care Section voted to support this motion. Although the Health Care Section understands what the intention of the Committee was is to allow two options for grounding within the patient care facility. The verbiage that the Committee provided does not give clarity to that at all. In fact, it confuses the motion. It implies that it has to be double insulated and grounded.

So because of that, we think that this motion will cause confusion to the industry; so we're recommending that you move forward with the
motion, and really all we're doing is eliminating
confusion by doing that.

    Thank you.

PRESIDING OFFICER:  Thank you.

Is there any further discussion on
Motion 99-1 to reject second revision five, thereby
recommending first draft text.

Microphone No. 3.

SPEAKER:  Ken Dunkin, Performance Design
Technologies.  I think what we really needed to
hear was double insulated or grounded, not and
grounded.  And so I don't know if there's a way we
can make that editorial change, but if we can't
make that editorial change, then I would suggest
that we vote for the motion and not require them to
be both.  That definitely does say that they have
to be double insulated and grounded, and that's
wrong.

PRESIDING OFFICER:  Can you please state
for the record, are you speaking for?

SPEAKER:  I'm speaking for the motion.

PRESIDING OFFICER:  Okay.  Thank you.

Any further discussion?

Mr. Crowley, any final comments?

SPEAKER:  I think the Committee did
intend that grounded was already listed elsewhere in the standard in referenced documents and that this was additional information. But I think Mr. Dunkin is right. I'm not sure we can make that "or" insertion right now.

PRESIDING OFFICER: Further discussion? Seeing none, let's move on to the vote.

Before we vote, let me restate the motion. The motion on the floor is to reject Second Revision No. 5, thereby recommending first draft text.

If you wish to vote in favor of the motion recommended text on screen one, press one.

If you wish to vote against the motion on recommended text on screen two, press two. I need you to record your vote.

Five seconds. The balloting is now closed.

Thank you. Results of the votes are 197 for the motion and recommended text on screen one.

29 against the motion and recommended text on screen two. The motion has passed.

Is there any further discussion on NFPA 99? Seeing none, we move to the next document.
Thank you, Mr. Crowley.

The next report under consideration this morning is out of Technical Committee on Structures Construction and Materials. Here to present the committee report is committee member Joseph Versteeg of Joseph Versteeg Associates, Torrington, Connecticut.
Item 14-8-4
Multiple Notices of a Single Motion: Reject Second Revision No. 123 and any related portions of First Revision No. 427, thereby recommending previous edition text.

101-3

**Recommended Text if Motion Passes:**

**18.3.7.1** Buildings containing health care facilities shall be subdivided by smoke barriers (see 18.2.4.3), unless otherwise permitted by 18.3.7.2, as follows:

1. To divide every story used by inpatients for sleeping or treatment into not less than two smoke compartments
2. To divide every story having an occupant load of 50 or more persons, regardless of use, into not less than two smoke compartments
3. In hospitals, to limit the size of each smoke compartment required by 18.3.7.1(1) and 18.3.7.1(2) to an area not exceeding 40,000 ft² (3720 m²), 22,500 ft² (2100 m²), unless the area is an atrium separated in accordance with 8.6.7, in which case no limitation in size is required
4. In nursing homes and limited care facilities, to limit the size of each smoke compartment required by 18.3.7.1(1) and 18.3.7.1(2) to an area not exceeding 22,500 ft² (2100 m²), unless the area is an atrium separated in accordance with 8.6.7, in which case no limitation in size is required
5. To limit the travel distance from any point to reach a door in the required smoke barrier to a distance not exceeding 200 ft (61 m)

**Recommended Text if Motion Fails:**

**18.3.7.1** Buildings containing health care facilities shall be subdivided by smoke barriers (see 18.2.4.3), unless otherwise permitted by 18.3.7.2, as follows:

1. To divide every story used by inpatients for sleeping or treatment into not less than two smoke compartments
2. To divide every story having an occupant load of 50 or more persons, regardless of use, into not less than two smoke compartments
3. In hospitals, to limit the size of each smoke compartment required by 18.3.7.1(1) and 18.3.7.1(2) to an area not exceeding 40,000 ft² (3720 m²), unless the area is an atrium separated in accordance with 8.6.7, in which case no limitation in size is required
4. In nursing homes and limited care facilities, to limit the size of each smoke compartment required by 18.3.7.1(1) and 18.3.7.1(2) to an area not exceeding 22,500 ft² (2100 m²), unless the area is an atrium separated in accordance with 8.6.7, in which case no limitation in size is required
5. To limit the travel distance from any point to reach a door in the required smoke barrier to a distance not exceeding 200 ft (61 m)
MEMORANDUM

TO: Technical Committee on Health Care Occupancies

FROM: Kelly Carey, Project Administrator

DATE: June 13, 2014


Pursuant to section 4.6 and Table 1 of the Regulations Governing the Development of NFPA Standards (Regs), the following are not subject to Committee ballot:

- An Amendment to Reject a Second Revision and related portions of a First Revision.
  - Or
- An Amendment to Reject a Second Revision where no First Revision or related part of a First Revision exists.

As a result, NFPA 101 and any such Amendments shall be forwarded to the Standards Council for action in accordance with section 4.5.3.7 and 4.7 of the Regs.

At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 101 was recommended for issuance with the following:

**Amendment 101-3:** Reject Second Revision No. 123 and any related portions of First Revision No. 427, thereby recommending previous edition text.

**Amendment 101-5:** Reject Second Revision No. 124 and any related portions of First Revisions No. 482, thereby recommending previous edition text.

The transcripts from the Annual 2014 NFPA Technical Meeting (Tech Session) will be available within two weeks after the Tech Session at: www.nfpa.org/techsession.

Note:

In accordance with 1.6.2(a) of the Regs, anyone who is dissatisfied with the results of the floor motions from the June 2014 NFPA Technical Meeting may appeal the results. Appeals shall be filed no later than twenty days after the NFPA Technical Meeting at which Association action on the issuance of the Standard was recommended. The final date to file any such appeal is July 2, 2014.
The motion fails.

Let's now proceed with discussion on
Certified Amending Motion 101-3.

Microphone No. 5, please.

SPEAKER: I'm Kelly Nicolello, State Fire Marshal, Alaska, representing the State Fire Marshals. I'm in favor of Motion 101-3, rejecting Second Revision No. 123 and any related portions of first revisions to No. 427 recommending the previous edition text.

PRESIDING OFFICER: There's a motion on the floor to reject Second Revision No. 123 and any related portion of First Revisions No. 427, thereby recommending the previous edition text.

Is there a second? Do I hear a second? Please proceed.

SPEAKER: I'm Kelly Nicolello, State Fire Marshals. I'm in favor of the motion.

The National Association of State Fire Marshals is opposed to proposed changes to NFPA 101 that almost exponentially increases the allowable smoke compartments in hospitals from 22,500 square feet to 40,000 square feet. There have been no introduction of scientific evidence or fire risk assessments to support their proposal. There are a...
range of fire assessment tools to choose from to prove the safety of a proposal such as NFPA 55.1, evaluation of roof assessments, the SFPE Engineering Guide or ISO 16732-1 Fire Safety Engineering, but none have been submitted.

The basis for this proposal appears to be based on marketing data and some assumptions anticipating deficiencies that have not been qualified.

Health care facilities are one of the most regulated occupancies because they are so important to our communities because patients are so vulnerable. Maintaining passive and active parts suppression design elements is the major cost of doing business. Lowering the bar to eliminate maintenance cost by increasing compartment size with no engineering analysis to support the premise and doing so at the risk of patient safety is not the methodology NASM would support in light of the justification provided for those proposals.

The supporting statement mentioned a future analysis regarding the recognized -- the recommended size of the smoke compartments, but it was not provided for public comment.

The history of NFPA 101 went from a travel
distance of 150 feet in a smoke compartment 22,500
square foot, and then 22,500 square feet with the
travel distance of 200 feet. Now, the new proposal
of 40,000 square feet NASM believes the logic
expressed and the statements support by the
Technical Committee is flawed. It assumes travel
distance is linear, therefore, doubling the square
footage to support the travel distance is
justified. However, travel distance is anything
but linear but, in fact, circuitous and a
roundabout.

I predict that, if 40,000 square foot
smoke compartments are approved, proponent will be
back asking for an increase in travel distance
because of design limitations. It's been argued
that there have been few fires in sprinkler
buildings. So the increase is justified in a fire
marshal's historically supported sprinkler
tradeoffs.

To date, you can reduce the construction
type, increase the size in height of a hospital for
sprinkler. It's in a case where all of the
protection eggs are in one basket. Unfortunately,
post analysis of fire events usually are an
accumulative series, a seemingly inconsequential
events run together as the unit become the reasoning of the catastrophic event.

   It's as if we're playing the game of Jenga to see how many pieces we can pull out of the construction before it topples.

   I've had the opportunity to be in a number of meetings this last week. There seems to be some talk about being able to come back to 40,000 may not be the right answer. We appreciate being able to talk about the size, but we don't believe that's the right way. I would ask you to support the motion.

   PRESIDING OFFICER: Thank you.

   Mr. Koffel, would you like to offer the Committee's position, please?

   SPEAKER: Thank you, Mr. Chair.

   During the first revision, the Correlating Committee added a note to the first revision that addressed this issue on smoke compartment size. The Correlating Committee added the note because we did not believe that the analysis referred to in the public input had been made available to the Technical Committee.

   It is my understanding that, during the second draft revision meeting, that analysis was,
in fact, available to the Committee and enabled
them to make their decision.

With that in mind, I would ask the Chair
to recognize the chair of the Technical Committee
on Health Care Occupancy, David Klein to address
the Committee's perspective.

SPEAKER: Thank you, Mr. Chair.

My name is David Klein. I'm with the
Department of Veterans Affairs. I'm the chair of
the Technical Committee on Health Care Occupancies.

The Technical Committee --
PRESIDING OFFICER: You're speaking
against the motion? Just for the record.

SPEAKER: Speaking against the motion.
PRESIDING OFFICER: Thank you.

SPEAKER: The Technical Committee
considered the fact that the maximum area permitted
for smoke compartments and health care occupancies
has been limited to 22,500 square feet for many
years. However, over the years, several factors
that affect the design of health care occupancies
have improved. For example, automatic sprinkler
protections is now required for new construction.
Fire detection system reliability have improved
electrical standards for mechanical equipment have
improved, for medical equipment have improved, and health care occupancy benefits from the trend towards smoking-free environments.

   In addition, as the design of health care occupancy has evolved over the years, there's been a trend that hospital patients are frequently provided with more space than was typical in designs in the past. An example of this trend is the increased percentage of single-occupant hospital use. This trend has resulted over time and de facto reduction in the occupant load.

   In light of these factors, the Committee concluded that, for hospitals, it would be appropriate to permit increase in the maximum area of smoke compartments to 40,000 square feet. This change would apply only to hospitals and a 200-foot limit on travel distance from any location within the smoke compartment to a door in the required smoke barrier will not change. It was felt that the 40,000 square foot area for hospital smoke compartments is more appropriate than 22,500 square feet for contemporary hospital conditions.

   Thank you.

   PRESIDING OFFICER: Thank you, gentlemen.

   With that, we'll open up debate on the
motion. Please provide your name and affiliation, whether you're speaking in support or against the motion.

Microphone 5, please.

SPEAKER: Kelly Nicolello in support of the motion, representing National Association of Fire Marshals.

The health care industry has kind of left themselves open to a challenge on the expansion of smoke compartments by not even using patient count as a limiting factor and simply growing a number of square feet. In their justification, they're openly assuming that counting on the fact that 40,000 square foot compartments won't have any locations than 22,500 square foot compartments as contained in the past, but the Committee's language doesn't say that. It just says 40,000 square foot period regardless of whether it's in patient care. Whether it's in clinical, whether it's up on upper floors, whether it's on the base floor. They made no distinction, whatsoever, in that area.

I will urge you to support the motion.

PRESIDING OFFICER: Thank you.

Microphone 6.

SPEAKER: Mike Canales. I'm with
Owensboro Community and Technical College. I'm a 26-year health care facilities manager. I speak against the motion.

You know, health care is probably one of the most -- behind nuclear and air traffic, most regulated businesses there are. We take a lot of energy to life safety training, storage, combustible material, travel distances, fire alarms, we go on. I could spend the next three minutes talking about all the things we do to maintain a safety environment.

We have been rewarded with an impeccable history on lives and deaths in fires. Regulation tends to have a tendency to restrict our ability to reduce our cost to serve our patients and to be able to just get the job done. In this case, a lot of good discussions have occurred upon this 40,000 square feet. I appreciate the format, but I believe it's time to just allow this to be voted against. I think we're very responsible, accountable; and I believe that this should be voted against and should be allowed to build 40,000 square foot smoke compartments.

That ends my comments.

PRESIDING OFFICER: Thank you.
Microphone 1.

SPEAKER: Thank you. My name is Vickie Lovell. I'm the executive director for Fire Safety of America, and we're the co-proponent of this amendment.

PRESIDING OFFICER: So you are speaking in favor?

SPEAKER: Speaking in favor.

PRESIDING OFFICER: Thank you.

SPEAKER: I just like to take one second and compliment NFPA staff on this new format for displaying both the results of the failure or success of motions. It's very nice, very helpful to the membership; and thank you for that effort.

And we also agree with the Technical Committee that it probably is time to look at the configuration of a smoke compartment in hospitals. However, we unfortunately can't support their recommendation of 40,000 square feet increase ever because it hasn't -- as been mentioned previously, it hasn't really been technically justified for such a big increase to the -- one of the previous speaker's components health care has a very good record in fire and life safety. And to make a big adjustment without sufficient evidence that this is
an appropriate number is possibly a risk that we may not want to take.

One of the issues is how the 40,000 has been arrived at. It's understood and admitted to by the Committee of the proponents of this. It's an arbitrary number that was based on an arbitrary number. That does not seem like NFPA's way for justifying such a large change.

Really, the only considerations on this has been needing more space for patient care, more space for equipment, more space for privacy and living considerations. That's not a technical justification. We also believe -- I think another speaker may have made this point, but it is an important one -- that there is no occupant limit on this. And while there may be some limitations built into the regulation in some states for staffing and patient limitation, that's not the case everywhere. Our suggestion is that, when you consider the increased occupant load potentially, the increased fire load for sure, the arbitration of a number that is important, we have to consider all these tactics in making a decision.

We also consider the possibility of are going back -- sending this back to the committee
and asking them to look at it again. Maybe there's not a need for a specific number. Maybe it's a patient number and a travel distance. There's a number of combinations that may be used to arrive at a more appropriate justifiable number than 40,000 -- than this particular number.

So we ask the membership to be conservative on this. It's a big risk that you're taking to double the size of smoke compartments, and to send this back to the Committee, ask them for more definitive answers on some of the questions that are yet to be resolved.

PRESIDING OFFICER: Thank you.

Microphone No. 2, please.

SPEAKER: Jim Williams, Washington State, Department of health. We are the authority having jurisdiction for administrating life safety code in Washington State speaking against the motion.

I think smoke compartments are very important. They're a key to the defend and place environment. But size of smoke compartments isn't the only criteria. There are several criteria. First of all, we require smoke compartments, at least two on the majority force in every health care facility.
Second of all, there is a 200-foot travel distance limiter; and that's not a travel distance to an exit. That's a travel distance to a smoke barrier door through leads to another smoke compartment. I see designers get this wrong all the time. I believe that is the true limiter in smoke compartment size. Let's talk about substantiation.

The proponents of this original change that the committee -- Technical Committee approved, I thought provided compelling reasons why they were seeking to make the change. Smoke compartments are simply less dense, less patient dense than they were 20 years ago. The FGI guidelines state licensing rules that I enforce are constantly requiring the rooms to get larger, patient rooms to get larger.

The Technical Committee believes the substantiation, supported it. That's why they made the change. I don't see any technical substantiation for this certified amending motion. I did some research of my own when I went back and I saw this change. I went back to every facility in my office that I could pull up my safety plans for, and I looked to see where smoke
compartments could get larger. I found a couple of situations, but by and large, most of these facilities aren't going to be able to take advantage of the change because they simply don't need the 200-foot travel distance. And then, when I go back and I think about all the health care facilities that I've seen over the past 15 years when I've been reviewing plans currently with the smoke compartment size as it stands, frequently several, several times a year I will find 200-foot travel distance busts in those 225 -- 22,500 smoke compartments. I think that is the true limiter.

So I urge you to vote against this motion and support the Committee.

PRESIDING OFFICER: Thank you.

Microphone 5, please.

SPEAKER: Good morning. My name is Angie Wiese. I am the president of Fire Marshals Association of Minnesota and as such speaking here on behalf of International Fire Marshals Association.

The International Fire Marshals Association --

PRESIDING OFFICER: Excuse me. You're speaking for the motion?
SPEAKER: Yes.

PRESIDING OFFICER: Thank you.

SPEAKER: The International Fire Marshals Association is opposed to the proposed changes of NFPA 101 and 5000 that almost doubles the allowable compartment size of hospitals. In addition to the lack of sufficient technical justification based on scientific research that insurers are seeking environment for occupants of hospitals. The proponents offer no increased level of protection that would help offset the loss of safety provided by the current smoke compartment size.

You've heard others talk about the lack of the Technical Committee supporting this significant reduction in the level of safety in health care facility. The Fire Protection Research Foundation is studying this issue with the main goal providing input to the Technical Committee regarding the potential impact of this change based on the results of computer modeling various relocation scenarios. This study is continuing.

The International Association -- the International Fire Marshals Association will request that the Foundation review the scope of research to ensure all aspects of the impact have
been covered or addressed during consideration of
dpublic input on the proposal as well as comments
from those in attendance speaking in opposition to
the proposal.

This proposal is undeniably reduces
the safety and increases risks to patient and other
occupants with no corresponding proposals to
provide additional safety measures.

The Committee statement in rejecting
public comments spoke of the original compartment
sizes 30 years ago in those changes in health care
facilities. They produced no real technical data
for their comments. During that same time and
based on technical data, fire risks have also
increased, including demonstrated reduction times
leading to flashover. We also have much better
tools that we use today than were available
30 years ago too assess hazards.

Because of the new technology addressing
how the code has developed 30 years ago is not
relevant but should be based on modern technology.

There are too many questions revolving
around this proposal to approve this significant of
a change. It's prudent to wait for the results of
the Fire Protection Research Foundation study so
that you can provide more appropriate measures for this issue.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 6.

SPEAKER: My name is Richard Horeis. I'm the health care architect with HGR Architecture. I'm also a member of the Technical Committee on Health Care Occupancies. I speak for myself in opposition to this motion.

For 36 years, I have designed 22,500 square foot smoke compartments based on expired code requirements of 150-foot maximum smoke compartment dimensions. The true limiting requirement we now utilize is a maximum 200-foot travel distance to a smoke compartment door.

The 40,000 square foot compartment we want is not an arbitrary number. No more arbitrary than the 22,500 square foot compartment established decades ago. What's now required, smoke and heat detection, automatic sprinklers, including quick response type, limited -- mostly limited or noncombustible construction finished materials with fire class ratings, larger patient's sleeping and treatment rooms. We have most patient's sleeping
rooms being single occupancy, lessoning the patient 
occupant load per square foot. Caregiver to 
patient ratios remain the same regardless how large 
or small a smoke compartment is, and the 200-foot 
travel distance from smoke compartment doors 
remains in place.

In fact, with experience in the designing 
the health care facilities and meeting 200-foot 
travel distance restrictions, most smoke 
compartments most likely will remain less than 
40,000 square feet. However, keeping 40,000 square 
feet smoke departments will allow us more latitude 
in safe health care design.

We should reject the motion in place and 
bring this code requirement into the 21st Century.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone No. 1, please.

SPEAKER: Good morning, everyone. My name 
is Sajid Graza, S-A-J-I-D. It's a difficult name 
for you. I come from Dubai. (Inaudible). I'm 
with the UAE Fire and Life Safety Code Committee, 
and (inaudible) inspector. (Inaudible) person and 
UAW Society of Engineers.

Being on the UAE Fire --
PRESIDING OFFICER: Excuse me, Sir. Did you say you're in favor?

SPEAKER: I am in favor of the motion.

Being on the UAE Fire Code Committee and particularly being out of the Regulating Construction and Compartment chapter, I strongly feel that proposed reduction in fire protection would have an adverse and significantly diminish safety in the hospitals. The basis of my statement I intend to read out here, includes but not limited to No. 1, NFPA codes and standards. Particularly 101 and 5000 are extensively apply in countries other than the U.S.

No. 2, most of these countries have a fire structure that is nowhere as that of the U.S. Construction (inaudible) that are often -- often not at their best. Traffic jams further add to the misery. Eventually, height response time in such (inaudible) I would like to ask humbly to Committee do they need more compartmentation or less?

No. 3, we all know the fact that the smoke particular, 35 percent of the deaths are caused by smoke, and we need to continue. In addition, we can't rely on some of the safeguards. Balanced fire protection is an absolute necessity. And the
compromise in the smoke compartment condition should be seriously reviewed.

No. 4, the very large smoke compartment of 40,000 square feet clearly principles of very high levels of training of hospital staff on all shifts. To get everyone out over these larger areas, that type of high level is tough, should definitely not be assumed in other countries where NFPA 101 is being used. One has to wonder, if hospital (inaudible) in all U.S. hospitals would really be good enough to get everyone out of such a large area?

No. 5, it must be acknowledged that the particular system can and will fail. If we are depending on them to function and they fail, people will be at considerably more risk. Failure rate in the U.S. might be low. However, in the region I come from, primarily installation quality and the maintenance are the issue. In addition, let's think about some countries that do not even have enough water for drinking.

My concluding remarks, I really like to summarize my condition in three sentences. Many countries are not opinion of people, which I mentioned earlier. These nations are not --
particularly not or simply can't afford to modify the code that you put out. Therefore, the Committee has more responsibility that extends (inaudible) in the U.S.

No. 2, if the Committee makes a decision to increase compartment size based on the data correlated for the U.S., and which means here in the U.S. opposed, it means in my humble opinion --

PRESIDING OFFICER: Sir, excuse me.

You're out of time.

SPEAKER: Thank you very much for your patience listening.

PRESIDING OFFICER: Thank you.

Microphone No. 4, please.

SPEAKER: Skip Gregory, Health Facility Consulting speaking against the motion.

As a former employee and jurisdiction for over 20 years and member of the FGI Guidelines Committee for the design and construction of health care facilities, I've seen over the last number of years a dramatic increase in size of diagnostic and treatment areas in the hospital environment without the increase of occupancy in those departments.

The 22,5 has not kept up with these
dramatic changes of hybrid ORs, which can now be in excess of 12 hundred, 14 hundred, even 2,000 square feet. Treatment rooms have increased in square footage. MRIs areas have increased in square footage. And what happens, when you're trying to design a department in the hospitals, the 22,5 often cuts inside that department and disrupts the clinical services necessary for a well-functioning health care environment.

So I think this is a reasonable updating of the code for the hospital environment, and I urge you to support the Technical Committee, and vote against this motion.

PRESIDING OFFICER: Thank you.

Microphone 5, please.

SPEAKER: Larry Felker with Gleemore Air Controls. I'm speaking for the motion.

I'm not too sure that the various proposals at both ASG and ICC and this proposal here, the same people have really considered the dangers of fires and smokes in hospitals. NFPA's fires in the health care facility by Marty Eric November 2012, gives a yearly average of 6,240 structure fires in health care facilities. Six deaths, which disagrees with the statement made by
one man over there, and 171 civilian injuries.

Fires are real in hospitals. Smoke alarms are needed.

Two cases of fires and smoke problems. As an example of this, in January 2009, a fire broke out in the second floor mechanical room at Mt. Sinai Hospital in New York City. There was a lack of smoke control and/or functioning containment smoke dampers. Smoke spread out to the eight floor and all the subsidiary floors, and 600 patients were driven out. They were relocated, many of them on the street. There were no injury reports available regarding patients and staffs, but there were six firefighters who reported minor injuries.

Another fire -- on that fire, the fire was limited to the mechanical room. It's just that the smoke was the big spread.

In November 2011, 250 patients were evacuated from the adult and pediatric emergency rooms intensive care unit of Mt. Fiore Hospital in New York City. A generator caught fire and oil tanks spread black smoke everywhere. It was just biliary out of the air vents. The people were moved out. The fire was limited to the room of
origin, but there was a major dislocation due to smoke. They did not have compartmentation.

According to news report, some patients were in critical condition. There was one patient under general anesthesia in surgery. Ten people suffered minor injuries, and one woman was struck by a car in the street.

We're not -- as far as I'm concerned, we're not seeing smoke treated responsibly as we might be. The process occurring over the last years, as far as 150 --

PRESIDING OFFICER: I'm sorry, sir. Your time is up.

SPEAKER: Thank you.

PRESIDING OFFICER: Thank you.

Microphone 2.

SPEAKER: Yes, Susan McLaughlin, MSL Healthcare consulting, speaking on behalf of the Health Care section and speaking against the motion.

The Health Care voted at our meeting yesterday to speak and to oppose this motion. The reasons primarily or reasons that you've heard already. Just briefly, the decrease in patient density within the hospitals due to the increase in
room size, the constant travel distances to an
exit, which will remain and which will limit the
actual size of the smoke compartment, and finally
the staffing ratios, which are based on the patient
population, not on a floor space.

We urge you to vote against this motion.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 3, please.

SPEAKER: Marcelo Hirschler, GBH International, I call to question.

PRESIDING OFFICER: We have a motion to call to question.

Do we have a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: There's a second.

The motion to call to question is a vote to cease debate and go directly to the vote. This requires a two-thirds majority. If you are in favor of calling to question and ceasing the debate and going to the vote, press one. If you are opposed to this, press two. Please vote now.

Five seconds. Voting's closed.

All right. Even with my math, I can tell that that has passed with a two-thirds majority.
So we go right to the vote.

   Before we do vote, let me restate the motion. The motion on the floor is to reject Second Revision No. 123 and any related portions of First Revision No. 427, thereby recommending previous edition text. If you wish to vote in favor of the motion and recommended text on screen one, press one.

   If you wish to vote against the motion and the recommended text on screen two, press two.

Please vote now.

   Five seconds. Balloting is closed.

   The results are 129 in favor, 121 against.

   The motion passes. Thank you.

   Okay. Now let's proceed with the Certified Amending Motion 101-4. Do we have somebody -- Mr. Peterkin? There he is.

   Microphone 5, please.

   SPEAKER: Tim Peterkin, Heery International, speaking on behalf of the health care section code and standard review committee move to accept CAM 104 -- 101-4, a group amendment motion to reject second revision 117 and any related portions of First Revisions of 434 and 540 and Reject Second Revision 118 and any related
portions of First Revisions 486 and 572.

PRESIDING OFFICER: Thank you. The group amending motion on the floor is to Reject Second Revision No. 117 and any related portions of First Revisions No. 434 and No. 540 and reject Second Revision No. 118 and any related portions of First Revisions No. 486 and No. 572, thereby deleting new sections and corresponding annex.

Do we have a second for this motion?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: I hear a second.

Please proceed with discussion on the motion.

SPEAKER: Yes, Tim Peterkin speaking on behalf of Health Care Section Code and Standard Review Committee. We looked at this motion or this passage that was added to the code. For years,

there was an enforcing agency that was asking for building maps being posted throughout the hospitals, indicating evacuation routes. As we know, hospitals, we don't evacuate. We defend and place. So it's been a battle to get these out of the hospitals over the years, and we've pretty much gotten there.

Our concern here is, even though there's
language here that says it is not the intent that this provision that we have evacuation with maps posted again, we think the language needs some correction here because in the annex it kind of implies that it is for occupant use and not for AHJ to use in their evaluation.

So we're not opposed to the idea. We're just opposed to the way it's kind of worded. We're afraid that we're going to get back to facts posted throughout the hospital again, which is not something we all want.

I urge you to support the motion.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Koffel, would you like to offer the Committee's opinion?

COMMITTEE CHAIR: Thank you, Mr. Chair.

I'm not aware of any correlation issues with this certified amending motion. Therefore, I would request the Chair recognize the Technical Committee Chair, David Klein, to address the Committee's perspective.

PRESIDING OFFICER: Microphone 2.

SPEAKER: Thank you, Mr. Chair. My name is David Klein with the Department of Veterans
Affairs, and I'm the chair of the Technical Committee on Health Care Occupancies, speaking against the motion.

Attempts have been made to define means of egress corridors. This has proved to be difficult and has not resulted in clear definition for code users. The purpose of this requirement is to have available, when required by the AHJ, a written indication of the location of required corridors in smoke compartments where there are spaces that are separated from the designated corridor by position.

Having a designated corridor location should eliminate any confusion between non corridor area and the actual path of egress corridor travel and can be particularly useful for purposes of inspection with respect to required corridor width, lighting, egress marking, and other considerations with the intent that there is no need to designate corridors in locations where the corridors are defined by fixed partitions. It is also the intent, as stated in the annex note, that these floor plans should not be required to be posted.

Thank you.

PRESIDING OFFICER: Thank you, gentlemen.

With that, we will open up debate on the
motion.

Please provide your name, affiliation, whether you're speaking in support or against the motion.

Microphone No. 1 please.

SPEAKER: My name is Skip Gregory, Health Facility Consulting. I'm speaking in favor of the motion to delete this new language. I'm representing the Health Care Section and also speaking as an authority having jurisdiction for over 25 years.

For me, the code cycles. Both Chapters 18 and 19 of the Life Safety Code have permitted certain types of unlimited areas to be open to the corridor without any documented problems. There have been no need for a plan to designate where the corridor is located. In fact, Chapter 7 of the Life Safety Code already requires exits that shall be located and existing exits shall be arranged so that exits are readily accessible at all times. So exit corridors are supposed to remain clear of obstructions. If they are not, a citation is issued.

Since 2012 edition of the code, there have been revisions to encourage the design of less
institutional environments, but there has been no
dramatic change to the open corridor provisions.
The new language is intended to prevent authority
jurisdiction from requiring the facility to add
railings or floor material changes or other such
additional requirements to identify the location of
the corridor, but the AHJ still insert these kind
of requirements regardless of this new language.
The only thing that can change that kind of
misunderstanding of that authority having
jurisdiction is, perhaps, better education.

Unfortunately, this new language gives the
authority having jurisdiction unspecified
authority. To require every existing health care
facility that has spaces open to the corridor
produce a floor plan indicating where the corridor
is located. What kind of plan is this to be? The
language does not say. So the AHJ could very well
require an architectural or engineer life safety
plan of the entire building showing the corridors.
There is inevitably a bureaucracy placed so the
facility with absolutely no increase in life safety
for the residence of patients. However, the
facility and the authority having jurisdiction need
to agree, where the corridor is located, they can
simply use a photograph or a plan or a verbal
description to do this without this additional
language.

We are supportive of more clarity to the
code regarding corridors. We're not supportive of
this particular language.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone No. 2, please.

SPEAKER: Jim Meiser of Koffel Associates,
speaking for myself and speaking against the
motion.

I really don't see the difficulty that
this proposal is providing to the owners. There's
been so many dramatic changes with the 2012 edition
of the code, especially with regard to long-term
care facilities in trying to determine where these
spaces are. Some of these new long-term care
facilities are being built, and it's very easy for
the living areas and the dining areas to just creep
into what is supposed to be the corridor because
there is no idea where the corridor even is.

I really don't think it's going to affect
the traditional hospital. It's more aimed at the
newer long-term care facilities, and I don't see a
huge burden that this is providing.

PRESIDING OFFICER: Thank you.

Is there any further discussion on Motion 101-4? Seeing none, Mr. Koffel, any final words?

COMMITTEE CHAIR: No, sir.

PRESIDING OFFICER: Okay. We'll move to a vote. Before we vote, let me restate the motion.

The motion on the floor is to reject Second Revision No. 117 and any related portions of First Revisions No. 434 and No. 540 and reject Second Revision No. 118 and any related portion of First Revisions No. 486 and No. 572, thereby deleting new sections session and corresponding annex.

If you wish to vote in favor of the motion and recommended text on screen one, press one.

If you wish to vote against the motion and recommended text on screen two, press two. Please record your votes now.

Five seconds. The balloting is closed.

The results are 65 in favor, 154 in opposition. The motion fails.
Motion Seq # 101-5:
Vickie Lovell, InterCode Incorporated, Rep. Fire Safe North America and
Kelly Nicolello, Alaska Dept. of Public Safety, Rep. National Association of State Marshals, Representing William Degnan, President

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<thead>
<tr>
<th>Multiple Notices of a Single Motion</th>
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<tr>
<td>Reject Second Revision No. 124 and any related portions of First Revisions No. 482, thereby recommending previous edition text.</td>
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**Recommended Text if Motion Passes:**

19.3.7.1 Smoke barriers shall be provided to divide every story used for sleeping rooms for more than 30 patients into not less than two smoke compartments (see 19.2.4.4), and the following also shall apply:

1. The size of any such smoke compartment shall not exceed one of the following:
   - 22,500 ft² (2100 m²), and where the travel distance from any point to reach a door in the required smoke barrier does not exceed 200 ft (61 m), for health care occupancies not meeting 19.3.7.1(1)(b)
   - 40,000 ft² (3720 m²), for hospitals where the travel distance from any point to reach a door in the required smoke barrier does not exceed 200 ft (61 m), and the building is protected throughout by an approved, supervised automatic sprinkler system in accordance 19.3.5.8.

2. Where neither the length nor width of the smoke compartment exceeds 150 ft (46 m), the travel distance to reach the smoke barrier door shall not be limited.

3. The area of an atrium separated in accordance with 8.6.7 shall not be limited in size.

**Recommended Text if Motion Fails:**

19.3.7.1 Smoke barriers shall be provided to divide every story used for sleeping rooms for more than 30 patients into not less than two smoke compartments (see 19.2.4.4), and the following also shall apply:

1. The size of any such smoke compartment shall not exceed one of the following:
   - 22,500 ft² (2100 m²), where the travel distance from any point to reach a door in the required smoke barrier does not exceed 200 ft (61 m), for health care occupancies not meeting 19.3.7.1(1)(b)
   - 40,000 ft² (3720 m²), for hospitals where the travel distance from any point to reach a door in the required smoke barrier does not exceed 200 ft (61 m), and the building is protected throughout by an approved, supervised automatic sprinkler system in accordance 19.3.5.8.

2. Where neither the length nor width of the smoke compartment exceeds 150 ft (46 m), the travel distance to reach the smoke barrier door shall not be limited.

3. The area of an atrium separated in accordance with 8.6.7 shall not be limited in size.
MEMORANDUM

TO: Technical Committee on Health Care Occupancies

FROM: Kelly Carey, Project Administrator

DATE: June 13, 2014


Pursuant to section 4.6 and Table 1 of the Regulations Governing the Development of NFPA Standards (Regs), the following are not subject to Committee ballot:

- An Amendment to Reject a Second Revision and related portions of a First Revision.
  Or
- An Amendment to Reject a Second Revision where no First Revision or related part of a First Revision exists.

As a result, NFPA 101 and any such Amendments shall be forwarded to the Standards Council for action in accordance with section 4.5.3.7 and 4.7 of the Regs.

At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 101 was recommended for issuance with the following:

**Amendment 101-3:** Reject Second Revision No. 123 and any related portions of First Revision No. 427, thereby recommending previous edition text.

**Amendment 101-5:** Reject Second Revision No. 124 and any related portions of First Revisions No. 482, thereby recommending previous edition text.

The transcripts from the Annual 2014 NFPA Technical Meeting (Tech Session) will be available within two weeks after the Tech Session at: www.nfpa.org/techsession.

**Note:**

In accordance with 1.6.2(a) of the Regs, anyone who is dissatisfied with the results of the floor motions from the June 2014 NFPA Technical Meeting may appeal the results. Appeals shall be filed no later than twenty days after the NFPA Technical Meeting at which Association action on the issuance of the Standard was recommended. The final date to file any such appeal is **July 2, 2014**.
huge burden that this is providing.

PRESIDING OFFICER: Thank you.

Is there any further discussion on Motion 101-4? Seeing none, Mr. Koffel, any final words?

COMMITTEE CHAIR: No, sir.

PRESIDING OFFICER: Okay. We'll move to a vote. Before we vote, let me restate the motion.

The motion on the floor is to reject Second Revision No. 117 and any related portions of First Revisions No. 434 and No. 540 and reject Second Revision No. 118 and any related portion of First Revisions No. 486 and No. 572, thereby deleting new sections session and corresponding annex.

If you wish to vote in favor of the motion and recommended text on screen one, press one.

If you wish to vote against the motion and recommended text on screen two, press two. Please record your votes now.

Five seconds. The balloting is closed.

The results are 65 in favor, 154 in opposition. The motion fails.

Let's now proceed with discussion Certified Amending Motion 101-5.

Microphone 5, please.
SPEAKER: I'm Kevin Nicolello, with State Fire Marshals, Alaska, representing the National Association of State Fire Marshals. I'm in favor of Motion 101-5 rejecting second revision to No. 124 and any related portion revision to No. 482 recommending previous edition text.

PRESIDING OFFICER: Thank you.

There is a motion on the floor to reject Second Revisions No. 124 and any related portions of First Revisions No. 482, thereby recommending previous edition text.

Is there a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: I here a second.

Please proceed.

SPEAKER: I'm Kelly Nicolello, State Fire Marshal Alaska representing National Association of State of Fire Marshals. I'm in favor of the motion.

In my previous testimony, that was geared around new construction in 101. This is the exact same issue except it is in existing construction in 101, having to do with the size of smoke control areas in existing hospitals.

There was previous testimony in the
previous issue that was relating to existing
facilities. I'm not a hundred percent sure that
this was for new construction within 101, but now
we're in existing construction. I just want to
make sure everybody knows that.

So in the justification from the Technical
Committee of why this should be allowed in existing
construction, it appeared to be a matter of
fairness. If it were to pass in new construction,
previous hospitals that have built it to the 22,500
criteria would then be quote, unquote "penalized."
And it would only be fair if we allow them to also
have 40,000 square feet. And that was the
justification pretty much.

My position is still the same from the
standpoint it should all be based on this analysis,
especially in existing construction. Since the
money's been spent, the designs been made,
decisions made, and these systems put into place
and now we're going to ignore them, not maintain
them, put holes through them to allow a larger
space for more patient space in the other areas
that were presented.

So I kind of like to use the justification
the committee did. I think that, based on the
action that we just took on new construction, I think it will only be fair that existing construction continues to use 22,5 and not be able to go to 4,000 because new construction would not be allowed to do that also.

So I would ask you to support the motion.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Koffel, would you like to present the Committee's position, please?

COMMITTEE CHAIR: Thank you, Mr. Chair.

Again, I do not see a correlation issue with this item; so I would ask that the chair of the Technical Committee on Health Care Occupancies, David Klein, to address the Committee's perspective.

PRESIDING OFFICER: Microphone 2, please.

SPEAKER: Thank you, Mr. Chair. My name is Dave Klein. I'm with the Department of Veterans Affairs. I'm the chair of the Health Care Technical Committee, speaking against the motion.

The issues related to the proposed changes there to sectioned 19.3.7.1 for existing hospital facilities are similar to the issues that were previously discussed for the proposed changes to
Section 18.3.7.1 for new hospital facilities with
the exception that existing facilities might not be
sprinkler protected.

The Committee, therefore, in conjunction
with the action that we took for Chapter 18,
proposed the same increase in the maximum permitted
smoke compartment area from 22,500 square feet to
40,000 square feet provided that the building is
protected throughout by an improved supervised
automatic sprinkler system in accordance with
Section 19.3.5.8, which requires quick response to
residential sprinklers throughout all smoke
compartments containing patient sleeping rooms.

The existing 200-foot travel distance
requirement from any location to the smoke
compartment to a door in the required smoke barrier
was also retained. This professional was intended
to bring the requirement in Chapter 19 into
alignment with the requirements in Chapter 18.

Thank you.

PRESIDING OFFICER: Thank you, gentlemen.

With that, we'll open up debate on the
motion. Please provide your name, affiliation, and
whether you're speak in support or against the
motion.
Microphone 1, please.

SPEAKER: Thank you. My name is Vickie Lovell, I'm executive director for Fire Safe North America, and speaking in support of the motion. I'm one of the co-proponents.

We like to thank the membership for their consideration of our issue and supporting the last motion for new construction, but as it's mentioned, this is now for existing construction.

We believe this is actually a more -- even more serious problem that needs to be addressed. We don't disagree with that, but we have to take into consideration the condition of the existing hospitals, and that cannot be done here. It's on a case-by-case basis.

If we consider what we're entertaining here, which is the nearly doubling of size of existing smoke compartment, a lot of the questions that has to be asked is what is the condition of the smoke barrier now that's going contain this area, that's going to be the boundary of this area.

What we know from statistical information, we know from joint commission reports that it is a constant maintenance concern to keep the integrity of the smoke barrier of all walls intact are
properly maintained. It is a big concern. In fact, maintenance to these barriers oftentimes run very high in scoring in terms of problems that need to be addressed. Thankfully in this country we have agencies and backstops in place that can assure that these barriers are maintained, but now in the existing buildings, we are asking that this barrier even almost do double duty in terms of containment size of the compartment. It can't be easily resolved that there is a one size fits all for an existence smoke compartment.

Again, we think there are alternatives in designing and configuring the smoke compartment that will be better suited on a performance basis and consideration in each one of the hospitals that want to change the size of the barrier.

The 200 travel foot distance is viable. It's workable. But if you have 40,000 square foot compartment, it's going to be very difficult to have good visual supervision of every patient because you can't get -- you can't do it in a square foot compartment. It's going to have to be some odd rectangular different size for every hospital to get that immediate supervision.

So, again, we agree that there's probably
a reason to go back and revisit this, and there
probably is a workable solution that's going to be
based on science and practical application and
consensus.

And we urge you to maintain your votes
from the last time. I'd like to pick up a couple
more and make it a little clearer, not quite such a
close vote, but to really go back and look at this
one more time and come up with a good workable.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 4.

SPEAKER: Frank Van Overmeiren, FP&C
Consultants. I speak against the motion. Myself
and my firm, this issue is actually part of the
initial movement of this particular code provision.
It actually started as part of an ICC international
co-council task group ad hoc effort to try to
correlate differences between the ICC code system
and the NFPA code system.

One of the outstanding efforts that was
taken forward by that group was to look at smoke
zone size. This is not an arbitral of change.
This is looking at both code systems, looking at a
package of code requirements that analyze travel
distance arrangements, compartmentation, look at fire safety features in the building such as sprinkler systems and fire alarm systems. Look at the new design in existing criteria for both new and existing buildings and how hospitals are utilized.

As part of that effort and part of that task group effort, a special task group was assigned to go through and look at this analysis to try to determine base substantiation on what the appropriate smoke zone size should be. Be it 22,000, a 30,000 square foot number, a 50,000 square foot or some other number.

As part of that analysis, multiple architectural and engineering groups went through and provided an exercise to determine the appropriate size for smoke zones. They were tasked with trying to analyze smoke zone size for both patient care floors and clinical floors. All of those groups essentially came down with the same types of recommendations that on upper floors traditional health care facilities where we have our patient sleeping environments, the best arrangements of those spaces, when we look at the utilization of departments -- the patient sleeping
rooms, the corridor and circulatory spaces, the
nurse stations, the clean and soil utility rooms,
the storage spaces, and spaces for support systems
such as IT and mechanical spaces.

When we look at the arrangements, the
given factor was traditional 150-square feet or 200
-square feet travel distance arrangements was the
given factor. We didn't essentially create larger
smoke zone sizes. Where the benefit came from was
in lower section of the building that are typically
utilized for warehouse, SPD, pharmacy, radiology
where we can have unified departments without being
subdivided by smoke zones in their arrangements.
This was not an arbitrary measure. This has been a
longstanding effort looking at research, looking at
design material, getting in design professionals to
look at this and utilize this as part of the
package of design.

This information was a very close vote
last time and really should be reconsidered by
everybody as it relates to existing facilities to
give the NFPA membership the appeal that might be
submitted for this previous proposal and the
Standards Council the information so this can be
looked for so we are consistent with what has
already been approved by the 2015 Edition of the
ICC codes to increase smoke zone size.

Thank you.

PRESIDING OFFICER: Thank yo.
Microphone 5, please.

SPEAKER: Tony Crevie representing
International Fire Staff Council. Rise in support
of the motion.

Effectively this represents a 76 percent
increase in the size of the smoke compartment. In
existing buildings, it's particularly critical
because we've already got the smoke barriers and
the smoke compartment sizes established in
operation paid for and effective. They're in use.
This would effectively allow -- if you went -- if
you did not support the motion, this would
effectively allow you -- if you did not support the
emotion, this would effectively mean that you could
begin to decommission some of the existing smoke
barriers and allow all kinds of smoke movements
between those without justification.

This would also be obviously inconsistent
with the action we just took for new buildings, and
that's of substantial concern because obviously new
building becomes an existing building after some
short period of time.

   I wanted to make a specific point with
respect to travel distance. Much has been made
about the fact that the travel distance is being
maintained at 200. But what we're lacking or what
we haven't seen is any modeling or any research
that's been done related to egress times. We have
to remember that nothing in this proposal gives us
any assurance as to the number of patients that
will be in those compartments and nothing gives us
any assurance as to the staff-patient ratio as far
as these proposals are concerned. We've already
heard that these codes are used outside of the
United States extensively as well.

   Larger smoke compartment means more doors.
More doors mean longer time for the staff to go
around and close all of those doors before we begin
they egress process. The fact that you've
maintained the travel distance at 200 feet doesn't
mean that you've maintained the time for egress to
the same time that you had in the 22,500 square
foot compartment. The 22,500 square foot
compartment with the associated fire protection
measures has been long-standing and effective, and
I urge you to support the motion and be consistent
with the action you took on 101-3.

    Thank you.

PRESIDING OFFICER: Thank you.

Microphone 6, please.

SPEAKER: Yes, Ken Dunkin, Performance Design Technologies. I'm speaking against the motion. I was against the previous motion as well, but whatever we do, we have to be consistent. The last thing we want is an existing hospital that's two years old because we just built it in accordance with one chapter two years ago and now it's out of compliance two years later because one says 40,000 square foot, the other says 22,5.

So whatever action we end up taking, they should be consistent so that, once a hospital's built, it isn't automatically in conflict with an existing facility requirement.

PRESIDING OFFICER: Okay. Thank you.

Microphone 1, please.

SPEAKER: I'm Sajid Graza, again (inaudible) in Dubai UAE. Regarding the --

PRESIDING OFFICER: Are you speaking in favor or against?

SPEAKER: I'm speaking in favor of the motion.
UNKNOWN SPEAKER: Regarding the existing facilities that the other speakers also mentioned, I would like to find out things which are out of the U.S. Folks have spoken about U.S. Regarding the other countries in the -- worldwide, especially I'm hopeful --

PRESIDING OFFICER: Microphone 1 appears to be out. Yeah, just move back to No. 4, please.

SPEAKER: Yeah, but I'm not against the motion. I'm speaking in favor of the motion.
Okay.

Professions would be available for few tragic fires in the hospitals worldwide, one of them being in the hospital in India and the other one being in Russia. And they have been the real tragic death, and this was really because of the compromised or no specified protection.

Back to the U.S., which I probably might not have the accurate data as you guys would have here, landmark hospital fires such as one in Virginia in 1994 and in New York in 1993 have been due to compromised fire protection. Most developing countries around the world aren't even yet at the standards where the U.S. was 20 years
ago. Keeping these things in mind for the existing facilities, I will really request that the committee that changes should be seriously considered, and the consequences of the proposed changes in other nations worldwide should be seriously looked into.

In 101-3 it was one of the speakers who mentioned about the vulnerability of patient. I really like to relate it (inaudible) which says that whoever saves one life it is as if they saved the entire mankind. With this message, I would like to thank and request the Committee to seriously look into this and vote in favor of the motion.

Thank you.

PRESIDING OFFICER: Thank you very much.

Microphone 2, please.

SPEAKER: Dan Williams, Washington State Department of Health. I'd like to call to question.

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: Okay. We have a motion and a second to call to question. Again, there is a vote to cease debate and go directly to the vote on the proposal, and if you vote one, you
are in favor of calling to question and going to
the vote. If you vote two, you are not in favor
and you wish to continue to debate. Please vote
now.

      Five seconds. Voting is closed.

      We have 214 in favor upon the question, 31
against. That definitely passes two-thirds
majority.

      So before we vote on the item, please let
me restate the motion. The motion on the floor is
to reject Second Revision No. 124 and any related
portions of First Revision No. 482, thereby
recommending previous edition text.

      If you wish to vote in favor of the motion
and recommended text on the screen one, press one.

      If you wish to vote against the motion and
recommended the text on screen two, press two.

      Please record your vote now.

      Five seconds. Balloting is closed.

      The results are 144 in favor, 94 against.

      The motion passes.
July 01, 2014

Ms. Dawn Bellis
Secretary, Standards Council
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02269

Subject: Formal Appeal of NFPA 101 – Certified Amending Motion 101-1

Dear Dawn:

In accordance with Section 1-6 of the NFPA Regulations Governing Committee Projects (Regulations), please accept this letter as a formal appeal to the NFPA Standards Council regarding the disposition of NFPA 101, Life Safety Code, Certified Amending Motion (CAM) 101-1 [Second Revision No. 235 (revisions to Table 7.3.1.2)]. The following information is provided as prescribed in Section 1.6.3 of the Regulations:

1. Name, affiliation and address of the appellant:
   David W. Frable
   Representing the United States General Services Administration
   665 Green Meadow Lane
   Geneva, Illinois, 60134

2. Statement identifying the particular action to which the appeal relates:
   I am hereby appealing the actions of the membership at the NFPA Annual Meeting, which accepted NFPA 101, Second Revision No. 235 (revisions to Table 7.3.1.2).

3. Argument setting forth the grounds for appeal:
   Since the transcripts of the technical session on June 12, 2014 have yet to be posted on the NFPA website, the argument setting forth the grounds for appeal will be submitted to NFPA at a later date prior to the NFPA Standards Council meeting.

4. Statement of the precise relief requested:
   I request that the Standards Council change the final action on NFPA 101, Second Revision No. 235 (revisions to Table 7.3.1.2) to REJECT. My sole intent is that the revisions made to Table 7.3.1.2 for business use areas not be included in the 2015 edition of NFPA 101. The final outcome would be that Table 7.3.1.2 for business use areas would remain as currently stated in the 2012 edition of NFPA 101.
5. **Whether a hearing on the appeal is being requested:**
   I do not request a hearing before the NFPA Standards Council.

Thank you for placing this matter on the Standards Council’s August meeting agenda.

Sincerely,

David W. Frable
United States General Services Administration
Committee Comment No. 235-NFPA 101-2013 [Section No. 38.1.7]

This was a Second Revision that has been modified or deleted as the result of Second Correlating Revision: SCR-20-NFPA 101-2013

<table>
<thead>
<tr>
<th>38.1.7 Occupant Load.</th>
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<tbody>
<tr>
<td>The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space or shall be determined as the maximum probable population of the space under consideration, whichever is greater.</td>
</tr>
</tbody>
</table>

| 38.1.7.1 |
| The occupant load factor for business use shall be 150 ft² per person. |

| 38.1.7.2 |
| The occupant load factor for concentrated business use shall be 50 ft² per person. |

Submitter Information Verification

Submitter Full Name: Kristin Bigda
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:

Submittal Date: Tue Jul 02 14:06:16 EDT 2013

Committee Statement and Meeting Notes
Committee Statement: The data presented in the new reports provided to the committee is inconclusive. Common business use areas and business occupancies as shown in the report data indicate the actual occupant load most closely resembles 100 sq. ft. per person. This value of 100 sq. ft. per person has been used in the code for many years and has been verified by the data collected for the committee. Additional data that was reviewed by the committees is outdated and does not support a change to a less dense occupant load for common business use areas. An annex note has been developed by the committee to further address the value for concentrated business use occupant load.

It should be noted that during the First Draft meeting, the committee changed the code to provide a value of 150 sq. ft. per person for general business use and 50 sq. ft. per person for concentrated business use. This language was placed in Chapter 38/39 and was moved to Table 7.3.1.2 by the Correlating Committee as requested. The revision to Chapter 38/39 was changed to a Committee Input and should not have been shown in the First Draft in Chapter 38/39, rather it should have appeared only in the Committee Input Report.

Note to CC: Please move proposed body and associated annex text to Chapter 7 if accepted.

Response Message:

Ballot Results

✓ This item has passed ballot

25 Eligible Voters
0 Not Returned
19 Affirmative All
1 Affirmative with Comments
5 Negative with Comments
0 Abstention

Affirmative All
Aaby, Mark J.
Bellamy, Tracey D.
Burrus, William J.
Cole, Anthony W.
Dawe, Nicholas A.
Dodge, David A.
Francis, Sam W.
Garzone, Joseph R.
Gumkowski, Anthony C.
Holmes, Wayne D.
Humble, Jonathan
Jacobs, Scott
Lonabaugh, Raymond W.
Martin, Jeff
Rice, Sarah A.
Stocker, Warren G.
Tabar, David C.
Tidwell, J. L. (Jim)
Affirmative with Comment

Derr, Kevin L.

I am affirmative for this revision; however, I do have some concerns with the proposed change to the occupant load factors for business use areas. The reason that I am voting affirmative for the code change is the lack of a specific definition of concentrated business use areas and a concern of not properly accounting for office cubicle environments or similar arrangements. The Fire Protection Research Foundation (FPRF) Report, Evaluating Occupant Load Factors for Business Use Areas, July 2013, (the report the Committee cited as justification for the changes) categorized business areas as concentrated? and less concentrated.? The FPRF report included cubicle office environments and similar areas within the concentrated category and stated results for concentrated areas? (11.80 m2/person [127 sq. ft./person]) are close to the NFPA value [100 sq. ft.].? The proposed changes to NFPA 101 do not provide sufficient distinction between concentrated business areas from other business areas. Annex Section 38/39.1.7.1 will provide examples of concentrated business areas, specifically, call centers, trading floors, and data processing centers are cited as examples of concentrated business areas. However, the annex does not indicate cubicle office environments as a concentrated business use area. A value of 150 sq. ft./person would not be appropriate when a mean value of 127 sq. ft./person was determined in the FPRF report for areas with cubicles or similar arrangements. As such, the provisions of Section 39.1.7.2 (100 sq. ft./person) must account for these spaces. With that said, several studies have determined that the mean occupant load factor in business uses is in excess of the First Draft proposed 150 square foot value. The FPRF report referenced above calculated the mean overall occupant load factor for business use areas as 181.49 sq. ft./person. Milke, Caro, Evaluation of Survey Procedures For Determining Occupant Load Factors in Contemporary Office Buildings, Issued Sept. 96 report determined the mean occupant load for buildings studied to be 248 sq. ft/person. Several other reports as referenced by the Milke/Caro ?96 report indicate mean occupant load factors for business use areas as 150 sq. ft./person or more with the exception of the 1935 National Bureau of Standards study. Based on these studies, it is clear that an overall business use occupant load factor of 100 sq. ft occupant load factor is restrictive. A definition of concentrated and non-concentrated business use areas combined with more appropriate occupant load factors needs to be added to NFPA 101 under the next revision code.

Negative with Comment

Bush, Kenneth E.

I believe that sufficient technical justification has been provided to substantiate the change to a higher occupant load factor for general business use. In addition, the provisions for concentrated business use would permit a lower occupant load factor where the use of the space warrants its application and alternate protection features.

Frable, David W.
Contrary to the Technical Committee statement that the data in the recent studies on this subject matter was inconclusive; we disagree and strongly believe that the data presented in the recent study completed by students from Wooster Polytechnic Institute as well as the recent study completed by students from the University of Cantabria in Spain clearly supports the changes proposed to increase the occupant load factors in Group B business occupancies from 100 ft²/person to 150 ft²/person. It should also be noted that several past studies have also concluded that the 100 ft²/person (gross) occupant load factor for business occupancies is very conservative which has led to requiring Group B occupancies and office buildings in general to have additional egress capacity and a greater number of exits to accommodate an "over-estimated" building population. We believe the increase from 100 ft²/person (gross) to 150 ft²/person (gross) for business occupancies is still a conservative figure; yet reasonable, based on recent changes in office building design as well as changes in the North American workplace and work style trends; such as work station configurations, flexible work schedules, telecommuting, work at home, etc. Please note that the existing occupant load factor of 100 ft²/person (gross) for business occupancies first appeared in the 3rd edition of the Building Exits Code that was published in 1934. The occupant load factor of 100 ft²/person (gross) was specified for office, factory, and workrooms. All occupant load factors were based on the gross floor area of the building, such that no deduction was permitted for corridors, closets, restrooms, or other subdivisions. To our knowledge there is no formal record indicating the basis of the occupant load factors included in the 1934 Buildings Exits Code. However, it seems likely that the results from a National Bureau of Standards (NBS) [now referred to as National Institute of Standards and Technology (NIST)] study published in 1935 were the most likely basis of the occupant load factors adopted into the 1934 Code. However, since the initial NBS study in 1935, several other studies have been conducted to determine the occupant load factors for various occupancies. One common similarity of each of the studies was that all of the subsequent studies have concluded that the 100 ft²/person (gross) occupant load factor for business occupancies is conservative. Studies conducted between 1966 and 1992 have indicated that occupant load factors in business occupancies ranged from 150 ft²/person (gross) to 278 ft²/person (gross). In addition, a 1995 study of 23 Federal sector and private sector office buildings also indicated a mean occupant load factor of 248 ft²/person for all office buildings. Based on all these points stated above and the occupant load factors ranges cited in recent studies, we believe it would be reasonable to increase the occupant load factor of 100 ft²/person (gross) to 150 ft²/person (gross). We also disagree with the Technical Committee that an fixed occupant load of 50 ft²/person for "concentrated use" should be codified without more data. Consequently, we believe Chapters 38 and 39 should point back to Table 7.3.1.2 and it?s annex for the requirement, which specifies 100 ft²/person for occupant load, with an option to reduce the occupant load based on the guidance set forth in the Annex (?Certain business use spaces such as call centers and work station areas might necessitate an occupant load factor that is less than 100 sq ft per person. For example, desk cubicles as small as 25 sq ft in area are available in the marketplace. Prudence needs to be exercised when determining the occupant load in concentrated business use areas.?)

Freels, Douglas R.

Upon further review this proposed change may be overly restrictive and does not appear to be fully supported by available studies and associated information. The proposed text in the First Draft (150 sq.ft./occupant for "typical" Business use and 50 sq.ft./occupant for "Concentrated" Business use would be a more appropriate code change.

Gauvin, Daniel J.
I agree with the negative comments submitted by Amy Murdock, Kenneth Bush, Douglas Freels and David Frable

Murdock, Amy J.
Negative vote adamantly stated. The Code should not specify a "concentrated" business use occupant load factor; there are just too many different configurations of office space. The code already has provisions for how to increase the office area occupant load beyond 100 square feet per person. Section 7.3.1.3.1 clearly states that the occupant load in ANY building or portion thereof can be increased beyond that established for the given use in accordance with Section 7.3.1.2 provided all other requirements of the code are also met; ie make sure that adequate exit capacity is provided, remoteness of exits is appropriate, number of exits is appropriate etc. In no way should this Code provide an occupant load factor for a "concentrated" business use. Any "concentrated" business occupancies would have to comply with Section 7.3.1.2 regardless. In my opinion, there is no substantiation for the 50 factor suggested. In fact one report specifically indicated call centers at 84 square feet per person; not even close to 50. Even further, the July 2013 Fire Protection Research Foundation report given to the committee had 55 as the lowest "concentrated"; and only one instance of that, one in 55 types. Some committee members stated that they wanted the lower occupant load factors so that if an office tenant in a high-rise building wanted to put meeting rooms, then the overall building's egress system should still work using 50 square feet per person. This reasoning ignores the requirements outlined in Section 7.3.1.2 and should not be considered as the reasoning for altering the office occupant load factor. If meeting rooms, auditoriums, conference centers, cafeterias are in an office building on a particular floor the occupant load is required to be properly calculated to accommodate such. This proposed code change should not occur.
Committee Comment No. 235-NFPA 101-2013 [ Section No. 38.1.7 ]

This was a Second Revision that has been modified or deleted as the result of Second Correlating Revision: SCR-20-NFPA 101-2013

38.1.7 Occupant Load.

The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

38.1.7.1*

The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

38.1.7.2

The occupant load factor for business use shall be 150 ft² per person.

38.1.7.3

The occupant load factor for concentrated business use shall be 50 ft² per person.

Submitter Information Verification

Submitter Full Name: Kristin Bigda
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Tue Jul 02 14:06:16 EDT 2013

Committee Statement and Meeting Notes
Committee Statement: The data presented in the new reports provided to the committee is inconclusive. Common business use areas and business occupancies as shown the report data indicate the actual occupant load most closely resembles 100 sq. ft. per person. This value of 100 sq. ft. per person has been used in the code for many years and has been verified by the data collected for the committee. Additional data that was reviewed by the committees is outdated and does not support a change to a less dense occupant load for common business use areas. An annex note has been developed by the committee to further address the value for concentrated business use occupant load.

It should be noted that during the First Draft meeting, the committee changed the code to provide a value of 150 sq. ft. per person for general business use and 50 sq. ft. per person for concentrated business use. This language was placed in Chapter 38/39 and was moved to Table 7.3.1.2 by the Correlating Committee as requested. The revision to Chapter 38/39 was changed to a Committee Input and should not have been shown in the First Draft in Chapter 38/39, rather it should have appeared only in the Committee Input Report.

Note to CC: Please move proposed body and associated annex text to Chapter 7 if accepted.

Response Message:

Ballot Results

✔ This item has passed ballot

25 Eligible Voters
0 Not Returned
19 Affirmative All
1 Affirmative with Comments
5 Negative with Comments
0 Abstention

Affirmative All
Aaby, Mark J.
Bellamy, Tracey D.
Burrus, William J.
Cole, Anthony W.
Dawe, Nicholas A.
Dodge, David A.
Francis, Sam W.
Garzone, Joseph R.
Gumkowski, Anthony C.
Holmes, Wayne D.
Humble, Jonathan
Jacobs, Scott
Lonabaugh, Raymond W.
Martin, Jeff
Rice, Sarah A.
Stocker, Warren G.
Tabar, David C.
Tidwell, J. L. (Jim)
Yonkers, Ernest D.

**Affirmative with Comment**  
Derr, Kevin L.

I am affirmative for this revision; however, I do have some concerns with the proposed change to the occupant load factors for business use areas. The reason that I am voting affirmative for the code change is the lack of a specific definition of concentrated business use areas and a concern of not properly accounting for office cubicle environments or similar arrangements. The Fire Protection Research Foundation (FPRF) Report, Evaluating Occupant Load Factors for Business Use Areas, July 2013, (the report the Committee cited as justification for the changes) categorized business areas as ?concentrated? and ?less concentrated.? The FPRF report included cubicle office environments and similar areas within the concentrated category and stated ?results for ?concentrated areas? (11.80 m2/person [127 sq. ft./person]) are close to the NFPA value [100 sq. ft.].? The proposed changes to NFPA 101 do not provide sufficient distinction between concentrated business areas from other business areas. Annex Section 38/39.1.7.1 will provide examples of concentrated business areas, specifically, call centers, trading floors, and data processing centers are cited as examples of concentrated business areas. However, the annex does not indicate cubicle office environments as a concentrated business use area. A value of 150 sq. ft./person would not be appropriate when a mean value of 127 sq. ft./person was determined in the FPRF report for areas with cubicles or similar arrangements. As such, the provisions of Section 39.1.7.2 (100 sq. ft. /person) must account for these spaces. With that said, several studies have determined that the mean occupant load factor in business uses is in excess of the First Draft proposed 150 square foot value. The FPRF report referenced above calculated the mean overall occupant load factor for business use areas as 181.49 sq. ft./person. Milke, Caro, Evaluation of Survey Procedures For Determining Occupant Load Factors in Contemporary Office Buildings, Issued Sept. 96 report determined the mean occupant load for buildings studied to be 248 sq. ft/person. Several other reports as referenced by the Milke/Caro ?96 report indicate mean occupant load factors for business use areas as 150 sq. ft./person or more with the exception of the 1935 National Bureau of Standards study. Based on these studies, it is clear that an overall business use occupant load factor of 100 sq. ft. occupant load factor is restrictive. A definition of concentrated and non-concentrated business use areas combined with more appropriate occupant load factors needs to be added to NFPA 101 under the next revision code.

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**Negative with Comment**  
Bush, Kenneth E.

I believe that sufficient technical justification has been provided to substantiate the change to a higher occupant load factor for general business use. In addition, the provisions for concentrated business use would permit a lower occupant load factor where the use of the space warrants its application and alternate protection features.  
Frable, David W.
Contrary to the Technical Committee statement that the data in the recent studies on this subject matter was inconclusive; we disagree and strongly believe that the data presented in the recent study completed by students from Wooster Polytechnic Institute as well as the recent study completed by students from the University of Cantabria in Spain clearly supports the changes proposed to increase the occupant load factors in Group B business occupancies from 100 ft²/person to 150 ft²/person. It should also be noted that several past studies have also concluded that the 100 ft²/person (gross) occupant load factor for business occupancies is very conservative which has led to requiring Group B occupancies and office buildings in general to have additional egress capacity and a greater number of exits to accommodate an ?over-estimated? building population. We believe the increase from 100 ft²/person (gross) to 150 ft²/person (gross) for business occupancies is still a conservative figure; yet reasonable, based on recent changes in office building design as well as changes in the North American workplace and work style trends; such as work station configurations, flexible work schedules, telecommuting, work at home, etc. Please note that the existing occupant load factor of 100 ft²/person (gross) for business occupancies first appeared in the 3rd edition of the Building Exits Code that was published in 1934. The occupant load factor of 100 ft²/person (gross) was specified for office, factory, and workrooms. All occupant load factors were based on the gross floor area of the building, such that no deduction was permitted for corridors, closets, restrooms, or other subdivisions. To our knowledge there is no formal record indicating the basis of the occupant load factors included in the 1934 Buildings Exits Code. However, it seems likely that the results from a National Bureau of Standards (NBS) [now referred to as National Institute of Standards and Technology (NIST)] study published in 1935 were the most likely basis of the occupant load factors adopted into the 1934 Code. However, since the initial NBS study in 1935, several other studies have been conducted to determine the occupant load factors for various occupancies. One common similarity of each of the studies was that all of the subsequent studies have concluded that the 100 ft²/person (gross) occupant load factor for business occupancies is conservative. Studies conducted between 1966 and 1992 have indicated that occupant load factors in business occupancies ranged from 150 ft²/person (gross) to 276 ft²/person (gross). In addition, a 1995 study of 23 Federal sector and private sector office buildings also indicated a mean occupant load factor of 248 ft²/person for all office buildings. Based on all these points stated above and the occupant load factor ranges cited in recent studies, we believe it would be reasonable to increase the occupant load factor of 100 ft²/person (gross) to 150 ft²/person (gross). We also disagree with the Technical Committee that an fixed occupant load of 50 ft²/person for ?concentrated use? should be codified without more data. Consequently, we believe Chapters 38 and 39 should point back to Table 7.3.1.2 and it?s annex for the requirement, which specifies 100 ft²/person for occupant load, with an option to reduce the occupant load based on the guidance set forth in the Annex (?Certain business use spaces such as call centers and work station areas might necessitate an occupant load factor that is less than 100 sq ft per person. For example, desk cubicles as small as 25 sq ft in area are available in the marketplace. Prudence needs to be exercised when determining the occupant load in concentrated business use areas.?)

Freels, Douglas R.

Upon further review this proposed change may be overly restrictive and does not appear to be fully supported by available studies and associated information. The proposed text in the First Draft (150 sq.ft./occupant for "typical" Business use and 50 sq.ft./occupant for "Concentrated" Business use would be a more appropriate code change.

Gauvin, Daniel J.

I agree with the negative comments submitted by Amy Murdock, Kenneth Bush, Douglas Freels and David Frable

Murdock, Amy J.
Negative vote adamantly stated. The Code should not specify a "concentrated" business use occupant load factor; there are just too many different configurations of office space. The code already has provisions for how to increase the office area occupant load beyond 100 square feet per person. Section 7.3.1.3.1 clearly states that the occupant load in ANY building or portion thereof can be increased beyond that established for the given use in accordance with Section 7.3.1.2 provided all other requirements of the code are also met; ie make sure that adequate exit capacity is provided, remoteness of exits is appropriate, number of exits is appropriate etc. In no way should this Code provide an occupant load factor for a "concentrated" business use. Any "concentrated" business occupancies would have to comply with Section 7.3.1.2 regardless. In my opinion, there is no substantiation for the 50 factor suggested. In fact one report specifically indicated call centers at 84 square feet per person; not even close to 50. Even further, the July 2013 Fire Protection Research Foundation report given to the committee had 55 as the lowest "concentrated"; and only one instance of that, one in 55 types. Some committee members stated that they wanted the lower occupant load factors so that if an office tenant in a high-rise building wanted to put meeting rooms, then the overall building's egress system should still work using 50 square feet per person. This reasoning ignores the requirements outlined in Section 7.3.1.2 and should not be considered as the reasoning for altering the office occupant load factor. If meeting rooms, auditoriums, conference centers, cafeterias are in an office building on a particular floor the occupant load is required to be properly calculated to accommodate such. This proposed code change should not occur.
Motion Seq # 101-1: Joshua Elvove, Aurora, CO and Dave Frable, US General Services Administration

**Multiple Notices of a Single Motion:** Reject an Identifiable Part of Second Correlating Revision No. 4, thereby recommending First Draft text. The Identifiable Part is the text as shown.

### Recommended Text if Motion Passes:

<table>
<thead>
<tr>
<th>Use</th>
<th>((\text{ft}^2/\text{person})^a)</th>
<th>((\text{m}^2/\text{person})^a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Use (other than below)</td>
<td>100 (100)</td>
<td>9.3 (9.3)</td>
</tr>
<tr>
<td>Concentrated Business Use</td>
<td>50</td>
<td>4.6</td>
</tr>
<tr>
<td>Air traffic control tower observation levels</td>
<td>40</td>
<td>3.7</td>
</tr>
</tbody>
</table>

### Recommended Text if Motion Fails:

<table>
<thead>
<tr>
<th>Use</th>
<th>((\text{ft}^2/\text{person})^a)</th>
<th>((\text{m}^2/\text{person})^a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assembly Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Use (other than below)</td>
<td>100</td>
<td>9.3</td>
</tr>
<tr>
<td>Concentrated Business Use</td>
<td>50</td>
<td>4.6</td>
</tr>
<tr>
<td>Air traffic control tower observation levels</td>
<td>40</td>
<td>3.7</td>
</tr>
</tbody>
</table>
for the Safety of Life is presented for adoption and can be found in the first draft report and second draft report for the 2014 annual meeting revision cycle. These reports consist of revisions NFPA 101 Life Safety Code were submitted to letter ballot. The ballot results can be found on the next edition tab of document information page at www.nfpa.org\101 next.

The presiding officer will now proceed with the certified amending motions.

PRESIDING OFFICER: Thank you, Mr. Koffel. Let's now proceed with the discussions on Certified Amending Motion NFPA 101.

Microphone 5, please.

SPEAKER: Dave Frable representing the US General Services Administration. I'll be moving Motion 101-1 to reject an identifiable part of Second Correlating Revision No. 4, thereby recommending support for the first draft text.

PRESIDING OFFICER: The motion on the floor is to reject an identifiable part of Second Correlating Revision No. 4, thereby recommending first draft text. The identifiable part is the text as shown.

Do we have a second?
UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: We have a second.

Please proceed.

SPEAKER: Dave Frable, US General Services Administration, I will be speaking in support of Motion 101.

First, I would like to provide you with some background information. During the first draft meeting, the Technical Committee revised the outcome of the factor for general business use from a hundred square feet per person to 150 square feet per person. In addition, the Committee also created a outcome of the factor for 50 square feet per person for concentrated business use.

The rationale for increasing the occupant load factors for general business use was based on several research studies that have concluded that a hundred square foot per person occupant factor for general business use was very conservative, which is related to office buildings in general, to have an additional egress capacity and greater number access to combat the overestimated building population.

It should be noted that the current occupant load factor of a hundred square feet per
person first appeared in the 1934 building exit code. At the time, the occupant load factor of a hundred square feet per person was specified for office, factory, and workrooms.

However, over the years, several other research studies have been conducted to determine occupancy load factors for various occupancies. One common similarity of each of those studies was that all subsequent studies have concluded that the hundred square foot per person occupancy load for general business use is conservative.

Studies conducted between 1996 and 1990 -- 1992 have indicated occupancy load factors in general business use range from 150 square feet per person up to 278 square feet per person.

Recently, in an effort to provide a more update look at this issue, a project in 2012 was undertaken by NFPA Fire Protection Research Foundation to study the appropriateness of a hundred square feet per person for business occupancy use. Two studies were conducted. One by WPI in Boston and another by the University of Canterbury -- Cantabria in Spain.

It is our opinion that both these recent studies concluded it would be reasonable to
increase the value of the existing occupancy to 150 square feet.

It should be pointed out that no public comments were submitted in advance of the second draft. However, during the second draft, the technical committee reversed their position to revise the occupant load factor for general business use back to a hundred square feet per person. The Technical Committee came to the conclusion that all recent studies were inconclusive. However, they state -- still maintain that concentrated business use of unoccupied load factor of 50.

6 out 25 technical committee members voted, including the chair of the committee. Please understand that the role of the chair today, during these proceedings, is to defend the position of the Technical Committee and not his personal opinion.

It is worth noting that the WPI study also concluded that the occupant load factor 150 square feet per person is justified. In conclusion, we believe that all the studies have concluded it would be reasonable to increase the occupant load factor from 100 to 150 square feet per person for...
general business use.

PRESIDING OFFICER: Please wind up your remarks, sir.

SPEAKER: Therefore, we encourage the NFPA membership to accept Motion 101-1.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Koffel.

COMMITTEE CHAIR: Thank you, Mr. Chair.

During the first draft revision, responsible Technical Committee made a change that appeared in Chapters 38 and 39 relative to the occupant load factor; and the Correlating Committee took action to move that change into Chapter 7 into the tables, since that's where those provisions should rest. And while they're in Chapter 7, we recognize that the expertise rests with the Mercantile and Business Occupancies Committee, and at this time, I would ask that you recognize the chair of the Technical Committee on Mercantile and Business Occupancies, Mr. Ken Bush on Mic 2, to address the issue.

PRESIDING OFFICER: Microphone 2, go ahead.

SPEAKER: Thank you, Mr. Chair.
My name is Ken Bush. I'm here to speak against the motion as the chair of the NFPA 101 Technical Committee on Mercantile and Business Occupancies.

The 150 square foot occupant load factor presented in the first draft was based upon information and studies that were later viewed as the outdated and limited in scope and digital collection sources that were also outdated. These studies provided inconclusive results. Following the review of later studies, including the one referenced that was approved by the -- or supervised by the NFPA Research Foundation, Technical Committee noted that the actual occupancy load factor of business occupancies more closely resembled the 100 square foot per person figure. There was repeated as part of the second draft under the Code.

The value of 100 square foot per person has been used in the Code for many years and have been verified by the latest available data that was reviewed by the committee. The original data did not support a change to a less dense occupant load for common business use areas. And annex load have been developed by the Committee to further address...
the value on conscious business use for occupancy loads. In addition, the Technical Committee reviewed a variety of building usage that were considered as business occupancies. Such may include certain types of educational uses, public areas which may be subject to more concentrated yet variable occupant load and weighing areas and other public spaces such as are post offices and other government buildings and public services such as barbara shops and beauty salons. The occupant load of these spaces could readily be subject to a more concentrated condition than recognized for business office spaces.

Thank you.

PRESIDING OFFICER: Thank you, gentlemen. With that, we'll open up the debate. Please provide your name and affiliation and whether you're speaking in support of or against the motion.

Microphone 5.

SPEAKER: Dave Frable, US General Service Administration.

Based on the two reports, one from WPI and the other, Canterbury, University of Cantabria, Spain --
PRESIDING OFFICER: I'm sorry, Mr. Frable. Would you say for or against?

SPEAKER: Dave Fable, GSA, in support of the motion.

Both studies, like I've stated previously in the concluding remarks, state that the occupant load factor for a hundred -- revising it to 150 square foot per person for general business use was reasonable. It also concluded that for concentrated use, the current hundred square foot per person occupant load factor is more -- is justified for concentrated use.

The 50 square foot per person that the committee basically came up with, was not based on, to my knowledge, based on any research data. The hundred square foot -- 150 square foot per person, as I've stated previously, has been justified and substantiated throughout numerous studies over the years.

I urge the membership to support Motion 101-1 on this issue. Thank you.

PRESIDING OFFICER: Is there any further discussion?

Microphone No. 5.

SPEAKER: Hi. Josh Oliver. I'm
representing myself and speaking in favor of the motion. I'm just going to paraphrase something from the Committee's vote to change it to -- from back from 150 to 100. It says common business use areas and business occupancies have shown the report data indicates the actual occupant load most closely resembles 100-square foot per person. That's what Mr. Bush had indicated that the report that we're referencing -- that's the "Contogry" indicates 100. If you read from the "Contogry" report, which is the most-recent report, it says otherwise. It says the values indicate that for less concentrated areas, the 9.33-meter square foot person -- the 9.33-meter square foot per person converts to 100 -- feet per person is a conservative value for the occupant load. So it's actually saying opposite of what I just heard the Committee say. So I'm hearing you conflict on what the report says and what the Committee has said; so I think we need some clarification there.

And it goes further to say, however, for concentrated area, the occupant load is close to the NFPA value. However, it's a little higher. And I find that ironic. The report actually substantiating that a concentrated use is closer to
the 100, though I recognize there are many areas where it's less than 100.

So I'm having a challenge -- I'm having difficulties dissecting what the Committee is saying this is what the report says.

Thank you.

PRESIDING OFFICER: Thank you. Is there any further discussion on Motion 101-1?

Microphone 5.

SPEAKER: Josh Allen, I'm representing myself. Just another anecdotal --

PRESIDING OFFICER: And you are speaking in favor or speaking --

SPEAKER: I'm speaking in favor of the motion. Thank you.

Just one more anecdotal information. The Correlating Committee, as Mr. Koffel has indicated, this falls under the jurisdiction -- this is Mercantile, which it should.

But I think this body needs to know that this proposal, initially during first draft, was submitted to Means of Egress. And Means of Egress did actually act on this, and their action, which of course, has been superceded by the action we're discussing. But for information only, the Means of
Egress Committee did actually accept this at first revision to 150 and left -- for the concentrated use, they left 100.  

Thank you.  

PRESIDING OFFICER:  Thank you.  

Any further discussion on Motion 101-1?  

This is to reject identifiable part of Second Correlating Revision No. 4, thereby recommending the first draft text.  

Mr. Koffel, any final words?  

COMMITTEE CHAIR:  Nothing further.  

PRESIDING OFFICER:  All right.  Thank you, Mr. Chair.  

Again, before we vote, let me restate the motion.  

The motion on the floor is to reject an identifiable part of Second Correlating Revision No. 4, thereby recommending first draft text.  If you wish to vote in favor of the motion and recommended text on screen one, press one.  

If you wish to vote against the motion and recommend the text on screen two, press two.  Now, please record your votes at this time.  

Five seconds.  Balloting is closed.  The results of the vote are 89 in favor, 160 against.
The motion fails.
July 30, 2014

Ms. Dawn Bellis  
Secretary, Standards Council  
National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Subject: Formal Appeal of NFPA 101: Request Deletion of “Concentrated Business Use” in Table 7.3.1.2, Occupant Factors

Dear Dawn:

In accordance with Section 1-6 of the NFPA Regulations Governing Committee Projects (Regulations), please accept this letter as a formal appeal to the NFPA Standards Council. The following information is provided as prescribed in Section 1.6.3 of the Regulations:

1. **Name, affiliation and address of the appellant:**  
   David W. Frable  
   Representing the United States General Services Administration  
   665 Green Meadow Lane  
   Geneva, Illinois, 60134

2. **Statement identifying the particular action to which the appeal relates:**  
The United States General Services Administration is hereby appealing the actions of the membership at the NFPA Annual Meeting, which accepted NFPA 101. This action by the membership resulted in the acceptance of a subset category underneath the Business Use category entitled “Concentrated Business Use” in Table 7.3.1.2, Occupant Load Factors.

3. **Argument setting forth the grounds for appeal:**  
Please see Attachment 1 to this letter.

4. **Statement of the precise relief requested:**  
The United States General Services Administration requests that the Standards Council return an identifiable part (i.e. Concentrated Business Use) in Table 7.3.1.2, Occupant Load Factors. Our sole intent is that the revisions made to Table 7.3.1.2, that created the new subset category underneath the Business Use category entitled “Concentrated Business Use” in Table 7.3.1.2 not be included in the 2015 edition of NFPA 101. The final outcome would result in the Business Use category in Table 7.3.1.2 would remain as currently stated in the 2012 edition of NFPA 101.
Please note that the revisions to Table 7.3.1.2 were a result of the following committee actions:

First Revision Draft #7000, #7001
Second Revision/Committee Comment #235
Second Revision/Committee Comment #237

Thank you for placing this matter on the Standards Council's August meeting agenda. Due to the complexity of this appeal, please inform the Standards Council that should they not rule in favor of this appeal, a tentative interim amendment will be submitted to address the “retroactive” concerns stated in the attachment for existing business occupancies in NFPA 101, paragraph 39.1.7,

Sincerely,

Signature on File

David W. Frable
United States General Services Administration
Although the revisions made to Table 7.3.1.2, Occupant Load Factors that created a new subset category underneath the Business Use category entitled “Concentrated Business Use” in Table 7.3.1.2 was accepted by the NFPA membership at the recent annual meeting in Las Vegas, NV, the U.S. General Services Administration believes this result does not coincide with other quality documents published by NFPA that are based on sound technical documentation. We believe that revising Table 7.3.1.2 by adding a new concentrated business use category in NFPA 101, 2015 edition would be inappropriate based on procedural violations as well as the lack of sound technical documentation.

It should be pointed out that during the first revision draft, the Technical Committee on Means of Egress reviewed the Worcester Polytechnic Institute (WPI) study and concluded that the overall results of the WPI study supported an increase to the occupant load factor for general business use from 100ft²/person to 150ft²/person. In their same deliberation, the Technical Committee on Means of Egress felt the study did not present any information to substantiate a change to the occupant load factor for concentrated use areas to anything less than 100ft²/person.

However, as a result of the new NFPA process, the NFPA Correlating Committee decided that this issue fell under the purview of the Technical Committee on Business and Mercantile who acted differently. At their first draft meeting, the Technical Committee on Business and Mercantile concluded that the WPI study did justify an increase to the occupant load factor for general business use to 150ft²/person. At the same meeting, the Technical Committee on Business and Mercantile disagreed with the findings of the Technical Committee on Means of Egress and created a reduced occupant load factor for concentrated business use areas of 50ft²/person. Hence, there are two differences of opinions between two technical committees regarding this subject matter. Then at the second draft meeting, without public comment, the Technical Committee on Business and Mercantile unilaterally reversed itself and changed the occupant load factor for general business use back to 100ft²/person. It seems inappropriate, that the public does not have an opportunity to comment on the second draft report prior to the Technical meeting.

It also should be pointed out that the actions taking by the Technical Committee on Business and Mercantile contradict the recommendations in the WPI study where they state that a new category of concentrated business use should be introduced into the Code with an occupant load factor of 100ft²/person. In Annex material they also recommended that it be noted that smaller occupant load factors might be more appropriate for concentrated business use areas.
depending upon the size of work space anticipated, i.e. workstations as small as of 25ft²/person are available.

In addition, the actions taking by the Technical Committee on Business and Mercantile also contradict the conclusions in another study by students at the University of Cantabria in Spain, which reports that concentrated business use areas are close to the current NFPA values of 100ft²/person.

Also, during testimony, the Chair, of the Technical Committee on Business and Mercantile stated that during the second revision draft “the Technical Committee reviewed a variety of building usage that were considered as business occupancies. Such may include certain types of educational uses, public areas which may be subject to more concentrated yet variable occupant load and weighing areas and other public spaces such as are post offices and other government buildings and public services such as barber shops and beauty salons. The occupant load of these spaces could readily be subject to a more concentrated condition than recognized for business office spaces.” However, to our knowledge, no research data and/or studies that was reviewed by the Technical Committee to substantiate and make this conclusion for this major code change was made available for review to members of the Technical Committee not in attendance at the second revision draft meeting nor was such research data and/or studies made available to the general public for review. Please note that the NFPA regulations governing the development of NFPA standards states that each NFPA Technical Committee must base their recommendations on either fire experience, research data, engineering fundamental, or other such information as may be available. It appears, the recommendations made by the Technical Committee on Business and Mercantile regarding this subject matter did not meet the intent of this regulation.

Please also note that 6 members of the Technical Committee on Business and Mercantile raised the concern of the lack of technical substantiation regarding the creation of a concentrated business use areas factor of 50ft²/person.

Another concern is that it appears the occupant load factors for concentrated business use areas will be a “retroactive” requirement for existing business occupancies in NFPA 101, paragraph 39.1.7, “The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.” To my knowledge, this was retroactive requirement was not addressed in any of the discussions or written substantiation of the Technical Committee on Business and Mercantile.
Based on the reasons stated above, and the negative ballots of Technical Committee members, the U.S. General Services Administration requests that the Standards Council return an identifiable part (i.e. *Concentrated Business Use*) in Table 7.3.1.2, Occupant Load Factors. Our sole intent is that the revisions made to Table 7.3.1.2, that created the new subset category underneath the Business Use category entitled "*Concentrated Business Use*" in Table 7.3.1.2 not be included in the 2015 edition of NFPA 101. The final outcome would result in the Business Use category in Table 7.3.1.2 would remain as currently stated in the 2012 edition of NFPA 101.
In Table 7.3.1.2:

1. Change the Business Use occupant load factor from 150 to 100 ft\(^2\)/person and from 13.9 to 9.3 m\(^2\)/person as it was in the 2012 edition.

2. In the grouping for Business Use, add a superscript f after the label Concentrated Business Use.

3. Also, retain Note f that reads “See A.7.3.1.2.” but move it to the end of the notes as it is currently incorrectly located within the paragraphs that are part of Note e.

Add to the end of current A.7.3.1.2 a new paragraph to read as follows:
The value for concentrated business use is intended to address business use spaces with a higher density of occupants than would normally be expected in a general business occupancy. Where furnishings and floor layouts are arranged to maximize the number of occupants in the space, the value for concentrated business use should be applied. Examples of concentrated business use areas are call centers, trading floors, and data processing centers.

Submitter Information Verification

Submitter Full Name: Ron Coté
Organization: National Fire Protection Assoc
Street Address: 
City: 
State: 
Zip: 
Submittal Date: Mon Oct 21 10:06:36 EDT 2013

Committee Statement

Committee Statement: When the occupant load factors were moved from the occupancy chapters into Table 7.3.1.2, it was agreed that the occupancy committees would retain jurisdiction over choice of occupant load factor. SAF-MER moved at the First Revision stage to change the occupant load factor for business occupancies from 100 to 150 ft\(^2\)/person and develop an occupant load factor for concentrated business use. At the Second draft stage, SAF-MER acted to return the business use occupant load factor to 100 ft\(^2\)/person; retain the 50 ft\(^2\)/person factor for concentrated business use; and add advisory annex text to explain the subject of concentrated business use. Occupant load factors belong in Table 7.3.1.2 but SAF-MER does not have responsibility for Chapter 7, so it acted to place the factors in 38.1.7 and 39.1.7. A series of Second Correlating Revisions (SCR) place the material in Table 7.3.1.2 and delete it from 38.1.7, 39.1.7, A.38.1.7 and A.39.1.7. The changes being made in 38.1.7, 39.1.7, A.38.1.7 and A.39.1.7 have the effect of changing Second Revisions SR-235, SR-237, SR-241 and SR-242 to Committee Comments.

Ballot Results

This item has passed ballot

12 Eligible Voters
0 Not Returned
12 Affirmative All
0 Affirmative with Comments
0  Negative with Comments
0  Abstention

**Affirmative All**
- Collins, David S.
- Holmes, Wayne D.
- Hopper, Howard
- Isman, Kenneth E.
- Kalie, Jr., J. Edmund
- Koffel, William E.
- McCall, George H.
- Papier, Isaac I.
- Pauls, Jake
- Quiter, James R.
- Reynolds, Ronald C.
- Rosenbaum, Eric R.
### 38.1.7 Occupant Load.

The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

- **38.1.7.1**
  
  The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

- **38.1.7.2**
  
  The occupant load factor for business use shall be 150 ft\(^2\) per person.

- **38.1.7.3**
  
  The occupant load factor for concentrated business use shall be 50 ft\(^2\) per person.

---

**Submitter Information Verification**

- **Submitter Full Name:** Ron Coté
- **Organization:** National Fire Protection Assoc
- **Street Address:**
- **City:**
- **State:**
- **Zip:**
- **Submittal Date:** Wed Oct 23 13:33:23 EDT 2013

**Committee Statement**

*Committee Statement:* When the occupant load factors were moved from the occupancy chapters into Table 7.3.1.2, it was agreed that the occupancy committees would retain jurisdiction over choice of occupant load factor. SAF-MER moved at the First Revision stage to change the occupant load factor for business occupancies from 100 to 150 ft\(^2\)/person and develop an occupant load factor for concentrated business use. At the Second draft stage, SAF-MER acted to return the business use occupant load factor to 100 ft\(^2\)/person; retain the 50 ft\(^2\)/person factor for concentrated business use; and add advisory annex text to explain the subject of concentrated business use. Occupant load factors belong in Table 7.3.1.2 but SAF-MER does not have responsibility for Chapter 7, so it acted to place the factors in 38.1.7 and 39.1.7. A series of Second Correlating Revisions (SCR) place the material in Table 7.3.1.2 and delete it from 38.1.7, 39.1.7, A.38.1.7 and A.39.1.7. The changes being made in 38.1.7, 39.1.7, A.38.1.7 and A.39.1.7 have the effect of changing Second Revisions SR-235, SR-237, SR-241 and SR-242 to Committee Comments.

**Second Revision No. 235-NFPA 101-2013 [Section No. 38.1.7]**

**Ballot Results**

- **This item has passed ballot**

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**National Fire Protection Association Report**

http://submittals.nfpa.org/TerraViewWeb/ContentFetcher?commentPara...
<table>
<thead>
<tr>
<th>Eligible Voters</th>
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<td>Not Returned</td>
<td>0</td>
</tr>
<tr>
<td>Affirmative All</td>
<td>12</td>
</tr>
<tr>
<td>Affirmative with Comments</td>
<td>0</td>
</tr>
<tr>
<td>Negative with Comments</td>
<td>0</td>
</tr>
<tr>
<td>Abstention</td>
<td>0</td>
</tr>
</tbody>
</table>

**Affirmative All**
- Collins, David S.
- Holmes, Wayne D.
- Hopper, Howard
- Isman, Kenneth E.
- Kalie, Jr., J. Edmund
- Koffel, William E.
- McCall, George H.
- Papier, Isaac I.
- Pauls, Jake
- Quiter, James R.
- Reynolds, Ronald C.
- Rosenbaum, Eric R.
38.1.7 Occupant Load.

38.1.7.1 The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

38.1.7.2 The occupant load factor for business use shall be 150 ft² (9.3 m²) per person.

38.1.7.3 The occupant load factor for concentrated business use shall be 50 ft² (4.6 m²) per person.

Submitter Information Verification

Submitter Full Name: Kristin Bigda
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Tue Jul 02 14:06:16 EDT 2013
Committee Statement: The data presented in the new reports provided to the committee is inconclusive. Common business use areas and business occupancies as shown the report data indicate the actual occupant load most closely resembles 100 sq. ft. per person. This value of 100 sq. ft. per person has been used in the code for many years and has been verified by the data collected for the committee. Additional data that was reviewed by the committees is outdated and does not support a change to a less dense occupant load for common business use areas. An annex note has been developed by the committee to further address the value for concentrated business use occupant load. It should be noted that during the First Draft meeting, the committee changed the code to provide a value of 150 sq. ft. per person for general business use and 50 sq. ft. per person for concentrated business use. This language was placed in Chapter 38/39 and was moved to Table 7.3.1.2 by the Correlating Committee as requested. The revision to Chapter 38/39 was changed to a Committee Input and should not have been shown in the First Draft in Chapter 38/39, rather it should have appeared only in the Committee Input Report. Note to CC: Please move proposed body and associated annex text to Chapter 7 if accepted.

Response Message:
39.1.7 Occupant Load.

The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

39.1.7.1

The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

39.1.7.2

The occupant load factor for business use shall be 150 ft$^2$ per person.

39.1.7.3

The occupant load factor for concentrated business use shall be 50 ft$^2$ per person.

Submitter Information Verification

Submitter Full Name: Ron Coté
Organization: National Fire Protection Assoc
Street Address:
City:
State:
Zip:
Submittal Date: Wed Oct 23 13:28:37 EDT 2013

Committee Statement

Committee Statement: When the occupant load factors were moved from the occupancy chapters into Table 7.3.1.2, it was agreed that the occupancy committees would retain jurisdiction over choice of occupant load factor. SAF-MER moved at the first revision stage to change the occupant load factor for business occupancies from 100 to 150 ft$^2$/person and develop an occupant load factor for concentrated business use. At the second draft stage, SAF-MER acted to return the business use occupant load factor to 100 ft$^2$/person; retain the 50 ft$^2$/person factor for concentrated business use; and add advisory annex text to explain the subject of concentrated business use. Occupant load factors belong in Table 7.3.1.2 but SAF-MER does not have responsibility for Chapter 7, so it acted to place the factors in 38.1.7 and 39.1.7. A series of Second Correlating Revisions (SCR) place the material in Table 7.3.1.2 and delete it from 38.1.7, 39.1.7, A.38.1.7 and A.39.1.7. The changes being made in 38.1.7, 39.1.7, A.38.1.7 and A.39.1.7 have the effect of changing Second Revisions SR-235, SR-237, SR-241 and SR-242 to Committee Comments.

Second Revision No. 237-NFPA 101-2013 [Section No. 39.1.7]

Ballot Results

This item has passed ballot

Page 74 of 82
12 Eligible Voters
  0 Not Returned
12 Affirmative All
  0 Affirmative with Comments
  0 Negative with Comments
  0 Abstention

**Affirmative All**
- Collins, David S.
- Holmes, Wayne D.
- Hopper, Howard
- Isman, Kenneth E.
- Kalie, Jr., J. Edmund
- Koffel, William E.
- McCall, George H.
- Papier, Isaac I.
- Pauls, Jake
- Quiter, James R.
- Reynolds, Ronald C.
- Rosenbaum, Eric R.
39.1.7 Occupant Load.

39.1.7.1 The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

39.1.7.2 The occupant load factor for business use shall be 150 100 ft² (9.3 m²) per person.

39.1.7.3 The occupant load factor for concentrated business use shall be 50 ft² (4.6 m²) per person.
Committee Statement: The data presented in the new reports provided to the committee is inconclusive. Common business use areas and business occupancies as shown the report data indicate the actual occupant load most closely resembles 100 sq. ft. per person. This value of 100 sq. ft. per person has been used in the code for many years and has been verified by the data collected for the committee. Additional data that was reviewed by the committees is outdated and does not support a change to a less dense occupant load for common business use areas. An annex note has been developed by the committee to further address the value for concentrated business use occupant load. It should be noted that during the First Draft meeting, the committee changed the code to provide a value of 150 sq. ft. per person for general business use and 50 sq. ft. per person for concentrated business use. This language was placed in Chapter 38/39 and was moved to Table 7.3.1.2 by the Correlating Committee as requested. The revision to Chapter 38/39 was changed to a Committee Input and should not have been shown in the First Draft in Chapter 38/39, rather it should have appeared only in the Committee Input Report. Note to CC: Please move proposed body and associated annex text to Chapter 7 if accepted.

Response Message:
101 FCR1
(Entire Document)

Submitter: Technical Correlating Committee Safety to Life
Recommendation: Globally replace the word “rubbish” with the word “waste”.
Statement: Various First Revisions make the change only in certain locations within the Code. The word change needs to be made globally for consistency.

101 FCR7
(3.3.56 Deep-fat Frying)

Submitter: Technical Correlating Committee Safety to Life
Recommendation: 3.3.56 Deep-fat Frying. A cooking method that involves fully immersing food in hot oil.
Statement: The new definition is needed for clarification of provisions of Chapter 18 and 19 on kitchens permitted to be open to corridors. The SAF-HEA committee does not have jurisdiction over Chapter 3 and could not insert the definition itself.

101 FCR4
(3.263.1 Aisle Stair)

Submitter: Technical Correlating Committee Safety to Life
Recommendation: 3.263.1 Aisle Stair. A stair within a seating area of an assembly occupancy that directly serves rows of seating to the side of the stair, including transition stairs that connect to an aisle or a landing.
Statement: The revised definition is consistent with related changes made by SAF-AXM in Chapter 12 and 13. The SAF-AXM committee does not have jurisdiction over Chapter 3 and could not revise the definition itself.

101 FCR2
(7.2.1.3.1)

Submitter: Technical Correlating Committee Safety to Life
Recommendation: 7.2.1.3.1 The elevation of the floor surfaces on both sides of a door opening shall not vary by more than ½ in. (13 mm), unless otherwise permitted by 7.2.1.3.5 or 7.2.1.3.6, 7.2.1.3.6, or 7.2.1.3.7.
Statement: The new provision of 7.2.1.3.7, being added by FR223 (FileMaker) / FR45 (Terra), needs to be recognized in the list of exemptions permitted by 7.2.1.3.1 as noted in the ballot comment from Bonisch.

101 FCR3
(Table 7.3.1.2)

Submitter: Technical Correlating Committee Safety to Life
Recommendation: Table 7.3.1.2
Business Use (other than below)
Concentrated business Use
Statement: The revision to Table 7.3.1.2 reflects the values established by the SAF-MER technical committee which has primary responsibility for occupant load factors related to business uses.
Submitter: Technical Committee Mercantile and Business Occupancies

Recommendation: Revise text to read as follows:

38.1.7 Occupant Load.

38.1.7.1 The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

38.1.7.2 The occupant load factor for business use shall be 150 ft$^2$ per person.

38.1.7.3 The occupant load factor for concentrated business use shall be 50 ft$^2$ per person.

Statement: Action was taken by the Means of Egress Technical Committee to change the occupant load factor for business use areas based upon research conducted and presented in a published report by the Fire Protection Research Foundation. However, the FPRF report does not adequately justify that the 100 sq. ft per person factor, as proposed by the Means of Egress Committee is the correct factor for concentrated use business spaces. The report indicates that 50 sq. ft per person more appropriately reflects the concentrated business use areas. The committee is not in agreement that the 100 occupant load factor represents the concept of concentrated use areas and that a different value for this factor should be used.

Note to CC: Proposed text should be moved to Chapter 7 if accepted.

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Submitter: Technical Committee Mercantile and Business Occupancies

Recommendation: Revise text to read as follows:

38.2.1.2 If, owing to differences in grade the finished ground level, any street floor exits are located at points above or below the street or the finished ground level, such exits shall comply with the provisions for exits from upper floors or floors below the street floor.

Statement: The term "finished ground level" is the appropriate term used in the Code. The definition of "grade" in Chapter 3 refers users to the definition of "finished ground level". Change correlates with the language currently in NFPA 5000.

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Submitter: Technical Committee Mercantile and Business Occupancies

Recommendation: Revise text to read as follows:

38.2.1.3 Stairs and ramps serving two or more floors below a street floor occupied for business use shall be permitted in accordance with Multiple floors shall comply with 38.2.1.3.1 and 38.2.1.3.2.

38.2.1.3.1 Where two or more floors below the street floor are occupied for business use, the same stairs or ramps shall be permitted to serve each floor.

38.2.1.3.2 An inside open stairway or inside open ramp shall be permitted to serve as a required egress facility a component of the required means of egress system from not more than one floor level below the street floor.

Statement: Current language exists in NFPA 5000 and should be added here for correlation. The proposed changes make the section more readable and clear.
Submitter: Technical Committee Mercantile and Business Occupancies
Recommendation: Add new section to read as follows:

39.1.3.3 Atrium walls in accordance with 6.1.14.4.6 shall be permitted to serve as part of the separation required by 6.1.14.4.1 for creating separated occupancies on a story-by-story basis from non-hazardous spaces in assembly, educational, day care, health care, ambulatory health care, residential, residential board and care occupancies, and mercantile occupancies other than bulk merchandise buildings.

Statement: Correlative text to address new Section 6.1.14.4.6. The provision is limited to separation from those occupancies that present an acceptable level of risk and hazard.

Submitter: Technical Committee Mercantile and Business Occupancies
Recommendation: Revise text to read as follows:

39.1.7 The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

39.1.7.1 The occupant load factor for business use shall be 150 ft$^2$ per person.

39.1.7.2 The occupant load factor for concentrated business use shall be 50 ft$^2$ per person.

Statement: Action was taken by the Means of Egress Technical Committee to change the occupant load factor for business use areas based upon research conducted and presented in a published report by the Fire Protection Research Foundation. However, the FPRF report does not adequately justify that the 100 sq. ft per person factor, as proposed by the Means of Egress Committee is the correct factor for concentrated use business spaces. The report indicates that 50 sq. ft. per person more appropriately reflects the concentrated business use areas. The committee is not in agreement that the 100 occupant load factor represents the concept of concentrated use areas and that a different value for this factor should be used.

Note to CC: Proposed text should be moved to Chapter 7 if accepted.

Submitter: Technical Committee Mercantile and Business Occupancies
Recommendation: Revise text to read as follows:

39.2.1.2 If, owing to differences in grade, the finished ground level, any street floor exits are located at points above or below the street or the finished ground level, such exits shall comply with the provisions for exits from upper floors or floors below the street floor.

Statement: The term "finished ground level" is the appropriate term used in the Code. The definition of "grade" in Chapter 3 refers users to the definition of "finished ground level". Change correlates with the language currently in NFPA 5000.
The current occupant load factor of 100 ft\(^2\) of floor area per person for business use spaces has remained unchanged in the code since the 1930's. A study facilitated through the Fire Protection Research Foundation (FPRF) and conducted at Worcester Polytechnic Institute examined the appropriateness of the 100 ft\(^2\) load factor. The study, entitled Evaluating Occupant Load Factors for Business Operations, examined the following: historical basis of the load factor; changes in office space function, planning and layout since the load factor first appeared in the code; availability of furnishings for business use spaces; and trends in the use of business space. The study involved a literature search including the review of space planning guides and previous studies; and an on-line questionnaire of designers, building managers and real estate agents. While the response rate of the questionnaires was less than desired, the overall results of the study do support the changes as proposed. The study is available through the Fire Protection Research Foundation.

**Committee Statement:**

The change to Table 7.3.1.2, proposed by FR243 (FileMaker) / FR127 (Terra) by SAF-MEA, is being changed by the Correlating Committee to Committee Input (CI) because the change will instead be that proposed by SAF-MER which has primary responsibility for occupant load factors related to business uses.

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**First Revision Text:**

...  
Business Use (other than below) \(100\) \(150\) \(9.3\) \(14\)  
Concentrated business \(100\) \(9.3\)  
Air traffic control tower observation levels \(40\) \(3.7\)  
\(\ldots\)

\(^{1}\) See A.7.3.1.2.

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Editorially, reformat the table to present the **boldface** use categories alphabetically as follows:

Assembly Use  
Business Use (other than below)  
Day-Care Use  
Detention and Correctional Use  
Educational Use  
Industrial Use  
Mercantile Use  
Residential Use  
Storage Use
Statement: The current occupant load factor of 100 ft\(^2\) of floor area per person for business use spaces has remained unchanged in the code since the 1930's. A study facilitated through the Fire Protection Research Foundation (FPRF) and conducted at Worcester Polytechnic Institute examined the appropriateness of the 100 ft\(^2\) load factor. The study, entitled Evaluating Occupant Load Factors for Business Operations, examined the following: historical basis of the load factor; changes in office space function, planning and layout since the load factor first appeared in the code; availability of furnishings for business use spaces; and trends in the use of business space. The study involved a literature search including the review of space planning guides and previous studies; and a on-line questionnaire of designers, building managers and real estate agents. While the response rate of the questionnaires was less than desired, the overall results of the study do support the changes as proposed. The study is available through the Fire Protection Research Foundation.

Statement: The suggested wording change exists in NFPA 5000. The revised wording is easier to understand.
COMMENT ON APPEALS TO NFPA STANDARDS COUNCIL RE NFPA 101

The issue of occupant load factors for Business Occupancies has been debated by the MER TC for several code cycles. It is understood that the classification of Business Occupancy applies to a wide variety of tenants and uses, ranging from private business offices, to high volume call centers, to adult education facilities, to both publically and privately accessible service areas such as post offices, barber shops and beauty salons. It is difficult to assign a common occupant load factor for such a wide variety of administrative and service issues.

In an attempt to further clarify the occupant load issue, the MER TC added a new occupant load factor for “Concentrated Business Use” to the 2015 edition of NFPA 101 and NFPA 5000. The distinction of “concentrated business use” was technically left to the discretion of the code user or AHJ, and is intended to be applied in the same fashion as the Occupant Load Factors for Assembly Occupancies which have been stated in the Code for many years. It was also noted that the 100 sq ft. per person occupant load factor for Business Occupancies had been in use for many years and that this number warranted modification citing the changes in business practices and advances in technologies over time.

A public input was received to additionally change the overall occupant load factor for Business Occupancies in the latest edition of NFPA 101 and NFPA 5000 from 100 sq ft. per person to 150 sq ft. per person. In its deliberations, the MER TC requested further justification from several sources, including the NFPA Research Foundation, to clarify the actual floor space that was utilized for a variety of business purposes. It was noted that such information was very limited and somewhat dated. Nevertheless, the MER TC revised the First Draft of the Code to reflect the change in occupant load factor to 150 sq ft. per person, while also requesting further study on this issue. At the Second Draft of the Code, the MER TC revisited this issue and concluded that, following a further review of background material, including the results of the NFPA Research Foundation study, substantiation on this issue was inconclusive. It is for this reason, and with the consideration of the wide variety of application of business occupancies, that the general occupant load factor would be best set at the original 100 sq ft. per person.

It was my personal opinion, which was reflected in my Second Draft Ballot, that the change to 150 sq ft. was justified based upon the substantiation submitted on current business practices, and upon the addition of a higher occupant load factor which had been submitted for concentrated business use. In addition, I noted that the occupant load factor is intended to be used to establish a minimum number of persons for which other building construction and protection features are to be designed, and that the number of occupants could be increased based upon the actual intended use and occupancy of the area in question.

Although the ballot results were not unanimous, the MER TC voted in sufficient numbers to approve the change in occupant load factor from the First Draft of the Code to that stated in previous editions. I believe that the process was adequate and fair, and followed all of the established procedures for the Code adoption process and Association actions. Although the majority TC vote did not reflect my personal feelings on this issue, I thought it to be my responsibility as TC Chair to defend the actions of the TC at the Technical Session of the Association.

Because of my past involvement, I will seek to recues myself from deliberations by the Standards Council on this issue. If I can be of any assistance in addressing additional questions or providing further assistance on this matter, please do not hesitate to contact me.

Submitted by, Kenneth E. Bush, Chair NFPA 101/ 5000 MER TC

August 5, 2014
July 31, 2014

Ms, Dawn Bellis  
Secretary Standards Council  
National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA  02269

Subject: August 2014 Agenda Item 14-8-4c - Formal Appeal Certified Amending Motion 101-1

Dear Ms. Bellis

I am writing to support the appeal submitted by the General Services Administration and request that a portion of Table 7.3.1.2 pertaining to business occupancy occupant load factors be returned to the committee which in turn returns the identified text back to the language contained in the 2012 edition of NFPA 101 (i.e., eliminates the new occupant load category for concentrated use business occupancies and states that all business occupancy occupant load factors be 100 ft²/person).

I was one of the two proponents for CAM 101-1. Though CAM 101-1 moved a different motion, I believe the testimony given by the Chair of the Business and Mercantile Occupancy Committee on behalf of the Committee was misleading and thus swayed the membership to reject CAM 101-1. The Chair quoted a report from the Fire Protection Research Foundation as justification for keeping the occupant load for non-concentrated business use areas at 100ft²/person and at the same time, justifying the change to 50 ft²/person for concentrated use areas. However, the report (conducted by the GIDAI Group of the University of Cantabria) concludes otherwise on both counts. When I raised this during the testimony, there was no response from the Chair or anyone in the audience to counter my point. Thus, to the public, it clearly came down to the Chair’s testimony on behalf of the Committee versus mine.

The Chair, who sits on the Standards Council (and has recused himself from voting on this issue), has submitted a comment on this appeal indicating the “substantiation on this issue” (based upon the NFPA Research Foundation study) “was inconclusive.” However, the University of Cantabria report states that the occupant load of 11.8 m²/person (126.96 ft²/person) for the “concentrated area” is close to the existing NFPA value of 100 ft²/person if not higher and the 9.33 m²/person (100 ft²/person) value is “clearly too restrictive for ‘non concentrated areas’”.

In no way, should NFPA publish a new requirement that is unsubstantiated or worse - wrong. Though I still advocate for the higher (150 ft²/person) occupant load for non-concentrated business use areas and believe NFPA holds clear substantiation to support this (including the Chair’s support on this issue), I would rather see text in the document stay as is for both categories, than see a new requirement that is not technically supported (and which could potentially change again next cycle) and based upon misinformation. Finally, if the report is truly deemed “inconclusive”, how can this be grounds for creating a new category for concentrated business use and establishing 50 ft²/person as the occupant load factor?

Thank you for your consideration.

Sincerely,

Joshua W. Elvove, PE, CSP
August 1, 2014

Ms. Dawn Bellis  
Secretary, Standards Council  
National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269  
dbellis@nfpa.org

Subject: Support for US General Services Administration Formal Appeal of NFPA 101: Request Deletion of “Concentrated Business Use” in Table 7.3.1.2, Occupant Factors

Dear Ms. Bellis:

We write in support of the US General Services Administration appeal of the subject revision to the 2015 revision to NFPA 101 and recommend that it be held over until the 2018 NFPA 101 revision cycle. Our reasons are as follows:

1. Disagreement between the Means of Egress Committee and the Business & Mercantile Use Committee on the same technical report prepared by the Worcester Polytechnic Institute.
2. Significant concept transparency problems associated with the transition to the new NFPA proposal and comment processing software.
3. The retroactivity clause in the proposed concentrated business use requirement in Section 39.1.7 and related section 7.3.1.2

The University of Michigan has been actively involved in the development of NFPA Standards since 1997. It leads the US education facilities industry in asserting the interests of user-owner stakeholders in this industry in ANSI standards development processes. Within the purview of this experience -- and the prospect that this requirement may affect safety and sustainability goals at the University of Michigan, and with no knowledge of an imminent national security reason for the new concentrated business use concept to track in the 2015 NFPA 101 revision -- we believe that the NFPA Standards Council would be wise to grant the US General Services its request (submitted separately by Dave Frable, GSA Chicago); thereby advancing a more transparent discussion into the 2018 NFPA 101 revision cycle which start in less than a year.

Very truly yours,

Michael A. Anthony, P.E.
Senior Manager National Infrastructure Standards Strategy.

Cc: Richard Robben, Executive Director, Plant Operations | Dave Frable, Fire Protection Engineer, US General Services Administration
Ms. Dawn Bellis  
Secretary, Standards Council  
National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Subject: Formal Appeal of NFPA 101 - Certified Amending Motion 101-1

Dear Dawn:

In accordance with Section 1.6.4 of the NFPA Regulations Governing Committee Projects (Regulations), please accept this letter as a formal opposition of Preliminary Hearing / Appeals Schedule Tuesday, August 12, 2014 Item number 3, which is an appeal to the NFPA Standards Council regarding the disposition of NFPA 101, Life Safety Code, Certified Amending Motion (CAM) 101-1 [Second Revision No. 235 (revisions to Table 7.3.1.2)]. The following information is provided as prescribed in Section 1.6.4 of the Regulations:

a) Name, affiliation and address of the appellant:

   Nicholas A. Dawe  
   Representing the Cobb County Fire Marshal’s Office  
   1595 County Services Parkway  
   Marietta, Georgia, 30008  
   NFPA 101 – Business and Mercantile Technical Committee Member

b) Statement identifying the appeal to which submission relates and stating whether the submitter supports or opposes the appeal:

   I support the membership vote on June 12, 2014 and I hereby object to Mr. Frable’s formal appeal to the Standards Council regarding the actions of the membership at the NFPA Annual Meeting, which accepted NFPA 101, Second Revision No. 235 (revisions to Table 7.3.1.2).
c) Argument setting forth the grounds for opposing or supporting the appeal:

Mr. Frable’s formal appeal did not provide the any technical substantiation for an appeal in accordance with 1.6.3 (3), as a result no so specific opposition can be stated. But in general the business occupant load factor issue was made in the first draft and second draft Technical Committee meetings, and this issue was also argued on the floor at June 12 technical session. This issue legitimately followed the NFPA process and I respectfully request you uphold the membership vote.

d) Statement of the precise relief requested:

I request that the Standards Council support the action of the Technical Committee as well as Membership and decline Mr. Frable’s appeal.

Thanks,

Nicholas A Dawe

Cobb County Fire & Emergency Services
July 01, 2014

Ms. Dawn Bellis
Secretary, Standards Council
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02269

Subject: Formal Appeal of NFPA 101 – Certified Amending Motion 101-2

Dear Dawn:

In accordance with Section 1-6 of the NFPA Regulations Governing Committee Projects (Regulations), please accept this letter as a formal appeal to the NFPA Standards Council regarding the disposition of NFPA 101, Life Safety Code, Certified Amending Motion (CAM) 101-2 (to reject Second Revision No’s. 20, 22, 23, & 24). The following information is provided as prescribed in Section 1-6.3 of the Regulations:

1. **Name, affiliation and address of the appellant:**
   
   David W. Frable
   
   Representing the United States General Services Administration
   
   665 Green Meadow Lane
   
   Geneva, Illinois, 60134

2. **Statement identifying the particular action to which the appeal relates:**

   I am hereby appealing the actions of the membership at the NFPA Annual Meeting, which rejected NFPA 101 CAM 101-2 (to reject Second Revision No’s. 20, 22, 23, & 24).

3. **Argument setting forth the grounds for appeal:**

   Since the transcripts of the technical session on June 12, 2014 have yet to be posted on the NFPA website, the argument setting forth the grounds for appeal will be submitted to NFPA at a later date prior to the NFPA Standards Council meeting.

4. **Statement of the precise relief requested:**

   I request that the Standards Council change the final action on NFPA 101, CAM-102 (to reject Second Revision No’s. 20, 22, 23, & 24) to ACCEPT. My sole intent is that Second Revision No’s. 20, 22, 23, & 24 and corresponding new sections, annex material and references not be included in the 2015 edition of NFPA 101.

5. **Whether a hearing on the appeal is being requested:**

   I do not request a hearing before the NFPA Standards Council.
Thank you for placing this matter on the Standards Council’s August meeting agenda.

Sincerely,

David W. Frable
**Group Amending Motion:** Reject Second Revision No. 20 and any related portions of First Revisions, Reject Second Revision No. 22, No. 24 and No. 23, thereby deleting the new section, corresponding annex and references.

**Recommended Text if Motion Passes:**

11.8.8 Stairway Video Monitoring.

11.8.8.1 General.

11.8.8.1.1 For high-rise buildings having an occupant load of 4,000 or more persons, real-time remote monitoring of exit stair usage shall be provided in accordance with 11.8.8.2 through 11.8.8.4 and shall be displayed at the emergency command center.

11.8.8.1.2 Where the monitoring system is integrated with a security system, the security system shall be in accordance with NFPA 731, Standard for the Installation of Electronic Premises Security Systems.

11.8.8.1.3 Where the monitoring system includes video cameras also used for video image smoke detection, the portions of the system used for such detection shall be in accordance with NFPA 72, National Fire Alarm and Signaling Code.

11.8.8.2 Approved video monitoring equipment shall be provided at the exit stairs immediately adjacent to exit stairway discharge doors to capture discharge from, entry to, and passage through the discharge floor landing.

11.8.8.3 Approved video monitoring equipment shall be provided for exit stairs above the level of exit discharge, at building height intervals not exceeding 5 stories, so that descent and ascent flows on the stairways, at the floor entry landings, can be remotely monitored.

11.8.8.4 Approved video monitoring equipment shall be provided, at locations stipulated by the authority having jurisdiction, for exit stairs below the level of exit discharge where levels are normally occupied by the public.

A.11.8.8.1 With video systems, such as standard CCTV security systems typically installed in high-rise buildings, real-time images of occupants’ and emergency responders’ presence and movement (or lack thereof) in exits, especially at multiple locations of the same exit stairway, can provide critical information about current and developing conditions that should be taken into account in emergency management in accordance with the building’s Emergency Action Plan.

Having video cameras positioned to capture images of an exit stairway, including just prior to the discharge doorway from the exit, provides information on the number and flow (in persons per minute, for example) of the occupants, among other information, including access by responding fire fighters using stairs if elevators are not available. It is not essential that the camera views and image resolution be sufficient to identify specific individuals. Depending on the context (including security applications), such specific-person identification might be essential, desirable, undesirable or forbidden. For post-incident evaluation and analysis of egress performance, it is helpful to have image quality and camera angle such that the lateral and front-to-back positions of individuals, relative to the stair width, are clear.

For example, a high-rise building could have cameras at the ground level (assuming this is the level of exit discharge) and at every fifth floor above, and perhaps below grade, for each of the exit stairs. As well as providing a reasonable sampling of evacuee presence and movement within the exit stair system (information important for real-time situation awareness), a comparison of times at which particular individuals pass different cameras provides important data on evacuation movement speed and (indirectly) average occupant density, in addition to flow and number of evacuees overall.
### Group Amending Motion (Continued): Reject Second Revision No. 20 and any related portions of First Revisions, Reject Second Revision No. 22, No. 24 and No. 23, thereby deleting the new section, corresponding annex and references.

**Recommended Text if Motion Passes (Continued):**

When designing and installing a video monitoring system, and in conjunction with the authority having jurisdiction, the following items should be considered in the operation of the system:

1. Inspection, testing, and maintenance of equipment
2. Duration/hours of operation
3. Storage and retention of information
4. Activation of the system
5. Integration with the building’s emergency action plan

#### 11.8.5.2.4

The standby power system shall be connected to the following:

1. Electric fire pump
2. Jockey pump, except as otherwise provided in 40.4.2 for special-purpose industrial occupancies
3. Air compressor serving dry-pipe and pre-action systems, except as otherwise provided in 40.4.2 for special-purpose industrial occupancies
4. Emergency command center equipment and lighting
5. Not less than one elevator serving all floors, with standby power transferable to any elevator
6. Mechanical equipment for smokeproof enclosures
7. Mechanical equipment required to conform with the requirements of Section 9.3
8. Stairway video monitoring equipment as required by 11.8.8

#### 11.8.6.2

The emergency command center shall contain the following:

1. Voice fire alarm system panels and controls
2. Fire department two-way telephone communication service panels and controls where required by another section of this Code
3. Fire detection and fire alarm system annunciation panels
4. Elevator floor location and operation annunciators
5. Elevator fire recall switch in accordance with ASME A17.1/CSA B44, Safety Code for Elevators and Escalators
6. Elevator emergency power selector switch(es) where provided in accordance with ASME A17.1/CSA B44
7. Sprinkler valve and waterflow annunciators
8. Emergency generator status indicators
9. Controls for any automatic stairway door unlocking system
10. Fire pump status indicators
11. Telephone for fire department use with controlled access to the public telephone system
12. Stairway video monitoring equipment as required by 11.8.8
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### Group Amending Motion (Continued):
Reject Second Revision No. 20 and any related portions of First Revisions, Reject Second Revision No. 22, No. 24 and No. 23, thereby deleting the new section, corresponding annex and references.

### Recommended Text if Motion Fails (Continued):

When designing and installing a video monitoring system, and in conjunction with the authority having jurisdiction, the following items should be considered in the operation of the system:
1. Inspection, testing, and maintenance of equipment
2. Duration/hours of operation
3. Storage and retention of information
4. Activation of the system
5. Integration with the building’s emergency action plan

#### 11.8.5.2.4 The standby power system shall be connected to the following:
1. Electric fire pump
2. Jockey pump, except as otherwise provided in 40.4.2 for special-purpose industrial occupancies
3. Air compressor serving dry-pipe and pre-action systems, except as otherwise provided in 40.4.2 for special-purpose industrial occupancies
4. Emergency command center equipment and lighting
5. Not less than one elevator serving all floors, with standby power transferable to any elevator
6. Mechanical equipment for smokeproof enclosures
7. Mechanical equipment required to conform with the requirements of Section 9.3
8. Stairway video monitoring equipment as required by 11.8.8

#### 11.8.6.2 The emergency command center shall contain the following:
1. Voice fire alarm system panels and controls
2. Fire department two-way telephone communication service panels and controls where required by another section of this Code
3. Fire detection and fire alarm system annunciation panels
4. Elevator floor location and operation annunciators
5. Elevator fire recall switch in accordance with ASME A17.1/CSA B44, Safety Code for Elevators and Escalators
6. Elevator emergency power selector switch(es) where provided in accordance with ASME A17.1/CSA B44
7. Sprinkler valve and waterflow annunciators
8. Emergency generator status indicators
9. Controls for any automatic stairway door unlocking system
10. Fire pump status indicators
11. Telephone for fire department use with controlled access to the public telephone system
12. Stairway video monitoring equipment as required by 11.8.8
A.11.8.8.1
With video systems, such as standard CCTV security systems typically installed in high-rise buildings, real-time images of occupants' and emergency responders' presence and movement (or lack thereof) in exits, especially at multiple locations of the same exit stairway, can provide critical information about current and developing conditions that should be taken into account in emergency management in accordance with the building's Emergency Action Plan.

Having video cameras positioned to capture images of an exit stairway, including just prior to the discharge doorway from the exit, provides information on the number and flow (in persons per minute, for example) of the occupants, among other information, including access by responding fire fighters using stairs if elevators are not available. It is not essential that the camera views and image resolution be sufficient to identify specific individuals. Depending on the context (including security applications), such specific-person identification might be essential, desirable, undesirable or forbidden. For post-incident evaluation and analysis of egress performance, it is helpful to have image quality and camera angle such that the lateral and front-to-back positions of individuals, relative to the stair width, are clear.

For example, a high-rise building could have cameras at the ground level (assuming this is the level of exit discharge) and at every fifth floor above, and perhaps below grade, for each of the exit stairs. As well as providing a reasonable sampling of evacuee presence and movement within the exit stair system (information important for real-time situation awareness), a comparison of times at which particular individuals pass different cameras provides important data on evacuation movement speed and (indirectly) average occupant density, in addition to flow and number of evacuees overall.

When designing and installing a video monitoring system, and in conjunction with the authority having jurisdiction, the following items should be considered in the operation of the system:

(1) Inspection, testing, and maintenance of equipment
(2) Duration/hours of operation
(3) Storage and retention of information
(4) Activation of the system
(5) Integration with the building's emergency action plan

Submitter Information Verification
Submitter Full Name: [ Not Specified ]
Organization: [ Not Specified ]
Street Address:
City:
State:
Zip:
Submittal Date: Wed May 22 14:36:57 EDT 2013

Committee Statement and Meeting Notes
Committee Statement: The proposed text of 11.8.8 provides additions to the current provision of the code that have the potential to help the fire service, other fire safety personnel and building management to effectively monitor and manage egress during an emergency in a building. The use of equipment that would provide real time data to building’s emergency command centers could lead to better direction of building evacuations and provide the ability for the command center to see conditions throughout the building. This would allow building officials and the fire service to observe if an egress route has become untenable and where they can most effectively redistribute occupants in the building, thus increasing the levels of life safety to occupants throughout the building.

A concern regarding privacy of occupants has been raised in the past. However, in a report, “Public Perceptions of High-Rise Building Safety and Emergency Evacuation Procedures” completed for HRB-SAC in 2007 by the Fire Protection Research Foundation, it was found that very few persons have concern over privacy issues if their exit stairwells were equipped with video cameras. When asked about their level of concern over privacy issues if the exit stairwells in their building were equipped with video cameras to permit monitoring of stairwells during evacuations, about nine out of ten respondents (89 percent) reported they would not be concerned at all. Of the remaining, 7 percent reported they would be somewhat concerned and 3 percent would be very concerned.

The High Rise Building Safety Advisory Committee (HRB-SAC) concluded that while this language would provide the ability to better manage and control egress through real-time management, at this time it is only feasible for it to be included in new high-rise buildings with occupant loads of over 4000. The topic of improving situation awareness of what happens in exit stairs during an evacuation is seen as an important topic with regards to occupant life safety and one worthy of new attention in the Code.

The proposed language is being submitted for the high-rise building section, 11.8, as the proposed text is strictly a high rise building issue and should be located, along with the other high rise specific issues in the Code. The HRB-SAC committee recognizes that Section 11.8 is applicable to all new high-rise buildings, thus the intent of proposed text is to be applicable to new buildings only. Several issues were highlighted in response to the proposed text regarding video monitoring that was submitted during the Public Input stage. This committee has carefully reviewed and evaluated the concerns and responses that were outlined and has addressed all applicable issues in this submission along with the proposed corresponding Annex language (See Section A.11.8.8.1.) The language has been revised from the Public Input stage to more clearly identify the requirements and installation of video monitoring equipment, how it can interface with a building security system, and where it needs to be located. Along with that, references to NFPA 731 and NFPA 72 have been added, as the expert documents on the installation of premises security systems and detection systems. NFPA 731 can be used to provide guidance for combined security and video monitoring systems.

The proposed Annex language addresses the benefits of such a system, the performance of the system, and sample design solutions. In addition, the proposed Annex language provides operational criteria that should be taken into consideration when designing and installing the video monitoring equipment. It was not of the opinion of this committee that specific operational and performance criteria be identified in the body of the Code. The performance and operation of the system should be verified with the AHJ to best meet the needs of the building.

This public input was prepared by the NFPA High Rise Building Safety Advisory Committee. The HRB-SAC members are:

James Quiter (Chair), Arup
Response
Message:
Public Comment No. 130-NFPA 101-2013 [New Section after A.11.8.6]

Ballot Results

✅ This item has passed ballot

28 Eligible Voters
2 Not Returned
19 Affirmative All
1 Affirmative with Comments
6 Negative with Comments
0 Abstention

Not Returned
Gaubert, Marshall J.
Saba, Patrick S.

Affirmative All
Blum, Andrew
Carson, Wayne G.
Cheng, Amy Y.
DiCristina, Salvatore
Doebler, Tod
Eugene, Robert J.
Gencarelli, Michael O.
Groner, Norman E.
Hurley, Morgan J.
Laramee, Scott T.
Lathrop, James K.
Lovell, Vickie J.
McNamara, Jack
Murga, Ricardo
Pitts, Dennis L.
Reiswig, Rodger
Speed, Robert A.
Valentine, Victoria B.
Wydeveld, Steven F.

Affirmative with Comment
Pauls, Jake
See my affirmative ballot comment on SR-20.

Negative with Comment
Alfawakhiri, Farid
see comment on SR-20
Frable, David W.
See comment on SR-20.
Gerdes, Ralph D.
I do not understand how video monitoring will improve one's ability to evacuate the building.
I agree with the comments from David Frable, David Jacoby, and Milosh Puchovsky. No data or analysis as been presented that mandating the installation of such video monitoring equipment will have a measurable positive impact on fire safety for building occupants. Furthermore no provisions or protocols are in place as to how such data generated by the video equipment is to be used real-time by responding personnel and others. Standards addressing the design, installation, protection and maintenance of such specific purpose life safety video equipment and systems are lacking. A broad reference to NFPA 72 and NFPA 731 do not comprehensively address the related concerns. Protocols pertaining the to the storage and access of generated video data are also lacking. Mandating such video monitoring systems in all high rise buildings is pre-mature, and in its current form will result in numerous design, installation and enforcement concerns.
11.8.5.2.4
The standby power system shall be connected to the following:

1. Electric fire pump
2. Jockey pump, except as otherwise provided in 40.4.2 for special-purpose industrial occupancies
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6. Mechanical equipment for smokeproof enclosures
7. Mechanical equipment required to conform with the requirements of Section 9.3
8. Stairway video monitoring equipment as required by 11.8.8

Submitter Information Verification

Submitter Full Name: [Not Specified]
Organization: [Not Specified]
Street Address:
City:
State:
Zip:
Submittal Date: Wed May 22 14:45:22 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Standby power is needed for the new video monitoring equipment added in section 11.8.8.
Response Message:

Ballot Results

✓ This item has passed ballot
28 Eligible Voters
2 Not Returned
18 Affirmative All
1 Affirmative with Comments
7 Negative with Comments
0 Abstention

Not Returned
Gaubert, Marshall J.
Saba, Patrick S.

**Affirmative All**
Blum, Andrew
Carson, Wayne G.
Cheng, Amy Y.
DiCristina, Salvatore
Doebler, Tod
Eugene, Robert J.
Gencarelli, Michael O.
Groner, Norman E.
Laramee, Scott T.
Lathrop, James K.
Lovell, Vickie J.
McNamara, Jack
Murga, Ricardo
Pitts, Dennis L.
Reiswig, Rodger
Speed, Robert A.
Valentine, Victoria B.
Wydeveld, Steven F.

**Affirmative with Comment**
Pauls, Jake
See my affirmative ballot comment on SR-20.

**Negative with Comment**
Alfawakhiri, Farid
see comment on SR-20
Frable, David W.
See comment on SR-20.
Gerdes, Ralph D.
I do not understand how video monitoring will improve one's ability to evacuate the building. This requirement appears to have less to do with immediate needs and more to do with future research.
Hurley, Morgan J.
See negative ballot on SR-23.
Jacoby, David J.
See comment SR-20 regarding stairwell video monitoring
Klein, David P.
I agree with the comments from David Frable, Morgan Hurley, David Jacoby, and Milosh Puchovsky.
Puchovsky, Milosh T.
No data or analysis has been presented that mandating the installation of such video monitoring equipment will have a measurable positive impact on fire safety for building occupants. Furthermore, no provisions or protocols are in place as to how such data generated by the video equipment is to be used real-time by responding personnel and others. Standards addressing the design, installation, protection and maintenance of such specific purpose life safety video equipment and systems are lacking. A broad reference to NFPA 72 and NFPA 731 do not comprehensively address the related concerns. Protocols pertaining to the storage and access of generated video data are also lacking. Mandating such video monitoring systems in all high rise buildings is premature, and in its current form will result in numerous design, installation and enforcement concerns.
11.8.6.2
The emergency command center shall contain the following:

(1) Voice fire alarm system panels and controls
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(3) Fire detection and fire alarm system annunciation panels
(4) Elevator floor location and operation annunciators
(5) Elevator fire recall switch in accordance with ASME A17.1/CSA B44, Safety Code for Elevators and Escalators
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(9) Controls for any automatic stairway door unlocking system
(10) Fire pump status indicators
(11) Telephone for fire department use with controlled access to the public telephone system
(12) Stairway video monitoring equipment as required by 11.8.8

Submitter Information Verification

Submitter Full Name: [Not Specified]
Organization: [Not Specified]
Street Address:
City:
State:
Zip:
Submittal Date: Wed May 22 14:40:44 EDT 2013

Committee Statement and Meeting Notes

Committee Statement: Item is necessary in recognition of new 11.8.8.
Response Message:

Ballot Results

✔ This item has passed ballot
28 Eligible Voters
2 Not Returned
18 Affirmative All
  1 Affirmative with Comments
  7 Negative with Comments
  0 Abstention

Not Returned
Gaubert, Marshall J.
Saba, Patrick S.

Affirmative All
Blum, Andrew
Carson, Wayne G.
Cheng, Amy Y.
DiCristina, Salvatore
Doebler, Tod
Eugene, Robert J.
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Pauls, Jake
  See my affirmative ballot comment on SR-20.

Negative with Comment
Alfawakhiri, Farid
  see comment on SR-20
Frable, David W.
  See comment on SR-20.
Gerdes, Ralph D.
  I do not understand how video monitoring will improve one's ability to evacuate the building. This requirement appears to have less to do with immediate needs and more to do with future research.
Hurley, Morgan J.
First, the requirement is ambiguous. It calls for cameras at the level of exit discharge and at least every five stories above the level of exit discharge. These cameras would display on monitor(s) in the emergency command center. What is not clear is how many monitor(s) should be provided. One per camera? A single monitor that alternates between potentially in excess of a hundred cameras? If a single monitor, how frequently should it alternate between cameras? If there is a single monitor and more than a hundred cameras, and the scanning frequency is five seconds, each camera would only be viewed every eight minutes, so the data from these cameras would be of limited utility. Without identifying how the images from the video cameras would be displayed, this new requirement would be difficult to apply and enforce. Secondly, and more importantly, exactly HOW the information obtained by the stairway video monitoring equipment would be used is not identified. Similarly, no substantiation of the need for this system is provided by the professionals that might actually use it. Instead, the substantiation seems to focus more on how the system would address privacy concerns.

Jacoby, David J.
See comment SR-20 regarding stairwell video monitoring

Klein, David P.
I agree with the comments from David Frable, Morgan Hurley, David Jacoby, and Milosh Puchovsky.

Puchovsky, Milosh T.
No data or analysis has been presented that mandating the installation of such video monitoring equipment will have a measurable positive impact on fire safety for building occupants. Furthermore no provisions or protocols are in place as to how such data generated by the video equipment is to be used real-time by responding personnel and others. Standards addressing the design, installation, protection and maintenance of such specific purpose life safety video equipment and systems are lacking. A broad reference to NFPA 72 and NFPA 731 do not comprehensively address the related concerns. Protocols pertaining the to the storage and access of generated video data are also lacking. Mandating such video monitoring systems in all high rise buildings is pre-mature, and in its current form will result in numerous design, installation and enforcement concerns.
Let's now proceed with the discussion on **Certified Amending Motion 101-2.**

Microphone 5, please.

SPEAKER: Dave Frable representing US General Frable Administration. I will be moving Motion 101-2 to reject the Second Revision No. 20 and any related portions and corresponding annex and references including Second Revisions No. 22, 23, and 24.

PRESIDING OFFICER: Thank you. There is a group amending motion on the floor to reject Second Revision No. 20 and any related portions of first revisions, reject Second Revisions No. 22, No. 24, and No. 23, thereby deleting the new section, corresponding annex, and references.

Is there a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: I hear a second.

Please proceed with your discussion.

SPEAKER: Dave Frable representing US General Services Administration. I'll be speaking in support of Motion 101-2. A little background information.

First draft meeting of public input was
submitted to the Technical Committee on Means of Egress and proposed that a new text in Chapter 7 require all new high-rises having an occupant load 4,000 and one Hernandez installed approve occupant monitoring of video equipment and exit stairs in integrals not exceeding five stories.

The intent of the proposal states, as a potential to have fire service and building management at the emergency command center to observe and manage real time data and occupants' egress via the exit stairs.

Technical Committee Means on Egress rejected the proposal for a number of reasons.

During the second draft meeting, another public comment was submitted to this time the Technical Committee on fundamentals. Please note that the proposed new language will require all high-rise buildings, new and existing, having occupant load of more than 4,001 people real-time monitoring of exit stair usage displayed in the emergency command center.

The subject video monitoring equipment would need a state approval prior to installation. The subject video monitoring equipment will be required to installed in exit stairs in areas not
exceeding five stories. Annex text also include 
information regarding post-incident evaluation of 
the data in states that will be up to the designer 
and AHJ to determine how the video equipment will 
activate and operate, the length of time video 
monitoring equipment will operate, if storage 
retention of the video monitoring data is needed, 
and so forth and how the data will be stored, the 
schedule and frequencies of inspection and testing 
and maintenance of the equipment.

When the Technical Committee on 
Fundamentals is balloting on the subject matter, 7 
of the 26 technical committee members voted 
negative. Issues raised concerning the subject 
matter but were not limited to no data analysis 
test did present that mandated the installation of 
video equipment will have a measurable positive 
impact on the safety of building occupants. No 
information has been provided saying how video 
equipment, if the data -- video data is to be used 
full time by fire service or building management.

Standard suggesting a design installation 
operation performance criteria and need for 
exterior video equipment are lacking. This lack of 
critical information will lead to the value
questioning what operation of performance criteria needs to be met. Based on these reasons, we believe that mandating such video monitoring equipment in all high-rise buildings is premature and in its current form will result in numerous design installation, and enforcement concerns. Therefore, we encourage the NFPA membership to accept motion 101-2.

Thank you.

PRESIDING OFFICER: Thank you. Let me remind the audience, due to the size of this motion complexity, you're going to have to consult your electronic agenda because it's obviously not just what's shown on the screen there.

Mr. Koffel, would you like to offer the Committee's position?

COMMITTEE CHAIR: Thank you, Mr. Chair. During the week, I heard some concern that there may be a correlation issue between Chapter 7 and Chapter 11 with respect to this issue and protection of penetration and exiting closures. To that issue, I would state that 7132(10) item B specifically allows electrical conduit serving exiting closures to penetrate the exit enclosure. To the extent that this monitoring system is
intended to serve the exit enclosure, I will opine that it would be permitted by Chapter 7 and, in fact, there's an annex note to this paragraph citing that indicates that security systems may, in fact, penetrate the exit enclosure. With that in mind, I would ask that a member of the Technical Committee on Fundamentals, Jim Lathrop, please address the Technical Committee's position.

SPEAKER: Jim Lathrop, Cost Associates, a member of the fundamentals committee speaking in the absence of the chair. Committee debated this --

PRESIDING OFFICER: Excuse me, sir. Are you speaking --

SPEAKER: Speaking against the motion.

PRESIDING OFFICER: Thank you, sir.

SPEAKER: Speaking against the motion.

I'm sure Mr. Paul will talk about his proposal in more detail. I do want to point out Chapter 11 provisions for high-rise buildings only apply to new construction. It does not apply retroactively unless an occupancy chapter says so. None of the occupancy chapters require it for the video monitoring. Also, it's not only for new. It's only for new, and it seats 4,000 people; so it's
not only new high-rise.

PRESIDING OFFICER: Thank you, gentlemen.

With that, we'll open up debate on the motion. Please provide your name, affiliation, whether you're speaking in support or against the motion.

Microphone 6, please.

SPEAKER: Shawn McClain with Cleveland Division of Fire and also representing the International Association of Firefighters.

We support the --

PRESIDING OFFICER: For or against.

SPEAKER: I'm sorry. Against the motion.

We're supporting to vote against the motion because we support the installation of these cameras in the stairwells. For us, it's a monitoring issue. We see numerous fires where we respond, and we take over the fire command center. We want to see what's happening within that building, especially within the means of egress.

You look at the Cook County building fire that happened in Chicago with residents -- I should say occupants were trapped in the attached stairwell above the entry point above the fire fighting operations.
We can monitor the egress of the occupants. We can use this information to determine which stairwell we're going to use for attack. This is going back to the NIST study on the World Trade Center collapse.

In 2004, the representatives of over 300,000 career firefighters voted unanimously to support the code changes that came from that report, and this supports that -- that code change.

PRESIDING OFFICER: Thank you.

Microphone 3.

SPEAKER: Sarah Rice with the Preview Group. I'm speaking in support of the motion.

You're hearing a lot of the discussion on the technical aspect for the reasons for the monitoring. What I'm speaking about is the application of the way the provision is written, and it's really important to understand that it says that these will be required for high-rise buildings having an occupant load of 4,000 or more persons. This does not say that it all be required for stairs surveying -- stairs that serve the occupant load of more than 4,000.

Without those unique terms in there, what you are possibly opening yourself up to is a
high-rise building that has multiple configurations within the complex such as a very large podium of a single story with all of its egress elements at grade but then having a tower portion that may have an occupant load that is well below 4,000. The 4,000 occupant load is reached by the occupant load that is at grade, which don't use any of those stairs that are in the high-rise portion. So you're going to get a potential conflicting interpretation of which stairs.

Now, what I just gave you was a one-story podium. Think two-story podium even where all the exit stairs in that two-story section don't interact with the high-rise area. You're going to get this requirement kicking in to a place that it wasn't intended to apply.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 2, please.

SPEAKER: Yes. Hi. Good morning. My name is Dan Flanagan of Siemens. I'm representing speaking for the Building Fire Safety Systems section, and we are speaking in opposition of this motion.

The section met earlier this week, both
the board level and membership level; and we
reviewed in detail both the Technical Committee
action and the details contained in the proposed
modification motion that we're reviewing this
morning, and we have concluded that opposition to
this is sound.

    We look at the areas of facts of
situational awareness and the importance of that in
today's world. As mentioned previously,
firefighters safety is of the premium optimum
mission here, not to mention the occupant safety.
All of these factors given the real-time video
imaging information that's going to be obtained by
this provides a great deal of value for the
occupants of the buildings and the fire fighters
are going to be having to suppress this fire
situation and not to mention the security concerns
in our high-rise buildings today are at a premium,
and this is just going to adjunct and assist that
important mission as we move forward.

    So, once again, our section requests that
we oppose this motion and support the actions of
the Technical Committee.

    Thank you.

    PRESIDING OFFICER: Thank you.
Do you have someone on Microphone 5 or having discussions? All right. Microphone 2, please.

SPEAKER: Jake Paul of Jake Paul's Consulting Services. Speaking against the motion; I feel badly for the proponent of the motion because had video monitoring been in place over the years, he would have had a slam dunk case because we would have known from the video records, based on the work that I did 35 years ago, how many people occupied particular floors. So we could get a much more fine grain set of data. And by the way, my data from 35 years ago supported his motion that failed on the prior item.

So I bring a lot of history to this. I've been in this field for 47 years in situational awareness, and the increasing role of video in that situational awareness has been a central feature of my work, and continuous to next week Tuesday, when I give the opening keynote on this topic of situational awareness of evacuation, including use of video at the international conference on tall buildings in London, England.

So one of things I looked forward to reporting is how this body opines on this matter to
date. I should say, by the way, I've been in the NFPA process for decades. My first meeting in this time was over 30 years ago. I want to comment here on how effectively you handle situational awareness within the process now. This is an excellent example, what we're doing right now procedurally, of what we're trying to do within the context of evacuation issues in tall buildings. In other words, give people a clear idea of what's happening and what that means for the future. So we're learning lessons quite broadly now.

Speaking specifically on the issue monitoring exit stairs, I'm not going to go through a detailed rebuttal of the arguments made by the maker of the motion, which is easy to do; but I serve on the high-rise building safety advisory committee, which is the proponent of the change at the second draft stage. It's one of about 15 committees on which I serve and one of about 7 committees for NFPA, which I represent the American Public Health Association.

I'm also an ergonomist by profession. And we're both from the ergonomic's perspective and public health's perspective, situation awareness is really important, not just the safety of
firefighters as we've heard but the safety of occupants. But more importantly, the knowledge that occupants will have in conjunction with the people managing the emergency, which will help everybody to make better decisions on their safety and emergencies. So, again, I'm speaking against the motion; and there is much behind this stance.

Thank you.

PRESIDING OFFICER: All right. Thank you.

Microphone 5, please.

SPEAKER: Morgan Hurley, Society of Fire Protection Engineers, I speak in favor of the motion.

I think the idea of video monitoring on stair enclosures and tall buildings with large number of occupants as occupants has merit, but I see two problems with the language as it still stands.

First, this here came in at the second revision stage; so the public really hasn't had the opportunity to review the text and make improvements. Secondly, there's some ambiguity in the requirements. Specifically, you could easily vision a very tall building where you could a hundred or more of these cameras. What's missing
from the text of the code requirements how this
information is going to be fed back into the
control center. Specifically, is there going to be
one camera -- or one monitor per camera? Or will
there be one monitor that cycles through each of
the cameras? If the latter, if you envision,
perhaps, a five-second time with each camera, you
could have in excess of seven minutes between
camera views.

So, again, I'm speaking in opposition --
or in support of the motion to remove this
requirement.

Thank you.

PRESIDING OFFICER: Okay. Thank you.

Microphone 5 again.

SPEAKER: Dave Frable, US General Service
Administration in support of the motion.

In concept, I concur with the proponent.

However, as it's written, like I stated in my
(inaudible) statement it's broken. There is no
installation requirements. No design requirements.
No performance requirements on how the system
operates. It's up to the AHA. The building
officials are going to have to approve this system.
There's no performance criterion for acceptance of
this equipment.

   The other issue it deals with, in the
annex it talks about evaluating the data coming
from this video. Who's going to do evaluation?
Nowhere. No information has been provided on that.
It's going to lead to an enforcement problem.

   Regarding some of the comments that were
made, I never stated that this was going to be a
retroactive of requirement. However, it will
impact existing buildings. If the existing
buildings or existing chapter within 101 adopts
Chapter 11 for this requirement.

   In addition, somebody brought up the NIST
report. NIST has not proposed this code change. I
believe, if NIST would have, it would have been
more performance-based oriented code change that
would be acceptable to the design committee and
also the enforcers of the code. Right now, as it
is written, it is broken; and I think it's going to
lead to enforcement and design problems for new
construction.

   Thank you.

PRESIDING OFFICER: Thank you.

Microphone 6, please.

SPEAKER: Jim Brinkley, International
Association of Firefighters, speaking against the
motion.

I think the argument that the data doesn't
exist showing that this would be beneficial should
serve as an insult to everyone in this room. To
think that you're not intelligent enough to
determine that having video monitoring in an
emergency situation would not benefit you, shows
what the maker of the motion thinks about the folks
in this room. It simply is a stall tactic. Any
reasonable person would conclude that this will be
beneficial during an emergency situation, not just
for the first responder that I represent but the
citizens that we protect.

Arguing over the details, how many
monitors, et cetera, that this is premature, it
seems that nearly -- excuse me.

Over a decade, after 9-11, we're still
arguing over the details. We've got ample time to
discuss the details to fix these provisions and
include the information that those who made this
motion are saying the reason we should adopt it.

Maybe time dilutes the memories of 9-11 for some of
us in this room. Maybe you need a commercial;
maybe you need a report; maybe you need something
in the news to remind you. Rest assure that 3,000
people -- nearly 3,000 people who died that day,
their families, their loved ones need no reminder.
And certainly, the 343 FDNY Firefighters' families
do not need a reminder.

I ask you to vote against this motion.
Let's get the video monitoring in place. You can
argue about the details down the road.

PRESIDING OFFICER: Microphone 2.

SPEAKER: Good morning. Dan Fennigan
again with the Building Fire Safety System Section,
speaking in opposition of this motion. And I'm
here to address the concerned about additional
detail.

We intentionally rely on the design
professional when this type of code language is
introduced for these different types of
applications.

I will point out that in the text language
that was approved by the Technical Committee, there
was a direct pointer to NFPA 731, which is the
standard for installation of electronic premises
security systems. So this will have good
direction, good coverage. It seems every building
is different. Every application is going to be
different. There can't be a prescriptive design in
the code. The code is intention to do what it
does. The end result will be good situational
awareness and all the values that we have pointed
out.

Thank you very much.

PRESIDING OFFICER: Thank you.

Microphone 5.

SPEAKER: Good morning. Joe Versteeg,
Versteeg Associates, speaking in favor of the
motion.

As Mr. Koffel said, the means of egress
chapter currently allows penetrations into the
stair for electrical equipment. With that in mind,
I think it more appropriate, rather than mandate
the video in all new high-rise as well as existing,
would be to phrase it such that we're required by
the authority having jurisdiction or the authority
having jurisdiction shall be permitted so that this
decision is made under jurisdictional by
jurisdictional basis than mandating its compliance
in the jurisdiction that may not need that
information or want that information or be able to
handle that information.

Thank you.
PRESIDING OFFICER: Thank you.

Microphone 6.

SPEAKER: Sherman DeCrane representing International Association of Firefighters speaking against the motion.

Just real briefly, I hear about handling information and information overload. That's what we have the incident command system for. We start to assign people specifically specific assignments such as video monitoring so we can look at that stairwell and start to make decision. Good information in, tends to lead to better decisions.

And just a sidenote to my good friend Dave over there, we did a joint full-building evacuation in Cleveland in one of the federal buildings, and the first thing Dave and his crew did, when they got to this building, installed monitors -- or cameras so they could monitor the egress of those occupants. And it was good information during the drill. It will be better information in real-world situations.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone No. 2. Please.

SPEAKER: Jake Paul, Jake Paul's
Consulting Services, speaking against the motion.

And specifically to but comments by Morgan Hurley and a little bit by David Frable.

I presented information to both the High-Rise building Safety Advisory Committee, which is a fantastic committee. It serves directly to the Standards Council, by the way, just for background. And we've been working on this issue, not in isolation but as a part of a comprehensive package for high-rise safety that we've spent years on. This is not a fly-by-night thing.

For example, everything you talked about and put into our proposal could have been a second draft stage was done in the context of preparing a guide to emergency action plans. Now emergency actions plans are already called for by the life safety code, but there wasn't a comprehensive guide for them. Now it exists. It's published by NFPA, and it does reference video monitoring but five times within the guide. So there is an immense amount of work that's been done, and it's in published form.

More importantly, there's a lot of experience with this. For example, in the largest high-rise building in London, England, they have
both video monitoring and automatic counting using
security systems, but that's been in place for a
long time.

The comment that Mr. Hurley made that we
haven't clarified this issue of whether you're
dealing with images constantly on the monitor or
whether they're cycling through. 30 years ago,
that cycling through was demonstrated by the
Germans. And you only have to look at that record
or that incident for ten seconds to know that it
sucks. Now that's a technical term.

When I presented this information both to
the High-Rise Building Safety Advisory Committee
and to the Fundamental Technical Committee in a
PowerPoint, I made it very clear that the display
system would consist of a -- what, in fact, is a
section of a building with small images. For
example, it's an iPad or iPhone size image, and
that's all you need on a large matrix, and you will
have all the stairs that are monitored at
five-story integral or whatever. There will be a
place devoted for that image. The image would not
be active unless there was something happening in
that image or in that area. So you would see the
image in context. Whenever there's something that
happened, they're on. They're relevant. There is no information overload. And how they could forget that and come back with that cycle thing, I don't know.

It just astounds me that that comment was made that we didn't think that one through. We have. We have thought through all the issues Mr. Frable talked about. We spent a lot of time on this. He wasn't there.

PRESIDING OFFICER: Microphone 5.

SPEAKER: Dave Frable, US General Service Administration.

To clarify --

PRESIDING OFFICER: Speaking for or against, please?

SPEAKER: Speaking for the motion and clarifying factually, my two colleagues, Mr. Fennigan and Mr. Crane made.

Regarding Mr. Fennigan's statement regarding NFPA 731 that only applies when the monitor system's integrated with a security system. You can have a building without this security system, and these videos cameras will have no standard to go back to verify its performance. That's number one.
Number two, what really upsets me the most is what Mr. DeCrane stated regarding the federal building in Cleveland with video cameras. That was for a research study. I understand it's research in which we had a research study to evaluate occupant egress during a fire drill. Video cameras were put up temporarily to evaluate flows down exit stairs to occupants for a research initiative. There are no video cameras installed in that federal building. So I'm not talking out of both sides of my mouth. There are no cameras in that federal building.

Once again, this will -- there is no installation operation -- what initiates operation of these cameras? There's nothing -- no performance requirements in the code change.

I urge you to support the motion.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 6. Sir, are you ready?

SPEAKER: Larry Felker with Gleemore Air Control speaking against the motion.

Addressing a few of the issues that's been brought up, with regard to the occupancy, you have one tower that's a high-rise; and then you try to
enforce cameras in the single story.

The AHJ will make that decision, and local codes can deal with it. But I don't think there will be any problems whatsoever in deciding on the occupancy, which sort of starts to lean over into enforcement. They should not have any problems.

The other thing to consider is that, once you give an industry a task of doing any identification, the software will be able to take a look at movement and other things; and it will become quite sophisticated beyond what we would expect today.

PRESIDING OFFICER: Thank you.

Microphone two.

SPEAKER: Thank you, Mr. Presiding Officer. Art Black, Carmel Fire Protection Associates, I call to question.

PRESIDING OFFICER: We have a call to question.

Do we have a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: We have a call to question. There is a second.

There is a vote to cease debate and go right to the vote on it. We need a two-thirds
majority on this. So if you're ready, if you are
in favor of calling to question, in other words,
ceasing debate, please press one.

   If you are opposed to that motion, press
two. Please vote now. And we'll have to maybe do
a little bit of simple math to see if we've got the
two-thirds.

   Five seconds. Voting is closed.

   I don't think we need to even do the math.

   It's 222 calling to question, 36 against, which
means we will move right to the vote.

   Before we go vote, let me restate the
motion.

   The motion on the floor is to reject
Second Revision No. 20 and any related portion of
first revisions, reject Second Revisions No. 22,
No. 24, and No. 23, thereby deleting the new
section corresponding annex and references.

   If you wish to vote in favor of the motion
and recommended text on screen one, press one. If
you wish to vote against the motion and recommended
text on screen two, press two. Please record your
vote.

   Five seconds. Voting is closed.

   The results are 94 in favor, 157 against.
The motion fails.
July 30, 2014

Ms. Dawn Bellis  
Secretary, Standards Council  
National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Subject: Formal Appeal of NFPA 101 Second Revision No’s. 20, 22, 23, & 24

Dear Dawn:

In accordance with Section 1-6 of the NFPA Regulations Governing Committee Projects (Regulations), please accept this letter as a formal appeal to the NFPA Standards Council regarding the disposition of NFPA 101, Life Safety Code, Second Revision No’s. 20, 22, 23, & 24. The following information is provided as prescribed in Section 1-6.3 of the Regulations:

1. **Name, affiliation and address of the appellant:**  
   David W. Frable  
   Representing the United States General Services Administration  
   665 Green Meadow Lane  
   Geneva, Illinois, 60134

2. **Statement identifying the particular action to which the appeal relates:**  
The United States General Services Administration is hereby appealing the actions of the membership at the NFPA Annual Meeting, which accepted NFPA 101, Second Revision No’s. 20, 22, 23, & 24.

3. **Argument setting forth the grounds for appeal:**  
   Please see Attachment 1 to this letter.

4. **Statement of the precise relief requested:**  
The United States General Services Administration requests that the Standards Council change the final action on NFPA 101, Second Revision No’s. 20, 22, 23, & 24 to REJECT. Our sole intent is that Second Revision No’s. 20, 22, 23, & 24 and corresponding new sections, annex material and references not be included in the 2015 edition of NFPA 101.
Thank you for placing this matter on the Standards Council's August meeting agenda.

Sincerely,

Signature on File

David W. Frable
United States General Services Administration
Attachment #1

Although NFPA 101, Second Revision No’s. 20, 22, 23, & 24 was accepted by the NFPA membership at the recent annual meeting in Las Vegas, NV, the U.S. General Services Administration believes this result does not coincide with other quality documents published by NFPA that are based on sound technical documentation.

Conceptually, the proposal to install stairway video monitoring equipment in high-rise building exit stairways has the potential to provide useful information to first responders in monitoring occupant evacuation during a building emergency. However, as written, the proposal language creates enforcement issues as well as design issues because the language did not specify operational or performance criteria for the stairway video monitoring equipment. This lack of critical information will lead to designers questioning what operational and performance criteria needs to be met as well as what acceptance criteria is needed for the authority having jurisdiction to approve such systems. In addition, no acceptance test criterion for the stairway video monitoring equipment has been provided to assist the authority of jurisdiction in their approval process. For example, if this proposal is accepted as written, it would be similar to installing a smoke control system without prescribing design requirements, duration of operation, testing requirements, maintenance requirements, etc., and any reference to NFPA 92, *Standard for Smoke Control Systems* for guidance.

It should be pointed out that during the first revision draft, a public input was submitted to the Technical Committee on Means of Egress that proposed to add new text for installing stairway video monitoring equipment in Chapter 7. During the Technical Committee’s deliberation regarding this public input, the Technical Committee on Means of Egress rejected this proposal for the following reasons:

1. The proposed new text did not include any installation and/or maintenance requirements for the subject occupant flow monitoring or video monitoring equipment and there is no assurance it would work in an emergency.
2. The proposed new text did not include any requirements of how the systems are to operate – when and how does the occupant flow monitoring or video monitoring equipment start transmitting real-time data to the emergency command center. Is the video monitoring constantly on? Is the video monitoring equipment intended to become activated automatically upon alarm system activation?
3. The proposed new text did not include any information regarding compatibility with building security systems.
4. The proposed new text did not state if the real-time data being transmitted to the emergency command center had to be stored. For how long after the event does the data need to be stored?
5. The substantiation for the proposed new text did not explain the benefit for installing such a system and if the subject system would indeed help the fire department address any exit stair issues being observed.

6. The proposed new text did not provide performance requirements necessary for the AHJ to evaluate and “approve” the video monitoring equipment. For example, no design and/or installation standard has been referenced for stand-alone video monitoring equipment.

Following the rejection of the public input by the Technical Committee on Means of Egress during the first revision draft, the proponent submitted a public comment on the same subject matter during the development of the second draft to the Technical Committee on Fundamentals.

However, the public comment submitted by the proponent to the Technical Committee on Fundamentals only slightly revised the requirements for the installation of stairway video monitoring equipment in high-rise buildings and did not adequately address the 6 points noted above. Therefore, we believe the proponent did not meet the procedures outlined within NFPA rules and regulations.

In addition, new annex material has also been proposed in Section A.11.8.8.1 which states “For post-incident evaluation and analysis of egress performance, it is helpful to have image quality and camera angle such that the lateral and front-to-back positions of individuals, relative to the stair width, are clear.” It should be pointed out that this paragraph infers there will be a post-incident evaluation and analysis of occupant egress performance following the subject event; however, the proposed code text is silent on this subject matter. Therefore, it appears this material may be more of a research oriented requirement and subsequently beyond the scope and purpose of this Code.

Furthermore, during the second draft ballot, 7 members of the Technical Committee Fundamentals voted “negative” to this new proposed text based on the following rationale:

1. No data analysis has been presented that mandating the installation of stairway video monitoring equipment will have a measurable positive impact of fire safety for the building occupants.
2. No substantiation of the need has been provided for real-time stairway video information. The focus seems to be more on how the information will be used for future research.
3. No information or protocols has been provided on how the video data is to be used real-time by the fire service or building management.
4. No standards addressing the design, installation, operation, performance criteria and maintenance of stand-alone stairway video monitoring equipment have been referenced. This lack of critical information will lead
to designers questioning what operational and performance criteria needs to be met.

5. No information or protocols have been provided regarding the storage and access of the generated video data.

6. No details regarding how the images obtained by stairway video monitoring equipment are to be displayed emergency command center. For example, is one monitor required to be located in the emergency command center for each video camera or is only one monitor required that alternates between hundreds of video cameras? What is the scanning frequency to alternate between cameras? Without this detail of information regarding how the video images will be displayed, this requirement will be difficult to enforce.

7. No acceptance test criterion for the stairway video monitoring equipment has been provided to assist the AHJ in their approval process of the equipment.

8. No training and/or staffing requirements for interpreting the video data information in real-time has been provided.

Another issue of concern occurred during the testimony debate, in which one individual questioned the ambiguity in the requirements, specifically stating, “you could easily vision a very tall building where you could a hundred or more of these cameras. What's missing from the text of the code requirements how this information is going to be fed back into the control center. Specifically, is there going to be one camera -- or one monitor per camera? Or will there be one monitor that cycles through each of the cameras? If the latter, if you envision, perhaps, a five-second time with each camera, you could have in excess of seven minutes between camera views.”

The proponent’s rebuttal was “When I presented this information both to the High-Rise Building Safety Advisory Committee and to the Fundamental Technical Committee in a PowerPoint, I made it very clear that the display system would consist of a -- what, in fact, is a section of a building with small images. For example, it's an iPad or iPhone size image, and that's all you need on a large matrix, and you will have all the stairs that are monitored at five-story integral or whatever. There will be a place devoted for that image. The image would not be active unless there was something happening in that image or in that area. So you would see the image in context.”

Unfortunately, the subject “powerpoint presentation” referenced in the testimony debate was not posted on the NFPA website document information page for the Technical Committee on Fundamental 2nd draft meeting minutes. Therefore, any member of the Technical Committee on Fundamentals not in attendance at the 2nd draft meeting was not privy to this information and therefore could not adequately review and understand the subject matter. It is also inappropriate, that the general public did not have an opportunity to review the subject powerpoint presentation nor the opportunity to comment on the second draft
report prior to the Technical meeting. Therefore, we believe this is a procedural violation of the NFPA regulations governing standards development.

Given the reasons above, and the negative ballots of the Technical Committee members, the U.S. General Services Administration believes that the proposed requirements for the installation of stairway video monitoring equipment in its current form will result in numerous design, installation and enforcement concerns. Therefore, we request the Standards Council to change the final action on NFPA Second Revision No’s. 20, 22, 23, & 24 to REJECT. Our sole intent is Second Revision No’s. 20, 22, 23, & 24 and corresponding new sections for annex material and references not to be included in the 2015 edition of NFPA 101.
July 28, 2014

Ms. Dawn Bellis  
Secretary, Standards Council  
National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02269

Subject: Formal Appeal of NFPA 101 - Certified Amending Motion 101-2

Dear Dawn:

In accordance with Section 1.6.4 of the NFPA Regulations Governing Committee Projects (Regulations), please accept this letter as a formal opposition of Preliminary Hearing / Appeals Schedule Tuesday, August 12, 2014 Item number 3, which is an appeal to the NFPA Standards Council regarding the disposition of NFPA 101, Life Safety Code, Certified Amending Motion (CAM) 101-2 (to reject second revision No's 20, 22, 23, & 24). The following information is provided as prescribed in Section 1.6.4 of the regulation.

a) Name, affiliation and address of the appellant:

Nicholas A. Dawe  
Representing the Cobb County Fire Marshal’s Office  
1595 County Services Parkway  
Marietta, Georgia, 30008  
NFPA 101 – Business and Mercantile Technical Committee Member

b) Statement identifying the appeal to which submission relates and stating whether the submitter supports or opposes the appeal:

I support the membership vote on June 12, 2014 and I hereby object to Mr. Frable’s formal appeal to the Standards Council regarding the actions of the membership at the NFPA Annual Meeting, which rejected NFPA 101 CAM 101-2 (to reject second revision No’s 20, 22, 23, & 24)
c) Argument setting forth the grounds for opposing or supporting the appeal:

Mr. Frable’s formal appeal did not provide the any technical substantiation for an appeal in accordance with 1.6.3 (3), as a result no so specific opposition can be stated. But in general the business occupant load factor issue was made in the first draft and second draft Technical Committee meetings, and this issue was also argued on the floor at June 12 technical session. This issue legitimately followed the NFPA process and I respectfully request you uphold the membership vote.

d) Statement of the precise relief requested:

I request that the Standards Council support the action of the Technical Committee as well as Membership and decline Mr. Frable’s appeal.

Thanks,

Nicholas A Dawe

Cobb County Fire & Emergency Services
<table>
<thead>
<tr>
<th>Motion Seq#</th>
<th>Group Amending Motion: Accept Public Comment No. 8 and No. 9.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Recommended Text if Motion Passes:</strong></td>
</tr>
<tr>
<td><strong>36.4.4.11</strong> Kiosks.</td>
<td>Kiosks and similar structures (temporary or permanent) shall not be considered tenant spaces and shall meet all of the following requirements:</td>
</tr>
<tr>
<td>(b)</td>
<td>Light-transmitting plastics complying with the building code</td>
</tr>
<tr>
<td>(c)</td>
<td>Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with ANSI/UL 1975, <em>Standard for Fire Tests for Foamed Plastics Used for Decorative Purposes</em>, or in accordance with NFPA 289, <em>Standard Method of Fire Test for Individual Fuel Packages</em>, using the 20 kW ignition source</td>
</tr>
<tr>
<td>(d)</td>
<td>Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, <em>Standard Test Method for Surface Burning Characteristics of Building Materials</em>, or ANSI/UL 723, <em>Standard for Test for Surface Burning Characteristics of Building Materials</em>, when tested as an assembly in the maximum thickness intended for use</td>
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<tr>
<td>(e)</td>
<td>Textiles and films meeting the flame propagation performance criteria contained in Tests Method 1 or Test Method 2, as appropriate, of NFPA 701, <em>Standard Methods of Fire Tests for Flame Propagation of Textiles and Films</em>.</td>
</tr>
<tr>
<td>(2)</td>
<td>Kiosks or similar structures located within the mall shall be protected with approved fire suppression and detection devices</td>
</tr>
<tr>
<td>(3)</td>
<td>The minimum horizontal separation between kiosks, or groups of kiosks, and other structures within the mall shall be 20 ft (6100 mm).</td>
</tr>
<tr>
<td>(4)</td>
<td>Each kiosk, or group of kiosks, or similar structure shall have a maximum area of 300 ft² (27.8 m²).</td>
</tr>
<tr>
<td><strong>37.4.4.11</strong> Kiosks.</td>
<td>Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:</td>
</tr>
<tr>
<td>(b)</td>
<td>Light-transmitting plastics complying with the building code</td>
</tr>
<tr>
<td>(c)</td>
<td>Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with ANSI/UL 1975, <em>Standard for Fire Tests for Foamed Plastics Used for Decorative Purposes</em>, or in accordance with NFPA 289, <em>Standard Method of Fire Test for Individual Fuel Packages</em>, using the 20 kW ignition source.</td>
</tr>
</tbody>
</table>
### Motion Seq # 101-6: Marcelo Hirschler, GBH International

#### Recommended Text if Motion Passes (Continued):

<table>
<thead>
<tr>
<th>(e) Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Kiosks or similar structures located within the mall shall be protected with approved fire suppression and detection devices.</td>
</tr>
<tr>
<td>(3) The minimum horizontal separation between kiosks, or groups of kiosks, and other structures within the mall shall be 20 ft (6100 mm).</td>
</tr>
<tr>
<td>(4) Each kiosk, or group of kiosks, or similar structure shall have a maximum area of 300 ft² (27.8 m²).</td>
</tr>
</tbody>
</table>

#### Recommended Text if Motion Fails:

**36.4.4.11 Kiosks.**

Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:

1. Combustible kiosks and similar structures shall be constructed of any of the following materials:
   - (a) Fire-retardant-treated wood complying with the requirements for fire retardant-impregnated wood in NFPA 703, Standard for Fire Retardant–Treated Wood and Fire-Retardant Coatings for Building Materials
   - (b) Light-transmitting plastics complying with the building code
   - (c) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with ANSI/UL 1975, Standard for Fire Tests for Foamed Plastics Used for Decorative Purposes, or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source.
   - (d) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use.
   - (e) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

2. Kiosks or similar structures located within the mall shall be protected with approved fire suppression and detection devices.
3. The minimum horizontal separation between kiosks, or groups of kiosks, and other structures within the mall shall be 20 ft (6100 mm).
4. Each kiosk, or group of kiosks, or similar structure shall have a maximum area of 300 ft² (27.8 m²).
MEMORANDUM
(AMENDMENT)

TO: Technical Committee on Mercantile and Business Occupancies
FROM: Kelly Carey, Project Administrator
DATE: July 7, 2014

Amendment 101-6: Accept Public Comments No. 8 and 9.

The final results of balloting are as follows:

25 Members Eligible to Vote
2 Ballots not Returned (S. Francis, S. Jacobs)
19 Agree
3 Disagree (W. Burrus, K. Derr, D. Dodge)
1 Abstention (D. Gauvin)

In accordance with the Regulations Governing the Development of NFPA Standards, the final results show this Amendment HAS achieved the 2/3 majority vote needed to recommend approval of the Association Action by the Technical Committee. The Committee has voted to support the Amendment and as a result recommend the Public Comments text.

The number of votes needed to recommend approval of the Association Action is 15.

(25 eligible to vote - 2 not returned - 1 abstention = 22 × 0.66 = 14.52)

Note: Please remember that the return of ballots is required in accordance with Section 3.1.3.1 of the Regulations Governing the Development of NFPA Standards.
Amendment 101-6: Accept Public Comments No. 8 and No. 9.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

Note:
See attached Background Material for complete text.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

36.4.4.11 Kiosks.
Kiosks and similar structures (temporary or permanent) shall not be considered tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:
   ...
   (e) Textiles and films meeting the flame propagation performance criteria contained in Tests Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.
   ...

37.4.4.11 Kiosks.
Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:
   ...
   (e) Textiles and films meeting the flame propagation performance criteria contained in Tests Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.
   ...

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

36.4.4.11 Kiosks. Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:
   ...
   (e) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.
37.4.4.11 Kiosks. Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:

(e) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.

☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

No clarity is provided in the proposed Amendment as Test 1 & 2 are the only options in 2010 edition.

Signature: [Signature]

Name - Please Print: William J. Burrous

Date: 2014-06-23

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
Agreement forms are not available.

Amendment 101-6: Accept Public Comments No. 8 and No. 9.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

Note:
See attached Background Material for complete text.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

36.4.4.11 Kiosks.
Kiosks and similar structures (temporary or permanent) shall not be considered tenant spaces and shall meet all of the following requirements:
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  (e) Textiles and films meeting the flame propagation performance criteria contained in Tests Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.

37.4.4.11 Kiosks.
Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
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  (e) Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

36.4.4.11 Kiosks. Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:
  
  (e) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.
37.4.11 Kiosks. Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:

(e) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

I disagree with the requirement to add the reference to “Test Method 1 or Test Method 2, as appropriate.” The referenced edition of NFPA 701 only has two test methods and NFPA 701 Section 1.1 defines which test is applicable given the potential arrangement of the tested material. Including this information starts a precedent when NFPA 101 references other fire protection standards that I don’t think that NFPA 101 should get into. For example, should NFPA 101 Section 36.4.4.10.1 state that sprinklers systems provided for mall buildings and anchor buildings be designed in accordance with Light Hazard, Ordinary Hazard Group 1, Ordinary Hazard Group 2, Extra Hazard Group 1 or Extra Hazard Group 2 requirements per NFPA 13 as appropriate? A simple reference to NFPA 701 with the appropriate citation to the applicable edition in Chapter 2 of NFPA 101 is sufficient. With regards to the original cited concern, it is the responsibility of the design professionals, plan reviewers, installers, and inspectors to ensure that outdated materials are not installed in facilities. These individuals should already be reviewing these materials to ensure that the materials are installed in the proper orientation associated with the NFPA 701 test method conducted.

______________________________________________

Signature: ________________________________

Name - Please Print: Kevin L. Derr

Date: June 16, 2014

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
Supplemental Agenda - Standards Council Meeting August 11-14, 2014

August 5, 2014

Accept Public Comments No. 8 and No. 9.

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

Note:

See attached Background Material for complete text.

☐ Agree

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

36.4.4.11 Kiosks.
Kiosks and similar structures (temporary or permanent) shall not be considered tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:

(e) Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.

☐ Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

36.4.4.11 Kiosks. Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:

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37.4.4.11 Kiosks. Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:

(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:

(c) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

The Technical Committee has assigned a Task Force (Sub-committee) to draft changes to Sections 36.4 and 37.4. This suggested change should be submitted to the Sub-committee for consideration.

Signature: David A. Dodge
Name - Please Print: David A. Dodge
Date: 8-24-2014

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
Amendment 101-6: Accept Public Comments No. 8 and No. 9.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

Note:

See attached Background Material for complete text.

☐ Agree

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

36.4.4.11 Kiosks.
Kiosks and similar structures (temporary or permanent) shall not be considered tenant spaces and shall meet all of the following requirements:
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  (e) Textiles and films meeting the flame propagation performance criteria contained in Tests Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.

☐ Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

36.4.4.11 Kiosks. Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall meet all of the following requirements:
(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:
  
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(1) Combustible kiosks and similar structures shall be constructed of any of the following materials:

(e) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

I am not familiar with the testing principles of NFPA 701 and their appropriateness with respect to the requirements of 36.4.4.11 and 37.4.4.11. I would need to be presented with additional information to make a formal decision.

Signature: Daniel J Gauvin

Name - Please Print: Daniel J Gauvin

Date: 13-June-14

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
are in favor of calling to question and going to
the vote. If you vote two, you are not in favor
and you wish to continue to debate. Please vote
now.

Five seconds. Voting is closed.

We have 214 in favor upon the question, 31
against. That definitely passes two-thirds
majority.

So before we vote on the item, please let
me restate the motion. The motion on the floor is
to reject Second Revision No. 124 and any related
portions of First Revision No. 482, thereby
recommending previous edition text.

If you wish to vote in favor of the motion
and recommended text on the screen one, press one.

If you wish to vote against the motion and
recommended the text on screen two, press two.
Please record your vote now.

Five seconds. Balloting is closed.

The results are 144 in favor, 94 against.
The motion passes.

We'll now proceed with discussion on
Certified Amending Motion 101-6.

Microphone No. 5.

UNKNOWN SPEAKER: Marcelo Hirschler, GBH
International for NAFRA, and I move to accept
Public Comment No. 8 and No. 9.

PRESIDING OFFICER: The motion, this is a
group amending motion on the floor to accept Public
Comment No. 8 and No. 9.

Is there a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: I heard a second.

Please proceed with discussion on the motion.

SPEAKER: Marcelo Hirschler, GBH International, for NAFRA, in favor of the motion.

This addresses two simple issues this.
The reference is to NFPA 701 textile. I want to
give you a little bit of background on this and
explain why this is done and give you some
background on what's happening in other
environments. Until 1999, there was test in NFPA
701 is called the small scale test. Fire test
committee decided that test was worthless because
it didn't predict anything. So they eliminated it.
Since then, there is a test called test method one,
and there's a test method two. Neither of those is
the small scale test.

You go on-line and search and purchase
fabrics that meet 701, according to what the
advertisement says. You test them, and they fail
because the meet the small scale test. So this
clarifies.

I want to emphasize that there were 21
references to this NFPA 101. 19 have been revised
to the language. There were five referencing NFPA
5000 that were revised. There were 17 referencing
the IBC. All have been revised. There were 13
referencing the IFFC, all have been revised.

I urge the committee, I urge the audience
to support this and be consistent with all the
other references to NFPA 701 and prevent people
from misusing the test. Thank you.

PRESIDING OFFICER: Thank you.

Mr. Koffel, would you like to present the
Committee's position?

SPEAKER: Thank you, Mr. Chair. While the
Correlating Committee did not take any particular
action on the public comments, I would offer, upon
further review, there is a correlation issue. And
in submitter basically just referred to that, and
that is, in every other instance in the Code, the
terminology or the reference to this test method
has been changed to refer to test method one or
test method two as proposed in the certified
amended motion.

Therein, the user or reader of this code wild find two particular instances where the verbiage would be different, and typically, when that happens, one expects that there is some other intent or some other different requirement. I do not believe that that's the intent.

With that, I would request that you recognize the chair of the Technical Committee on Mercantile and Business Occupancies, Ken Bush, to address the Committee's perspective.

PRESIDING OFFICER: Microphone 2, please.

SPEAKER: Thank you, Mr. Chair.

Ken Bush, chair of the NFPA 101, Technical Committee on Mercantile and Business Occupancies speaking against the motion.

The Committee considers this a proposal and concluded that the wording currently in the code is technically correct and that the proposed wording, as part of this proposal, was not necessary.

Thank you.

PRESIDING OFFICER: Thank you, gentlemen.

With that, we'll open up to debate on the motion. Please provide your name and affiliation
and whether you're speaking in support or against
the motion. Is there anyone that wish to speak on
this?

Microphone 5.

SPEAKER: Marcelo Hirschler, GBH
International for NAFRA just to clarify.

PRESIDING OFFICER: You're speaking in
favor?

SPEAKER: I'm speaking in favor of the
motion. This does not change requirements. Just
provide clarification and consistency.

Thank you.

PRESIDING OFFICER: Any further
discussion? Seeing none, Mr. Koffel, any final
words?

UNKNOWN SPEAKER: No, sir.

PRESIDING OFFICER: Thank you.

Before we vote, let me restate the motion.
The motion on the floor is to accept Public Comment
No. 8 and 9. If you wish to vote in favor of the
motion and recommend the text on screen one, press
on.

If you wish to vote against the motion and
recommend the text on screen two, press 2.

Please make your vote now. Five seconds.
Voting is closed.

The results are 149 in favor, 52 against.

Motion passes.
MEMORANDUM
(AMENDMENT)

TO: Correlating Committee on Safety to Life

FROM: Kelly Carey, Project Administrator

DATE: July 17, 2014


At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 101® was amended by the acceptance of the following:

Amendment 101-6: Accept Public Comment No. 8 and 9.

The final results of balloting are as follows:

12 Members Eligible to Vote
0 Ballots not Returned

12 Agree
0 Disagree
0 Abstentions

According to 4.6 of the Regulation Governing the Development of NFPA Standards (Regs), the final results show that the Amendment HAS achieved the 3/4 majority vote needed to recommend approval of the Association Action by the Correlating Committee (CC). The CC has voted that no correlation issues are created as a result of the Technical Committee recommendation on Amendment 101-6.

The number of votes needed to recommend approval of the Association Action is 9.

(12 eligible to vote - 0 not returned - 0 abstentions = 12 × 0.75 = 9)

Note: Return of ballots and attendance at Committee Meetings is required in accordance with the Regulations Governing the Development of NFPA Standards.
June 17, 2014

NFPA
Secretary, Standards Council
1 Batterymarch Park
Quincy, MA 02169-7471

RE: Request to Appeal to the Standards Council

Dear Secretary:

Please let this serve as a formal request to appeal a decision made at the NFPA Technical Meeting on June 12, 2014. This request to appeal to the Standards Council is pursuant to Regulation 1.6.3 of the NFPA Regulations Governing the Development of NFPA Standards.

1. My name is Joe Scibetta. I have no affiliation with respect to this appeal and my address is as follows: 1325 Satellite Boulevard, Suite 1607, Suwanee, GA 30024.

2. Action to which the appeal relates: This is a request to appeal the decision made by the NFPA Member Association at the Technical Meeting on June 12, 2014 whereby Public Comment 107 was rejected, and CAM 101-7 failed.

3. Argument for Standards Council Consideration: Public Comment 107 calls for the inclusion of animal housing facilities as a recognized occupancy type. The single sentence proposed for Chapter 41 would serve as a recognition only, a basic acknowledgement of that unique occupancy type wherein humans work, that heretofore has been overlooked and unaddressed within NFPA 101. The proposed sentence for Chapter 41 was written in generic form with no specifics attached and was done so intentionally, so as to allow NFPA 101 to make such an acknowledgement without venturing outside of its scope. Opposing arguments raised at the Technical Meeting incorrectly presented the motion to the member association as calling on NFPA 101 to go outside its scope by referencing NFPA 150 and claimed that NFPA 101 does not address humans who work within animal housing facilities when that is not the case. Animal housing facilities are not addressed or implied anywhere within NFPA 101. Additionally, the objection was made that the motion couldn’t be accepted due to the lack of a definition of animal housing facilities in Chapter 6. I propose that such inclusion is a matter of extraction from NFPA 150 by NFPA staff and not a legitimate reason to deny this motion, if, in fact, it is actually needed. That objection doesn’t carry weight when you consider that the 2012 edition of NFPA 1 dedicates Chapter 35 to Animal Housing Facilities (precisely what the proposed Chapter 41 of NFPA 101 would do) when there is, in fact, no mention of animal housing facilities in Chapter 6 of that document or in Chapter 3. Finally, the objection was raised that the comment could not be accepted because by placing the proposed language in Chapter 41, the Code would be recognizing Animal Housing Facilities as an occupancy type. However, that is precisely the intent
of Public Comment 107. Recognition of animal housing facilities in NFPA 101 as an occupancy type wherein humans work is an obligation that NFPA must be willing to undertake if it is to uphold the integrity and long-standing reputation of The Life Safety Code as a bulwark for human safety in the workplace. The technical committees responsible should not summarily dismiss the effort being made here to recognize safety requirements for a workplace wherein humans work. To do so shows a lack of regard for the Code’s history, heritage and legacy.

President Shannon’s comment in his final column in the May/June edition of NFPA Journal is relevant to this issue: “The hard choices for NFPA in the coming years will be about how we maximize our obligation as a mission-driven organization to reach more people...”. I respectfully submit that this is one of those hard choices that need to be made if NFPA is to work in harmony with that statement, going beyond the intent of those words to, indeed, reaching, and protecting, more people. The mission of NFPA is to reduce the worldwide burden of fire and other hazards on the quality of life. The dedicated humans who work in animal housing facilities, and their quality of life, most certainly fall within the scope of NFPA’s mission. Such a stance poses no threat to the scope and purpose of NFPA 101 but, rather, incorporates humans currently not addressed within one of the most significant code documents in our industry, and, in turn, makes that document more effective and encompassing than it is today.

4. Relief Requested: I appeal to the Standards Council to reverse the decision made by the Member Association at the Technical Meeting on June 12, 2014 on CAM 101-7 and thereby accept Public Comment 101-7.

5. I do not request a hearing before the Standards Council but I request the acceptance of this written appeal and for the Standards Council to formulate their decision based on the arguments expressed herein as well as the transcript of the debate on CAM 101-7 from the Technical Meeting on June 12, 2014.

Respectfully,

Joe Scibetta
<table>
<thead>
<tr>
<th>Motion Seq#</th>
<th>Certified Amending Motion:</th>
<th>101-7</th>
<th>Accept Public Comment No. 107.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Recommended Text if Motion Passes:</td>
<td>Chapter 41 Reserved Animal Housing Facilities.</td>
<td>Animal housing facilities shall comply with NFPA 150, Standard for Fire and Life Safety in Animal Housing Facilities.</td>
</tr>
<tr>
<td></td>
<td>Recommended Text if Motion Fails:</td>
<td>Chapter 41 Reserved</td>
<td></td>
</tr>
</tbody>
</table>
**Public Comment No. 107-NFPA 101-2013 [ Chapter 41 ]**

**Chapter 41  Reserved . Animal Housing Facilities .
41.1  Animal housing facilities shall comply with NFPA 150, Standard for Fire and Life Safety in Animal Housing Facilities. .**

**Statement of Problem and Substantiation for Public Comment**

I believe the Committee drew the wrong conclusion from the Public Input submitted during the First Draft phase (Public Input Report item 164 on page 14 according to First Draft Report) by zeroing in on a portion of the substantiation that reads "animals are no longer addressed in the Life Safety Code". Thus, the conclusion was reached by the Committee that the public input was asking for the Life Safety Code to expound on animal safety and to include animals within the scope of NFPA 101. That is not so.

The point of the public input is to point the reader of 101 to another document for life safety requirements uniquely applicable to animal housing facilities, wherein humans work. Since the last remaining references to animals were removed from the 2012 edition, animal housing facilities are no longer addressed. Prior to the 2012 edition, it was implied that animal housing facilities were considered storage occupancies, which the responsible Committee correctly addressed by removing those references, since animals are not storage materials.

Again, though, with the animal reference deleted from both Chapters 3 and 42, animal housing facilities are not addressed at all. Nor do they fit into any of the occupancy categories outlined in NFPA 101. However, animal housing facilities constitute a unique occupancy type with requirements for both animal and human safety that aren't found in NFPA 101. All that this comment and its associated public input is asking for is to copy, almost verbatim, what NFPA 1 is already doing, namely pointing the reader of the Code to NFPA 150 for unique life safety requirements for a unique occupancy type. It is NFPA 150 that should and, in fact, does expound on animal safety. It has never been the intent on the part of this submitter to suggest that NFPA 101 should do so, and another reading of the public input substantiation will bear that out.

NFPA 1 recognizes the unique nature of animal housing facilities by addressing them separately in Chapter 35. This proposal is asking the responsible Committee to do the same for 101 and in a similar way reference NFPA 150 as well. When the reader goes to NFPA 150, they'll find this language in Chapter 1, which again acknowledges the unique life safety requirements for this type of occupancy:

Where requirements of this standard differ from the adopted fire prevention, life safety, and building codes, the requirements of this standard shall govern the protection of the animal occupants and animal handlers. (NFPA 150 1.1.3 – 2013 edition)

Again, I submit that there must be a reference in the Life Safety Code to NFPA 150, so that the reader of the Code knows where to go to get all, not just some, of the life safety requirements for animal housing facilities; requirements that apply not only to animals but to animal handlers (humans) as well. And, again, that is all that this comment and its associated public input is asking for: a one-line reference to NFPA 150. It is not asking the Committee to include animal safety in the scope of the Life Safety Code.

**Submitter Information Verification**

August 5, 2014
Submitter Full Name: Joe Scibetta
Organization: BuildingReports
Street Address:
City:
State:
Zip:
Submittal Date: Thu May 02 16:02:14 EDT 2013

Committee Statement
Committee Action: Rejected
Resolution: As proposed, this change would allow NFPA 150 to replace the provisions in NFPA 101. Where there are conflicts between NFPA 150 and NFPA 101, the provisions in NFPA 150 say that it governs. NFPA 101 cannot allow that.

Copyright Assignment
I, Joe Scibetta, hereby irrevocably grant and assign to the National Fire Protection Association (NFPA) all and full rights in copyright in this Public Comment (including both the Proposed Change and the Statement of Problem and Substantiation). I understand and intend that I acquire no rights, including rights as a joint author, in any publication of the NFPA in which this Public Comment in this or another similar or derivative form is used. I hereby warrant that I am the author of this Public Comment and that I have full power and authority to enter into this copyright assignment.

By checking this box I affirm that I am Joe Scibetta, and I agree to be legally bound by the above Copyright Assignment and the terms and conditions contained therein. I understand and intend that, by checking this box, I am creating an electronic signature that will, upon my submission of this form, have the same legal force and effect as a handwritten signature.
Let's now proceed with **Certified Amending Motion 101-7**.

Mr. Scibetta.

SPEAKER: My name is Joe Scibetta, speaking on behalf of myself. I rise to make a motion for the acceptance of Public Comment 107.

PRESIDING OFFICER: Thank you.

There's a motion on the floor to accept Public Comment 107.

Is there a second?

SPEAKER: Second.

PRESIDING OFFICER: I hear a second.

Please proceed.

SPEAKER: Thank you, Mr. Chairman.

Prior to the 2012 edition of NFPA 101, animals were considered storage material and were, therefore, included in the storage occupancy and mentioned again in the storage occupancy chapters. The implication being that animal housing facilities are considered storage occupancies.

However, as of the 2012 edition, the reference to animals in the storage occupancy definition and
related chapters were removed. That was good
decision since animals are not storage material.

With the removal of those references,
though, where are animal housing facilities
addressed or at least implied in the code? This is
an important question since humans work in animal
housing facilities. The answer is that they are
not addressed. And no, you can't even go to the
special structure chapters to find them.

Animal housing facilities are a unique
occupancy type in which humans work, and yet the
life safety code, the implied code for human life
safety, does not make that recognition.

There is a significant level of importance
and urgency with this motion because humans who
work in animal housing facilities oversee a
secondary population that is incapable of
self-preservation and is wholly dependent on them
for their safety and welfare. Namely, the animals
who occupy those facilities.

Now, we readily acknowledge this type of
guardianship, if you will, with respect to patients
with health care staff or inmates with the
detention personnel. We need to do the same with
animal housing facilities where, likewise, a
secondary population exist that is under the guardianship of human caretakers.

NFPA 101 must acknowledge and look after the safety of the humans who work in animal housing facilities, as those humans in turn need to look at the secondary population who's welfare in life depends entirely on them. And 101 can make that acknowledgement by referring the reader to NFPA 150.

And that is what this motion is calling for, a one-line acknowledgement of the important life safety requirements for humans found in NFPA 150, requirements that the reader of 101 must be made aware of.

This motion is not calling for NFPA 101 to include animal life safety within its scope. That has never been the intention nor is it the outcome. This motion is calling for 101 to point the reader to NFPA 150 for the requirements governing the life safety for humans who work within animal housing facilities.

I thank you, my fellow members, for your careful consideration of this important motion.

PRESIDING OFFICER: Thank you.

Mr. Koffel, would you like to offer the
Committee's position, please?

COMMITTEE CHAIR: Yes, Mr. Chair.

I would like to point out three items on behalf of the Correlating Committee. First is the location of this proposed change. It is proposed that the new Chapter 41, which places it in the code between industrial occupancies and storage occupancies. That gives the inference that this is an occupancy classification since we tend to refer to Chapters 12 through 42 as the occupancy chapters, and yet there's been no change correlating change to Chapter 6 relative to occupancy classification.

Secondly, throughout the code, there are many references to, as required by or as permitted by Chapters 11 through 42. This chapter will now be in all of those references, and I would offer that the committee that has responsibility for those sections has not looked at whether this would there be appropriate for an animal housing facility.

And my last item in relationship to the testimony that we just heard, I would opine that the Life Safety Code does, in fact, provide a reasonable level of protection for the human
working in those facilities. It would be
classified as an appropriate occupancy
classification, and the life safety to those
occupancies would be addressed without this
revision.

With that in mind, I will request that you
will recognize a member of the fundamentals
committee, Jim Lathrop to address the Committee's
perspective.

PRESIDING OFFICER: Microphone 2.

SPEAKER: Jim Lathrop, Koffel Associates,
member of the Fundamentals Committee and speaking
in the absence of the chair.

Mr. Koffel just actually addressed a lot
of the things that I was going to address. One of
the things I also want to point out that was
discussed in the committee is that document,
NFPA 150, is way outside the scope of the Life
Safety Code. There are many items in it. It notes
it just as a general reference to 150. It doesn't
say -- even just say egress in 150. In 150 is
actually, believe or not, the sizes of the cages
for the animals. That is not something 101 should
be referring you to. That would be more
appropriately referenced through either the
building code or through a fire code.

PRESIDING OFFICER: Thank, you gentlemen.

With that, we'll open up debate on the motion. Please provide your name, affiliation, and whether you're speaking in support or against the motion.

Microphone 1, please.

SPEAKER: My name is Joe Scibetta. I'm speaking on behalf of myself in favor of the motion on the floor.

NFPA 150 purpose statement is as follows:

"The purpose of this statement shall be to prevent the loss of animal life, human life, and property from fire or other emergences," end of quote.

In order to protect both animal and human life, there are unique requirements in 150, one of which is with regard to means of egress, which is differ considerably from 101. Let's use the former classification as a storage occupancy to illustrate this.

Maximum travel to distance to an exit, for example, for an ordinary hazard occupancy like a barn or a horse stable with sprinkler protection is 400 feet.
In NFPA 150, that same distance is 100 feet. For ordinary hazard occupancies in 101 that are not sprinklers, the distance requirement is 200 feet. In 150, that distance is 75 feet. Why the difference? Is it because of animal life safety alone? No.

The annex material in 150 clearly explains the reason for difference when it states exit distances or more stringent than those specified in 101 because of the difficulty of evacuating panicked animals from the facility in an emergency situation. In that statement, where does the focus lie? On humans or on animals? The focus lies on humans.

Exit travel distances are more stringent in 150 in order to help humans tend to the animals in their care so they both survive. Who is -- animal handlers, humans, it is for their sake as much as it is for the animals that means of egress requirements in 150 are unique in 101 as the implied code for human and life safety is obligated. To recognize the unique nature of that document by referring the reader to it. Telling the reader that for animal housing occupancies you must go to NFPA 150 for life safety requirements.
for humans, some of which you will not find in 101.

Does NFPA 150 have the authority to
require more stringent requirements in 101? Yes.
I quote 150.

Where requirements of this standard differ
from the adopted fire prevention, life safety and
building codes, the requirement of this standard
shall governs the protection of the animal
occupants and animal handlers.

Does NFPA 101 allows this? Yes, I quote
101.

"Nothing in this code 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 in this code."

PRESIDING OFFICER: Thank you.

Microphone 5.

SPEAKER: Marcelo Hirschler, GBA
International, speaking in favor of the motion.

I recognize the comments made by Bill
Koffel that this may not be in the appropriate
order in all chapters. However, that's something
that I guess Standards Council or the Correlating
Committee could handle as a very simple
administrative change. But on the other hand, I think that the reference to that and the awareness and existence of 150 within the NFPA system would be a very useful addition to Life Safety Code.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 2.

SPEAKER: Bill Lathrop, Koffel Associates speaking for myself. Actually --

PRESIDING OFFICER: Speaking against the motion?

SPEAKER: Speaking against the motion.

Actually, the testimony of the supporter actually supports rejecting this because the supporters are saying for the egress, the egress to egress. It doesn't say shall comply the egress requirement to 150. It says it shall comply with 150, which is the entire document, which has a lot of things outside the scope -- way outside of the scope of 101. If this is going to go through, it would need to go through with the modification, which we can't do. It needs to be moved. It needs to be moved to a core chapter or maybe even a special structure chapter, or something on that ideal so it's not treated as an occupancy chapter.
PRESIDING OFFICER: Thank you.

Any further discussion? Microphone 1.

SPEAKER: Joe Scibetta speaking on behalf of myself in favor of the motion on the floor.

According to a recent report conducted by the Fire protection Research Foundation, out of the over 300 codes and standards the NFPA Technical Committee is overseeing, only 18 out of those 300 contain information and material related to life safety. And by the way, that's life safety for humans. And out of that group of 18, only 12 address both fire and non fire hazards relating to human life safety.

NFPA 150 is among that unique elite group of 12 life safety documents. 12 documents out of 300.

Does it not seem logical to you -- does it not seem reasonable that the implied codes for human life safety 101 would reference another life safety standard for humans of such a unique nature as 150? And yet 101 does not. NFPA 101 must not remain silent with respect to humans who work in animal housing facilities. To continue to do so represents an oversight in the code that must be
Interestingly, the following statement is from the NFPA blog posted March 25 of this year. I quote, a featured NFPA 101 makes it so effective is it occupancy based format. Each occupancy chapter of 101 recognizes the characteristics of the occupants and the functional needs of the occupancy and tailors its requirements accordingly, end of the quote.

That type of occupancy specific recognition that makes 101 so effective so renown internationally, that type of recognition is not afforded animal housing facilities.

This motion is calling for Chapter 41 to do just that. One sentence that directs the reader to 150, thereby recognizing the characteristics of the human occupants that work in animal housing facilities and the functional needs of that unique occupancy type. Such acknowledgement in 101 for NFPA 150 will serve as recognition, not only in 150's existence, but much more important than that, its relevance and practical value as a life safety standard for humans.

I urge you please to pass this motion.

PRESIDING OFFICER: Thank you.
Is there any further discussion from the floor on Motion 101-7?

Seeing none, Mr. Koffel, any final comments?

COMMITTEE CHAIR: Yes, two brief comments.

Again, you just heard some testimony about occupancies and this implies this is an occupancy classification without defining this as an occupancy classification. Secondly, there would be a subject of interpretation in that we define in NFPA 101 that, if there is a difference between 101 a referenced standard, the requirements of 101 takes precedent. With that language, I'm not sure you would get the reduced travel distance that is being proposed here since 101 would give a larger or longer travel distance.

PRESIDING OFFICER: Thank you, Mr. Chairman.

Before we vote, let me restate the motion. The motion on the floor is to accept Public Comment No. 107. If you wish to vote in favor of the motion, the recommended text on screen one, press one.

If you wish to vote against the motion, recommended screen on screen two, press two.
Please record your votes now.

    Five seconds. Balloting is closed.

    The results are 89 in favor, 126 against.

    The motion fails.
Standards Council

Ref: Appeals to Standards Council re Public Comment No. 107 (CAM 101-7)

I am chair of the Technical Committee on Fundamentals of NFPA 101 and NFPA 5000. I am writing in support of the membership vote on this issue and against the appeal. There is no need to put a new occupancy classification in the Life Safety Code, NFPA 101 for animal housing facilities.

The appellant states that “animal housing facilities ....... has been overlooked and unaddressed within NFPA 101”. This is not true. The portion of the building that is offices, such as exam rooms, would be business occupancies under Chapter 38/39. That portion of the building where the animals are housed would be storage occupancies under Chapter 40. Section 6.1.13.1 includes an Annex note which includes “barns” as an example of storage occupancies.

In a later statement in the appeal, the appellant states “Animal housing facilities are not addressed or implied anywhere within NFPA 101.” As noted above, barns are noted in the Annex as an example of a storage occupancy. The offices would be business occupancies. This is not a new interpretation of the code but has been the application for decades.

Animal housing facilities are presently covered within the scope of NFPA 101 and there is no need for a new Chapter 41 as the appellant desires.

Sincerely,

Chip Carson, P.E.
Carson Associates Inc.
Fire Protection Engineers & Code Consultants
35 Horner Street, Suite 120
Warrenton, Virginia 20186
540-347-7488

www.carson-associates.com
Item 14-8-5
<table>
<thead>
<tr>
<th>Motion Seq #</th>
<th>Group Amending Motion: Reject Second Revision No. 9 and Reject Second Revision No. 10, thereby recommending First Draft text.</th>
</tr>
</thead>
</table>
| 731-1       | **Recommended Text if Motion Passes:**  

4.4.3.5 * Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes. This requirement shall become effective December 31, 2017.

A.4.4.3.5 Secondary power for electronic premises security systems can be based on the SVA and the design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source is to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock. The designer should be aware of other standards that can require additional battery capacity.

The system should incorporate sufficient battery capacity to operate for 24 hours under full standby load followed by 15 minutes of alarm signal. This requirement does not specify that the alarm signal operate for 15 minutes, rather just to have the capacity to do so. The alarm duration of alarm-sounding devices is determined by a security vulnerability analysis (SVA).

**Recommended Text if Motion Fails:**

4.4.3.5 * Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes. This requirement shall become effective December 31, 2017.

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The system should incorporate sufficient battery capacity to operate for 24 hours under full standby load followed by 15 minutes of alarm signal. This requirement does not specify that the alarm signal operate for 15 minutes, rather just to have the capacity to do so. The alarm duration of alarm-sounding devices is determined by a security vulnerability analysis (SVA).
MEMORANDUM
(AMENDMENT)

TO: Technical Committee on Premises Security

FROM: Richard Roux, Staff Liaison

DATE: July 7, 2014


At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 731 was amended by the acceptance of the following:

Amendment 731-1: Reject Second Revision No. 9 and Reject Second Revision No. 10, thereby recommending First Draft text.

The final results of balloting are as follows:

26 Members Eligible to Vote
1 Ballots not Returned (King, III)

22 Agree
1 Disagree (Martin)
2 Abstentions (Atlas, Chavez)

According to 4.6 of the Regulations Governing the Development of NFPA Standards (Regs), the final results show the Amendment HAS achieved the 2/3 majority vote needed to recommend approval of the Association Action by the Technical Committee. The Committee has voted to support Amendment 731-1. As a result, the recommendation to the Standards Council will be to incorporate First Draft text in the NFPA Standard.

The number of votes needed to recommend approval of the Association Action is 16.

(26 eligible to vote - 1 not returned - 2 abstentions = 23 × 0.66 = 15.18)

Note: Please remember that the return of ballots is required in accordance with Section 3.1.3.1 of the Regulations Governing the Development of NFPA Standards.
Amendment 731-1: Reject Second Revision No. 9 and Reject Second Revision No. 10, thereby recommending First Draft text.

Instructions:
Vote Agree to support the Amendment and as a result recommend the First Draft text.
Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

Agree
I support the Amendment and as a result recommend the First Draft text which reads as follows (changes shown legislatively to the Second Draft):

4.4.3.5* Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes. This requirement shall become effective December 31, 2017.

A.4.4.3.5
Secondary power for electronic premises security systems can be based on the SVA and the design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source is to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock.

The designer should be aware of other standards that can require additional battery capacity.

The system should incorporate sufficient battery capacity to operate for 24 hours under full standby load followed by 15 minutes of alarm signal. This requirement does not specify that the alarm signal operate for 15 minutes, rather just to have the capacity to do so. The alarm duration of alarm-sounding devices is determined by a security vulnerability analysis (SVA).

XX Disagree*
I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

4.4.3.5* Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes.

A.4.4.3.5
Secondary power for electronic premises security systems can be based on the risk assessment and design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source were to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock.

The designer should be aware of other standards that can require additional battery capacity.

Abstain*
*Please give reason(s) for voting “Disagree” or “Abstain”:

This has been discussed many times and is not a new issue. 24 Hour battery backup is necessary to minimize false alarms and we should not delay this action any longer.

Signature:  

Name - Please Print: Stan Martin

Date: 06/25/2014

Please return as soon as possible, but no later than **June 25, 2014** to:

Colleen Kelly, Administrator, Technical Projects  
National Fire Protection Association  
1 Batterymarch Park  
Quincy, MA 02169  
EMAIL: ckelley@nfpa.org  
FAX: 617-770-0700
Amendment 731-1: Reject Second Revision No. 9 and Reject Second Revision No. 10, thereby recommending First Draft text.

Instructions:

**Vote Agree** to support the Amendment and as a result recommend the First Draft text.

**Vote Disagree** to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

---

**Agree**

I support the Amendment and as a result recommend the First Draft text which reads as follows *(changes shown legislatively to the Second Draft)*:

4.4.3.5* Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes. This requirement shall become effective December 31, 2017.

A.4.4.3.5

Secondary power for electronic premises security systems can be based on the SVA and the design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source is to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock.

The designer should be aware of other standards that can require additional battery capacity.

The system should incorporate sufficient battery capacity to operate for 24 hours under full standby load followed by 15 minutes of alarm signal. This requirement does not specify that the alarm signal operate for 15 minutes, rather just to have the capacity to do so. The alarm duration of alarm-sounding devices is determined by a security vulnerability analysis (SVA).

---

**Disagree**

I do not support the Amendment and as a result recommend previous edition text which reads as follows *(text shown clean)*:

4.4.3.5* Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes.

A.4.4.3.5

Secondary power for electronic premises security systems can be based on the risk assessment and design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source were to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock.

The designer should be aware of other standards that can require additional battery capacity.
Abstain*

*Please give reason(s) for voting “Disagree” or “Abstain”:

Abstain. I don't have an opinion on this matter.

___________________________________________________________

___________________________________________________________

Signature: __ Randy Atlas______________________________
Name - Please Print: ___randy atlas__________________________
Date: __June 13, 2014__

Please return as soon as possible, but no later than **June 25, 2014** to:

Colleen Kelly, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ckelly@nfpa.org
FAX: 617-770-0700
NFPA 731, Standard for the Installation of Electronic Premises Security Systems
June 2014 Amendment 731-1 Ballot Form
For the Technical Committee on Premises Security

**Amendment 731-1:** Reject Second Revision No. 9 and Reject Second Revision No. 10, thereby recommending First Draft text.

**Instructions:**

**Vote Agree** to support the Amendment and as a result recommend the First Draft text.

**Vote Disagree** to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

---

☐ **Agree**

I support the Amendment and as a result recommend the First Draft text which reads as follows *(changes shown legislatively to the Second Draft):*

4.4.3.5* Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 24 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes. This requirement shall become effective December 31, 2017.

A.4.4.3.5

Secondary power for electronic premises security systems can be based on the design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source is to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock.

The designer should be aware of other standards that can require additional battery capacity.

The system should incorporate sufficient battery capacity to operate for 24 hours under full standby load followed by 15 minutes of alarm signal. This requirement does not specify that the alarm signal operate for 15 minutes, rather just to have the capacity to do so. The alarm duration of alarm-sounding devices is determined by a security vulnerability analysis (SVA).

---

☐ **Disagree**

I do not support the Amendment and as a result recommend previous edition text which reads as follows *(text shown clean):*

4.4.3.5* Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 4 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes.

A.4.4.3.5

Secondary power for electronic premises security systems can be based on the risk assessment and design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source were to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock.

The designer should be aware of other standards that can require additional battery capacity.
Abstain*

*Please give reason(s) for voting “Disagree” or “Abstain”:
Either way the intent is the same.

Signature: ___Lou Chavez__________________________________
Name - Please Print: ___Lou Chavez__________________________________
Date: ___6-25-13_________

Please return as soon as possible, but no later than June 25, 2014 to:

Colleen Kelly, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ckelley@nfpa.org
FAX: 617- 770-0700
two. And you may record your votes now.

The balloting will close in five seconds.

Voting closed.

And the results are 199 against, 34 in favor. And so this motion has failed.

Thank you, Mr. Owens. I appreciate it.

The next report under consideration this afternoon is that of the Technical Committee on Premises Security. To present the committee report is Committee Chair Wayne Moore of Hughes Associates, Incorporated, Providence, Rhode Island.

The committee reports, that is, the first and the second draft reports are located on the document information page for NFPA 731 on the NFPA Web site. The certified amending motions are contained in the NFPA Technical Meeting (Tech Session) Agenda and will be displayed behind me on the screen, and we will proceed in the order of the motion sequence number that's presented.

Mr. Moore.

COMMITTEE CHAIR: Thank you, Mr. Chair.

Mr. Chair, ladies and gentlemen, the report of the Technical Committee on Premises Security is presented for adoption and can be found in the first draft report and in the second draft
report for 2013 fall meeting revision cycle.

The Technical Committee has published a first and second draft report consisting of revisions to NFPA 731, Standards for the installation of Electric Premises Security Systems. These reports were submitted to letter ballots of the Technical Committee, which consists of 29 voting members.

The reports and ballots can be found on the next edition tab in the document information page for NFPA 731 at www.nfpa.org/731next. The presiding officer will now proceed with the certified amending motions.

PRESIDING OFFICER: Thank you, Mr. Moore. So 731 was the one I read earlier and announced at the start of the afternoon that I mentioned that there was a reposting of an errata. So I just want to make sure everybody has the proper agenda detail in front of them. That was the one we alluded to earlier, and it's shown on the screen.

So let's now proceed with the discussion on the Certified Amending Motion on NFPA 731.

Microphone 3.

SPEAKER: Mike DeVore, State Farm. I'm a
principal represent -- a member of the Premises Security Technical Committee, representing the investor fire protection section.

I move Certified Amending Motion 731-1, which will reject Second Revision No. 9 and reject Second Revision No. 10. Thank you.

PRESIDING OFFICER: So you're speaking in favor of the motion?

SPEAKER: Most definitely.

PRESIDING OFFICER: Thank you. So there's a group amending motion on the floor to reject Second Revision No. 9 and reject Second Revision No. 10, thereby recommending first draft text.

Do I have a second?

SPEAKER: Second.

PRESIDING OFFICER: So we have a second.

Please proceed with the discussion on the motion.

SPEAKER: Thank you.

The gist of my reasoning for this has nothing to do with whether it should be 4 hours of battery capacity or 24 hours of battery capacity. The reason for my motion is we -- just procedural, that it was not done correctly according to the rules governing committee actions.

I put in a public input which revised all
of Chapter 4 to correct and edit for manual style; so the paragraph under consideration in the first revision, the only change was in the number of the paragraph. There was no technical change at all. Well, that's a violation of the rules governing the development of NFPA Standards, 4.4.4.2. Public comments must be related to material that is received public review either through the submission of public input, committee input, or correlating input or through the first revisions. The Technical Committee may reject but hold any public comment that introduces new material or that has not had adequate public review. So my point is that it was never in the first revision to make any technical changes to the paragraph; so it must be rejected for that reason. To uphold procedures and the reason for the public comments, that's part of the NFPA procedure.

PRESIDING CHAIRMAN: Thank you, Mr. DeVore.

Mr. Moore, would you like to offer the Committee's position?

SPEAKER: Sure. We followed all of the rules and regulations while we were going through the motions that were adjudicated during the
committee deliberations, and we had a staff -- and, actually, additional staff at the meeting when we did this. So I don't believe that we made any mistakes. That's the only reason I would answer it that way.

    PRESIDING OFFICER: Okay. Thank you, Mr. Moore.

    So with that, we'll open up debate on the motion.

    Again, please provide your name and affiliation and whether you're speaking in support of or against the motion.

    Microphone 5.

    SPEAKER: Marcelo Hirschler, GBH International. I'm speaking for myself. This seems to be --

    PRESIDING OFFICER: Are you speaking for or against?

    SPEAKER: For.

    PRESIDING OFFICER: For. Thank you.

    SPEAKER: This seems to be a case of a clear violation of NFPA rules, if what the maker of the motion says is correct, that there was no technical change of the first -- at the first revision, then no change can be made in the second
revision. It's just that's what the rules have
been saying for many years. Nothing new. We can't
start doing that.

PRESIDING OFFICER: Thank you. Is there
any further discussion on Motion 731-1 to reject
Second Revision No. 9 and reject Second Revision
No. 10, thereby recommending first draft text?

Mr. Chair, would you like to make any
final remarks?

COMMITTEE CHAIR: No, sir. Thank you.

PRESIDING OFFICER: Thank you,
Mr. Chair.

So, at this point, we're ready to vote.
Before we vote, let me restate the motion again.
The motion on the floor is to reject Second
Revision No. 9 and reject Second Revision No. 10,
thereby recommending first draft text.

If you wish to vote in favor of the motion
and recommend the text on screen one, then press
one.

If you wish to vote against the motion and
recommended text on screen two, then press two. So
please record your votes.

Balloting will close in five seconds.

Balloting closed.
So the results of the vote are 100 for, and 98 against. So the motion passes.

Is there any further discussion on NFPA 731? Okay. Seeing none, we'll move on to the next document.

Thank you, Mr. Moore.
## Certified Amending Motion (CAM) Overview

<table>
<thead>
<tr>
<th>Motion Seq #</th>
<th>NITMAM Log #</th>
<th>Section/Para</th>
<th>Person(s) Authorized to Make the Motion</th>
<th>Certified Amending Motion**</th>
<th>Motion Page #</th>
</tr>
</thead>
<tbody>
<tr>
<td>731-1</td>
<td>1</td>
<td>4.4.3.5</td>
<td>Michael DeVore, State Farm Insurance Co.</td>
<td><strong>Group Amending Motion (731-1):</strong> Reject Second Revision No. 9 and Reject Second Revision No. 10, thereby recommending First Draft text.</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>A.4.4.3.5</td>
<td>Michael DeVore, State Farm Insurance Co.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Determination of Proper Motions within this Report, See NFPA Technical Meeting Convention Rules:**

1) **Group Amending Motions:** Motions identified by separate Logs (NITMAM Log #) that are dependent on one another and that, with the agreement of the authorized maker of the motions, shall be considered as dependent motions which will be debated and voted on by the NFPA Membership as a single up or down package. Such motions shall have a single Motion Seq #, identified as “731-X”, which once made by the authorized person, will effectively place the dependent motions on the floor for debate and vote as a single up or down action.

† Designated Representative in accordance with 4.5.3.5(c) and/or 4.5.3.6 of NFPA’s *Regulations Governing the Development of NFPA Standards*

**In describing the Certified Amending Motion and in the Motions Committee Notes and Comments, the Motions Committee sometimes summarizes or displays the results of the certified amending motions under consideration. The actual Revisions and/or Public Comments related to the motion should, however, be consulted for a complete description of the precise text and associated statements.**
<table>
<thead>
<tr>
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<tr>
<td><strong>Recommended Text if Motion Passes:</strong></td>
<td></td>
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<tr>
<td>4.4.3.5 * Under maximum quiescent load (system functioning in a nonalarm condition), the secondary supply shall have sufficient capacity to operate an electronic premises security system for a minimum of 424 hours and, at the end of that period, shall be capable of operating all alarm-sounding devices for 15 minutes. This requirement shall become effective December 31, 2017.</td>
<td></td>
</tr>
<tr>
<td>A.4.4.3.5 Secondary power for electronic premises security systems can be based on the SVA and the design. Consideration should be given to whether access to the system is readily available and to the property being protected. For example, if a standby power source is to be installed in a vault with a time lock mechanism, the capacity of the standby power should exceed the time lock. The designer should be aware of other standards that can require additional battery capacity.</td>
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<td>The system should incorporate sufficient battery capacity to operate for 24 hours under full standby load followed by 15 minutes of alarm signal. This requirement does not specify that the alarm signal operate for 15 minutes, rather just to have the capacity to do so. The alarm duration of alarm-sounding devices is determined by a security vulnerability analysis (SVA).</td>
<td></td>
</tr>
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<td><strong>Recommended Text if Motion Fails:</strong></td>
<td></td>
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Item 14-8-6
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<tr>
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<th>Certified Amending Motion: Accept Public Comment No. 6.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1192-2</td>
<td><strong>Recommended Text if Motion Passes:</strong></td>
</tr>
<tr>
<td></td>
<td><strong>2.2 NFPA Publications</strong>. National Fire Protection Association, 1 Battymarch Park, Quincy, MA 02169-7471.</td>
</tr>
<tr>
<td></td>
<td><strong>6.1.3 Use of Cellular Foam or Foamed Plastic Materials.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>6.1.3.1</strong> Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles, except as permitted in 6.1.3.2 or for the incidental uses in 6.1.3.4.</td>
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<td></td>
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</tr>
<tr>
<td></td>
<td>2. The flame shall not spread to the outer extremity of the sample on any wall or ceiling.</td>
</tr>
<tr>
<td></td>
<td>3. Flashover, as defined in NFPA 286, shall not occur.</td>
</tr>
<tr>
<td></td>
<td>4. The peak heat release rate throughout the test shall not exceed 800 kW.</td>
</tr>
<tr>
<td></td>
<td><strong>6.1.3.3</strong> Cellular foam or foamed plastic materials shall be permitted to be used if the material is separated from the interior of the vehicle by an approved thermal barrier of either ½ inch (12.7 mm) gypsum wallboard or a material that has been tested in accordance with and meets the acceptance criteria of both the Temperature Transmission Fire Test and the Integrity Fire Test of NFPA 275.</td>
</tr>
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</table>
### Recommended Text if Motion Passes (Continued):

6.1.3.4 The cellular or foamed plastic materials shall be permitted to be used for incidental use in molding, trim, splash panels and on doors, but only if the material has a maximum thickness of ½ inch (12.7 mm), a maximum width of 8 inches (204 mm) and does not constitute more than 10 percent of the specific area to which it is attached.

*Exception No. 1:* Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

*Exception No. 2:* Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

### Recommended Text if Motion Fails:

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles.

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*Exception No. 2:* Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.
MEMORANDUM
(AMENDMENT)

TO: Technical Committee on Recreational Vehicles
FROM: Elena Carroll, Administrator, Technical Projects
DATE: July 7, 2014

At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 1192 was amended by the acceptance of the following:

Amendment 1192-2: Accept Public Comment No. 6

The final results of balloting are as follows:

28 Members Eligible to Vote
6 Ballots not Returned (Day, Harvey, Kitchens, Klein, Mittelstaedt, Taylor)

4 Agree (Ballard, Habib, Livingston, Staves)
17 Disagree (Akins, Arnold, Bloom, Christner, Cole, Colwell, Foster, Haas, Hopkins, Jordal, Luttich, Mihalick, Mulvaney, Sinclair, Sedlacek, Swiecicki, Woodward)
1 Abstention (Parrott)

According to 4.6 of the Regulations Governing the Development of NFPA Standards (Regs), the final results show the Amendment HAS NOT achieved the 2/3 majority vote needed to recommend approval of the Association Action by the Technical Committee. The Committee has voted not to support Amendment 1192-2. As a result, the recommendation to the Standards Council will be to incorporate previous edition text in the NFPA Standard.

The number of votes needed to recommend approval of the Association Action is 14.

(28 eligible to vote - 6 not returned - 1 abstention = 21 × 0.66 = 13.86)

Note: Please remember that the return of ballots is required in accordance with Section 3.1.3.1 of the Regulations Governing the Development of NFPA Standards.
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

:.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

6.1.3.1 Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles, except as permitted in 6.1.3.2 or for the incidental uses in 6.1.3.4.

6.1.3.2 A cellular foam or foamed plastic material shall be permitted to be used as interior finish if it has been tested to NFPA 286 and complies with the following:

1. During the 40 kW exposure, flames shall not spread to the ceiling.

2. The flame shall not spread to the outer extremity of the sample on any wall or ceiling.

3. Flashover, as defined in NFPA 286, shall not occur.

4. The peak heat release rate throughout the test shall not exceed 800 kW.

6.1.3.3 Cellular foam or foamed plastic materials shall be permitted to be used if the material is separated from the interior of the vehicle by an approved thermal barrier of either ½ inch (12.7 mm) gypsum wallboard or a material that has been tested in accordance with and meets the acceptance criteria of both the Temperature Transmission Fire Test and the Integrity Fire Test of NFPA 275.

6.1.3.4 The cellular or foamed plastic materials shall be permitted to be used for incidental use in molding, trim, splash panels and on doors, but only if the material has a maximum thickness of ½ inch (12.7 mm), a maximum width of 8 inches (204 mm) and does not constitute more than 10 percent of the specific area to which it is attached.
Exception No. 1: Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.
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*Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting "Disagree" or "Abstain":

With the cellular foam plastic, the industry does not use it as an interior finish. However, this would limit the size of trim to a bit smaller than is currently allowed / used.

________________________________________

Signature: ________________________________

Name - Please Print: ________________________

Date: _________________________________

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Project
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Agreement form:

**Amendment 1192-2:** Accept Public Comment No. 6.

**Instructions:**
- **Vote Agree** to support the Amendment and as a result recommend the Public Comment text.
- **Vote Disagree** to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

**Agree**

I support the Amendment and as a result recommend the Public Comment text which reads as follows *(changes shown legislatively to the Second Draft)*:

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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Disagree* 

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6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles.

*Please give reasons for voting “Disagree”:

We already discussed this at length in several previous TC meetings. The proposed requirement of 6.1.3.2 (3) is an untenable requirement as “FLASHOVER” is a documented scientific phenomenon and a normal progression of any fire.

Further, the NFPA 2013 Glossary of Terms defines “Flashover” in multiple codes/standards/guides of which NFPA 286 is NOT listed. It is also therefore unknown if the 286 definition complies with the definitions already established by the NFPA.

“A stage in the development of a contained fire in which all exposed surfaces reach ignition temperatures more or less simultaneously and fire spreads rapidly throughout the space.” NFPA 101, 555, 556, 5000

“A transition phase in the development of a compartment fire in which surfaces exposed to thermal radiation reach ignition temperature more or less simultaneously and fire spreads rapidly throughout the space, resulting in full room involvement or total involvement of the compartment or enclosed space.” NFPA 402, 921, 1403

Signature: __________________ Digitally Signed__________________________

Name - Please Print: __Chris Bloom__________________________

Date: 6/25/2014 __________

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:
Vote Agree to support the Amendment and as a result recommend the Public Comment text.
Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

[ ] Agree

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


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6.1.3.4 The cellular or foamed plastic materials shall be permitted to be used for incidental use in molding, trim, splash panels and on doors, but only if the material has a maximum thickness of ½ inch (12.7 mm), a maximum width of 8 inches (204 mm) and does not constitute more than 10 percent of the specific area to which it is attached.

Exception No. 1: Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

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Disagree*  I do not support the Amendment and as a result recommend previous edition text which reads as follows:

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:
I do not believe the NFPA 275 or 286 pertain to recreational vehicles as they are vehicles and not residential or housing

Signature: ___Jeff Christner_________________________________________
Name - Please Print: ___Jeff Christner_________________________________
Date:  6/16/14 __________

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Attachment 14-8-6-a
Page 11 of 63

Supplemental Agenda - Standards Council Meeting August 11-14, 2014

August 5, 2014

NFPA 1192, Standard on Recreational Vehicles
June 2014 Amendment 1192-2 Ballot Form
For the Technical Committee on Recreational Vehicles

Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

Agree support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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4. The peak heat release rate throughout the test shall not exceed 800 kW.

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Exception No. 1: Cellular or foamed plastic materials shall be permitted on the basis of fire-tests that substantiate their combustibility characteristics for the use intended, in actual fire-conditions.

Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.
Disagree*  

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Battymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.
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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

I disagree based on NFPA 1192 plans to conduct a comprehensive review of all flame requirements in the 2017 edition.

Signature: ____________________________  7-3-2014

Name - Please Print: GARRY D COLE

Date:

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Battymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

**Vote Agree** to support the Amendment and as a result recommend the Public Comment text.

**Vote Disagree** to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

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*Exception No. 2*: Incidental use of cellular or foamed materials for molding, trim, splash panels and on doors shall be permitted.
Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

There is no evidence to suggest that the proposed changes to these sections would enhance fire safety. Furthermore, since fire retardants may be required for materials to meet these specifications, it is unclear if fire retardants would increase toxic gas production during a fire and actually reduce overall vehicle safety. The use of fire retardants may have additional, unforeseen toxicity effects which may also reduce overall vehicle safety.

Signature: [Signature]
Name - Please Print: [Name]
Date: [Date]

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

**Instructions:**

- **Vote Agree** to support the Amendment and as a result recommend the Public Comment text.
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I support the Amendment and as a result recommend the Public Comment text which reads as follows *(changes shown legislatively to the Second Draft):*

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6.1.3.1 Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles, except as permitted in 6.1.3.2 or for the incidental uses in 6.1.3.4.

6.1.3.2 A cellular foam or foamed plastic material shall be permitted to be used as interior finish if it has been tested to NFPA 286 and complies with the following:

1. During the 40 kW exposure, flames shall not spread to the ceiling.
2. The flame shall not spread to the outer extremity of the sample on any wall or ceiling.
3. Flashover, as defined in NFPA 286, shall not occur.
4. The peak heat release rate throughout the test shall not exceed 800 kW.

6.1.3.3 Cellular foam or foamed plastic materials shall be permitted to be used if the material is separated from the interior of the vehicle by an approved thermal barrier of either ½ inch (12.7 mm) gypsum wallboard or a material that has been tested in accordance with and meets the acceptance criteria of both the Temperature Transmission Fire Test and the Integrity Fire Test of NFPA 275.

6.1.3.4 The cellular or foamed plastic materials shall be permitted to be used for incidental use in molding, trim, splash panels and on doors, but only if the material has a maximum thickness of ½ inch (12.7 mm), a maximum width of 8 inches (204 mm) and does not constitute more than 10 percent of the specific area to which it is attached.

*Exception No. 1:* Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

*Exception No. 2:* Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.
Disagree

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles.

Exception No. 1: Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain

*Please give reasons for voting “Disagree” or “Abstain”:

In support the position taken by the Technical Committee during both the first draft and the second revision

__________________________________________________________

__________________________________________________________

Signature  

Name - Please Print: Dean Foster

Date: 27-Jun-14 (sorry out of town earlier this week)

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

RESEARCH HAS SHOWN THERE IS NO BENEFIT OR ENHANCED SAFETY REGARDING THE PROPOSAL.

Signature: 

Name - Please Print: DOUGLAS HAAS, ALLIED RECREATION GROUP, INC.

Date: 6/24/14

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

**Vote Agree** to support the Amendment and as a result recommend the Public Comment text.

**Vote Disagree** to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows *(changes shown legislatively to the Second Draft)*:

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

   :   :


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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*Exception No. 1:* Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

*Exception No. 2:* Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.
Disagree* I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.
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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:
I agree with the committee’s action during the first draft and second revisions. The proposed change will not enhance safety as trim is already exempt and cellular foam plastic is not currently used as an interior finish.

Signature: ___ _________________________________________
Name - Please Print: __Bruce A Hopkins__________________________________
Date: 6-24-14

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Disagree* I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

*Please give reasons for voting “Disagree” or “Abstain”:

**IT WOULD BE OVERLY BURDENSOME TO DO ALL THE FULL SCALE CORNER ROOM TESTS POTENTIALLY REQUIRED BY THIS PROPOSAL. THE SUBMITTER OF THIS PROPOSAL HAS NOT PROVIDED ANY DATA THAT SHOWS CURRENT TESTING IS AN ISSUE.**

Signature: 

Name - Please Print: DALE JORDAN

Date: 6-25-14

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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Disagree* I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

NO DATA HAS BEEN SUBMITTED SUPPORTING THE
PROPOSAL SUGGESTING IMPROVED SAFETY.

Signature: [Signature]
Name - Please Print: MARK WITTICH
Date: 08-23-14

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

 Agree

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

*Please give reasons for voting “Disagree” or “Abstain”:

The use of cellular foam and foamed plastics is only allowed for incidental use and must be fire tested for the intended use in actual fire conditions. The Public Comment is only requiring a more stringent test on an application where one is not needed. In addition, I would also recommend the committee go back and review this section in the 2017 Code Cycle.

Signature:

Name - Please Print: David M. Mihalick
Date: June 20, 2014

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

*Please give reasons for voting “Disagree” or “Abstain”:

Current Standard text does not allow the use of cellular foam or formed plastic materials for the interior finish in RVs. These proposed changes do not add to current Standards in regards to safety.

Signature: __Doug Mulvaney_____________________________

Name - Please Print: __Doug Mulvaney_____________________

Date: ______________ 6/23/2014 ______________

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617- 984-7110
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

Vote **Agree** to support the Amendment and as a result recommend the Public Comment text.

Vote **Disagree** to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

☐ Agree

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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**Exception No. 2:** Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.
Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

*Please give reasons for voting “Disagree” or “Abstain”:

With the newly provided background information provided I agree with the original position the TC agreed upon. Unsubstantiated evidence not able to support the change.

Signature: [Signature]

Name - Please Print: [Signature]

Date: June 27, 2014

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
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Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


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Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.
Disagree*  I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.
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*Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

I disagree with Public Comment #6 and support the technical committees’ position based on a thorough consideration that the committee gave this issue and the supporting evidence in the first and second round drafts.

Signature: [Signature]

Name - Please Print: [Name - Please Print]

Date: [Date]  (REVISED)

Please return as soon as possible, but no later than [Date] to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: [EMAIL]
FAX: [FAX]

August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 391 of 1626
I do not support the Amendment and as a result recommend previous edition text which follows (text shown clean):

**2.2 NFPA Publications.** National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

**6.1.3 Use of Cellular Foam or Foamed Plastic Materials.**

Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles.

*Exception No. 1: Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.*

*Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.*

*Please give reasons for voting “Disagree” or “Abstain”:

I change my vote to disagree based on the commitment that the RVIA made to conduct a comprehensive study of the requirements for foam plastic use and other “flame requirements” within NFPA 1192, prior to the next edition.

__________________________________________
Signature: __________________________________

Name - Please Print: ________________ Bruce Swiecicki

Date: ________________ June 27, 2014

Please return as soon as possible, but no later than **June 25, 2014** to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
From: Leslie Woodward
Sent: Sunday, June 29, 2014 2:27 PM
To: Carroll, Elena
Subject: RE: NFPA 1192 Amendment Ballot 1192-2 - BALLOT CIRCULATION

Good Afternoon Elena,

Please accept this as my ballot for changing my vote on Ballot 1192-2. I wish to vote negative for the proposal. It appears that 1192 already addresses the use of trim in the RV and that the flammability numbers outlined in the proposed language are not relevant to the current usage of the material.

Regards,

Leslie Woodward

From: Carroll, Elena [mailto:ecarroll@nfpa.org]
Sent: Thursday, June 26, 2014 2:50 PM
To: Carroll, Elena
Cc: Duffy, Chad
Subject: FW: NFPA 1192 Amendment Ballot 1192-2 - BALLOT CIRCULATION

Vote changes/returns are due THURSDAY, July 3rd, not Friday.
Thanks!
Elena

From: Carroll, Elena
Sent: Thursday, June 26, 2014 2:40 PM
To: Carroll, Elena
Cc: Duffy, Chad
Subject: NFPA 1192 Amendment Ballot 1192-2 - BALLOT CIRCULATION

Technical Committee on Recreational Vehicles:

Attached is the Circulation of Votes for the NFPA 1192 Association Amendment Ballot No. 1192-2. If you wish to change your vote, changes are due back at NFPA by Friday, July 3, 2014. If you haven’t yet returned a ballot, you may return your vote during the circulation period.

Please return your ballot by fax to 617-984-7110 or by e-mail to: ecarroll@nfpa.org

Please remember that the return of ballots and attendance at Committee Meetings are required in accordance with the Regulations Governing the Development of NFPA Standards.

Thank you.

Elena Carroll
Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
Amendment 1192-2: Accept Public Comment No. 6.

Instructions:

**Vote Agree** to support the Amendment and as a result recommend the Public Comment text.

**Vote Disagree** to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

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I support the Amendment and as a result recommend the Public Comment text which reads as follows *(changes shown legislatively to the Second Draft)*:

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.


6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

6.1.3.1 Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles, except as permitted in 6.1.3.2 or for the incidental uses in 6.1.3.4.

6.1.3.2 A cellular foam or foamed plastic material shall be permitted to be used as interior finish if it has been tested to NFPA 286 and complies with the following:

1. During the 40 kW exposure, flames shall not spread to the ceiling.

2. The flame shall not spread to the outer extremity of the sample on any wall or ceiling.

3. Flashover, as defined in NFPA 286, shall not occur.

4. The peak heat release rate throughout the test shall not exceed 800 kW.

6.1.3.3 Cellular foam or foamed plastic materials shall be permitted to be used if the material is separated from the interior of the vehicle by an approved thermal barrier of either ½ inch (12.7 mm) gypsum wallboard or a material that has been tested in accordance with and meets the acceptance criteria of both the Temperature Transmission Fire Test and the Integrity Fire Test of NFPA 275.

6.1.3.4 The cellular or foamed plastic materials shall be permitted to be used for incidental use in molding, trim, splash panels and on doors, but only if the material has a maximum thickness of ½ inch (12.7 mm), a maximum width of 8 inches (204 mm) and does not constitute more than 10 percent of the specific area to which it is attached.

Exception No. 1: Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.
Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

2.2 NFPA Publications. National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471.

6.1.3 Use of Cellular Foam or Foamed Plastic Materials.

Cellular foam or foamed plastic materials shall not be used for interior finish (as defined in 3.3.34) in recreational vehicles.

Exception No. 1: Cellular or foamed plastic materials shall be permitted on the basis of fire tests that substantiate their combustibility characteristics, for the use intended, in actual fire conditions.

Exception No. 2: Incidental use of cellular or foamed materials for molding, trim, splash panels, and on doors shall be permitted.

Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

The new public comment text is unclear as to how NFPA 275 and NFPA 286 compare and or relate to the required Federal Motor Vehicle Safety Standards 302 (49 CFR-573.302), Flammability of Interior Materials.

Signature: ____________________________

Name - Please Print: _______________________

Date: 6/24/2014

Please return as soon as possible, but no later than June 25, 2014 to:

Elena Carroll, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: ecarroll@nfpa.org
FAX: 617-984-7110
vote; but before we do, let me restate the motion.

The motion on the floor is to accept Public Comment No. 5. If you wish to vote in favor of the motion and recommend the text on screen one, then press one.

If you wish to vote against the motion recommending the text on screen two, then press two. You may record your vote now.

Balloting is closing in five seconds.

Voting closed.

And the results are 121 against, 97 for.

And the motion fails.

So now let's proceed with discussion on Certified Amending Motion 1190.0.

Microphone 5.

SPEAKER: Marcelo Hirschler, GBS International, and I move to accept Public Comment No. 6.

PRESIDING OFFICER: Thank you. So we have a motion to accept Public Comment No. 6.

Do I have a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: We have a second.

Please proceed with your discussion.

SPEAKER: Marcelo Hirschler, GBH
International for NFPA.

Let me show you -- and you can look at it on screen number two -- what is presently there being cellular foam or foamed plastic materials shall not be used for interior finish -- and then there is exception. It shall be permitted on the basis of fire tests that substantiate their combustibility for the use intended in actual fire conditions.

That's the wording we used to have everywhere in the building code, in the fire code, in life safety code forever, until we knew 15 years ago or so what the actual tests are that we should use for these foamed plastic materials.

Some of you may have heard. I gave a long talk yesterday on what tests are used on plastic materials, and that is exactly what I'm recommending here, exactly the same as this. And I'm adding the same exception that talks here about to permit incidental use for molding, trim, splash panels, and on doors.

Well, that same exception is there. No change. The only difference is that we have to use the same test for foamed plastic inside an RV as we used foamed plastic everywhere. That's what we've
been doing for a long time. And I hope we can do that in RVs too.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Mulvaney, would you like to offer the Committee's position?

COMMITTEE CHAIR: Yes, Mr. Chair. Thank you.

The Technical Committee on Recreational Vehicles' position is we have not been presented with any documentation that will suggest that a different or additional standard is needed to improve the current standard in regard to safety.

Thank you.

PRESIDING OFFICER: Thank you, Mr. Mulvaney.

So with that, we'll open up debate on the motion. Again, please provide your name and affiliation and whether you're speaking in support of or against the motion.

Microphone 3.

SPEAKER: Jim Lothrop, Cost Associates, speaking for myself in favor of the motion.

What you see on screen two is absolutely archaic material. All you have to do is look at
stations (inaudible) fires or fires in San Maria, Brazil; and you can see the problems with the material.

The material Marcelo has proposed is much more up to date and will address the problems much better.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 4.

SPEAKER: I'm Mark Luttich, the department director for the Nebraska Public Service Commission Housing and Recreational Vehicles Department as chairman of the committee and current member of the committee. I am speaking against the motion.

I'm speaking against the motion. I'm joined here today with other members of that committee -- David Mihalick of Thor Industries, Jeff Christner of Grand Design RVs, Bruce Hopkins secretary of the NFPA Technical Committee on Recreational Vehicles and vice president of the Recreational Vehicles Industry Association.

In an effort to ensure efficiency in our opposition to the motion regarding the revisions to the use of cellular foam or foamed plastic materials, we have agreed to consolidate our
comments. I will be the only speaker on behalf of the committee members speaking against this motion.

      Mr. Hirschler submitted a proposal during the first draft to amend the 1192 Standard for Recreational Vehicles regarding the use of cellular foam and foamed plastic materials in RVs. His proposal was considered and rejected by the committee. He then resubmitted his comment during the second draft of revision. His comment was reconsidered and then rejected by the Committee.

      We are now here to address his motion to amend the 1192 from the floor during this annual meeting. Nothing has changed between Mr. Hirschler's initial proposal and today. The Committee understood his proposal that saw the change in the testing methods to ensure fire safety when using cellular foam or foamed plastic materials. However, Mr. Hirschler submitted no documentation with his proposal to illustrate why a different standard is needed or that such a change will actually improve fire safety of RVs using cellular foam or foamed plastic materials.

      The Committee based its rejection of the proposal on the facts that's so indicated in its accompanying statement. Perhaps one reason for the
absence of such supporting documentation is the fact that RV manufacturers do not use foam or foamed plastic as a primary interior finish material in their vehicles. While some cellular foam or foamed plastic materials are used for incidental purposes such as trim, these materials are rated to Federal Motor Vehicle Safety Standard 302 because of the use of motor homes.

As vehicles, RVs have not had fire-related issues stemming from the use of cellular foam or foamed plastic materials, particularly when used as trim. The test standards Mr. Hirschler is proposing for cellular foam on foamed plastic materials were developed to address permanently constructed building fires, although the requirements of FMVSS 302 may not directly equate to the fire safety criteria typically applied to houses or buildings. The fact is they were intended to. The fire safety requirements for RVs are in place to allow persons the precious few seconds needed to get out and away from an RV in the event of a fire. Durability of a structure is never the intent.

In summary and in the absence of any supporting data, we do not believe that fire test
requirements are justified for our industry.

Further, we continue to support the determination
of the NFPA RV Committee that current requirements
are adequate.

Thank you.

PRESIDING OFFICER: Thank you.

THE WITNESS: Microphone 5.

SPEAKER: Howard Copper, UL, speaking in
favor of the motion on the floor. This item deals
with cellular foam insulation, which represents a
significant fire fuel low. And in looking at
Mr. Hirschler's motion, this introduces language
that's much more specific and a much more modern
way of addressing the potential hazard here than
the two exceptions that are currently in the
standard that are very vague on how to comply with
those requirements to begin with. So I'm speaking
in support of the motion.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 4.

SPEAKER: Bruce Hopkins, RVIA speaking
against the motion. The comments by the gentleman
just made referred to insulation. This requirement
has to do with interior finish; so it's only the
surface of the material that's involved. As Mark Luttich indicated in his comment, cellular foamed plastic is only used in trim applications right now.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 3.

SPEAKER: Jim Lothrop, Cost Associates, speaking for myself in favor of the motion.

Gentlemen stop supporting it because, as an interior finish, it's actually a worse situation as than an insulation.

Exposed foamed plastic is a problem. It doesn't matter whether it's in a home, whether it's in a motorhome, a recreational vehicle, or a nightclub. This has been a problem since the '60s. The Federal Trade Commission years ago had a hearing on this and numerous issues of reports on this. I just can't understand why people are saying that, because it's recreational vehicles, it's going to be okay to do this. There's nothing in here that prevents them from using this trim. Some guy comes along and wants to line the interior on one of these with foamed plastic, they're going to have to pass the proper test.
PRESIDING OFFICER: Thank you.

Microphone 5.

SPEAKER: Marcelo Hirschler, GBH International for NFPA. In favor of the motion.

Just quickly want to reiterate, explain that I did submit a very significant amount of information both in the public proposal and in the public comment as to why the tests that I recommended are the appropriate ones and why they are used in a variety of application everywhere where cellular foamed plastic is used. I urge you to support the motion.

Thank you.

PRESIDING OFFICER: Thank you.

Microphone 4.

SPEAKER: Bruce Hopkins, RVIA against the motion. I understand the comments and the concerns, but in this particular motion, when it's being used for trim, it's still being permitted and basically being exempt. So there's no advantage at this point in time.

Thank you.

PRESIDING OFFICER: Thank you.

Is there any further discussion on Motion 1192-2 to accept Public Comment No. 6?
Mr. Chair, would you like to make any final comments?

COMMITTEE CHAIR: No, sir. Thank you.

PRESIDING OFFICER: Thank you, Mr. Chair.

So at this point, we're ready to vote; but before we vote, let me restate the motion. The motion on the floor is to accept Public Comment No. 6.

If you wish to vote in favor of the motion and accept the recommended text on screen one, then press one.

If you wish to vote against the motion recommending the text on screen two, then press two. So please record your votes.

Balloting will close in 5 seconds. Voting closed.

So the results of the voting 163 for, 57 against; and this motion passes.

Is there any further discussion on NFPA 1192? Seeing none, we'll move on.

Thank you, Mr. Mulvaney.

So at this point, this officially concludes this portion of the 2014 NFPA Technical Meeting. I want to thank you for your participation, interest, and support and getting
through a very quick efficient agenda this afternoon.

So I now declare this part of the meeting officially closed.

Thank you.

(TIME NOTE: 3:27 P.M.)
I, the undersigned, a Certified Court Reporter of the State of Nevada, do hereby certify,

That the foregoing proceedings were taken before me at the time and place herein set forth;

That any witnesses in the foregoing proceedings, prior to testifying, were duly sworn;

That a record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction;

That the foregoing transcript is a true record of the testimony given.

Further, that before completion of the proceedings, review of the transcript [ ] was [X] was not requested.

I further certify I am neither financially interested in the action nor a relative or employee of any attorney or party to this action.

IN WITNESS WHEREOF, I have this date subscribed my name:

Dated: June 26, 2014

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Kimberly M. Lowe
CCR No. 849
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<td>call 3:17,22</td>
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<td>capturing 15:3</td>
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<td>carman 37:22 41:3</td>
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<td>ceilings 58:14,25</td>
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<td>21:1 22:7,9,12,21</td>
</tr>
<tr>
<td>22:23 23:2,8 27:23</td>
</tr>
<tr>
<td>27:24,25 28:4,14</td>
</tr>
<tr>
<td>29:8,11,19,22,25</td>
</tr>
<tr>
<td>committee</td>
</tr>
<tr>
<td>------------</td>
</tr>
<tr>
<td>30:19 32:13 33:24</td>
</tr>
<tr>
<td>34:9,24 35:12 36:7</td>
</tr>
<tr>
<td>36:9,9,11,20,21</td>
</tr>
<tr>
<td>37:1,5 39:1,7,10,13</td>
</tr>
<tr>
<td>40:16,22 41:6,7,16</td>
</tr>
<tr>
<td>42:3,4,7,16,17</td>
</tr>
<tr>
<td>43:24 44:12,14,16</td>
</tr>
<tr>
<td>44:20,25 45:2,4,23</td>
</tr>
<tr>
<td>46:1 47:8,9,10,12</td>
</tr>
<tr>
<td>47:21,23 48:2,7</td>
</tr>
<tr>
<td>49:2,24 50:9,11</td>
</tr>
<tr>
<td>51:1 52:10 53:8,10</td>
</tr>
<tr>
<td>53:10,13,22,24 54:3</td>
</tr>
<tr>
<td>54:7,55:7 56:12,14</td>
</tr>
<tr>
<td>57:16,24 58:1,8,16</td>
</tr>
<tr>
<td>58:18,23 60:4,11</td>
</tr>
<tr>
<td>61:22 64:7,9 65:13</td>
</tr>
<tr>
<td>66:10,15,23 68:3</td>
</tr>
<tr>
<td>71:3</td>
</tr>
<tr>
<td>committee's 34:8</td>
</tr>
<tr>
<td>41:5 50:22 56:11</td>
</tr>
<tr>
<td>64:6</td>
</tr>
<tr>
<td>committees 7:16</td>
</tr>
<tr>
<td>18:1 19:22 21:6</td>
</tr>
<tr>
<td>43:8 44:24</td>
</tr>
<tr>
<td>community 17:20</td>
</tr>
<tr>
<td>company 9:15,18</td>
</tr>
<tr>
<td>18:11 21:5</td>
</tr>
<tr>
<td>complete 29:5</td>
</tr>
<tr>
<td>completely 30:23</td>
</tr>
<tr>
<td>completion 12:12</td>
</tr>
<tr>
<td>73:12</td>
</tr>
<tr>
<td>complexities 40:18</td>
</tr>
<tr>
<td>complexity 40:11</td>
</tr>
<tr>
<td>compliance 5:10</td>
</tr>
<tr>
<td>comply 14:8 55:15</td>
</tr>
<tr>
<td>42:13</td>
</tr>
<tr>
<td>comprise 4:4</td>
</tr>
<tr>
<td>concern 29:3 43:15</td>
</tr>
<tr>
<td>56:1</td>
</tr>
<tr>
<td>concerning 6:4 7:17</td>
</tr>
<tr>
<td>cycle 5:4,6,13,14</td>
</tr>
<tr>
<td>23:1 34:25 48:1</td>
</tr>
<tr>
<td>54:2</td>
</tr>
<tr>
<td>daniel 37:23</td>
</tr>
<tr>
<td>59:25 60:8 67:25</td>
</tr>
<tr>
<td>73:18</td>
</tr>
<tr>
<td>david 57:24 65:17</td>
</tr>
<tr>
<td>21:24</td>
</tr>
<tr>
<td>days 6:24 7:3,8 8:12</td>
</tr>
<tr>
<td>deals 68:9</td>
</tr>
<tr>
<td>14:5 15:3 34:15</td>
</tr>
<tr>
<td>64:17</td>
</tr>
<tr>
<td>debates 7:20 10:12</td>
</tr>
<tr>
<td>25:21</td>
</tr>
<tr>
<td>decision 8:6</td>
</tr>
<tr>
<td>declare 2:10 72:3</td>
</tr>
<tr>
<td>decorative 60:22</td>
</tr>
<tr>
<td>dedicated 21:14</td>
</tr>
<tr>
<td>deem 11:12</td>
</tr>
<tr>
<td>deemed 55:10</td>
</tr>
<tr>
<td>definitely 49:9</td>
</tr>
<tr>
<td>deletion 58:4</td>
</tr>
<tr>
<td>deliberations 51:1</td>
</tr>
<tr>
<td>delivery 39:14</td>
</tr>
<tr>
<td>demonstrated 25:21</td>
</tr>
</tbody>
</table>
[department - exits]

65:10,12
deployment 19:6
depth 39:8
describes 27:9
deserving 18:6
design 57:25 65:18
designed 13:24
designers 39:11
designing 31:7
desk 3:9 4:2 12:11
destroy 30:13
detail 48:19
detailed 43:3
details 3:10 26:12
determination 12:22 60:11 68:2
determined 43:2 56:20
develop 46:2
developed 33:23 43:8 55:18 59:10,12 60:18 61:5 67:14
device 13:8 9:9,10 13:12,14,17 15:21
devices 3:15 9:7 13:3,3,15
devore 48:25 50:20
difference 61:14 63:23
differences 40:24
difficult 16:15,21
direction 46:4 73:9
directly 6:13 59:6 67:16
director 57:13 65:11
directors 8:11,14 19:11
directory 3:25 4:14
disability 3:7
disagree 31:15
discretion 14:4
discuss 25:25
discussions 7:11 29:8 46:8
display 36:16
displayed 22:17 47:17 53:18
displaying 14:17 15:11
disposition 8:2
distance 27:11,12
distinct 2:8
distinguished 18:3
documentation 64:11 66:19 67:1
documents 3:24 41:12 43:8 44:7,10 44:13 45:8 55:9
doing 31:9 44:21,23 45:4 52:3 64:1
dooley 36:10
doors 63:21
doug 53:10
dusts 18:22
dusts 18:21,23
dwellings 41:9
during 60:14

54:1,1,4 58:11,17 66:4,9
dragging 32:2
drapes 60:21
droplets 40:10
due 27:18
duly 73:6
durability 59:18 67:22
dust 18:22
dusts 18:21,23
dwellings 41:9
during 60:14

e 2:4,4 3:11
earlier 37:14 48:15 48:20
easily 26:16
eave 26:2
eaves 25:15
edit 50:1
dependable 19:12
effectively 11:13
efficiency 13:24 58:3 65:22
efficient 72:1
effect 58:3 65:22

effects 46:1
either 39:10 50:8
electric 19:24 48:5
electrical 10:22 17:10
electronic 9:7 13:3,8 14:12,13
elevator 3:6

eliminating 13:25

equipment 56:16

equipment 56:16

equipment 56:16

enclosure 25:22,23 28:24 29:7 31:17,18
evacuate 3:8 21:1
evacuation 3:8 21:1
eviction 9:9 11:16 59:15 67:22

everett 2:18
everybody 15:9 22:1 48:18
everybody's 27:18

evidence 56:15

exactly 15:18 63:17 63:18

examiner 19:10

each 26:4

except 63:6,19 63:22

exceptions 68:15

excuse 24:14 28:16

exemplary 17:25

exempt 70:20

existing 34:10

exists 2:10

exist 2:25 3:1

exits 2:24
gentleman 61:10 68:23
getting 71:25
gibbons 28:12 31:13 34:20
gist 49:19
give 21:15 26:11 31:3 34:1,10 40:23 56:15 73:11
gives 30:21
giving 14:1,3
global 28:12 31:13 34:20
go 24:16,17 26:24 27:21 41:15
goes 20:17
good 2:7 17:22 37:21 57:12 61:6
governed 13:21
grand 57:25 65:18
grandview 20:20,20
greater 14:4
green 9:23,24
ground 18:13
group 19:21 22:10 49:11 58:8
groups 10:20
guessing 14:21
guesswork 15:17
guidance 34:11
guide 3:12,17,21
guidelines 34:10 35:3 41:18,18 56:22 59:10

guideway 21:10
guy 69:23

h 20:19
hand 13:13
hands 40:20,21
hanging 61:9
happen 31:15
happens 25:4
hawkins 58:1
hazard 24:22 68:14
health 10:22
hear 11:18,23
heard 42:15 63:15
hearing 69:18
held 13:11
hereto 61:15
herring 60:25
high 40:8,15,17 45:6
highly 25:10
highway 56:19
hirscher's 29:4 58:22 60:1 66:14 68:12
historical 35:4
history 35:1
hold 50:12
home 69:14
homes 67:8
hope 15:4 17:1 64:1
hopkins 65:18 68:22 70:16
hours 49:20,21
houses 59:8 67:18
housing 57:14 65:12
howard 68:8

hubert 37:23
huge 25:10
hughes 20:6 47:10
humans 57:1
hundred 6:10

icc 55:22
identifiable 24:3,8
identify 5:18
identifies 42:20
ignite 26:16
ignite 25:22 28:25
31:17
ignitions 61:6
iii 20:17,19 21:1,4
illustrate 66:19
impact 56:23
important 7:12
importantly 40:15
59:19
imposing 29:24
improve 13:24
64:13 66:21
improved 60:3
inappropriate 11:16
43:23
inaudible 31:8 32:3 33:25 59:21 65:1
inch 26:3 40:2
incident 21:8
incidental 63:20 67:6
include 44:11
including 4:9 8:7 10:12 44:8
inclusion 56:24
inconsequential 40:23
incorporate 40:8

indicate 6:1 9:25 10:1 11:19 32:5
indicated 59:22 60:5
66:24 69:2
indication 30:20
31:4
individuals 18:6 59:14
industries 57:25 65:17
industry 59:19
60:10 65:21 68:1
inform 3:2
25:7 34:2,3,24
36:13 37:8 47:14 48:10 53:15 54:10
55:9 70:7
initial 58:22 66:14
input 13:14 49:25 50:9,9,10
insertion 14:20
inside 55:14 61:9,9 63:24
inspected 41:10
inspector 19:9
install 60:20
installation 23:5
48:5
installed 41:9
insulation 68:10,24 69:12
integral 7:12
intended 5:1 59:9 59:18 63:8 67:19
intensity 26:24
intent 5:2 67:23
interest 71:25
interested 31:9
73:16
[interior - meeting]

interior 63:5 67:3
68:25 69:11,23
internal 19:23 22:8
22:23
international 19:21
22:10 23:21 30:6
32:1 33:8 51:15
54:20 60:17 62:17
63:1 70:4
interpret 29:15
introduce 2:14
17:17 56:25
introduces 50:12
68:12
introduction 56:22
intuitive 27:5
investor 49:3
invoked 8:8
involved 69:1
island 47:11
issuance 8:6
issue 8:5 9:10 10:24
24:21 28:22 29:12
29:18,21,23 30:7,7
31:7 36:6 56:18
59:21
issued 13:8
issuer 7:23
issues 2:23 11:24
14:5 67:10 69:18
item 31:16 34:22
68:9
itm 44:11 45:16

j
Jack 20:3,4,6
janus 37:22
Jeff 57:23 65:18
Jersey 21:6
JG 17:22 21:20
Jim 28:12 31:13
34:20 64:22 69:8
job 1:24
John 21:1,2,4

join 18:17 21:2
joined 57:17,23
65:16
judgment 8:4
July 6:25
June 1:7 2:1 4:7 5:16
12:4 73:21
jurisdiction 45:12
justified 60:9 68:1

k
kampgrounds 53:11
keep 32:2
kerry 2:15 17:17,21
21:23
kimberly 1:22 73:22
kind 25:5,6 32:4
knew 63:12
know 25:9,12 30:8
30:12,14,25 55:17
56:3
koffel 42:2,2 43:10
44:7 45:2

l
lack 13:4
ladder 18:11
ladders 18:13
ladies 2:7 22:22
36:20 47:22 53:23
language 68:12
large 39:9
larger 16:15,19
larry 36:9
las 1:6 2:1,22
law 56:2
lead 7:11
leave 13:15,18
length 37:15
letter 23:7 37:4 48:6
54:6
lettering 16:15,18
level 40:10
life 63:12
light 3:4

limit 11:15
limited 8:9,20 39:14
linda 2:12
line 41:12 69:23
linked 13:9
liquids 20:9,11
lithia 19:22 22:11
little 30:9 35:3
llc 19:4
located 22:13 36:12
41:13 47:13 53:14
logic 43:16
long 12:19 60:18
63:15 64:1
longer 6:10 17:11
33:25
look 15:19 31:5,15
61:6 63:2 64:25
looked 34:23
looking 68:11
loss 6:19 21:7
lost 6:16 13:10
lot 28:23 45:25
60:23
lothrop 64:22 69:8
low 39:13,17 68:11
lowe 1:22 73:22
luis 20:17,18,19
luttich 57:13 65:10
69:2

m
m 1:22 73:22
machine 73:8
maintain 45:15
maintained 41:10
maintenance 38:19
38:21,24 39:17,23
41:12,16,18 42:10
42:22 43:4 45:5
major 40:23
majority 7:24 11:3
39:9,12
maker 5:1 12:23
17:9 51:22
making 8:1
managing 14:5
mandalay 1:5 3:3
manner 9:5
manning 13:17
manual 50:1
manufactured 57:2
manufacturer 26:13
30:15 31:9
manufacturers 39:10 59:20 67:2
marcelo 23:20 30:5
31:25 33:7 51:14
54:19 60:16 62:16
62:25 65:4 70:3
margin 27:11
maria 65:1
mark 57:13 65:10
69:2
mass 21:7
material 26:15,16
26:17 28:25 50:7,13
59:6 60:2 64:25
65:3,4 67:4 69:1
materials 25:22
26:23 29:6,17 31:18
58:14 59:1 60:22
63:4,14,17 65:25
66:6,18,22 67:5,6
67:11,14
matter 69:14
maureen 2:17
maximum 39:21
40:3
meaningless 31:6
means 40:24
measure 30:16
meet 56:2
meeting 1:4 2:11
3:16 4:7,11 5:1,15
5:24 6:14,23,24 7:1
7:9,11,14,21 8:8,19
9:22 10:10,25 11:5
11:6,14 12:3,8
13:16,21,25 14:8
### Supplemental Agenda - Standards Council Meeting August 11-14, 2014

**2014 NFPA Standards Council Meeting**

- 27:22:34 Organization
- 40:7:13 NFPA, 4:8
- 40:11 4:7
- 40:12 4:11, 41:7
- 40:14 4:11, 41:7
- 40:16 4:11, 41:7
- 40:18 4:11, 41:7
- 40:19 4:11, 41:7
- 40:21 4:11, 41:7
- 40:22 4:11, 41:7
- 40:23 4:11, 41:7
- 41:19 4:11, 41:7
- 41:22 4:11, 41:7
- 41:24 4:11, 41:7
- 41:25 4:11, 41:7

**Attendees:**
- 12:11 Officers
- 28:15 Nightclubs
- 69:16 NIST
- 33:23 Nims

**Actions:**
- 14:2 Non-combustible
- 17:6 Normally
- 23:12 Note
- 50:23 Officially

**Participants:**
- 13:9 Participant
- 14:1 Participants
- 13:11 Page
- 15:12 Paragraph

**Other Terms:**
- 72:7 Once
- 14:11 Okay
- 16:23 Officially
- 16:24 Park
- 17:11 Number
- 22:19 Open

**Meeting Details:**
- 12:2 Offer
- 27:22 Page
- 40:1 Number
- 12:11 Non-combustible

**Dates:**
- 12:11 Non-combustible

**Location:**
- 877-955-3855 Otsego Park

**Contact:**

**Additional Notes:**
- 17:6 27:10, 30:4, 71:20, 71:23 NFPA's
- 40:11 Normally
- 17:6 27:9, 30:4, 71:20, 71:23 NFPA's
<table>
<thead>
<tr>
<th>Word</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>pleased</td>
<td>18:5 19:16</td>
</tr>
<tr>
<td>pleasure</td>
<td>2:8</td>
</tr>
<tr>
<td>plus</td>
<td>39:7 40:20</td>
</tr>
<tr>
<td>point</td>
<td>17:16 32:9</td>
</tr>
<tr>
<td>polypropylene</td>
<td>25:14 26:4,19:21</td>
</tr>
<tr>
<td>polystyrene</td>
<td>26:21</td>
</tr>
<tr>
<td>portion</td>
<td>24:25 34:22</td>
</tr>
<tr>
<td>positions</td>
<td>11:12</td>
</tr>
<tr>
<td>possible</td>
<td>14:6</td>
</tr>
<tr>
<td>posted</td>
<td>3:25 4:13</td>
</tr>
<tr>
<td>potential</td>
<td>24:22</td>
</tr>
<tr>
<td>position</td>
<td>10:19,24</td>
</tr>
<tr>
<td>portions</td>
<td>25:12 38:2</td>
</tr>
<tr>
<td>potentialy</td>
<td>38:10</td>
</tr>
<tr>
<td>pound</td>
<td>40:2</td>
</tr>
<tr>
<td>practices</td>
<td>21:7</td>
</tr>
<tr>
<td>pre</td>
<td>21:8</td>
</tr>
<tr>
<td>precedent</td>
<td>43:21</td>
</tr>
<tr>
<td>precious</td>
<td>59:14</td>
</tr>
<tr>
<td>premises</td>
<td>47:9,23</td>
</tr>
<tr>
<td>prepare</td>
<td>7:16</td>
</tr>
<tr>
<td>present</td>
<td>6:10 7:25</td>
</tr>
<tr>
<td>president</td>
<td>2:17</td>
</tr>
<tr>
<td>presiding</td>
<td>2:7 11:22</td>
</tr>
<tr>
<td>president</td>
<td>37:25 58:2</td>
</tr>
<tr>
<td>problem</td>
<td>44:5 69:13</td>
</tr>
<tr>
<td>problems</td>
<td>65:2,5</td>
</tr>
<tr>
<td>procedures</td>
<td>4:17 6:3</td>
</tr>
<tr>
<td>proceed</td>
<td>22:18 23:13</td>
</tr>
<tr>
<td>process</td>
<td>3:19,20,23</td>
</tr>
<tr>
<td>processed</td>
<td>6:19</td>
</tr>
<tr>
<td>processing</td>
<td>4:10</td>
</tr>
<tr>
<td>professional</td>
<td>19:8,10</td>
</tr>
<tr>
<td>program</td>
<td>12:7</td>
</tr>
<tr>
<td>project</td>
<td>15:2,6</td>
</tr>
<tr>
<td>proper</td>
<td>12:22,25</td>
</tr>
<tr>
<td>property</td>
<td>39:6</td>
</tr>
<tr>
<td>proposal</td>
<td>28:1,2,23</td>
</tr>
<tr>
<td>proposals</td>
<td>14:14</td>
</tr>
<tr>
<td>put</td>
<td>26:3,6</td>
</tr>
<tr>
<td>pvc</td>
<td>26:18</td>
</tr>
<tr>
<td>quality</td>
<td>13:25</td>
</tr>
<tr>
<td>qualification</td>
<td>19:9</td>
</tr>
<tr>
<td>qualifications</td>
<td>19:10</td>
</tr>
<tr>
<td>quick</td>
<td>72:1</td>
</tr>
<tr>
<td>question</td>
<td>60:24</td>
</tr>
<tr>
<td>proof</td>
<td>28:24</td>
</tr>
<tr>
<td>proved</td>
<td>56:17</td>
</tr>
<tr>
<td>provide</td>
<td>28:8 29:20</td>
</tr>
<tr>
<td>public</td>
<td>15:22,25 16:3</td>
</tr>
<tr>
<td>published</td>
<td>4:5,14,5:3</td>
</tr>
<tr>
<td>pumps</td>
<td>44:15</td>
</tr>
<tr>
<td>pure</td>
<td>39:2</td>
</tr>
<tr>
<td>purpose</td>
<td>7:25</td>
</tr>
<tr>
<td>purposes</td>
<td>67:6</td>
</tr>
<tr>
<td>pursue</td>
<td>17:11</td>
</tr>
<tr>
<td>pursued</td>
<td>7:18</td>
</tr>
<tr>
<td>put</td>
<td>26:3,6</td>
</tr>
<tr>
<td>pvc</td>
<td>26:18</td>
</tr>
<tr>
<td></td>
<td>52:13,14,18,21 53:1</td>
</tr>
<tr>
<td>-------</td>
<td>---------------------</td>
</tr>
<tr>
<td></td>
<td>16:11 32:24 47:1</td>
</tr>
<tr>
<td>voting</td>
<td>4:16 7:12,20 8:18,19,21,23,24</td>
</tr>
<tr>
<td></td>
<td>9:1,2,4,7,7 11:11</td>
</tr>
<tr>
<td></td>
<td>13:3,7,8,10,15</td>
</tr>
<tr>
<td></td>
<td>47:3 48:8 54:8</td>
</tr>
<tr>
<td></td>
<td>62:10 71:15,17</td>
</tr>
<tr>
<td>w</td>
<td>wall 26:14 27:9</td>
</tr>
<tr>
<td></td>
<td>walls 25:20 26:1</td>
</tr>
<tr>
<td></td>
<td>58:14,25 59:21</td>
</tr>
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<td>56:21 60:3</td>
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<td>yielding</td>
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<tr>
<td>Motion Seq#</td>
<td>Certified Amending Motion: Reject Second Revision No. 2, thereby retaining First Draft text.</td>
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<tr>
<td>5000-1</td>
<td><strong>Recommended Text if Motion Passes:</strong> <strong>11.2.2.5.2</strong> Exposures.</td>
</tr>
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<td><strong>11.2.2.5.2.1</strong> Where nonrated walls or unprotected openings enclose the exterior of a stairway, and the walls or openings are exposed by other parts of the building at an angle of less than 180 degrees, the building enclosure walls within 10 ft (3050 mm) horizontally of the nonrated wall or unprotected opening shall be constructed as required for stairway enclosures, including opening protectives, unless otherwise permitted by 11.2.2.5.2.3 and 11.2.2.5.2.4.</td>
</tr>
<tr>
<td></td>
<td><strong>11.2.2.5.2.2</strong> Construction shall extend vertically from the finished ground level to a point 10 ft (3050 mm) above the topmost landing of the stairs or to the roofline, whichever is lower.</td>
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<tr>
<td></td>
<td><strong>11.2.2.5.2.3</strong> The fire resistance rating of the separation extending 10 ft (3050 mm) from the stairs shall not be required to exceed 1 hour where openings have not less than a ¾-hour fire protection rating.</td>
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<tr>
<td></td>
<td><strong>11.2.2.5.2.4</strong> Separation shall not be required between corridors and outside stairs, provided that all of the following conditions are met:</td>
</tr>
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<td>1. The building, including corridors and stairs, shall be protected throughout by an approved, electrically supervised automatic sprinkler system in accordance with NFPA 13, <em>Standard for the Installation of Sprinkler Systems</em>, or, where applicable, NFPA 13R, <em>Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height</em>.</td>
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<td>2. The corridors shall comply with 11.1.3.1.</td>
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<td>3. The corridors shall be connected on each end to an outside stair complying with 11.2.2.7.</td>
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<td>4. At any location in the corridor where a change in direction exceeding 45 degrees occurs, a clear opening to the exterior of not less than 35 ft² (3.25 m²), located to restrict the accumulation of smoke and toxic gases, or an outside stair shall be provided.</td>
</tr>
<tr>
<td>Motion Seq#</td>
<td>Certified Amending Motion (Continued): Reject Second Revision No. 2, thereby retaining First Draft text.</td>
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<tr>
<td>5000-1</td>
<td>Recommended Text if Motion Fails:</td>
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<tr>
<td></td>
<td>11.2.2.5.2* Exposures.</td>
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<tr>
<td></td>
<td>11.2.2.5.2.1 Where nonrated walls or unprotected openings enclose the exterior of a stairway, and the walls or openings are exposed by other parts of the building at an angle of less than 180 degrees, the building enclosure walls within 10 ft (3050 mm) horizontally of the nonrated wall or unprotected opening shall be constructed as required for stairway enclosures, including opening protectives, unless otherwise permitted by 11.2.2.5.2.3 and 11.2.2.5.2.4.</td>
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<td></td>
<td>11.2.2.5.2.2 Construction shall extend vertically from the finished ground level to a point 10 ft (3050 mm) above the topmost landing of the stairs or to the roofline, whichever is lower.</td>
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<tr>
<td></td>
<td>11.2.2.5.2.3 The fire resistance rating of the separation extending 10 ft (3050 mm) from the stairs shall not be required to exceed 1 hour where openings have not less than a ¾-hour fire protection rating.</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Technical Committee on Means of Egress
FROM: Kelly Carey, Project Administrator
DATE: June 13, 2014
SUBJECT: Proposed 2015 Edition of NFPA 5000

Pursuant to section 4.6 and Table 1 of the Regulations Governing the Development of NFPA Standards (Regs), the following are not subject to Committee ballot:

- An Amendment to Reject a Second Revision and related portions of a First Revision.
  Or
- An Amendment to Reject a Second Revision where no First Revision or related part of a First Revision exists.

As a result, NFPA 5000 and any such Amendments shall be forwarded to the Standards Council for action in accordance with section 4.5.3.7 and 4.7 of the Regs.

At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 5000 was recommended for issuance with the following:

**Amendment 5000-1: Reject Second Revision No. 2.**

The transcripts from the Annual 2014 NFPA Technical Meeting (Tech Session) will be available within two weeks after the Tech Session at: www.nfpa.org/techsession.

**Note:**

In accordance with 1.6.2(a) of the Regs, anyone who is dissatisfied with the results of the floor motions from the June 2014 NFPA Technical Meeting may appeal the results. Appeals shall be filed no later than twenty days after the NFPA Technical Meeting at which Association action on the issuance of the Standard was recommended. The final date to file any such appeal is **July 2, 2014**.
NFPA 5000 Building Construction and Safety Code were submitted to letter ballot, and the ballot results can be found on the next edition tab of the document information page at www.nfpa.org\5000next.

The presiding officer will now proceed with the certified amended motion.

PRESIDING OFFICER: Thank you, Mr. Cryer. Let's now proceed with Certified Amending Motion NFPA 5000+/-.

Microphone 5, please.

SPEAKER: My name is Jeff Shapiro representing the National Multifamily Housing Council. I move to reject Second Revision No. 2, thereby retaining the first draft text.

PRESIDING OFFICER: Thank you.

The motion on floor is to reject Second Revision No. 2, thereby rejecting first draft text.

Do we have second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: I hear a second.

Please proceed.

SPEAKER: Jeff Shapiro, National Multifamily Housing Council, in support of the motion.

The consequence of this motion is
reinstating text that has existed in NFPA 5000 in
this motion will also maintain correlation with the
International Building Code.

To be clear, the underlined text you see
on screen one is not new text. It's underlined,
but it's not new. That text currently exist in
NFPA 5000. The Committee deleted it, and we're
asking that you put it back.

Why is this issue before you? The text
you see on the screen had never been included in
NFPA 101. During the first revision process, the
Committee -- the Means of Egress Committee proposed
to adding this to NFPA 101 to correlate with 5000,
and that proposal was accepted.

In the second revision process, the Means
of Egress Committee reversed course. And they
rejected their first revision proposal. That's all
fine. I have no issue with that.

However, the Committee went then to
NFPA 5000 and initiated a second revision to NFPA
5000 that deleted the text that you see on the
screen long-standing provisions in the code with no
technical justification. To be clear, there was no
first revisions to NFPA 5000 that the Committee had
a legitimate basis to initiate action in the second revision process. This is contrary to the NFPA regulation.

And you may recall that yesterday, we had the same issue on Certified Amending Motion 731-1. You approved that motion yesterday, and you should approve this motion as well for consistency.

In addition, it's worth pointing out there was no technical basis offered by the Committee for deleting the text. The reason statement says only the provision is in the wrong place in NFPA 5000. That may be a point for debate, but we had no opportunity to engage in that debate because neither I nor the public were aware that the Committee would amend NFPA 5000 on an issue in the second revision process when there was no first revision.

In conclusion, for these two reasons, a violation of the procedures by undertaking an entirely new issue in the second revision process for NFPA 5000 and no technical basis offered by the Committee to delete a long-standing provision in NFPA 5000.

I ask that you support this motion and that you reinstate the text that the Committee has
improperly deleted.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Cryer, would you like to offer the Committee's position, please?

COMMITTEE CHAIR: I would ask that you recognize Jim Lathrop, chair of the Means of Egress Committee.

PRESIDING OFFICER: Microphone No. 2.

SPEAKER: Jim Lathrop, Chair of the Means of Egress Committee, speaking against the motion.

I can't argue with him. There was nothing in the first revision. During the second revision was an attempt to correlate between 101 and 5000.

PRESIDING OFFICER: Thank you, gentlemen.

With that, we'll open up debate on the floor on the motion. Please provide your name, affiliation, and whether you're speaking in favor or against the motion.

Microphone 5.

SPEAKER: Marcelo Hirschler, GBH International, speaking for myself in favor of the motion.

There is exactly what we had yesterday.

There is a violation of the rules. We have to vote
in favor of the motion.

    PRESIDING OFFICER: Thank you.

Microphone 3, please.

SPEAKER: Ed Collins, Architect with the
Preview Group, Cincinnati, Ohio, member of the
Means of Egress Committee on behalf of American
Institute of Architects, speaking in favor of the
motion.

    We messed up. Please fix it.

    PRESIDING OFFICER: That was succinct.

Microphone 1, please.

SPEAKER: Steve (inaudible) National
Association of Homebuilders, speaking in favor of
the motion before you.

    If this Committee is to approve this
motion, what you will do is save us time without
having to go to the Standards Council to go for the
procedural problems that we've already stated that
occurred with this proposal.

    Please approve.

    PRESIDING OFFICER: Thank you.

Microphone 5.

SPEAKER: Marshall Klein Fire Protection
Engineer, Eldesburg, Maryland, representing
International Multifamily Housing Council, speaking
in support of the motion.

Ladies and gentlemen, we were the original submitters of this proposal which speaks to open sprinkler breezeway provisions in the 5000 Code.

The intent originally back in 2000, 2003, when the building code was originally drafted was to correlate the 5000 Building Code with the other modeled building codes in the United States.

We worked with the Means of Egress Committee on this particular placement of these provisions. They were satisfied. The wording was approved for years and correlates with the IBC requirements which are almost identical, similar.

The provision have been in both NFPA 5000 for its beginning cycles and fore cycles, and it's also in the IBC, in the first IBC draft in 2000.

There's been thousands of projects built over the years using these provisions in their safe sprinkler buildings with open breezeways. The two reasons to support the motion has been already stated. Basically, there was no adequate justification to take this out of the code during the second draft, and it violates the (inaudible) only in the second draft not in the first draft.

To allow us to comment on it, it violates the NFPA
Committee Regs, which, as we stated, Motion 731-1 was approved for the exact same reasons.

Please support the motion on the floor by pressing number one on the recording device system.

Thank you.

PRESIDING OFFICER: Thank you.

Is there any further discussion on Motion 5000-1, reject Second Revision No. 2?

Mr. Chair, any final comments?

COMMITTEE CHAIR: No. Thank you.

PRESIDING OFFICER: All right. Before we vote, let me restate the motion.

The motion on the floor is to reject Second Revision No. 2, thereby retain first draft text.

If you wish to vote in favor of the motion and recommend the text on screen one, press one.

If you wish to vote against the motion and recommend the text or lack of text on screen two, press two. Please record your votes now.

Five seconds. Balloting is closed.

Results are 167 in favor, 37 against.

Motion passes.

We will now move on to Certified Amending Motion 5-2. Mr. Frable? Am I missing you
Multiple Notices of a Single Motion: Reject Second Revision No. 115 and any related portions of First Revision No. 434, thereby recommending previous edition text.

<table>
<thead>
<tr>
<th>Motion Seq#</th>
<th>Recommended Text if Motion Passes:</th>
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<tbody>
<tr>
<td>5000-3</td>
<td><strong>19.3.7.1</strong> Buildings containing health care facilities shall be subdivided by smoke barriers (see 19.2.4.4), unless otherwise permitted by 19.3.7.2, as follows: as specified in 19.3.7.1.1 through 19.3.7.1.6.</td>
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<td></td>
<td>(1) <strong>19.3.7.1.1</strong> To divide every story used by inpatients for sleeping or treatment shall be divided into not less than two smoke compartments.</td>
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<td>(2) <strong>19.3.7.1.2</strong> To divide every story having an occupant load of 50 or more persons, regardless of use, shall be divided into not less than two smoke compartments.</td>
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<td>(3) <strong>19.3.7.1.3</strong> To limit the size of each smoke compartment required by 19.3.7.1(1) and 19.3.7.1(2) to an area not exceeding 40,000 ft² (3720 m²) in hospitals, unless the area is an atrium separated in accordance with 8.12.3, in which case no limitation in size is required.</td>
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<td>(4) <strong>19.3.7.1.4</strong> To limit the size of each smoke compartment required by 19.3.7.1(1) and 19.3.7.1(2) to an area not exceeding 22,500 ft² (2100 m²) in nursing homes and limited care facilities, unless the area is an atrium separated in accordance with 8.2.3, in which case no limitation in size is required.</td>
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<tr>
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<td>(5) <strong>19.3.7.1.5</strong> To limit the travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance not exceeding 200 ft (61 m).</td>
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<td><em>(Renumber subsequent sections)</em></td>
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</table>

Recommended Text if Motion Fails:

**19.3.7.1** Buildings containing health care facilities shall be subdivided by smoke barriers (see 19.2.4.4), unless otherwise permitted by 19.3.7.2, as follows:

(1) To divide every story used by inpatients for sleeping or treatment into not less than two smoke compartments.
(2) To divide every story having an occupant load of 50 or more persons, regardless of use, into not less than two smoke compartments.
(3) To limit the size of each smoke compartment required by 19.3.7.1(1) and 19.3.7.1(2) to an area not exceeding 40,000 ft² (3720 m²), in hospitals, unless the area is an atrium separated in accordance with 8.12.3, in which case no limitation in size is required.
(4) To limit the size of each smoke compartment required by 19.3.7.1(1) and 19.3.7.1(2) to an area not exceeding 22,500 ft² (2100 m²) in nursing homes and limited care facilities, unless the area is an atrium separated in accordance with 8.2.3, in which case no limitation in size is required.
(5) To limit the travel distance from any point to reach a door in the required smoke barrier to a distance not exceeding 200 ft (61 m).
MEMORANDUM

TO: Technical Committee on Health Care Occupancies
FROM: Kelly Carey, Project Administrator
DATE: June 13, 2014
SUBJECT: Proposed 2015 Edition of NFPA 5000

Pursuant to section 4.6 and Table 1 of the Regulations Governing the Development of NFPA Standards (Regs), the following are not subject to Committee ballot:

- An Amendment to Reject a Second Revision and related portions of a First Revision.
  Or
- An Amendment to Reject a Second Revision where no First Revision or related part of a First Revision exists.

As a result, NFPA 5000 and any such Amendments shall be forwarded to the Standards Council for action in accordance with section 4.5.3.7 and 4.7 of the Regs.

At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 5000 was recommended for issuance with the following:

Amendment 5000-3: Reject Second Revision No. 115 and any related portions of First Revision No. 434, thereby recommending previous edition text.

The transcripts from the Annual 2014 NFPA Technical Meeting (Tech Session) will be available within two weeks after the Tech Session at: www.nfpa.org/techsession.

Note:
In accordance with 1.6.2(a) of the Regs, anyone who is dissatisfied with the results of the floor motions from the June 2014 NFPA Technical Meeting may appeal the results. Appeals shall be filed no later than twenty days after the NFPA Technical Meeting at which Association action on the issuance of the Standard was recommended. The final date to file any such appeal is July 2, 2014.
somewhere?

This motion appears on the agenda; however, the authorized maker is not present. Therefore, in accordance to the NFPA rules, the motion may not be considered by the assembly. It is removed from the agenda.

We will now move on to 5000-3.

Microphone 5, please.

SPEAKER: I'm Kelly Nicolello, State Fire Marshal for Alaska representing the National Association of State Fire Marshals. I'm in favor of the Motion 5000-3, rejecting second revision to 115 and any related portions of related First Revision No. 434, thereby recommending previous edition text.

PRESIDING OFFICER: There is a motion on the floor to reject Second Revision 115 and any related portions of related First Revision No. 434, thereby recommending previous edition text.

Is there a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: I hear a second.

Please proceed.

SPEAKER: I'm Kelly Nicolello, Fire Marshal, Alaska, representing National Association
of State Fire Marshals.

This body has taken action on new construction in 101 and existing construction in 101 regarding smoke compartment size. This is the exact same issue except it exists in NFPA 5000 for new construction.

We would ask that you vote consistently for all the same reasons mentioned before. I'm not going to go back into previous testimony and would ask you to support this motion.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Chairman, any comments?

COMMITTEE CHAIR: Yeah, there are no correlation issues within this standard. There is a correlation issue now with 101 that the group should consider, but beyond that, I would ask that you recognize Dave Klein, chairman of the Committee on Health Care.

PRESIDING OFFICER: Microphone No. 2, please.

SPEAKER: Thank you, Mr. Chair.

David Klein, Department of Veterans Affairs, the chair of the Technical Committee on Health Care Occupancies.
As mentioned, the issues associated with this certified amending motion are similar to issues associated with 101-3, which applied to Chapter 18 of NFPA 101.

Thank you.

PRESIDING OFFICER: Thank you, gentlemen.

With that, we'll open up debate on the motion. Please provide your name, affiliation, whether you're speaking for or against the motion.

Microphone 1, please. Microphone 2.

SPEAKER: Don Williams, Washington State, Department of Health.

While I state against this motion, giving the testimony -- and I appreciate the proponent's comments about not rehashing testimony -- I'd like to call to question.

PRESIDING OFFICER: Motion to move to question. Is there a second? I hear a second. This will cease debate. We'll be voting on whether moving to question or not. If you are in favor of moving to question and going directly to the vote, press one.

If you are against moving to question and going directly to the vote, press two.

Please vote now. Five seconds. Voting's...
closed.

We have 171 in favor of moving to question, 24 against. The motion passes. We will go directly to the vote.

Before we vote, let me restate the motion. The motion on the floor is to reject Second Revision No. 115 and any related portions of related First Revision No. 434, thereby recommending previous edition text.

If you wish to vote in favor of the motion and recommend the text on screen one, press one.

If you wish to vote against the motion and recommend the text on screen two, press two.

Please vote now.

Five seconds. Voting is closed.

Results are 130 in favor, 66 against.

Motion passes.
**Certified Amending Motion:** Accept Public Comment No. 25.

### Recommended Text if Motion Passes:

#### 27.4.4.12 Kiosks.

**27.4.4.12.1** Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

1. Listed fire-retardant-treated wood complying with the requirements of 45.5.15
2. Light-transmitting plastics complying with Chapter 48
3. Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, *Standard Method of Fire Test for Individual Fuel Packages*, using the 20 kW ignition source
5. Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films*

### Recommended Text if Motion Fails:

#### 27.4.4.12 Kiosks.

**27.4.4.12.1** Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

1. Listed fire-retardant-treated wood complying with the requirements of 45.5.15
2. Light-transmitting plastics complying with Chapter 48
3. Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, *Standard Method of Fire Test for Individual Fuel Packages*, using the 20 kW ignition source
5. Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films*
MEMORANDUM
(AMENDMENT)

TO: Technical Committee on Mercantile and Business Occupancies

FROM: Kelly Carey, Project Administrator

DATE: July 7, 2014

SUBJECT: Final Results of Association Amendment 5000-4 Letter Ballot on the Proposed 2015 edition of NFPA 5000®

Amendment 5000-4: Accept Public Comment No. 25.

The final results of balloting are as follows:

25 Members Eligible to Vote
2 Ballots not Returned (S. Francis, S. Jacobs)
19 Agree
3 Disagree (W. Burrus, K. Derr, D. Dodge)
1 Abstention (D. Gauvin)

In accordance with the Regulations Governing the Development of NFPA Standards, the final results show this Amendment HAS achieved the 2/3 majority vote needed to recommend approval of the Association Action by the Technical Committee. The Committee has voted to support the Amendment and as a result recommend the Public Comment text.

The number of votes needed to recommend approval of the Association Action is 15.

(25 eligible to vote - 2 not returned - 1 abstention = 22 × 0.66 = 14.52)

Note: Please remember that the return of ballots is required in accordance with Section 3.1.3.1 of the Regulations Governing the Development of NFPA Standards.
Amendment 5000-4: Accept Public Comment No. 25.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

27.4.4.12 Kiosks.

27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15

(2) Light-transmitting plastics complying with Chapter 48

(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source

(4) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use

(5) Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

27.4.4.12 Kiosks.

27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15

(2) Light-transmitting plastics complying with Chapter 48

(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source
(4) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use. 


☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

No clarity is provided in the proposed Amendment as Test 142 air. The only options in the 2010 edition.

Signature: [Signature]
Name - Please Print: William J. Burris
Date: 2014-06-23

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
Amendment 5000-4: Accept Public Comment No. 25.

Instructions:
Vote Agree to support the Amendment and as a result recommend the Public Comment text.
Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

Agree

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

27.4.4.12 Kiosks.
27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:
(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15
(2) Light-transmitting plastics complying with Chapter 48
(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source
(4) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use
(5) Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

27.4.4.12 Kiosks.
27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:
(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15
(2) Light-transmitting plastics complying with Chapter 48
(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source
(4) Metal composite material (MCM) having a flame spread index not greater than 26 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use.

(5) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

I disagree with the requirement to add the reference to “Test Method 1 or Test Method 2, as appropriate.” The referenced edition of NFPA 701 only has two test methods and NFPA 701 Section 1.1 defines which test is applicable given the potential arrangement of the tested material. Including this information starts a precedent when NFPA 5000 references other fire protection standards that I don’t think that NFPA 5000 should get into. For example, should NFPA 5000 state that sprinklers systems provided for mall buildings and anchor buildings be designed in accordance with Light Hazard, Ordinary Hazard Group 1, Ordinary Hazard Group 2, Extra Hazard Group 1 or Extra Hazard Group 2 requirements per NFPA 13 as appropriate? A simple reference to NFPA 701 with the appropriate citation to the applicable edition in Chapter 2 of NFPA 5000 is sufficient. With regards to the original cited concern, it is the responsibility of the design professionals, plan reviewers, installers, and inspectors to ensure that outdated materials are not installed in facilities. These individuals should already be reviewing these materials to ensure that the materials are installed in the proper orientation associated with the NFPA 701 test method conducted.

__________________________________________

Signature:

Name - Please Print: Kevin L. Derr

Date: June 16, 2014

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
Amendment 5000-4: Accept Public Comment No. 25.

Instructions:

Vote Agree to support the Amendment and as a result recommend the Public Comment text.

Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

27.4.4.12 Kiosks.

27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15

(2) Light-transmitting plastics complying with Chapter 48

(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source

(4) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use

(5) Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

27.4.4.12 Kiosks.

27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15

(2) Light-transmitting plastics complying with Chapter 48

(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source
(4) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use

(5) Textiles and films meeting the flame propagation performance criteria contained in NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

DIE TECHNICAL COMMITTEE HAS AGREED TO DISMISS THE SUB-COMMITTEE TO STUDY DRUMS 27.4 AND THE SUB-COMMITTEE SHOULD BE PRESENTED WITH POSSIBLE CHANGES

Signature: David A. Dodge

Date: 8-24-2014

Name - Please Print: David A. Dodge

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
Amendment 5000-4: Accept Public Comment No. 25.

Instructions:
Vote Agree to support the Amendment and as a result recommend the Public Comment text.
Vote Disagree to not support the Amendment and as a result recommend previous edition text. Note: where no previous edition text exists the text is simply deleted.

☐ Agree

I support the Amendment and as a result recommend the Public Comment text which reads as follows (changes shown legislatively to the Second Draft):

27.4.4.12 Kiosks.

27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15
(2) Light-transmitting plastics complying with Chapter 48
(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source
(4) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use
(5) Textiles and films meeting the flame propagation performance criteria contained in Test Method 1 or Test Method 2, as appropriate, of NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

☐ Disagree*

I do not support the Amendment and as a result recommend previous edition text which reads as follows (text shown clean):

27.4.4.12 Kiosks.

27.4.4.12.1 Kiosks and similar structures (temporary or permanent) shall not be considered as tenant spaces and shall be constructed of noncombustible or limited-combustible materials, or of combustible materials meeting any of the following criteria:

(1) Listed fire-retardant-treated wood complying with the requirements of 45.5.15
(2) Light-transmitting plastics complying with Chapter 48
(3) Foamed plastics having a maximum heat release rate not greater than 100 kW when tested in accordance with UL 1975 or in accordance with NFPA 289, Standard Method of Fire Test for Individual Fuel Packages, using the 20 kW ignition source
(4) Metal composite material (MCM) having a flame spread index not greater than 25 and a smoke developed index not greater than 450 in accordance with ASTM E 84, Standard Test Method for Surface Burning Characteristics of Building Materials, or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials, when tested as an assembly in the maximum thickness intended for use.


☐ Abstain*

*Please give reasons for voting “Disagree” or “Abstain”:

I am not familiar with the testing principles of NFPA 701 and their appropriateness with respect to the requirements of 27.4.4.12.1. I would need to be presented with additional information to make a formal decision.

Signature: Daniel J Gauvin

Name - Please Print: Daniel J Gauvin

Date: 13-June-14

Please return as soon as possible, but no later than June 25, 2014 to:

Kelly Carey, Administrator, Technical Projects
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169
EMAIL: kcarey@nfpa.org
FAX: 617-984-7110
closed.

We have 171 in favor of moving to question, 24 against. The motion passes. We will go directly to the vote.

Before we vote, let me restate the motion.

The motion on the floor is to reject Second Revision No. 115 and any related portions of related First Revision No. 434, thereby recommending previous edition text.

If you wish to vote in favor of the motion and recommend the text on screen one, press one. If you wish to vote against the motion and recommend the text on screen two, press two. Please vote now.

Five seconds. Voting is closed.

Results are 130 in favor, 66 against.

Motion passes.

Now let's proceed with discussion of Certified Amending Motion 5000-4.

Microphone 5, please.

SPEAKER: Marcelo Hirschler, GBA International, on behalf of NAFRA. I move to accept public comment No. 25.

PRESIDING OFFICER: The motion on the floor is to accept Comment No. 25.
Do I have a second?

UNKNOWN SPEAKER: Second.

PRESIDING OFFICER: We have a second.

Please proceed.

SPEAKER: Marcelo Hirschler, GBA International, for NAFRA in support of the motion. This is the exact same issue we discussed a few minutes ago on 101. Just to remind you to make sure that there is the appropriate reference of test method one or test method 2 is appropriate in NFPA 701.

And as I pointed out before, all the IBC, IFC, NFPA 101 changes have been done. There is only one change remaining. That's this one NFPA 5000.

I urge you to support this, and approve the motion.

Thank you.

PRESIDING OFFICER: Thank you.

Mr. Chairman, would you like to offer the Committee's position?

COMMITTEE CHAIR: I would concur that this is the same issue with 101. I also believe it does create a correlation issue for the same reasons Bill Koffel mentioned earlier.
Having said that, I would ask that you recognize Ken Bush, Chairman of Mercantile and Business Committee.


SPEAKER: Ken Bush speaking against the motion as the chair of NFPA 5000 Mercantile and Business Committee.

Once again, as the issue was with NFPA 101, the Technical Committee felt this morning was unnecessary and that the existing wording was technically correct.

PRESIDING OFFICER: Thank you, gentlemen.

With that, we'll open up debate on the motion. Please provide your name and whether you speaking for or against the motion.

Any input from the floor at all? Seeing none, Mr. Chair, anything final?

COMMITTEE CHAIR: No.

PRESIDING OFFICER: Okay. We will move to a vote. Before we vote, let me restate the motion.

The motion on the floor is to accept Public Comment No 25. If you wish to vote in favor of the motion and recommend the text on screen one, press number one.
If you wish to vote against the motion and recommend the text on screen two, press number 2. Please vote now.

Five seconds. Balloting is closed.

The results are 140 in favor, 38 against.

Motion passes.
MEMORANDUM
(AMENDMENT)

TO: Correlating Committee on Building Code

FROM: Kelly Carey, Project Administrator

DATE: July 17, 2014


At the NFPA Technical Meeting (Tech Session), held June 12, 2014, NFPA 5000® was amended by the acceptance of the following:

Amendment 5000-4: Accept Public Comment No. 25.

The final results of the Correlating Committee ballot are as follows:

18 Members Eligible to Vote
5 Ballots not Returned (S. Francis, R. Hansen, J. Kampmeyer, Sr., M. Newman, J. Wooldridge)

13 Agree
0 Disagree
0 Abstentions

According to 4.6 of the Regulations Governing the Development of NFPA Standards (Regs), the final results show that the Amendment HAS achieved the 3/4 majority vote needed to recommend approval of the Association Action by the Correlating Committee (CC). The CC has voted that no correlation issues are created as a result of the Technical Committee recommendation on Amendment 5000-4.

The number of votes needed to recommend approval of the Association Action is 10.

(18 eligible to vote - 5 not returned - 0 abstentions = 13 × 0.75 = 9.75)

Note: Return of ballots and attendance at Committee Meetings is required in accordance with the Regulations Governing the Development of NFPA Standards.
TIA revisions for the 2012 edition.

1. Revise Table 1.12.8(a) as follows:
   a. Delete the row starting with “Consumer fireworks (1.4G)” in its entirety.
   b. Delete the reference to 65.10.3.2 in the row starting with “Pyrotechnic articles.”
2. Revise Table 1.12.8(d) as follows:
   a. Delete the row starting with “Consumer fireworks (1.4G)” in its entirety.
   b. Delete the “asterisk” footnote, which reads, “Unless the actual weight of the pyrotechnic composition of the consumer fireworks, 1.4G, is known, 25 percent of the gross weight of the fireworks, including packaging, is permitted to be used to determine the weight of the fireworks for the purpose of this table.”
5. Delete 3.3.14.2 Consumer Fireworks Retail Sales (CFRS) Area.
6. Delete 3.3.22 Barricade (Explosives or Fireworks).
7. Delete 3.3.22.1 Artificial Barricade (Explosives or Fireworks).
8. Delete 3.3.22.2 Natural Barricade (Explosives or Fireworks).
9. Delete 3.3.70 Consumer Fireworks.
10. Delete 3.3.71 Consumer Fireworks Retail Sales Area.
11. Delete 3.3.72 Consumer Fireworks Retail Sales Facility (CFRS Facility.)
12. Delete 3.3.73 Consumer Fireworks Retail Sales (CFRS) Stand, and A.3.3.73.
13. Delete 3.3.81 Covered Fuse, and A.3.3.81.
14. Delete 3.3.127 Fireworks, and A.3.3.127.
15. Delete 3.3.127.1 Consumer Fireworks, and A.3.3.127.1.
16. Delete 3.3.127.2 Display Fireworks, and A.3.3.127.2.
17. Delete 3.3.128 Flame Break.
18. Revise 3.3.144.1.3 High Hazard Level 3 Contents by deleting Item (3) Consumer Fireworks, 1.4G, and renumbering Items (4) through (10) accordingly.
20. Delete 3.3.246 Store, and A.3.3.246.
22. Revise 60.1.2 by deleting Item (14), Consumer fireworks, 1.4G in mercantile occupancies complying with Section 65.10 – NFPA 5000 extract.
23. Revise Table 60.4.2.1.1.3 Maximum Allowable Quantity (MAQ) of Hazardous Materials per Control Area, as follows – NFPA 5000 extract:
   a. Delete the row starting with “Consumer fireworks” in its entirety.
   b. Delete Footnote ‘k’ in its entirety.
24. Revise Table 60.4.2.1.2 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Assembly Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
25. Revise Table 60.4.2.1.3 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Educational Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
26. Revise Table 60.4.2.1.4 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Day-Care Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
27. Revise Table 60.4.2.1.5 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Health Care Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.

28. Revise Table 60.4.2.1.6 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Ambulatory Health Care Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.

29. Revise Table 60.4.2.1.7 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Detention and Correctional Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.

30. Revise Table 60.4.2.1.8 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Residential Occupancies Consisting of Lodging and Rooming Houses, Hotels, Dormitories, Apartments, and Residential Board and Care Facilities by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.

31. Revise Table 60.4.2.1.10.1 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Business Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.

32. Delete 65.2.2.

33. Delete 65.5.1.

34. Delete Section 65.10 Sale, Handling, and Storage of Consumer Fireworks, and all associated Annex A paragraphs (A.65.10.X), in their entirety.


TIA revisions for the proposed 2015 edition.

1. Revise Table 1.12.8(a) as follows:
   a. Delete the row starting with “Consumer fireworks (1.4G)” in its entirety.
   b. Delete the reference to 65.10.3.2 in the row starting with “Pyrotechnic articles.”

2. Revise Table 1.12.8(d) as follows:
   a. Delete the row starting with “Consumer fireworks (1.4G)” in its entirety.
   b. Delete the “asterisk” footnote, which reads, “Unless the actual weight of the pyrotechnic composition of the consumer fireworks, 1.4G, is known, 25 percent of the gross weight of the fireworks, including packaging, is permitted to be used to determine the weight of the fireworks for the purpose of this table.”


5. Delete 3.3.14 Consumer Fireworks Retail Sales (CFRS) Area.

6. Delete 3.3.22 Barricade (Explosives or Fireworks).

7. Delete 3.3.22.1 Artificial Barricade (Explosives or Fireworks).

8. Delete 3.3.22.2 Natural Barricade (Explosives or Fireworks).

9. Delete 3.3.70 Consumer Fireworks.

10. Delete 3.3.71 Consumer Fireworks Retail Sales Area.

11. Delete 3.3.72 Consumer Fireworks Retail Sales Facility (CFRS Facility).

12. Delete 3.3.73 Consumer Fireworks Retail Sales (CFRS) Stand, and A.3.3.73.

13. Delete 3.3.81 Covered Fuse, and A.3.3.81.

14. Delete 3.3.132 Fireworks, and A.3.3.132.

15. Delete 3.3.132.1 Consumer Fireworks, and A.3.3.132.1.

16. Delete 3.3.132.2 Display Fireworks, and A.3.3.132.2.

17. Delete 3.3.133 Flame Break.

18. Revise 3.3.150.1.3 High Hazard Level 3 Contents by deleting Item (3) Consumer Fireworks, 1.4G, and renumbering Items (4) through (10) accordingly.

20. Delete 3.3.257 Store, and A.3.3.257.
21. Revise 13.6.2.6.1 by deleting Item (61) and renumbering Items (62) through (71) accordingly – NFPA 10 extract.
22. Revise 20.15.4 by deleting Item (7), NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles – NFPA 101 extract.
23. Revise 60.1.2 by deleting Item (14), Consumer fireworks, 1.4G in mercantile occupancies complying with Section 65.10 – NFPA 5000 extract.
24. Revise Table 60.4.2.1.1.3 Maximum Allowable Quantity (MAQ) of Hazardous Materials per Control Area, by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
25. Revise Table 60.4.2.1.2 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Assembly Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
26. Revise Table 60.4.2.1.3 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Educational Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
27. Revise Table 60.4.2.1.4 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Day-Care Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
28. Revise Table 60.4.2.1.5 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Health Care Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
29. Revise Table 60.4.2.1.6 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Ambulatory Health Care Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
30. Revise Table 60.4.2.1.7 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Detention and Correctional Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
31. Revise Table 60.4.2.1.8 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Residential Occupancies Consisting of Lodging and Rooming Houses, Hotels, Dormitories, Apartments, and Residential Board and Care Facilities by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
32. Revise Table 60.4.2.1.10.1 Maximum Allowable Quantities (MAQ) of Hazardous Materials per Control Area in Business Occupancies by deleting the row starting with “Consumer fireworks” in its entirety – NFPA 400 extract.
33. Delete 65.2.2.
34. Delete 65.5.1.
35. Delete Section 65.10 Sale, Handling, and Storage of Consumer Fireworks, and all associated Annex A paragraphs (A.65.10.X), in their entirety.

Submitter’s Substantiation: The proposed revisions delete all references to and extracts from NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, and all consumer fireworks provisions, in NFPA 1, Fire Code, to align with the NFPA policy on extracts and Standards Council Decision D#14-1, which resulted in the temporary withdrawal of NFPA 1124. The effect of this decision is that no recognized criteria for the subjects previously governed by NFPA 1124 exists within the NFPA codes and standards system.

Emergency Nature: NFPA 1124 has been temporarily withdrawn as a result of Standards Council Decision D#14-1, which was issued March 3, 2014, subsequent to completion of the NFPA 1-2015 Second Draft, but prior to the issuance of NFPA 1-2015. Accordingly, this TIA is intended to be issued concurrently with NFPA 1-2015.
According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS NOT achieved the necessary votes on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 21.

\[30 \text{ (eligible to vote)} - 1 \text{ (not returned)} - 2 \text{ (abstentions)} = 27 \times 0.75 = 20.25\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[30 \text{ eligible} \div 2 = 15 + 1 = 16 \text{ (this is the simple majority)}\]

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**TC FINAL Ballot results for Technical Merit** are as follows:

- 9 Agree
- 18 Disagree (Adams, Apfelbeck, Budzinski, Bush, DeCrane, Farmer, Farr, Fukuda, Hanselka, Kraus, Lovell, Miller, Moore, Myers, Navarra, Peterkin, Sharry, Tidwell)
- 2 Abstentions (Francis, Lathrop)

**FINAL ACTION: FAIL**

**TC FINAL Ballot results for Emergency Nature** are as follows:

- 13 Agree (Adams, DeCrane, Miller w/comment)
- 14 Disagree (Apfelbeck, Budzinski, Bush, Farmer, Fukuda, Hanselka, Kraus, Lovell, Moore, Myers, Navarra, Orlowski, Peterkin, Sharry)
- 2 Abstentions (Francis, Lathrop)

**FINAL ACTION: FAIL**
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

[ ] AGREE [X] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Changes need to be made to chapter 6 and 7 of NFPA 1124, but to eliminate the document in its entirety, at this point, I can not support. As an AHJ what do I now have to use as a guide for enforcement, especially with no other document, or requirements to follow. I would support more of an idea to form a Task Group to put together temporary requirements to follow, to assist the AHJ, until this issue can be resolved.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE* [ ] DISAGREE [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I would suggest that a Task Group be put together to review and provide some suggested temporary requirements to follow, to assist the AHJ, until this issue can be resolved.

Scott W. Adams
Signature

Scott W. Adams
Name (Please Print)

April 18, 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_____ AGREE  __X__ DISAGREE*  ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

While the Standard’s Council action on this issue is understood and respected, the practical result is that this action will reduce the level of life safety and property protection in these facilities and will place AHJs in an extremely difficult situation regulating consumer fireworks retail sale facilities. In addition, there were other viable technical options that are/were available to the Standards Council in addressing the concerns generated by the lack of testing. Due to these reasons, I must vote against the technical merit justification of this TIA.

1. The removal of consumer fireworks retail sale provisions does not mean that the NFPA codes and standards will not continue to regulate these facilities. A consumer fireworks retail sales facility can still be constructed and occupied under NFPA 101 and NFPA 1. This action simply ignores the very real consequences that these facilities can still operate and open while being in full compliance with the remaining NFPA codes and standards.

If the Standards Council had directed that the sale of Consumer Fireworks in retail sale facilities shall be specifically prohibited in NFPA 1, NFPA 101 and other codes/standards, then at least the Standards Council decision would be consistent with the position of not writing consumer fireworks standards. Without such a prohibition to accompany the Standards Council decision, the NFPA codes and standards will still allow existing facilities to operate and new facilities to be constructed.

2. The withdrawal of the standard does not mean that consumer fireworks retail sale facilities will no longer exist and suddenly close up since there is no applicable NFPA standard. Forty-six states currently allow some sale of consumer fireworks and, after the withdrawal of this standard, forty-six states will continue to permit the retail sale of consumer fireworks. The hazard in the field will remain and only increase as a result of this action.
The only effect of the removal of these provisions from NFPA 1 is that AHJs will now be left with no consumer fireworks specific code provisions to regulate these facilities.

A jurisdiction adopting the NFPA entire codes and standards set, will adopt a codes and standards set that allows for the retail sale of consumer fireworks with no protection provisions. This does not pass the straight face test with AHJ's and it would not pass the same test with the public in the event of an incident.

3. While the 2013 and previous editions of NFPA 1124 were far from perfect and there was clearly a failure to conduct appropriate testing requested by the Standards Council, the 1124 provisions do/did provide a significantly enhanced level of safety over no standard. NFPA 1124 specific provisions addressing covered fuses, means of egress, fire department access, incompatible materials, security, housekeeping, storage arrangements, tent sales, construction and other use issues are all repealed in addition to the fire sprinkler provisions. All of these provisions did provide for a safer environment. The loss of these provisions will reduce the level of life safety and property protection in these facilities.

4. By removing consumer fireworks from the definition of hazardous materials and the MAQ tables, consumer fireworks are no longer a hazardous material and there are no quantity limits. As such, you will now be able to put as much consumer fireworks in any occupancy that you would like and it will still be considered an ordinary hazard. Clearly this is inconsistent with the actual hazard of these facilities and it will create significant hazardous conditions in the field that will now be viewed by the NFPA codes and standards as code compliant.

5. With these changes, no permit will be required for the sale of consumer fireworks. Permitting is a basic regulatory control mechanism that is essential for AHJ notification, inspection and approval for a use. Evidence has clearly shown that consumer fireworks are hazardous. That is not in question. With the loss of this permitting requirement, the AHJ in a position that the NFPA codes and standards will place no regulatory approval (permit) over any facility utilizing consumer fireworks.

6. IFMA model fireworks law provisions are presented as NFPA's position on consumer fireworks. However, the IFMA model fireworks law is not a code or standard so it holds no standing in the NFPA codes and standards process and has no value to the local AHJ adopting the NFPA codes and
standards. If the Standards Council had mandated inclusion of the IFMA model fireworks provisions in NFPA 1 and NFPA 101, then it would have made the Standard’s Council’s action consistent with the regulatory intent of the IFMA Model Fireworks Law.

7. An ironic situation will now be created that NFPA 1 will not reference its own consumer fireworks retail sale provisions in its own NFPA Fire Code. However, the International Fire Code will continue to reference the 2006 1124 provisions and provide a significantly greater level of protection for these facilities than NFPA’s own fire code.

8. There are numerous other provisions in the NFPA Code and Standards, along with other code development bodies, where the provisions of the technical codes and standards are not fully justified through testing. However, those provisions remain in the codes either due to a consensus of the technical experts as to the level of protection that is appropriate or they leave the appropriate design decision to the design professional’s judgment. As an example, indoor boat storage on racks, stacked storage of motor vehicles in parking garages, protection of Li-Ion power vehicles, fire flow provisions and the items in table A.5.6 of NFPA 13.

In the end, many of the provisions in the model codes are in there due to consensus of the experts on the technical committees and not due to the scientific method. While the failure to have the testing is unfortunate, developing a very conservative protection scheme that would provide a reasonable level of protection and provide guidance to AHJs does appear within reach. The conservative protection approach could then only be reduced once appropriate testing justifies a reduction in the protection scheme.

9. Evidence derived from the limited testing that has been conducted appears to indicate that K25 fire sprinkler heads at 100sqft spacing protecting consumer fireworks with covered fuses could provide a reasonable level of protection along with other stringent life safety and property protection provisions. It appears that there does exist a stringent protection approach that could be utilized until sufficient testing occurs. A performance based design approach, utilizing NFPA 1 Chapter 5 provisions, could also have been mandated as an alternative to the complete withdrawal of the consumer fireworks provisions.
Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE   X DISAGREE*    ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Under the “Regulations Governing the Development of NFPA Standards” section 5, it does not appear that the TIA meets any of the provisions for “Emergency Nature.” Section 5.3 states:

“Evaluation of Emergency Nature. Determination of an emergency nature shall include but not be limited to one or more of the following factors:
(a) The NFPA Standard contains an error or an omission that was overlooked during a regular revision process.
(b) The NFPA Standard contains a conflict within the NFPA Standard or with another NFPA Standard.
(c) The proposed TIA intends to correct a previously unknown existing hazard.
(d) The proposed TIA intends to offer to the public a benefit that would lessen a recognized (known) hazard or ameliorate a continuing dangerous condition or situation.
(e) The proposed TIA intends to accomplish a recognition of an advance in the art of safeguarding property or life where an alternative method is not in current use or is unavailable to the public.
(f) The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification for the action.”

1. The record demonstrates no emergency nature for this action. Consumer fireworks have been contained in NFPA 1 since the 2000 edition...over 13 years. No evidence has suddenly come to light that has demonstrated an emergency need for this TIA.

2. NFPA 1124 2006 still exists with the provisions for consumer fireworks and will be referenced. In fact, ICC staff has indicated that they will continue to reference NFPA 1124 2006 edition in the next editions of the IFC in the foreseeable future. The fact that an NFPA standard has been written to address retail sale of consumer fireworks remains a fact and cannot be undone as if it never existed. With the IFC being adopted by a significant number of jurisdictions in the United States, NFPA 1124, with the
consumer fireworks provisions, will still remain in force in many jurisdictions.

3. This TIA addresses the 2012 and 2015 editions of NFPA 1. Why is the 2012 edition of NFPA 1 being revised when only the 2013 edition of NFPA 1124 was withdrawn? What is the emergency nature for the revision to the 2012 edition of NFPA 1?

Signature

Anthony Apfelbeck
Name (Please Print)

4/14/2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: kcary@nfpa.org

February 6, 2009
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_________ AGREE ___________ XX _____ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

____ The IAFC and NFPA have worked to create a fire safety standard for retail/consumer fireworks, only a lack of action by industry has blocked these efforts. IAFC continues to advocate for safety standards to provide guidance for AHJs and improve the level of safety to the public. To eliminate the proposed NFPA 1124 is not an acceptable action to resolve the stalemate. IAFC continues to support the creation of standards necessary to regulate consumer fireworks. The proposed TIA is contrary to this goal and cannot be supported by IAFC. _________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE ___________ XX _____ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The emergency nature of this TIA has not been established based upon the criteria published by NFPA. Previous editions of NFPA 1124 exist and will continue to be referenced.

________________________
Signature

________________________
Jim Budzinski
Name (Please Print)

________________________
4/25/14
Date

Please return the ballot on or before April 25, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: kcarey@nfpa.org

August 5, 2014
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_________ AGREE  X DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Please see attached.


Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE  X DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Please see attached.


Signature:

Kenneth E. Bush
Name (Please Print)

04/11/14
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: kecarey@nfpa.org
NFPA 1 TECHNICAL COMMITTEE LETTER BALLOT
COMMENTS ON PROPOSED TIA LOG NO. 1145

TECHNICAL MERITS

While, as a code enforcing authority, I understand the plan to withdraw the regulatory provisions of NFPA 1124, I am submitting a ballot to Disagree with this specific action since it appears to take actions other than to coordinate the references between existing codes and standards. By removing all references, especially permit restrictions and definitions, to consumer-based fireworks, this action would severely handicap any efforts by code users or enforcers to regulate the use of these products which have been allowed by local ordinances in many jurisdictions.

Even after considering the potential difficulties associated with publishing standards containing requirements that have not been thoroughly substantiated, I believe that it is more detrimental to remove all of the enforcement tools which are currently afforded by retaining these requirements in existing code language. Even though it may be possible to make reference to certain requirements by reference to earlier editions of the code, I believe that a more detailed review of the current code requirements which are more general in nature should be completed to possibly retain such provisions for use in local legislation before introducing an overall removal of all requirements that have any reference to NFPA 1124.

It is unfortunate that this lengthy process to provide reasonable regulations with adequate substantiation for the display and sale of consumer-based fireworks has led to the consideration for complete withdrawal of such provisions. Hopefully, these considerations will result in a renewed effort to complete the processing and adoption of regulations which are appropriate to this matter, and that the absence of such regulations is temporary in nature.

EMERGENCY NATURE

Prior to the removal of all references to consumer-based fireworks, I believe that a more comprehensive review of these requirements should be completed to retain general references, definitions, permit restrictions, and general regulatory provisions that could be implemented as a part of local jurisdiction laws and ordinances and applied to specific conditions by code users and regulatory authorities.

[Signature]

August 5, 2014
Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 469 of 1626
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

AGREE X X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

THIS HAS BEEN AN ISSUE IN THE CODES & STANDARDS FOR SOME TIME. SIMPLY BURYING OUR HEADS AND LETTING GO MADY IS NOT THE OPTION. IT SIMPLY PLACES THE FOX IN CHARGE OF THE FARM HOUSE INDUSTRY WILL DEVELOP THEIR OWN STANDARDS. I DON'T BELIEVE THIS IS SAFE FOR CONSUMERS OR FIREFIGHTERS.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

ONLY IN THE SENSE OF POSSIBLY REFERENCE AN EARLIER VERSION IF THE CURRENT STANDARD IS WITHDRAW.

If that is even an option.

LOL

Signature

Sean de Cruze

Name (Please Print)

4-22-14

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: kecarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_______ AGREE  ______ XX DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

While the Standard’s Council action on this issue is understood and respected, the practical result is that the Standards Council’s action will reduce the level of life safety and property protection in these facilities and will place AHJs in an extremely difficult situation regulating consumer fireworks retail sale facilities. In addition, there were other technical options that are/were available to the Standards Council in addressing the concerns generated by the lack of testing. Due to these reasons, I must vote against the technical merit justification of this TIA.

1. The removal of consumer fireworks retail sale provisions does not mean that the NFPA codes and standards will not continue to regulate these facilities. A consumer fireworks retail sales facility can still be constructed and occupied under NFPA 101 and NFPA 1. The act of simply removing the words “consumer fireworks” from the NFPA codes and standards does not mean these facilities are no longer regulated by the NFPA codes and standards documents. The action simply ignores the very real consequences that these facilities can still operate and open while being in compliance with the remaining NFPA codes and standards.

If the Standards Council had directed that the sale of Consumer Fireworks in retail sale facilities shall be specifically prohibited in NFPA 1 and other codes/standards, then at least the Standards Council decision would be consistent with the position of not writing consumer fireworks standards. Without such a prohibition to accompany the Standards Council decision, the NFPA codes and standards will still allow existing facilities to operate and new facilities to be constructed.

2. The withdrawal of the standard does not mean that consumer fireworks retail sale facilities will no longer exist and suddenly close up since there is no applicable NFPA standard. Forty-six states currently allow some sale of consumer fireworks and, after the withdrawal of this standard, forty-six states will continue to permit the retail sale of consumer fireworks. The
hazard in the field will remain and only increase as a result of this action. The only effect of the removal of these provisions from NFPA 1 is that AHJs will now be left with no code provisions to regulate these facilities.

3. While the 2013 and previous editions of NFPA 1124 was far from perfect and there was clearly a failure to conduct appropriate testing requested by the Standards Council, the 1124 provisions do/did provide a significantly enhanced level of safety over no standard. NFPA 1124 specific provisions addressing covered fuses, means of egress, fire department access, incompatible materials, security, housekeeping, storage arrangements, tent sales, construction and other use issues are all repealed in addition to the fire sprinkler provisions. All of these provisions did provide for a safer environment. The loss of these provisions will reduce the level of life safety and property protection in these facilities.

4. By removing consumer fireworks from the definition of hazardous materials and the MAQ tables, consumer fireworks are no longer a hazardous material and there are no quantity limits. As such, you will now be able to put as much consumer fireworks in any occupancy that you would like and it will still be considered an ordinary hazard. Clearly this is inconsistent with the actual hazard of these facilities and it will create significant hazardous conditions in the field that will now be viewed by the NFPA codes and standards as code compliant.

5. With these changes, no permit will be required for consumer fireworks will be required. Permitting is a basic regulatory control mechanism that is essential for AHJ notification, inspection and approval for a use. Evidence has clearly shown that consumer fireworks are hazardous. That is not in question. With the loss of this permitting requirement, the AHJ in a position that the NFPA codes and standards will place no regulatory approval (permit) over any facility utilizing consumer fireworks.

6. A jurisdiction adopting the NFPA entire codes and standards set adopts a codes and standards set that allows for the retail sale of consumer fireworks. There is nothing contained in the NFPA codes or standards that would prohibit the retail sale of consumer fireworks.

7. IFMA model fireworks law provisions are presented as NFPA’s position on consumer fireworks. The IFMA model fireworks law is not a code or standard so it holds no standing in the NFPA codes and standards process and has no value to the local AHJ adopting the NFPA codes and standards. If the Standards Council had mandated inclusion of those provisions in
NFPA 1 it would have made the Standard’s Council’s action consistent with the regulatory intent of the IFMA Model Fireworks Law.

8. An ironic situation will now be created that although NFPA 1 will not reference its own consumer fireworks retail sale provisions in its own NFPA Fire Code. However, the International Fire Code will continue to reference those 2006 1124 provisions and provide a significantly greater level of protection for these facilities than NFPA’s own fire code.

9. There are numerous other provisions in the NFPA Code and Standards, along with other code development bodies, where the provisions of the technical codes and standards are not fully justified through testing yet those provisions remain in the codes either due to a consensus of the technical experts as to the level of protection that is appropriate or they leave the appropriate design decision to the design professional’s judgment. As an example, indoor boat storage on racks, stacked storage of motor vehicles in parking garages, protection of Li-Ion power vehicles, fire flow provisions and the items in table A.5.6 of NFPA 13. In the end, many of the provisions in the model codes are in there due to consensus of the experts on the technical committees and not due to the scientific method. While the failure to have the test is unfortunate, developing a conservative protection scheme does appear to be within reach that would provide a reasonable level of protection and provide guidance to AHJs. The conservative protection approach could then only be reduced once appropriate testing justifies a reduction in the protection scheme.

10. Anecdotal evidence derived from the testing that has been conducted appears to indicate that K25 fire sprinkler heads 100sqft spacing protecting consumer fireworks with covered fuses could provide a reasonable level of protection along with other stringent life safety and property protection provisions. It appears that there does exist a stringent protection approach that could be utilized until sufficient testing occurs. A performance based design approach, utilizing NFPA 1 Chapter 5 provisions, could also have been adopted as an alternative to the complete withdrawal of the consumer fireworks provisions.
Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE  XX  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Under the “Regulations Governing the Development of NFPA Standards” section 5, it does not appear that the TIA meets any of the provisions for “Emergency Nature.” Section 5.3 states:

“Evaluation of Emergency Nature. Determination of an emergency nature shall include but not be limited to one or more of the following factors:
(a) The NFPA Standard contains an error or an omission that was overlooked during a regular revision process.
(b) The NFPA Standard contains a conflict within the NFPA Standard or with another NFPA Standard.
(c) The proposed TIA intends to correct a previously unknown existing hazard.
(d) The proposed TIA intends to offer to the public a benefit that would lessen a recognized (known) hazard or ameliorate a continuing dangerous condition or situation.
(e) The proposed TIA intends to accomplish a recognition of an advance in the art of safeguarding property or life where an alternative method is not in current use or is unavailable to the public.
(f) The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification for the action.”

1. The record demonstrates no emergency nature for this action. Consumer fireworks have been contained in NFPA 1 since the 2000 edition. Over 13 years. No evidence has suddenly come to light that has demonstrated an emergency need for this TIA.

2. NFPA 1124 2006 still exists with the provisions for consumer fireworks and will be referenced. In fact, ICC staff has indicated that they will continue to reference NFPA 1124 2006 edition in the next editions of the IFC in the foreseeable future. The fact that an NFPA standard has been written to address retail sale of consumer fireworks remains a fact and cannot be undone as if it never existed. With the IFC being adopted by a significant number of jurisdictions in the United States, NFPA 1124, with the consumer fireworks provisions, will still remain in force in many jurisdictions.
3. This TIA addresses the 2012 and 2015 editions of NFPA 1. Why is the 2012 edition of NFPA 1 being revised when only the 2013 edition of NFPA 1124 was withdrawn? What is the emergency nature for the revision to the 2012 edition of NFPA 1?

Signature

Keith L. Farmer
Name (Please Print)

April 8, 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: kcarey@nfpa.org
August 5, 2014
Supplemental Agenda - Standards Council Meeting August 11-14, 2014
Page 17 of 34

TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145
Various revisions to Consumer Fireworks references in NFPA 1 Fire Code 2012 Edition and

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

______ AGREE  ____ DISAGREE*  ______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Although I agree that changes need to be made to Chapters 6 and 7 of NFPA 1145, I have an issue with the total removal of all regulatory requirements as I feel this will have a negative impact on the enforcement of the Act.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

______ AGREE  ______ DISAGREE*  ______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

_________________________________________________________________

_________________________________________________________________

___________________________
Signature

___________________________
Name (Please Print)

___________________________
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169  FAX: (617) 984-7110  E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_________ AGREE ______ X ____ DISAGREE* _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I respectfully disagree with the decision primarily because without regulation, it can adversely impact the safety of responders. A retail facility will be able to store unlimited quantities of fireworks and not be required to have a fire sprinkler system. If fire sprinkler systems are proven to be beneficial to the spread of fire in a structure, it stands to reason that even without specific research to substantiate or validate sprinkler design criteria, having any sprinklers certainly can't hurt.

Aside from the lack of sprinkler design criteria, there are other areas of NFPA 1124 that positively impact safety. To remove the standard based upon the lack of resolution of one issue, will adversely impact life safety.

For the above reasons, I respectfully disagree with TIA 1145.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE ______ X ____ DISAGREE* _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Consumer fireworks have been contained in NFPA 1 and NFPA 1124 for years. After reading the Standards Council Decision, the problem at hand has been in existence for years.

Signature

Andrew Fukuda
Name (Please Print)

4/16/14
Date

Please return the ballot on or before April 18, 2014.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_______ AGREE ___________ X ______ DISAGREE* ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
_ I believe the action of the Standards Committee will cause an extreme burden on local agencies. The local standards of life safety. If the Standards Council had taken a clear position and simply removed the term “Consumer Fireworks” does not mean that facilities are no longer be regulated by NFPA Documents. This action will cause consumer confusion and will lower the ability of Regulatory Agencies to enforce their local standards of care. I also have concerns that removing consumer fireworks from the definition of hazardous materials and the correlating Maximum Allowable Quantity tables. There will be no limits in the amount of materials that can be stored in that occupancy.

__________________________________________________________________

__________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE ___________ X ______ DISAGREE* ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
_ History has demonstrated that there is no emergency condition necessary for this action. Consumer Fireworks have been contained in NFPA 1 since 2000. There is no demonstrated evidentiary reason for declaration of an emergency action.

__________________________________________________________________

__________________________________________________________________

___Reinhard Hanselka__________________________
Signature

_Reinhard Hanselka ____________________________
Name (Please Print)

___4/16/14________________________________
Date

Please return the ballot on or before April 18, 2014.
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_________ AGREE X _______ DISAGREE* _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This is not the way to create requirements for safe consumer fireworks. The APA has had an opportunity to present their case at EVERY NFPA 1 meeting since I have been a member (1981). They continue to beat around the bush and do not respond to requests for information. They need to come back to NFPA 1 with comprehensive, workable safe handling and storage requirements.


Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE X _______ DISAGREE* _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This is such a derisive issue that it needs full committee consideration at a meeting where questions can be asked and hopefully answered.


on file

Signature

Richard S Kraus

Name (Please Print)

April 7, 2014

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110 E-mail: kecarey@nfpa.org

August 5, 2014 Supplemental Agenda - Standards Council Meeting August 11-14, 2014 Page 479 of 1626
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

X AGREE  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I disagree with the Standards Council decision to remove requirements for consumer fireworks from NFPA 1. In reviewing the reason statement provided by the SC for their decision, it is apparent that there is more work yet to be accomplished on this topic between NFPA and APA. However, removing all the requirement that have been placed in the code to date is a step backwards, and in my opinion, the wrong response to addressing the unresolved issues. It removes important, relevant and useful information to the AHJ that has been developed over many years through consensus of subject matter experts.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

X AGREE  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I have not been able to identify the evidence anywhere in the documents provided with this ballot why this matter should be considered an emergency.

________________________
Name (Please Print)

________________________
Date

Please return the ballot on or before April 18, 2014.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

[ ] AGREE [x] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

After many years of debate and controversy to legalize fireworks in the State of Michigan (MICHIGAN FIREWORKS SAFETY ACT - PA256 of 2011) legislation was drafted referencing this document and credence was given to support the use and sale of “consumer” and “low-impact” fireworks. By eliminating this document expresses “unprofessional unwillingness” to work through our differences of maintaining our “mission of life safety and property conservation” and leaving the fire service with no were to turn.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE [x] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

It would only be a non-emergency in nature if your state does not sell fireworks!

Signature ____________________
Richard Miller
Name (Please Print)
April 23, 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169    FAX: (617) 984-7110   E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

__________ AGREE ___________ XX_________ DISAGREE* __________ ABSTAIN*  

EXPLANATION OF VOTE - Please type or print your comments:

I agree with Mr. Apfelback’s response and support his position that while the Standard’s Council action on this issue is understood and respected, the practical result is that the Standards Council’s action will reduce the level of life safety and property protection in these facilities and will place AHJs in an extremely difficult situation regulating consumer fireworks retail sale facilities. In addition, there were other technical options that are/were available to the Standards Council in addressing the concerns generated by the lack of testing. Due to the reasons presented by Mr. Apfelback, I must vote against the technical merit justification of this TIA.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE ___________ XX_________ DISAGREE* __________ ABSTAIN*  

EXPLANATION OF VOTE - Please type or print your comments:

This issue has been on-going and given the delays I do not see why the change cannot occur at the next Code cycle.

[Signature]

Wayne D. Moore (AFAA)
Name (Please Print)

4-14-14
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110  

E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Consumer fireworks should at least be regulated the same as other pyrotechnical products of similar composition. The hazardous nature of similar material should be treated equally regardless of “Title”, Regulation should be based upon the hazardous nature, quantity, production procedure as well as other life risk assessments and not exempted based on it’s end use.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Processes are in place for determining and developing standard applicability. Assuming that this process has taken place for the development of the 2012 code cycle and the provisions have been determined through this process, I do not see it as an emergency based on the fact of the title “Consumer Fireworks”. However I do see merit in eliminating references to a standard that has been eliminated, but the proposal is more inclusive than that and if modified to only eliminate the references to the NFPA 1124 2012 or later editions, it would be supportable.

Signature
Morten Myers
Name (Please Print)

4/18/14
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

[ ] AGREE  [X] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

An explanation must accompany a disagreement or abstaining position.

Insufficient technical merits for this TIA

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE  [X] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

An explanation must accompany a disagreement or abstaining position.

Consumer Fireworks have been regulated by NFPA 1 since 2000. Therefore, no evidence has been provided that demonstrates an emergency need for this TIA.

Signature

Joseph Neave

Name (Please Print)

4/17/14

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110  
E-mail: kcarey@nfpa.org
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

___ x ___ AGREE     ___________ DISAGREE*     ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.


Question 2: I agree that the subject is of an EMERGENCY NATURE.

___ AGREE   ___ x ___ DISAGREE*     ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
While the Standards Council has decided to temporarily withdraw NFPA 1124 (for the reasons stated in their decision issued on March 3, 2014), that action is separate from the decision before this technical committee. Having reviewed the six examples for evaluating the emergency nature of the TIA, we do not agree this meets the level of emergency needed to vote in the affirmative.

[Signature]

Steven Orlowski
Name (Please Print)

April 15th, 2014
Date

Please return the ballot on or before April 18, 2014.

PLease RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: kearey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_______ AGREE        ____X____ DISAGREE*        ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Based on the arguments provided by Mr. Apfelbeck, Mr. Bush and others, I disagree with the Technical Merits of the proposed TIA.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE        ____X____ DISAGREE*        ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Even if I agreed with the merits of this proposed TIA, I do not believe it meets the requirements of an “Emergency Nature”.

Signature

James S. Peterkin, PE
Name (Please Print)

April 24, 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169       FAX: (617) 984-7110       E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145
Various revisions to Consumer Fireworks references in NFPA 1 Fire Code 2012 Edition and
proposed 2015 Edition

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

_______ AGREE   ______ XX DISAGREE*   _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The contents and impact of the proposed TIA is too broad in scope to be processed as a TIA. The results of the TIA will result in a less safe condition without the guidance contained in the existing NFPA 1124. The withdrawal of 1124 doesn’t mean these activities will cease, it just means Fire Marshals and other Code Officials will have no consensus guidance on proper safeguards. I’m sorry, but this is really a bad idea.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE   ______ XX DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

These changes are too significant to be treated as a TIA. Changes of this scope without the use of the normal NFPA consensus process is not only dangerous but probably negligent.

__________________________________________________________

John A. Sharry
Signature

Name (Please Print)

April 25, 2014

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110  E-mail: kcarey@nfpa.org
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

__________ AGREE     _______ x______ DISAGREE*     _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
E*An explanation must accompany a disagreement or abstaining position.
Deletion of the reference to the standard regulating consumer fireworks will leave jurisdictions
with no regulating standard; while the existing standard may be flawed, it needs to be revised
and not withdrawn.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

____ x______ AGREE     __________ DISAGREE*     _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position.

________________________________________

Jim Tidwell
Signature

Jim Tidwell
Name (Please Print)

4/11/14
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: kcarey@nfpa.org
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

AGREE    DISAGREE*    ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I maintain my abstention as explained in my original ballot. However, I want correct an error in my justification. I stated that the PYR committee voted overwhelmingly against withdrawal of NFPA 1124 and that the public was not given an opportunity to comment. That fact was on the changes to the sprinkler requirements in NFPA 1124 not its withdrawal. With regard to the withdrawal of NFPA 1124, the NFPA PYR committee was NEVER GIVEN THE OPPORTUNITY to vote at all. In fact, the withdrawal was not even on the Standards Council agenda. Forget the issue of consumer fireworks. What if NFPA management decided to delete any other document without even balloting the committee responsible for the document? I also want to point out that NFPA 1124 was approved by the NFPA membership for at least two editions, with almost no proposals or comments to make significant changes to the consumer fireworks provisions.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE    X DISAGREE*    ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
As explained in my original ballot.

James Lathrop has voted Abstain on Emergency Nature. See attached email.

Signature

James K Lathrop

Name (Please Print)

April 23, 2014

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
Kelly

Remember we discussed that my vote as to be “abstain” on the emergency nature also. I must abstain, not vote either way.

Jim

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From: Carey, Kelly [mailto:KCarey@nfpa.org]
Sent: Monday, April 28, 2014 5:03 PM
To: Carey, Kelly
Cc: Harrington, Greg; Solomon, Robert; Bigda, Kristin; Dolan, James; Walker, Nancy; Fuller, Linda; Foley, Patrick
Subject: NFPA 1 - TC ON FIRE CODE - TIA LOG. NO. 1145 FINAL RESULTS

TECHNICAL COMMITTEE ON FIRE CODE

Enclosed please find the Final Results on Tentative Interim Amendment (TIA) Log No. 1145 submitted by Jeff Collins, Palm Beach County Fire/Rescue and Carl Baldassarra, The RJA Group. Please note the Public Comment Closing date is May 16, 2014. Any public comments received will be circulated to the committee. The Standards Council will consider the issuance of this TIA at their August 11-14, 2014 meeting.

This information has also been posted on the Document Information Page: [http://www.nfpa.org/1next](http://www.nfpa.org/1next). If you have any questions, please do not hesitate to contact me.

Thank you,

Kelly Carey
Administrator, Technical Projects
NFPA
kcarey@nfpa.org
Phone: 617-984-7043
Fax: 617-984-7110

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Check out NFPA on social media... [www.nfpa.org/socialmedia](http://www.nfpa.org/socialmedia)
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1145

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA 1145.

__________ AGREE __________ DISAGREE* __X___ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I am abstaining on this ballot since Koffel Associates has a client interest. However, I do not represent the client on the NFPA 1 committee and my comments on the Abstention are not made on behalf of that client.

If I were allowed to vote on this I would vote NEGATIVELY. What is being done, not only does not make any sense, it is based on a complete manipulation of the NFPA standards making process. The membership was never allowed to comment on the withdrawal of NFPA 1124, the NFPA PYR committee voted overwhelmingly against the withdrawal including numerous fire marshals on the committee.

This TIA would result in a much more dangerous situation, than the misleading made up hazard that NFPA staff has tried to perpetrate. NFPA is ignoring the problem when it comes to consumer fireworks. Although I am a strong opponent to consumer fireworks, I know when it’s time to recognize that they are here and we need to regulate them. With the exception of only a few states, all the states in the US allow the sale of some form of consumer fireworks. This has been done by the elected officials in those states and like it or not, we must recognize that fact. This massive TIA (way too massive to be allowed to be processed as a TIA) will remove all controls on consumer fireworks. There are dozens of safeguards that are being removed by this action (including but not limited to additional exits, reduced travel distance, flame breaks, covered fuses, limited display height, etc.). Doing this will NOT eliminate consumer fireworks, it only allows them to be sold with no restrictions on them. The true emergency here is to prevent this TIA from proceeding.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE __________ DISAGREE* __X___ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

How can the changes to NFPA 1 2012 be considered urgent?? The edition of NFPA 1124 that has been withdrawn is not the edition referenced by NFPA 1 2012. The entire basis for the TIA is inaccurate. How can it be so urgent for the 2015 edition, when the withdrawal of NFPA 1124 is still under appeal at ANSI? Why is it so urgent to reduce the level of safety for the public that will be going to these stands and stores legally in almost all the states?

James K Lathrop
Signature

August 5, 2014
Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: kcarey@nfpa.org
yes

Sam Francis
American Wood Council
1 Dutton Farm Lane
West Grove, PA 19390
610-869-4774

From: Carey, Kelly [mailto:KCarey@nfpa.org]
Sent: Wednesday, April 16, 2014 10:25 AM
To: Francis, Sam
Subject: RE: NFPA 101 - TENTATIVE INTERIM AMENDMENT (TIA) LOG NO. 1144 BALLOT - NFPA 5000 - TENTATIVE INTERIM AMENDMENT (TIA) LOG NO. 1143 BALLOT

Mr. Francis,

I am sorry to hear of your family medical emergency. I just want to confirm that you will be abstaining on the following ballots:

TIA Log. 1142 – BLD-BLC – NFPA 5000
TIA Log. 1143 – BLD-MER – NFPA 5000
TIA Log. 1144 – SAF-MER – NFPA 101

You also have a pending TIA Log. 1145 on NFPA 1. Will you be abstaining on this as well?

Thank you,

Kelly Carey
Administrator, Technical Projects
NFPA
kcary@nfpa.org
Phone: 617-984-7043
Fax: 617-984-7110

From: Francis, Sam
Sent: Wednesday, April 16, 2014 10:17 AM
To: Carey, Kelly
Subject: RE: NFPA 101 - TENTATIVE INTERIM AMENDMENT (TIA) LOG NO. 1144 BALLOT - NFPA 5000 - TENTATIVE INTERIM AMENDMENT (TIA) LOG NO. 1143 BALLOT

There are several ballots due for NFPA 5000 or 101. I must abstain on all of them because I have been unable to devote attention to the issues due to a family medical emergency. Please record me as such.
May 16, 2014

Secretary, Standards Council
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02069

RE: TIA’S LOG NOS 1145, 1147, 1138, 1144, 1137, 1146, 1139, 1140, 1141, 1142, 1143

To NFPA Standards Council,

NOTE: Based upon conversation with NFPA Staff, while submitted as a single comment this comment should be considered as a Public Comment on each of the TIA’s related to Decision D#14-1 and should be distributed to all of the affected Technical Committees and Correlating Committees.

While the American Pyrotechnics Association, APA, does not agree with Decision D#14-1, we understand that NFPA Senior Management has made a decision that NFPA codes and standards should no longer address the storage and retail sales of consumer fireworks. However, that business decision should not result in TIA’s being issued that are incomplete, contain technical problems, and will result in increasing the risk to the public. We also don’t believe that NFPA codes and standards should eliminate known and proven protection strategies that offer the public protection should consumer fireworks become involved in a fire. Decision D#14-1, which is the impetus for the proposed TIA’s, was based upon false and misleading information as has been noted in the Petition to the Board (see attachment). It should be noted that the only technical issue raised in Decision D#14-1 is that regarding sprinkler discharge criteria. However, that issue was addressed by the TIA 13-2 issued to NFPA 1124 and is not a rationale for the ongoing code development activity by deleting references to NFPA 1124.

Contrary to the false accusation in Decision D#14-1 that the APA is unwilling “to meaningfully engage in the kind of standards development that would continue to yield quality standards consistent with the NFPA’s safety mission”, the APA offers the following comments for the Council in attempt to preserve what has previously been a high standard of care associated with NFPA codes and standards. The comments are being offered with the understanding that current NFPA Senior Management will see that the retail sales and storage of consumer fireworks are no longer addressed in NFPA codes and standards. However, if that is to be done, it should be done correctly and these TIA’s do not do it correctly.

General Flaws With Most of the TIA’s

A common error in many of the TIA’s is the removal of references to editions of NFPA 1124 from existing NFPA codes and standards that reference the 2006 Edition. Council Decision D#14-1 withdrew only the 2013 Edition of NFPA 1124. The only stated emergency basis for the proposed TIA’s is that NFPA 1124 has been withdrawn. However, that is not a true statement for any NFPA code or standard that references the 2006 Edition of NFPA 1124. Issuing any TIA that removes a reference to the 2006 Edition is a clear and distinct violation of the Reg’s since absolutely no basis has been provided for the TIA being of an Emergency Nature.

7910 Woodmont Ave., Suite 1220 ● Bethesda, MD 20814 ● (301) 907-8181 ● FAX (301) 907-9148
Regarding the remaining TIA’s, or portions thereof, that address the 2013 Edition, it is inconceivable that it is an Emergency Nature to address the issue in select NFPA documents while nine other documents still contain references to NFPA 1124-2013. In some instances the language is similar to that being deleted by a proposed TIA and in other instances the standards are referenced by documents such as NFPA 1, NFPA 101, and NFPA 5000 for which TIA’s are currently being processed. The lack of a valid emergency nature, other than a business decision made by NFPA Senior Management, should result in the Council delaying the issuance of any TIA’s until such time as a comprehensive, technically accurate, and coordinated package of changes can be processed in accordance with the Reg’s.

Furthermore, the proposed TIA’s fail to accomplish the direction provided by the Council in Decision D#14-1.

To be clear, it is the intention of the Standards Council, in keeping with this decision and with the NFPA’s long opposition to consumer fireworks, that no NFPA Committees should develop standards for the storage and retail sales of consumer fireworks or for the use of fireworks by members of the public.

Instead of ensuring that no NFPA Committee develops standards for the storage and retail sales of consumer fireworks, the proposed TIA’s are increasing the risk to the public by de-regulating the storage and retail sales of consumer fireworks. Consumer fireworks will still be regulated by most of the documents addressed by the proposed TIA’s. The difference will be that if the TIA’s are issued, consumer fireworks will be considered ordinary hazard contents and not hazardous materials or high hazard contents.

**Specific Technical Issues**

The APA has identified numerous technical flaws in the proposed TIA’s including ones that have not been cited in the various ballots. The following list is by no means a comprehensive list of the issues; but rather, a small sampling intended to encourage the Council to delay the issuance of any of the TIA’s. The APA recognizes that due to the business decision made by NFPA Senior Management that the issues will move forward, but we strongly encourage the Council to ensure that the changes are of the quality and accuracy anticipated in NFPA codes and standards.

1. Many of the TIA’s exceed the direction given by the Council by impacting issues other than the retail sales and storage of consumer fireworks. Examples include:
   a. TIA Log No. 1145
      6. Delete 3.3.22 Barricade (Explosives or Fireworks).
      and
      7. Delete 3.3.22.1 Artificial Barricade (Explosives or Fireworks).
      and
      8. Delete 3.3.22.2 Natural Barricade (Explosives or Fireworks).

**WHY A PROBLEM:** The term “barricade” is used in a non-explosive or fireworks manner in 10.8.3, 10.13.1, 18.2.4.2.1, 18.2.4.2.2, 18.2.4.2.5, 34.8.3.2.2, and Table 66.22.4.1.5. As such, this action goes beyond the direction provided in Decision D#14-1.

b. TIA Log No. 1145
   14. Delete 3.3.127 Fireworks, and A.3.3.127.

**DEFINITION:**

3.3.127* Fireworks. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation, and that meets the definition of Consumer Fireworks or Display Fireworks as set forth in this Code. [1124, 2006]
A.3.3.127 Fireworks. Toy caps for use in toy pistols, toy canes, toy guns, and novelties and trick noisemakers are not considered to be fireworks (see Annex C of NFPA 1124). The regulations referred to limit the explosive content of each toy cap to not more than an average of 0.25 gr (16.2 mg). Also, each package containing such caps has to be labeled to indicate the maximum explosive content per cap. For information on the use of model rockets and model rocket motors, see NFPA 1122. For information on the use of high power rockets and high power rocket motors, see NFPA 1127. Model rockets, model rocket motors, high power rockets, and high power rocket motors designed, sold, and used for the purpose of propelling recoverable aero models are not considered to be fireworks. [1124: A.3.3.30]

WHY A PROBLEM: The definition is also applicable for Display Fireworks and the annex material provides good guidance regarding model rockets that should not be deleted. Similarly, Item 16 in the same TIA deletes the definition of Display Fireworks and associated Annex note for no apparent reason other than it is extracted from NFPA 1124.

c. TIA Log No. 1145
   32. Delete 65.2.2.

   65.2.2 All storage of display fireworks shall comply with NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles.

WHY A PROBLEM: There will be no storage requirements for display fireworks, which is not part of this Council Decision. Likewise, Item 33 in the same TIA deletes 65.5.1 which addresses the manufacture of fireworks, not just consumer fireworks.

2. Contrary to the Mission of NFPA, processing the TIA’s will result in an increased risk to the public while providing code officials with no means by which the risk is reduced by reasonable regulations. In fact, some of the TIA’s, such as the ones to NFPA 101, will return to requirements for consumer fireworks that were previously determined to be inadequate, resulting in the development of the requirements in NFPA 1124.

Multiple TIA’s

Several TIA’s delete any references to consumer fireworks as being hazardous materials. In fact, NFPA 1, A.3.3.144 further compounds the issue by saying if the materials are not listed in the Code they are not materials that present physical or health hazard and are not regulated by the Code.

A.3.3.144 Hazard of Contents. Hazardous materials are materials that present physical or health hazards and are regulated by the Code.

WHY A PROBLEM: As such, consumer fireworks will be considered ordinary hazard contents. In this instance, the decision by NFPA Senior Management, along with the manner in which the TIA’s have been prepared will only increase the risk to the public with respect to consumer fireworks. This is not consistent with the Mission of NFPA.

Summary

It is clear by the number of TIA’s being processed along with those that have not yet been developed, that in order to implement Decision D#14-1 many NFPA codes and standards will be impacted and that a comprehensive and coordinated package of changes to the respective documents must be developed. It is...
also clear from the Ballot results that some of the Technical Committees and Correlating Committees responsible for the documents impacted by these TIA’s do not support the Technical Merit, Emergency Nature, or both for their respective TIA’s. Ballot comments have been submitted by past Board members, current and past Council members, Committee Chairs, code officials, and at least three recipients of the NFPA Standards Medal. This impressive list of Committee members who have indicated that the TIA’s are not acceptable should indicate to the Council that the TIA’s are not yet ready to be issued.

An incomplete group of TIA’s set at a low level and without adequate support can impede, rather than promote progress and safety. In this case, we contend that issuing this set of TIA’s will be a step backwards and will reduce the level of safety provided by NFPA codes and standards. NFPA should not want to be associated with issuing this group of weak TIA’s based solely on a business decision made by NFPA Senior Management. As previously stated, APA understands that the business decision made by NFPA Senior Management will result in needed changes to NFPA codes and standards. These comments have been submitted as APA’s ongoing meaningful participation in the NFPA process to develop high quality codes and standards and we encourage the Council to properly utilize the Reg’s and their Technical Committees to implement the needed changes.

Respectfully

[Signature]

Julie L. Heckman
Executive Director
AMERICAN PYROTECHNICS ASSOCIATION
PETITION
To the
NFPA BOARD OF DIRECTORS
On the
STANDARDS COUNCIL DECISIONS D#14-1

Petitioner: Ms. Julie L. Heckman, Executive Director
American Pyrotechnics Association (APA)
7910 Woodmont Avenue, Suite 1220
Bethesda, MD 20814

Statement: In accordance with Paragraph 1.7 of the Regulations Governing the Development of NFPA Standards (Regs), the APA is hereby submitting a Petition regarding Standard Council Decision D#14-1. Decision D#14-1 is dated March 3, 2014. The APA submitted a Notice of Intent to File a Petition on March 18, 2014. In the Notice of Intent to File a Petition, the APA requested that the effective date of the Decision be stayed. In a letter dated March 28, 2014, the APA was advised that NFPA President, James Shannon, denied the request to stay the effective date of the Decision, claiming that the Regulations do not authorize the President to do so.

Initial Relief Requested: While normally covered later in the Petition, the APA requests two things up front:

1. A hearing before the entire NFPA Board as permitted by Paragraph 2. In order to accomplish this request, the Petitions Clerk should circulate the Petition to the entire Board and request a vote of the Board as to whether the Petition should be heard by the Subcommittee or the Board. The basis for the request is provided herein.

2. The APA firmly believes that the procedural violations documented herein were performed by, were directed by, or were performed with the full knowledge of James Shannon, Maureen Brodoff, and Christian Dubay. For this reason, these three individuals should have no input into the processing of the Petition unless a full hearing is granted so that both sides can be heard by the Board. This request includes the President’s role in determining the composition of the Subcommittee, if one is appointed. The three individuals identified above should have no contact with any Board member regarding the content of the Petition other than during the requested hearing.

Concerns with Council Decision D#14-1. The APA’s concerns regarding Council Decision D#14-1 fall into three categories: Process; Technical; and Impact on other NFPA codes and standards. While we recognize that a Petition to the Board should not address technical issues, and we will keep the discussion short, the Board Petition is the only vehicle by which the technical concerns can be raised since the action taken was initiated by the Standards Council with absolutely no input from any interested party or the public. As such, these issues truly are procedural but on the surface may appear to be of a technical nature.
Lack of Public Input

The NFPA prides itself in an open consensus process. Public Comment is required by the NFPA Regs and open consensus is one of the basic tenets of the ANSI Essential Requirements. Yet when it comes to the issues regarding consumer fireworks, NFPA staff has taken steps to bypass involvement by the responsible Technical Committees, interested parties, and public. The past APA Petition, which was summarily dismissed by the NFPA Board but was not dismissed by ANSI, identified violations of NFPA Regulations and ANSI Procedures by failing to seek Public Comment on the issued TIA. Instead of dismissing the Appeal, ANSI requested that NFPA respond to the allegations. NFPA falsely claimed to ANSI that the Appeal contained so much new information that additional time was needed to respond. Unbeknownst to ANSI, the APA Appeal to ANSI contained no new information; but rather, was a submission of the Petition previously filed to the NFPA Board. Despite requesting additional time to respond, NFPA never did respond to the allegations and instead withdrew the entire standard (NFPA 1124) in hopes that ANSI would dismiss the Appeal. NFPA 1124, along with two other standards, were withdrawn by the Council with no input from the responsible Technical Committee, no notice to interested parties, and no opportunity for Public Comment.

The Agenda item was not published as being part of the Council Agenda prior to or after the Council meeting. NFPA Standards Administration has advised the Petitioner that the Council was provided the APA Appeal letter and was provided access to the attachments that formed the entire Appeal. According to NFPA Standards Administration the Council Decision was based upon the ANSI Appeal along with prior Council Decisions. In other words, NFPA Standards Administration has admitted that there was no attempt to reach a consensus nor were there any attempts to seek input from the responsible Technical Committee, interested parties, or the public, key elements of both the NFPA process and the ANSI Procedures.

In addition, NFPA has continued to censor discussions related to consumer fireworks. Responding to a request by the fire service, the APA and NFPA staff made arrangements for William Koffel to address the Regional Fire Code Development Committees regarding the developments with respect to NFPA 1124 via conference call. On March 25th, in a conference call with NFPA staff and an APA representative, Chris Dubay confirmed that APA would be provided with an opportunity to address the Regional Committees. Then at 4:07 PM ET on March 28th, the Friday before the Monday meeting, Chris Dubay advised William Koffel that he would not be permitted to participate in the Regional Committees. This was, less than 72 hours before the first meeting was to occur.

NITMAMs that met the Regs not Certified.

Additionally, APA filed ten NITMAM’s to NFPA 1 to address the sprinkler provisions that were impacted by TIA 13-2. Even though the NITMAM’s contained acceptable motions in accordance with the Regulations, the Motions Committee, whose responsibilities are restricted by the Association Rules to merely determining if the motion is in accordance with the Regulations, did not certify any of the NITMAM’s. When an Appeal was filed on the ruling by the Motions Committee, the Chair of the Motions Committee decided that the Appeal would not be heard by the Motions Committee and would not be heard by the Standards Council until after the Association Technical Committee Session in June. This is not an attack on the individual; but rather, identifies a serious procedural flaw that a single individual has the ability to control when an Appeal involving a Committee that the individual chairs is heard. The Council should have a policy that restricts the Chair of the Council from also serving as the Chair of the Motions Committee.
In this instance, the decision to delay hearing the Appeal effectively quashes any opportunity to discuss the issues before the general membership at the Association Technical Meeting, and represents unprecedented interference by NFPA Staff in advising the Standards Council Motions Committee regarding their duties. This decision is interesting in that should the Board rule in favor of the Petition, there will be no ability to process the NITMAM’s until the 2015 Association Technical Meeting, delaying the issuance of NFPA 1 by one year. While the true motives will probably never be known, with the history of censorship regarding this issue, the decision could be another example of not wanting the public to have an opportunity to address the issues.

**Flawed TIA’s Processed in a Hasty Manner.** Furthermore, as directed by the Council some TIA’s are currently being processed to coordinate with the withdrawal of NFPA 1124. However, it is interesting to note that the TIA’s being processed are apparently of an Emergency Nature but yet other NFPA standards contain references to NFPA 1124 and TIA ballots have not been developed for those documents. How can the issue be an emergency nature for some NFPA standards but not for others? Is it possible since some of those other documents are under the jurisdiction of the PYR Committee that NFPA staff is again censoring any ability by the PYR Committee to provide input into the issues? Is NFPA Staff trying to minimize the havoc this action is having on the NFPA Fire Code Set? Less than half of the affected documents have TIA’s being processed.

**Withdrawal not following Regs.** The Standards Council has shortened a well-established process and eliminated any opportunity for an Appeal.

While the Council has wide latitude, the withdrawal of an NFPA standard normally originates with the responsible Technical Committee (Regs. 3.3.1.2). When this occurs, all interested parties and the Public have an opportunity to submit Public Comments. If one objects to the proposed withdrawal of the Standard, a NITMAM may be submitted. Interested parties then have an opportunity to file an Appeal to the Council. In this instance, the withdrawal of the three standards started with the last step, the Appeal process, and was done with no advance notice. As such, not only was there no opportunity for an interested party to Appeal the Decision, there was no opportunity to address the technical impact of the Decision. For this reason, the Petitioner respectfully requests that the Board give some consideration to the brief discussion of technical issues raised by the Petitioner. While previous Council Decisions did reference the removal of Chapters 6 and 7 from NFPA 1124, they did not mention the potential withdrawal of the entire standard.

**Lack of Public Input has resulted in a Council Decision based upon misinformation and misrepresentations of the facts.**

Attachment 1 contains Decision D#14-1 with APA Comments embedded within the Decision that was published. Numerous erroneous statements and misrepresentations have been identified by the APA. Had the NFPA process been followed, input from interested parties and the public would have identified such erroneous statements prior to the Council making a decision. As such, the Council made a decision that was not based upon the entire record; but rather, appears to have been based upon a biased report prepared by NFPA staff. The NFPA Regulations define “consensus” as a decision made by the Council based upon the entire record before the Council. The procedures used in rendering Decision D#14-1 did not allow the “entire record” to be placed before the Council and as such, the Decision was made based upon misinformation and misrepresentations of the facts.
Withdrawal of NFPA 1124, PYR 1128, and PYR 1129 represents a major step backwards in the regulation of consumer fireworks.

It should be noted that this position is not solely the position of the APA. Numerous returned ballots for the TIA’s being processed have identified the same flaw in the actions resulting from Decision D#14-1. The negative ballots have been submitted by past and current members of the Standards Council, past members of NFPA staff, numerous Technical Committee Chairs, and at least three recipients of the NFPA Standards Medal. The Standards Council previously determined that NFPA 101 alone does not adequately address the retail sales and storage of consumer fireworks. What is happening as a result of Decision D#14-1 is a return to relying solely on the requirements of NFPA 101 to provide a reasonable level of life safety in such facilities. While NFPA 1124 may not have been a perfect document, the ability to regulate consumer fireworks using NFPA 1124 which includes requirements for flame breaks and fuse covers tested in accordance with PYR 1128 and PYR 1129 provides a substantially higher level of safety than merely relying on NFPA 101. The request and need for these regulations are coming from the enforcement community and the industry that is regulated by the documents.

The technical issue no longer involves the need for sprinkler discharge criteria.

While the Decision indicates an issue associated with sprinkler discharge criteria, that issue was addressed by TIA 13-2, which removed all references to sprinklers in NFPA 1124. As such, the Council Decision identifies no technical flaws with NFPA 1124, PYR 1128, or PYR 1129. One would think that such drastic action by the Council would identify at least one technical flaw in one of the three standards that were withdrawn. The lack of any technical basis for the action, the unprecedented role that NFPA Staff has taken in the issue, the anomalies in following the Regs, and this being the first time that NFPA has been in “trouble” with ANSI all point to the fact that the action was taken solely to avoid any sanctions by ANSI for NFPA’s failure to follow its own Regulations in the issuance of TIA 13-2, and to finally dispose of the issue of retail sales of fireworks in the last Council meeting of Jim Shannon’s tenure as CEO.

Decision D#14-1 will have a negative impact on the technical adequacy of NFPA codes and standards and other codes that reference NFPA standards.

The Decision not only has a short term impact on the completeness and technical adequacy of NFPA codes such as NFPA 1 and NFPA 101, but it also has a long term impact. The Decision implies that NFPA 1 may not reference a standard produced by another SDO that addresses the retail sales and storage of consumer fireworks. While the 2015 Edition of the IFC was to reference the 2013 Edition of NFPA 1124, Decision D#14-1 has forced the ICC to return to a reference to the 2006 Edition of NFPA 1124, which contains sprinkler requirements and credits but does not contain requirements for fuse covers and flame breaks tested to a nationally recognized standard.

Decision D#14-1 is contrary to the mission of NFPA

The mission of the international nonprofit NFPA, established in 1896, is to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards, research, training, and education.
Treating facilities in which consumer fireworks are displayed and sold as a mercantile occupancy with ordinary hazard contents will not reduce the burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards. The same can be said for facilities in which consumer fireworks are stored. Code officials who rely on NFPA 101 and NFPA 1 to provide a reasonable level of protection will have inadequate requirements to enforce in such facilities.

Summary

Due to the procedural violations including the lack of public input, inappropriate influence by biased NFPA staff members, the lack of any technical basis, the lack of any adverse fire experience, the negative impact on the adoption and sales of NFPA codes and standards, and the fact that the Decision is contrary to the Mission of the NFPA, the NFPA Board of Directors, as a group, should overturn Decision D#14-1.

The APA strongly believes that the primary issues set forth in this Petition are of sufficient significance to the integrity of the NFPA standards development process, the question of the NFPA standards development process being in compliance with ANSI regulations, and the interests of the Association as to require action by the full Board of Directors. Many of the issues we have identified transcend the parochial interests of the APA, and we believe, have significant potential impact on the NFPA as a whole. Furthermore, in processing previous Petitions the APA understands that NFPA staff was present during the Subcommittee deliberations even though the Petitions alleged undue staff interference. This is equivalent to allowing a defendant an opportunity to participate in a decision while the accuser (or in this case the Petitioner) is not permitted to be present.

Relief Requested:

1. The NFPA Board of Directors should overturn Decision D#14-1. If the Board determines that immediate codes and standards development activities are necessary regarding the retail sales and storage consumer fireworks, the Council should be directed to appoint a balanced task group to address the technical issues and determine the appropriate implementation strategies to be used.
2. The NFPA Board should direct the Council to restrict the Chair of the Council from serving as the Chair of the Motions Committee to avoid the situation in which a single person can control the processing of an Appeal concerning the action of the Motions Committee.
3. The NFPA Board should revise the Regulations to require that any agenda item to be considered at a meeting of the NFPA Standards Council, with the exception of membership issues, be advertised as is required for meetings of NFPA Technical Committees and the NFPA Technical Meeting.

We stand fast in our resolve to fairly and reasonably represent our members in the NFPA standards development process in order to assure that our members’ products and businesses are not unfairly treated or inadequately or inappropriately addressed in the NFPA standards development process.

We believe also that the NFPA standards development process is at risk of either being or appearing to be guided by a biased policy against legitimate public and governmental interests in the sale and regulation of fireworks in this country. Only through a hearing, full review and vetting by the Board of the procedures that have given rise to these extraordinary decisions can this perception be corrected.
Accordingly, we respectfully request that the Board of Directors grant our request for a hearing and full review of our petition by the entire NFPA Board.

Respectfully submitted,

American Pyrotechnics Association

[Signature]

Julie L. Heckman
Executive Director
ATTACHMENT 1

Standards Council Decision (Final): D#14-1
Standards Council Agenda Item: SC#14-3-31
Date of Decision*: 3 March 2014

Standards Development Relating to the Storage and Retail Sales of Consumer Fireworks

I. Introduction

This decision arises out of the Standards Council’s review of a complaint that the American Pyrotechnics Association ("APA") has filed with the American National Standards Institute ("ANSI"). The APA’s complaint to ANSI challenges the Standards Council’s authority to take reasonable action to respond to the consumer fireworks interests’ refusal, over the course of more than ten years, to submit test data demonstrating the technical validity of the sprinkler design criteria for the protection of retail facilities that store and sell consumer fireworks to the general public.

APA Comment: This is a blatantly false statement. The APA did submit test data that they thought proved that Ordinary Hazard Group 2 was appropriate design criteria. Upon review of the test, a task group from NFPA 13 provided comments back to the APA. As a result, the APA funded a FPRF activity to determine an appropriate test protocol. Despite APA comments indicating shortcomings in the FPRF test protocol, the final report was published. When it was determined that funding was not available at the level necessary to complete the FPRF test protocol, that the schedule established by the Council in August 2012 could not be met using the FPRF test protocol, and knowing that the results of the FPRF protocol would be of limited value at best, the APA presented to the Council in October 2012 an alternate test protocol, using a national recognized standard for performing such tests, and one that could provide the requested design criteria in the time frame established by the Council. The Council rejected that proposed test protocol and provided further barriers to the APA performing any reasonable test program. At no time has the APA advised NFPA that fire tests will not be performed.

Furthermore, as a result of the 2008 Decision, there were nine conditions that were required to be met by the A2012 cycle. The last condition to be satisfied involved the design criteria for sprinkler protection. As previously required by the Council directives, PYR obtained approval from the AUT-SSD who are considered the experts regarding sprinkler discharge criteria. The Council appeared to be putting their judgment above that of the AUT-SSD who was satisfied enough with the work that they gave their approval for the document and the associated sprinkler and other requirements to be issued.

Specifically, the APA’s complaint seeks, in effect, to oblige the Standards Council to reverse a decision limiting the size and other features of these retail facilities until such time as test data
to validate reasonable sprinkler design criteria was submitted to the responsible NFPA Technical Committee on Pyrotechnics (the “Technical Committee”).

APA Comment: This is a misrepresentation of the ANSI Appeal. The ANSI Appeal properly documented instances in which NFPA violated their own procedures and ANSI procedures. The TIA that deleted the references to sprinkler protection in NFPA 1124 was prepared by NFPA staff, processed for a Committee Ballot using a ballot protocol inconsistent with the Regulations, and was shown as submitted by the Technical Committee when far less than 50% of the Committee supported the TIA. Furthermore, and to the issue of a gross violation of the NFPA Regulations and ANSI procedures, the TIA was never advertised for Public Comment. As such, the TIA was issued by the Council without reaching a consensus and without Public Comment. This is yet another example where the Council made an unprecedented Decision that put their own judgment above that of the responsible TC. That was the basis of the APA Appeal to ANSI. When ANSI failed to dismiss the APA Appeal, NFPA requested additional time to respond to the allegations based upon the volume of information in the Appeal. This was nothing more than a smoke screen since NFPA had already seen all of the allegations in the Petition to the Board. The request for a delay was merely to provide an opportunity for NFPA 1124 to be withdrawn at the request of NFPA staff. NFPA never did respond to the allegations in the Appeal to ANSI and relied solely on the withdrawal of the standard as the basis for ANSI to dismiss the Appeal. This strategy worked but it does not answer the question as to whether NFPA Regulations and ANSI procedures were violated. This tactic represents one that is a dangerous precedent for standards developers; do no highlight our own Regulations violations to ANSI or we will withdraw the standard, thereby making your complaint moot. This forces the stakeholder into a corner, forcing them to choose between silence or having no standard with which to safely govern their subject area.

To say that the TIA was submitted by the responsible NFPA Technical Committee is a gross misstatement. The original draft of the TIA showed the Council as the submitted which was subsequently changed to the Technical Committee. As previously mentioned, the Committee did not support the TIA.

In ordinary circumstances, the NFPA would respond to an ANSI complaint through the usual channels within ANSI. We have no doubt that such response to the APA complaint would be successful. In the special circumstances surrounding the NFPA development of consumer fireworks standards, however, the APA’s complaint serves to finally confirm the APA’s unwillingness to meaningfully engage in the kind of standards development that would continue to yield quality standards consistent with the NFPA’s safety mission.

APA Comment: The fire test program sponsored by APA and submitted to NFPA along with the APA funding the FPRF project is in direct conflict with the allegation that the APA was not willing to engage in a meaningful manner. Testimony at the October 2012 Council hearing and written documentation submitted prior to the hearing directly conflict this statement.
This has prompted the Council to reconsider, as it has several times over the troubled history of standards development in this area, whether it was appropriate for NFPA to continue to develop standards for the storage and retail sales of consumer fireworks.

APA Comment: Even prior to filing the ANSI Appeal, the APA was aware that NFPA Senior Management had threatened to withdraw NFPA 1124 if an appeal was filed with ANSI.

On reconsideration, the Council, pursuant to its authority to determine the scope of NFPA standards activities, has now decided to cease issuing NFPA standards for the storage and retail sales of consumer fireworks. To effectuate that decision, the Council is temporarily withdrawing NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles (2013 edition)("NFPA 1124"), pending the removal of the consumer fireworks provisions and is providing guidance and taking other actions set forth, below, in Part III of this decision.

APA Comment: Again, NFPA has violated the Regulations and ANSI procedures. Prior to the Council action to withdraw three standards, there was no advertisement or public statement that the withdrawal of NFPA 1124 was a possibility. The previous discussions indicated that Chapters 6 and 7 would be withdrawn. There was no consensus reached that NFPA 1124 should be withdrawn, in fact the responsible Technical Committee was never consulted. As with the previous TIA, the public was never made aware of the possible withdrawal of NFPA 1124 to provide Public Comment as required by NFPA Regulations and ANSI procedures. The Council took this action without any notice to anyone in that it was not mentioned on the Council Agenda prior to the meeting and only limited information was provided to the Council, and only to the Council. Unfortunately, the Council was asked to take an action relying solely on a biased report prepared by NFPA staff (as evidenced by this Decision) with no input from the Committee, interested parties, or the Public. Based upon the limited and biased information, the Council may have made a correct decision. However, if the Council had been able to review the entire record from interested parties, other than biased NFPA staff, it is possible that a more appropriate action may have been taken.

The Council is now receiving information from interested parties and Technical Committees that is clearly demonstrating that the decision made was flawed. The TIA’s that were ballots are flawed technically and lack an emergency nature (as indicated by the ballot results). Unfortunately, due to the time constraints necessary to respond to ANSI, this input was not provided to the Council prior to making this decision. It should also be noted, that while TIA’s are necessary to several PYR documents, such TIA’s have not yet been processed which only begs the question as to whether NFPA staff does not want the Council to hear the input from the Technical Committee on Pyrotechnics.

II. Background

The Standards Council has addressed issues concerning standards for the storage and retail sales of consumer fireworks in a string of decisions that is unprecedented in length and detail.
Those decisions should be consulted for a full understanding of the basis of this decision. See especially Standards Council Decision #12-4 (Standards Council Agenda Item #12-8-11, August 9, 2012) (the “August 2012 Decision”) and Standards Council Decision #08-19 (Standards Council Agenda Item #08-7-38, July 24, 2008) (the “2008 Decision), and decisions and minute items cited in those decisions. The following briefly summarizes the background necessary for this decision.

NFPA, as a safety organization, has and continues to have, a long-standing advocacy position opposing, on well-documented safety grounds, any use of fireworks by consumers or other members of the general public. In light of that policy, the NFPA did not allow standards development activities related to the use of fireworks by the general public. Nevertheless, despite that opposition, and because the use of consumer fireworks was allowed in most states, the NFPA Board of Directors, in 1999, authorized the development of standards concerning the storage and retail sales of consumer fireworks, should the Standards Council choose to do so. At the urging of the APA and others, the Standards Council decided to proceed with this activity. This eventually led to the incorporation of consumer storage and retail sales provisions (“the consumer fireworks provisions”) into an expanded Chapter 6 and a new Chapter 7 of NFPA 1124 beginning with the 2003 edition, followed by new editions in 2006 and 2013.

From the inception, this work has been marked by difficulties. Initial wrangling over which technical committee would have jurisdiction for developing the consumer fireworks provision gave way over the years to persistent and recurring concerns, voiced repeatedly by the Standards Council, with the paucity of technical data and test results supporting many of the provisions. [See, e.g., Standards Council Decision #03-13 (Standards Council Agenda Item #03-1-10-a, January 17, 2003) (rejecting exemption of existing facilities from certain requirements, based on reasons which included “the Council’s own concerns whether the safety issues [respecting the exemption]...have been given adequate consideration”). Standards Council Decision #06-04 (Standards Council Agenda Item #06-3-11, March 21, 2006) (rejecting Technical Committee request to enter three new draft fire test standards on packaging, covered fuses, and flame breaks used in the retail sale and display of consumer fireworks where “little if any research or testing was produced to support the draft standards and there is no clear prospect that the standards development process, once begun, would be supported by adequate technical substantiation”).]

Prominent among these concerns, from the very beginning, was the adequacy of the technical data available to support requirements for how and when storage and retail sales facilities should be protected by automatic sprinklers. See Standards Council Decision #03-14 (Standards Council Agenda Item #03-1-10-d, January 17, 2003) (rejecting as technically unjustified the Technical Committee’s recommended 12,000 square foot area threshold for requiring an automatic sprinkler system in permanent retail sales facilities, noting the lack of adequate large scale fire testing to justify the effective treatment of consumer fireworks as an ordinary hazard occupancy as defined by NFPA 13, Standard for the Installation of Sprinkler Systems, and accepting instead a 6,000 square foot area threshold); Standards Council Decision #04-05
(Standards Council Agenda Item #04-4-13/14/15/16, April 15, 2004) (accepting a Tentative Interim Amendment extending the area threshold for automatic sprinkler requirements to 7,500 square feet for existing permanent facilities, but noting further review and consideration should be forthcoming during the full revision cycle).

Against the background of growing concern with the technical adequacy of the consumer fireworks provisions, the Fire Protection Research Foundation (the Research Foundation) conducted a literature review to assemble and analyze research data related to the hazards associated with the storage and retail sales of consumer fireworks and to identify research needed to develop appropriate facility fire safety provisions. The Research Foundation hazard assessment, released in October 2007, identified a serious lack of data and clear scientific or technical basis underlying many of the consumer fireworks provisions in NFPA 1124. Prominently included among the noted deficiencies was the sprinkler design criteria (See, Research Fountain report entitled “Fire Safety in Consumer Fireworks Storage and Retail Facilities – Hazard Assessment” released October 1, 2007, authored by Jonathan Perricone, P.E., Schirmer Engineering Corporation) (the “Research Foundation Hazard Assessment”).

At its October 2007 meeting, the Standards Council considered this report and concluded that it raised serious concerns regarding the technical basis for the consumer fireworks provisions of NFPA 1124 and “calls into question whether sufficient research and other technical substantiation exists to support meaningful standards development in this area.” (See Standards Council Agenda Item #08-1-8, January 10, 2008 [revising previous Minute Item #07-10-35, October 3-4, 2007].)

Based upon the findings presented in the Research Foundation Hazard Assessment, the Council indicated that it was contemplating a halt to the further development of NFPA standards on consumer fireworks. Following further proceedings, including a public hearing conducted at the NFPA Annual Meeting, the Council considered the matter further and issued its decision. In that decision, the Council cited a number of factors weighing against continued standards development. Although the Council was seriously inclined at this point to end the standards development activities for consumer pyrotechnics, it was highly mindful of the countervailing views expressed by the enforcement community. They urged that the consumer fireworks provisions of NFPA 1124, even though imperfect, were essential to the enforcement activities, as these provisions established some important limits. (See 2008 Decision at pp. 3-4.)

The Council stressed that it did not subscribe to the view that the development of a standard by the NFPA is invariably better than no NFPA standard. Indeed, said the Council:

It is possible that a standard set at a low level and without adequate support can, at some point, impede rather than promote progress and safety. NFPA does not wish to be associated with sustaining a weak standard, without limit, based solely on the argument that it is better than nothing. (Id.)

It concluded, however, that it might still be possible to materially improve and validate the standards. The Council, therefore, decided to allow the consumer fireworks provisions to remain in place in NFPA 1124, extending no further than the 2012 Annual Revision Cycle. In
doing so, however, the Council prescribed special conditions related to the nine areas of concern identified in the Research Foundation Hazard Assessment, for the processing of the consumer fireworks provisions through the next revision cycle of NFPA 1124. One of those special conditions addressed the need for validation of the sprinkler design criteria, in relevant part as follows:

The Council direct that sprinkler system design and installation provisions for both the storage and retail sale of consumer pyrotechnics be developed and adequately substantiated and that supporting testing, data, and other relevant studies by submitted and referenced. (2008 Decision at p. 12.)

In agreeing to continue standards development through one more cycle, the Council stressed that, if the compliance with the special conditions, including the sprinkler design conditions, was not completed by the end of the Annual 2012 cycle, the Council would remove the consumer fireworks provisions from the next edition of NFPA 1124, and the NFPA would no longer develop standards on this subject. (See the 2008 Decision at p. 6.) The Council expressed guarded optimism that the standard could be materially improved, but it noted that:

Ultimately, of course, producing acceptable standards within the time framework set forth in this decision will require a concerted commitment of the industry or others to fund and implement reliable and reviewable research and testing. It is hoped that such a commitment together with the energy and dedication of the participants in the NFPA standards development process will result in enhanced standards in the interests of public safety. (2008 Decision at p. 12)

Four years later, in August 2012, the proposed new edition of NFPA 1124 was presented to the Standards Council for issuance. Although eight of the nine subject areas identified in the 2008 Decision had been addressed, virtually nothing had been done to validate the sprinkler design criteria. Indeed, although the APA had belatedly sponsored the Research Foundation to develop a test plan, (the “Research Foundation Test Plan”), the consumer fireworks interests had taken no steps to even begin the testing. (See August 2012 Decision.) The failure to address the validation of the sprinkler design criteria meant that one of the most important conditions the Council had set for the continued NFPA development of consumer fireworks provisions had, without any justification, not been met.

The Council, however, did not end the development of the consumer fireworks provisions. Rather, the Council offered those interested in continuing the activity an additional opportunity to validate the sprinkler design criteria. Specifically, it issued the 2013 edition of NFPA 1124 with the consumer fireworks provisions, but it set a deadline of one additional year for validation of sprinkler design criteria. The Council cautioned that it would not allow the consumer fireworks provisions to remain in place for more than one year without appropriate substantiation. (August 2012 Decision at p. 8.) During that year, the full scale fire tests set forth in the Research Foundation Test Plan were to be completed and the results used to formulate requirements for sprinkler system design criteria and installation for the storage and retail sales of consumer fireworks. In the event the testing had not occurred by its August 2013 meeting, the Council would direct the processing of a Tentative Interim Amendment (“TIA”) to limit the threshold of
all permanent consumer fireworks retail sales and storage facilities to the threshold below which automatic sprinkler systems are not required under NFPA 1124 (i.e. less than 3,000 sq. ft. for new buildings and less than 7,500 sq. ft. for existing buildings). In the event neither of these actions had occurred, the Council again reiterated its intent to cease development of the consumer fireworks provisions and withdraw two related test method standards, PYR 1128, Standard Method of Fire Test for Flame Breaks and PYR 1129, Standard Method of Fire test for Covered Fuse on Consumer Fireworks. (See August 2012 Decision at p. 8.)

Less than six months into the extended deadline, the APA appeared before the Council. It made clear, not only that the consumer fireworks interests would fail to begin or complete the Research Foundation Test Plan within the year, but that these interests had abandoned any intention to conduct the Research Foundation Test Plan and had, instead, decided to investigate an “alternative test strategy” without specifying or defining what that alternative strategy might be. [See Standards Council Decision #12-17 at p.4 (Standards Council Agenda Item #12-10-12, October 29-30, 2012).]

APA Comment: The Council was provided with a test protocol based upon a nationally recognized standard and based upon APA working with and receiving a proposal to conduct such tests. The test program could have been completed by August 2013, as originally requested by the Council. See attached letter provided to the Council prior to the October hearing.

Given the request for still more time and no apparent commitment on the part of the industry to complete this important safety work, the Council determined that, pursuant to its 2012 Decision, the Council would proceed with a TIA that limited consumer fireworks storage and retail sales facilities to those facilities that, due to such factors as limited area and quantity of materials, are not required by NFPA 1124 to have automatic sprinklers. It is the Council’s eventual issuance of this TIA on March 7, 2013, [Standards Council Decision #13-2 (Standards Council Agenda Item #13-3-14-d)] that led the APA to file the appeal to ANSI described at the beginning of this decision.

APA Comment: While the issuance of the referenced TIA was not in accordance with NFPA Regulations and ANSI procedures due to the lack of a Public Comment period, the TIA addressed the only provisions in NFPA 1124 that the Council has indicated lacked technical substantiation. There have been no allegations that the recently issued PYR 1128 and PYR 1129 lacked technical substantiation. Not only did the PYR Committee process the two test standards, they were reviewed by the NFPA Technical Committee on Fire Tests. To withdraw NFPA 1124 in its entirety, along with PYR 1128 and PYR 1129, lacks any technical basis and appears to only be an attempt to avoid any sanctions by ANSI and to retaliate against APA for filing the ANSI Appeal. There has been no disagreement that the modifications to NFPA 1124 including the development of PYR 1128 and 1129 represent an increase in safety for the retail sales and storage of pyrotechnics.

III. Actions and Guidance
As indicated earlier, the Council, in the face of the continuing failure to validate the sprinkler design criteria and the consumer fireworks industry's unwillingness, confirmed in its ANSI appeal, to commit itself to providing such validation, has decided that the NFPA should no longer develop standards for the storage and retail sales of consumer fireworks. In the Council’s view, the NFPA cannot develop such standards without the participation of the consumer fireworks industry and related interests, and it is apparent that these interests lack the commitment to the development of consumer fireworks standards in a manner that can produce and sustain such standards consistent with NFPA's safety mission.

In order to effectuate that decision, the Council, pursuant to its authority under Sections 2.2, 3.1 and 4.7 of the Regulations Governing the Development of NFPA Standards, is taking the following actions:

(i) **Committee Scope.** The scope of the Technical Committee on Pyrotechnics is revised to exclude the storage and retail sales of consumer fireworks as follows:

This Committee shall have primary responsibility for documents on the manufacture, transportation, and storage of consumer and display fireworks, pyrotechnic special effects, and model and high-power rocket motors. This Committee shall have primary responsibility for the use of display fireworks and for model and high-power rocketry, and the construction, launching, and other operations that involve model and high-power rocket motors. The Committee shall have primary responsibility for documents on the wholesale and retail sale and storage of consumer fireworks. The committee shall have responsibility for the development of fire test standards applicable to the packaging, covered fuses, and flame breaks used in retail sales display of consumer fireworks. The Committee shall coordinate the fire test documents with the Fire Test Committee. The Committee does not have responsibility for documents on the storage and retail sales of consumer fireworks or the use of consumer fireworks by the general public; on the use of pyrotechnic special effects before a proximate audience; on the manufacture, transportation, storage for use of military, automotive, agricultural, and industrial pyrotechnics.

(ii) **Temporary withdrawal of NFPA 1124.** NFPA 1124 is temporarily withdrawn pending the development of revisions deleting the consumer fireworks provisions from the standard. The Technical Committee should proceed, either through the processing of a TIA or through the regular revision cycle, to develop revisions removing the consumer fireworks provisions. In addition, the scope statement for the standard should be revised, in a form substantially as follows:

This code shall provide regulations for the construction, use, and maintenance of buildings and facilities for the following: (1) The manufacture and storage of fireworks, novelties and pyrotechnic articles at manufacturing facilities (2) The storage of display fireworks, pyrotechnic articles, salute powder, pyrotechnic and explosive compositions, and black powder at other than display sites (3) The storage of consumer fireworks at distribution facilities (4) The retail sales and related storage of consumer fireworks in
consumer fireworks retail sales (CFRS) facilities and stores (5) The transportation on public highways of fireworks, pyrotechnic articles, and components thereof containing pyrotechnic or explosive materials (6) This code shall not apply to the storage and retail sales of consumer fireworks.

The Council anticipates that it will reissue NFPA 1124 as soon as possible once the Technical Committee has completed this work.


(iv) Other NFPA Standards. The Technical Committee on the Fire Code should process a Tentative Interim Amendment to NFPA 1, Fire Code, to remove all provisions concerning the storage and retail sales of consumer fireworks extracted from NFPA 1124. Other Technical Committees should likewise examine their standards and expeditiously remove references to and extracts from the consumer fireworks provisions of NFPA 1124.

To be clear, it is the intention of the Standards Council, in keeping with this decision and with the NFPA’s long opposition to consumer fireworks, that no NFPA Committees should develop standards for the storage and retail sales of consumer fireworks or for the use of fireworks by members of the public.

IV. Conclusion

The Council stresses that its decision to end the NFPA’s development of standards for the storage and retail sales of fireworks has not been taken lightly. The Council, in particular, is mindful of the enforcer community’s interest in having NFPA develop and maintain these standards. Indeed, it was this interest that prompted the Council and the NFPA Board to entertain the possibility of having NFPA develop these standards despite the NFPA’s strong institutional policy against the use of consumer fireworks. (See 2008 Decision at p. 4.) It was, moreover, at the urging of many in the enforcement community that the Council held back from halting this activity in the face of the concerns raised in 2007 by the Research Foundation Hazard Assessment. Even when four years later, the consumer fireworks interests failed to fulfill the sprinkler validation condition set forth by the Council for the continued issuance of consumer fireworks provisions, the Council issued the consumer fireworks provisions in the 2013 edition of NFPA 1124, and extended the time to fulfill that condition for an entire year. It is only now that the Council has felt compelled to act, after the consumer fireworks interests failed yet again to undertake the necessary testing and after those interests have made clear, through their ANSI appeal, that they will not accept an NFPA standard unless it includes invalidated sprinkler protection provisions for consumer fireworks retail sales facilities.
We believe that the record demonstrates the Council’s forbearance and the great lengths to which the Council has gone to accommodate those enforcement officials who urged us to continue. Nevertheless, as we have repeatedly said, the Standards Council does not subscribe to the view, without qualification, that the development of a standard by NFPA is invariably better than no NFPA standard. The Council, after fifteen years of sustained effort, has reluctantly concluded that there should be no NFPA standards for the storage and retail sales of consumer fireworks.

APA Comment: The preliminary ballot results on the TIA’s do not support this position. To the contrary, the ballot results indicate that NFPA 1124, PYR 1128, and PYR 1129 (2013 Editions) are better than no NFPA standard. Now that the Council has finally received input from Technical Committees, interested parties, and the Public one can only hope that the Council will reverse the previous decision that was based solely on a biased report prepared by NFPA staff.

While the decision appears to be driven by the ANSI Appeal and an attempt to avoid sanctions from ANSI, one can only wonder if this 11th hour effort was done as Jim Shannon’s last attempt to push forward his personal agenda to eliminate the public sale of consumer fireworks; this effort was completed during the last Council meeting before his retirement. Regardless of the motive, this unprecedented effort displays clearly where NFPA Staff can interfere and place their judgment before that of the respective committees – a dangerous precedent to set for such a noble organization. Such actions are inconsistent with an organization identified as an ANSI Audited Designator.
1. Delete the reference in Section 2.2 as follows:


5. Delete the reference in 5.6.1(61) as follows:

NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles

Submitter’s Substantiation: Deletes reference to NFPA 1124, or a consumer fireworks provision, or both.

Consistent with NFPA Standards Council Decision D#14-1, issued March 3, 2014, NFPA has temporarily withdrawn NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles. The effect of this decision is that no recognized criteria for the subjects previously governed by NFPA 1124 exist within the NFPA codes and standards system; thus, this TIA works to align NFPA 10 with that circumstance.

Emergency Nature: NFPA 1124 has been temporarily withdrawn as a result of Standards Council Decision D#14-1, which was issued March 3, 2014.
TIA® 10-2013

NFPA 10, Standard for Portable Fire Extinguishers

Reference: 2.2 and 5.6.1(61)
(TIA Log 1147)

Comment Closing: 5/16/2014
1 Public Comment Received

TIA FINAL TC BALLOT RESULTS

According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS NOT achieved the necessary votes on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 20.

\[29 \text{ (eligible to vote)} - 3 \text{ (not returned)} - 0 \text{ (abstentions)} = 26 \times 0.75 = 19.5\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[29 \text{ eligible} \div 2 = 14.5 = 15 \text{ (this is the simple majority)}\]

29 Eligible to Vote
3 Not Returned (Burkhart, Deacon, Kays)

TC FINAL Ballot results for Technical Merit are as follows:
16 Agree
10 Disagree (Brohmer, Conroy, Farruggia, Goodnight, Horst, Lessar, Makowka, Nerat, Osman, Tidwell)
0 Abstentions

FINAL ACTION: FAIL

TC FINAL Ballot results for Emergency Nature are as follows:
18 Agree
8 Disagree (Brohmer, Conroy, Farruggia, Horst, Lessar, Nerat, Osman, Tidwell)
0 Abstentions

FINAL ACTION: FAIL
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in Sections 2.2 and 5.6.1(61):


EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I disagree that a TIA is needed to remove the specific references that are being suggested. Removal or updating references is a standard exercise the committee addresses and handles at a standard committee meeting with exception of true emergencies.

Question 2: I agree that the subject is of an EMERGENCY NATURE.


EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I don't agree that the removal of the reference is of an emergency basis. The correction of removing or updating references is done during a regular cycle process

__________________________
Dennis Brohmer

Signature

Dennis Brohmer
Name (Please Print)

04-18-2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
From: Mark Conroy [mailto:MConroy@BrooksEquipment.com]
Sent: Thursday, April 17, 2014 11:27 AM
To: Carroll, Elena
Cc: Chuck Kimball
Subject: RE: NFPA 10 TIA Log No. 1147 - Ballot Package

Elena,
Please record my vote as disagree on the technical merits.
Reason: Although NFPA has temporarily withdrawn NFPA 1124, there is currently no other document to reference at this time. I am opposed to deleting the reference until such time that an alternative set of minimum requirements are developed for referencing.

From a technical standpoint, the installation of extinguishers is independent of whether the building is equipped with automatic sprinklers (see NFPA 10, paragraph 6.1.1). Where portable fire extinguishers are installed in accordance with the minimum requirements of NFPA 1124, 2013 Edition (withdrawn) they can be used for the extinguishment of small fires so the fires do not spread to the product and create a catastrophe.

After review of the minimum requirements for portable fire extinguishers in NFPA 1124, I have concluded that they are very appropriate and the reference to those requirements in NFPA 10 should remain.

Please record my vote as disagree on the emergency nature of the TIA.
Reason: Temporarily withdrawing NFPA 1124 from the standards development process does not create an emergency necessitating prompt action. The withdrawn standard should still be referenced for extinguisher requirements.

Mark Conroy
Senior Engineer, Technical Services
Brooks Equipment Company
20 Hampden Dr. Suite 2
S. Easton, MA 02375
774-274-7481
mconroy@brooksequipment.com

From: Carroll, Elena [mailto:ecarroll@nfpa.org]
Sent: Thursday, April 03, 2014 12:26 PM
To: Carroll, Elena
Cc: Chase, Barry; Walker, Nancy; Foley, Patrick
Subject: NFPA 10 TIA Log No. 1147 - Ballot Package

To Technical Committee on Portable Fire Extinguishers:
Enclosed is proposed TIA Log No. 1147 to NFPA 10 in the 2013 Edition. The ballot form is included in Word format for your convenience.
The entire ballot package can be found on the Document Information page which you may view by going to www.nfpa.org/10next and signing in with your NFPA username and password.

Thank you.

Elena Carroll
Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
ecarroll@nfpa.org
Tel: 617-984-7952
Fax: 617-984-7110
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1147
To Delete References in Sections 2.2 and 5.6.1(61) of the 2013 Edition of NFPA 10,
Standard for Portable Fire Extinguishers

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in Sections 2.2 and 5.6.1(61):


_______ AGREE  _____X______ DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I do not agree with the technical merits of the proposed TIA. I would rather see NFPA 10 reference the most recently published edition of NFPA 1124, rather than reference nothing at all.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_____ AGREE  ______X______ DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Since 2013 edition of 1124 no longer exists, conflicting technical and/or safety information between the two documents will not be an issue, even though the 2013 edition of 10 references it. Thus, I do not feel this situation necessitates emergency action. The 10 committee can eliminate or modify the reference in the next edition.

________________________
Signature

Tom Farruggia
Name (Please Print)

Date 4/28/14

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169  FAX: (617) 984-7110  E-mail: ecarroll@nfpa.org
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in Sections 2.2 and 5.6.1(61):

__________ AGREE  X  DISAGREE*  _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I do not agree to remove the reference to NFPA1124 entirely, but would agree to referencing the 2006 edition until a more recent edition is available.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

X AGREE  _________ DISAGREE*  _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

__________________________________________________

__________________________________________________

__________________________________________________

__________________________________________________

Signature

Fred Goodnight
Name (Please Print)

April 10, 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110  E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1147
To Delete References in Sections 2.2 and 5.6.1(61) of the 2013 Edition of NFPA 10,
Standard for Portable Fire Extinguishers

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in
Sections 2.2 and 5.6.1(61):

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I believe NFPA 10 2013 should still reference the 2006 edition of 1124 as there is a whole
section 6.52. That references NFPA 10 and discusses types and distribution of portable fire
extinguishers. I consider this information still valuable.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I don’t see where this meets any of the emergency nature examples in section 5 of “Regulations
Governing the Development of NFPA Standards”.

______________________________
Signature

______________________________
Name (Please Print)

______________________________
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1147
To Delete References in Sections 2.2 and 5.6.1(61) of the 2013 Edition of NFPA 10,
Standard for Portable Fire Extinguishers

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in Sections 2.2 and 5.6.1(61):

________ AGREE   ___XX__ DISAGREE*   ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Although 1124 is not a current document, this should still be referenced as some AHJ’s, may not have implemented all current standards yet.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

________ AGREE   ___XX__ DISAGREE*   ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I do not feel this constitutes an emergency nature

Signature

Michael Lessar Jr.
Name (Please Print)

4/21/2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110 E-mail: ecarroll@nfpa.org
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in Sections 2.2 and 5.6.1(61):

<table>
<thead>
<tr>
<th>AGREE</th>
<th>DISAGREE*</th>
<th>ABSTAIN*</th>
</tr>
</thead>
</table>

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Although I agree with the concept that an NFPA Standard 10 should not reference a document that is no longer available, I do not agree with eliminating all reference to NFPA Standard 1124. I recommend that the NFPA Standard 10 be revised to reference the 2006 Edition of NFPA 1124. The 2006 edition still contains vital information for the selection of fire extinguishers required in areas for storage of consumer fireworks and areas for retail sales of consumer fireworks.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

<table>
<thead>
<tr>
<th>AGREE</th>
<th>DISAGREE*</th>
<th>ABSTAIN*</th>
</tr>
</thead>
</table>

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Signature
Norbert W. Makowka
Name (Please Print)

April 9, 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1147
To Delete References in Sections 2.2 and 5.6.1(61) of the 2013 Edition of NFPA 10,
Standard for Portable Fire Extinguishers

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in
Sections 2.2 and 5.6.1(61):

_________ AGREE   _______ DISAGREE*   _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

____While I have no issue with removing the withdrawn edition of this standard
from the reference section of NFPA-10, I do however feel previous editions may
still provide some application specific fire extinguisher recommendations, that
are not otherwise addressed.________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE   _______ DISAGREE*   _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

____The correction or removal of various reference standards provided for
additional guidance is not something that I feel is of an emergency nature.
Historically technical committee’s have addressed and updated such references,
when they become aware of such changes within given revision cycles. If updates
to reference materials are considered to be of an emergency nature, then many
NFPA standards would need to issue TIA’s. _______

__________________
Signature

__________________
J.R. Nerat
Name (Please Print)

____15 April 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 114
To Delete References in Sections 2.2 and 5.6.1(61) of the 2013 Edition of NFPA 10,
Standard for Portable Fire Extinguishers

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in Sections 2.2 and 5.6.1(61):

_______ AGREE               _____ x____ DISAGREE*               _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

__________

Since the Standards Council Decision D#14-1 only temporarily withdrew NFPA 1124, it is premature for NFPA 10 to make any changes in this regard until a final Standards Council decision is issued.

__________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE               _____ x____ DISAGREE*               _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

__________

____ See above

 comments

__________

On File

Signature

Richard R. Osman

Name (Please Print)

____April 5, 2014

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:

Elena Carroll, Administrator, Technical Projects
Supplemental Agenda - Standards Council Meeting August 11-14, 2014

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to delete the references in Sections 2.2 and 5.6.1(61):

__________ AGREE    _______ x _______ DISAGREE*    ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I believe that maintaining a reference to 1124 is beneficial to jurisdictions using NFPA-10


Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE    _______ x _______ DISAGREE*    ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I disagree that the Standards Council decision constitutes an emergency


____________________________
Signature

____________________________
Jim Tidwell
Name (Please Print)

4/11/2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
May 16, 2014

Secretary, Standards Council
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02069

RE: TIA’S LOG NOS. 1145, 1138, 1144, 1137, 1146, 1139, 1140, 1141, 1142, 1143

To NFPA Standards Council,

NOTE: Based upon conversation with NFPA Staff, while submitted as a single comment this comment should be considered as a Public Comment on each of the TIA’s related to Decision D#14-1 and should be distributed to all of the affected Technical Committees and Correlating Committees.

While the American Pyrotechnics Association, APA, does not agree with Decision D#14-1, we understand that NFPA Senior Management has made a decision that NFPA codes and standards should no longer address the storage and retail sales of consumer fireworks. However, that business decision should not result in TIA’s being issued that are incomplete, contain technical problems, and will result in increasing the risk to the public. We also don’t believe that NFPA codes and standards should eliminate known and proven protection strategies that offer the public protection should consumer fireworks become involved in a fire. Decision D#14-1, which is the impetus for the proposed TIA’s, was based upon false and misleading information as has been noted in the Petition to the Board (see attachment). It should be noted that the only technical issue raised in Decision D#14-1 is that regarding sprinkler discharge criteria. However, that issue was addressed by the TIA 13-2 issued to NFPA 1124 and is not a rationale for the ongoing code development activity by deleting references to NFPA 1124.

Contrary to the false accusation in Decision D#14-1 that the APA is unwilling “to meaningfully engage in the kind of standards development that would continue to yield quality standards consistent with the NFPA’s safety mission”, the APA offers the following comments for the Council in attempt to preserve what has previously been a high standard of care associated with NFPA codes and standards. The comments are being offered with the understanding that current NFPA Senior Management will see that the retail sales and storage of consumer fireworks are no longer addressed in NFPA codes and standards. However, if that is to be done, it should be done correctly and these TIA’s do not do it correctly.

General Flaws With Most of the TIA’s

A common error in many of the TIA’s is the removal of references to editions of NFPA 1124 from existing NFPA codes and standards that reference the 2006 Edition. Council Decision D#14-1 withdrew only the 2013 Edition of NFPA 1124. The only stated emergency basis for the proposed TIA’s is that NFPA 1124 has been withdrawn. However, that is not a true statement for any NFPA code or standard that references the 2006 Edition of NFPA 1124. Issuing any TIA that removes a reference to the 2006 Edition is a clear and distinct violation of the Reg’s since absolutely no basis has been provided for the TIA being of an Emergency Nature.

7910 Woodmont Ave., Suite 1220 ● Bethesda, MD 20814 ● (301) 907-8181 ● FAX (301) 907-9148
Regarding the remaining TIA’s, or portions thereof, that address the 2013 Edition, it is inconceivable that it is an Emergency Nature to address the issue in select NFPA documents while nine other documents still contain references to NFPA 1124-2013. In some instances the language is similar to that being deleted by a proposed TIA and in other instances the standards are referenced by documents such as NFPA 1, NFPA 101, and NFPA 5000 for which TIA’s are currently being processed. The lack of a valid emergency nature, other than a business decision made by NFPA Senior Management, should result in the Council delaying the issuance of any TIA’s until such time as a comprehensive, technically accurate, and coordinated package of changes can be processed in accordance with the Reg’s.

Furthermore, the proposed TIA’s fail to accomplish the direction provided by the Council in Decision D#14-1.

To be clear, it is the intention of the Standards Council, in keeping with this decision and with the NFPA’s long opposition to consumer fireworks, that no NFPA Committees should develop standards for the storage and retail sales of consumer fireworks or for the use of fireworks by members of the public.

Instead of ensuring that no NFPA Committee develops standards for the storage and retail sales of consumer fireworks, the proposed TIA’s are increasing the risk to the public by de-regulating the storage and retail sales of consumer fireworks. Consumer fireworks will still be regulated by most of the documents addressed by the proposed TIA’s. The difference will be that if the TIA’s are issued, consumer fireworks will be considered ordinary hazard contents and not hazardous materials or high hazard contents.

**Specific Technical Issues**

The APA has identified numerous technical flaws in the proposed TIA’s including ones that have not been cited in the various ballots. The following list is by no means a comprehensive list of the issues; but rather, a small sampling intended to encourage the Council to delay the issuance of any of the TIA’s. The APA recognizes that due to the business decision made by NFPA Senior Management that the issues will move forward, but we strongly encourage the Council to ensure that the changes are of the quality and accuracy anticipated in NFPA codes and standards.

1. Many of the TIA’s exceed the direction given by the Council by impacting issues other than the retail sales and storage of consumer fireworks. Examples include:
   a. TIA Log No. 1145
      6. Delete 3.3.22 Barricade (Explosives or Fireworks).
      and
      7. Delete 3.3.22.1 Artificial Barricade (Explosives or Fireworks).
      and
      8. Delete 3.3.22.2 Natural Barricade (Explosives or Fireworks).

      **WHY A PROBLEM:** The term “barricade” is used in a non-explosive or fireworks manner in 10.8.3, 10.13.1, 18.2.4.2.1, 18.2.4.2.2, 18.2.4.2.5, 34.8.3.2.2, and Table 66.22.4.1.5. As such, this action goes beyond the direction provided in Decision D#14-1.

   b. TIA Log No. 1145
      14. Delete 3.3.127 Fireworks, and A.3.3.127.

   **DEFINITION:**
   **3.3.127* Fireworks.** Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, or detonation, and that meets the definition of Consumer Fireworks or Display Fireworks as set forth in this Code. [1124, 2006]
A.3.3.127 Fireworks. Toy caps for use in toy pistols, toy canes, toy guns, and novelties and trick noisemakers are not considered to be fireworks (see Annex C of NFPA 1124). The regulations referred to limit the explosive content of each toy cap to not more than an average of 0.25 gr (16.2 mg). Also, each package containing such caps has to be labeled to indicate the maximum explosive content per cap. For information on the use of model rockets and model rocket motors, see NFPA 1122. For information on the use of high power rockets and high power rocket motors, see NFPA 1127. Model rockets, model rocket motors, high power rockets, and high power rocket motors designed, sold, and used for the purpose of propelling recoverable aero models are not considered to be fireworks. [1124: A.3.3.30]

**WHY A PROBLEM:** The definition is also applicable for Display Fireworks and the annex material provides good guidance regarding model rockets that should not be deleted. Similarly, Item 16 in the same TIA deletes the definition of Display Fireworks and associated Annex note for no apparent reason other than it is extracted from NFPA 1124.

c. TIA Log No. 1145
   32. Delete 65.2.2.

   65.2.2 All storage of display fireworks shall comply with NFPA 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*.

   **WHY A PROBLEM:** There will be no storage requirements for display fireworks, which is not part of this Council Decision. Likewise, Item 33 in the same TIA deletes 65.5.1 which addresses the manufacture of fireworks, not just consumer fireworks.

2. Contrary to the Mission of NFPA, processing the TIA’s will result in an increased risk to the public while providing code officials with no means by which the risk is reduced by reasonable regulations. In fact, some of the TIA’s, such as the ones to NFPA 101, will return to requirements for consumer fireworks that were previously determined to be inadequate, resulting in the development of the requirements in NFPA 1124.

Multiple TIA’s

Several TIA’s delete any references to consumer fireworks as being hazardous materials. In fact, NFPA 1, A.3.3.144 further compounds the issue by saying if the materials are not listed in the Code they are not materials that present physical or health hazard and are not regulated by the *Code*.

A.3.3.144 Hazard of Contents. *Hazardous materials are materials that present physical or health hazards and are regulated by the Code.*

**WHY A PROBLEM:** As such, consumer fireworks will be considered ordinary hazard contents. In this instance, the decision by NFPA Senior Management, along with the manner in which the TIA’s have been prepared will only increase the risk to the public with respect to consumer fireworks. This is not consistent with the Mission of NFPA.

**Summary**

It is clear by the number of TIA’s being processed along with those that have not yet been developed, that in order to implement Decision D#14-1 many NFPA codes and standards will be impacted and that a comprehensive and coordinated package of changes to the respective documents must be developed. It is
also clear from the Ballot results that some of the Technical Committees and Correlating Committees responsible for the documents impacted by these TIA’s do not support the Technical Merit, Emergency Nature, or both for their respective TIA’s. Ballot comments have been submitted by past Board members, current and past Council members, Committee Chairs, code officials, and at least three recipients of the NFPA Standards Medal. This impressive list of Committee members who have indicated that the TIA’s are not acceptable should indicate to the Council that the TIA’s are not yet ready to be issued.

An incomplete group of TIA’s set at a low level and without adequate support can impede, rather than promote progress and safety. In this case, we contend that issuing this set of TIA’s will be a step backwards and will reduce the level of safety provided by NFPA codes and standards. NFPA should not want to be associated with issuing this group of weak TIA’s based solely on a business decision made by NFPA Senior Management. As previously stated, APA understands that the business decision made by NFPA Senior Management will result in needed changes to NFPA codes and standards. These comments have been submitted as APA’s ongoing meaningful participation in the NFPA process to develop high quality codes and standards and we encourage the Council to properly utilize the Reg’s and their Technical Committees to implement the needed changes.

Respectfully

[Signature]

Julie L. Heckman
Executive Director
AMERICAN PYROTECHNICS ASSOCIATION

PETITION

To the

NFPA BOARD OF DIRECTORS

On the

STANDARDS COUNCIL DECISIONS D#14-1

Petitioner: Ms. Julie L. Heckman, Executive Director
American Pyrotechnics Association (APA)
7910 Woodmont Avenue, Suite 1220
Bethesda, MD 20814

Statement: In accordance with Paragraph 1.7 of the Regulations Governing the Development of NFPA Standards (Regs), the APA is hereby submitting a Petition regarding Standard Council Decision D#14-1. Decision D#14-1 is dated March 3, 2014. The APA submitted a Notice of Intent to File a Petition on March 18, 2014. In the Notice of Intent to File a Petition, the APA requested that the effective date of the Decision be stayed. In a letter dated March 28, 2014, the APA was advised that NFPA President, James Shannon, denied the request to stay the effective date of the Decision, claiming that the Regulations do not authorize the President to do so.

Initial Relief Requested: While normally covered later in the Petition, the APA requests two things up front:

1. A hearing before the entire NFPA Board as permitted by Paragraph 2. In order to accomplish this request, the Petitions Clerk should circulate the Petition to the entire Board and request a vote of the Board as to whether the Petition should be heard by the Subcommittee or the Board. The basis for the request is provided herein.

2. The APA firmly believes that the procedural violations documented herein were performed by, were directed by, or were performed with the full knowledge of James Shannon, Maureen Brodoff, and Christian Dubay. For this reason, these three individuals should have no input into the processing of the Petition unless a full hearing is granted so that both sides can be heard by the Board. This request includes the President’s role in determining the composition of the Subcommittee, if one is appointed. The three individuals identified above should have no contact with any Board member regarding the content of the Petition other than during the requested hearing.

Concerns with Council Decision D#14-1: The APA’s concerns regarding Council Decision D#14-1 fall into three categories: Process; Technical; and Impact on other NFPA codes and standards. While we recognize that a Petition to the Board should not address technical issues, and we will keep the discussion short, the Board Petition is the only vehicle by which the technical concerns can be raised since the action taken was initiated by the Standards Council with absolutely no input from any interested party or the public. As such, these issues truly are procedural but on the surface may appear to be of a technical nature.
Lack of Public Input

The NFPA prides itself in an open consensus process. Public Comment is required by the NFPA Regs and open consensus is one of the basic tenets of the ANSI Essential Requirements. Yet when it comes to the issues regarding consumer fireworks, NFPA staff has taken steps to bypass involvement by the responsible Technical Committees, interested parties, and public. The past APA Petition, which was summarily dismissed by the NFPA Board but was not dismissed by ANSI, identified violations of NFPA Regulations and ANSI Procedures by failing to seek Public Comment on the issued TIA. Instead of dismissing the Appeal, ANSI requested that NFPA respond to the allegations. NFPA falsely claimed to ANSI that the Appeal contained so much new information that additional time was needed to respond. Unbeknownst to ANSI, the APA Appeal to ANSI contained no new information; but rather, was a submission of the Petition previously filed to the NFPA Board. Despite requesting additional time to respond, NFPA never did respond to the allegations and instead withdrew the entire standard (NFPA 1124) in hopes that ANSI would dismiss the Appeal. NFPA 1124, along with two other standards, were withdrawn by the Council with no input from the responsible Technical Committee, no notice to interested parties, and no opportunity for Public Comment.

The Agenda item was not published as being part of the Council Agenda prior to or after the Council meeting. NFPA Standards Administration has advised the Petitioner that the Council was provided the APA Appeal letter and was provided access to the attachments that formed the entire Appeal. According to NFPA Standards Administration the Council Decision was based upon the ANSI Appeal along with prior Council Decisions. In other words, NFPA Standards Administration has admitted that there was no attempt to reach a consensus nor were there any attempts to seek input from the responsible Technical Committee, interested parties, or the public, key elements of both the NFPA process and the ANSI Procedures.

In addition, NFPA has continued to censor discussions related to consumer fireworks. Responding to a request by the fire service, the APA and NFPA staff made arrangements for William Koffel to address the Regional Fire Code Development Committees regarding the developments with respect to NFPA 1124 via conference call. On March 25th, in a conference call with NFPA staff and an APA representative, Chris Dubay confirmed that APA would be provided with an opportunity to address the Regional Committees. Then at 4:07 PM ET on March 28th, the Friday before the Monday meeting, Chris Dubay advised William Koffel that he would not be permitted to participate in the Regional Committees. This was, less than 72 hours before the first meeting was to occur.

NITMAMs that met the Regs not Certified.

Additionally, APA filed ten NITMAM's to NFPA 1 to address the sprinkler provisions that were impacted by TIA 13-2. Even though the NITMAM's contained acceptable motions in accordance with the Regulations, the Motions Committee, whose responsibilities are restricted by the Association Rules to merely determining if the motion is in accordance with the Regulations, did not certify any of the NITMAM's. When an Appeal was filed on the ruling by the Motions Committee, the Chair of the Motions Committee decided that the Appeal would not be heard by the Motions Committee and would not be heard by the Standards Council until after the Association Technical Committee Session in June. This is not an attack on the individual; but rather, identifies a serious procedural flaw that a single individual has the ability to control when an Appeal involving a Committee that the individual chairs is heard. The Council should have a policy that restricts the Chair of the Council from also serving as the Chair of the Motions Committee.
In this instance, the decision to delay hearing the Appeal effectively quashes any opportunity to discuss the issues before the general membership at the Association Technical Meeting, and represents unprecedented interference by NFPA Staff in advising the Standards Council Motions Committee regarding their duties. This decision is interesting in that should the Board rule in favor of the Petition, there will be no ability to process the NITMAM’s until the 2015 Association Technical Meeting, delaying the issuance of NFPA 1 by one year. While the true motives will probably never be known, with the history of censorship regarding this issue, the decision could be another example of not wanting the public to have an opportunity to address the issues.

*Flawed TIAs Processed in a Hasty Manner.* Furthermore, as directed by the Council some TIA’s are currently being processed to coordinate with the withdrawal of NFPA 1124. However, it is interesting to note that the TIA’s being processed are apparently of an Emergency Nature but yet other NFPA standards contain references to NFPA 1124 and TIA ballots have not been developed for those documents. How can the issue be an emergency nature for some NFPA standards but not for others? Is it possible since some of those other documents are under the jurisdiction of the PYR Committee that NFPA staff is again censoring any ability by the PYR Committee to provide input into the issues? Is NFPA Staff trying to minimize the havoc this action is having on the NFPA Fire Code Set? Less than half of the affected documents have TIA’s being processed.

*Withdrawal not following Regs.* The Standards Council has shortened a well-established process and eliminated any opportunity for an Appeal.

While the Council has wide latitude, the withdrawal of an NFPA standard normally originates with the responsible Technical Committee (Regs. 3.3.1.2). When this occurs, all interested parties and the Public have an opportunity to submit Public Comments. If one objects to the proposed withdrawal of the Standard, a NITMAM may be submitted. Interested parties then have an opportunity to file an Appeal to the Council. In this instance, the withdrawal of the three standards started with the last step, the Appeal process, and was done with no advance notice. As such, not only was there no opportunity for an interested party to Appeal the Decision, there was no opportunity to address the technical impact of the Decision. For this reason, the Petitioner respectfully requests that the Board give some consideration to the brief discussion of technical issues raised by the Petitioner. While previous Council Decisions did reference the removal of Chapters 6 and 7 from NFPA 1124, they did not mention the potential withdrawal of the entire standard.

*Lack of Public Input has resulted in a Council Decision based upon misinformation and misrepresentations of the facts.*

Attachment 1 contains Decision D#14-1 with APA Comments embedded within the Decision that was published. Numerous erroneous statements and misrepresentations have been identified by the APA. Had the NFPA process been followed, input from interested parties and the public would have identified such erroneous statements prior to the Council making a decision. As such, the Council made a decision that was not based upon the entire record; but rather, appears to have been based upon a biased report prepared by NFPA staff. The NFPA Regulations define “consensus” as a decision made by the Council based upon the entire record before the Council. The procedures used in rendering Decision D#14-1 did not allow the “entire record” to be placed before the Council and as such, the Decision was made based upon misinformation and misrepresentations of the facts.
Withdrawal of NFPA 1124, PYR 1128, and PYR 1129 represents a major step backwards in the regulation of consumer fireworks.

It should be noted that this position is not solely the position of the APA. Numerous returned ballots for the TIA’s being processed have identified the same flaw in the actions resulting from Decision D#14-1. The negative ballots have been submitted by past and current members of the Standards Council, past members of NFPA staff, numerous Technical Committee Chairs, and at least three recipients of the NFPA Standards Medal. The Standards Council previously determined that NFPA 101 alone does not adequately address the retail sales and storage of consumer fireworks. What is happening as a result of Decision D#14-1 is a return to relying solely on the requirements of NFPA 101 to provide a reasonable level of life safety in such facilities. While NFPA 1124 may not have been a perfect document, the ability to regulate consumer fireworks using NFPA 1124 which includes requirements for flame breaks and fuse covers tested in accordance with PYR 1128 and PYR 1129 provides a substantially higher level of safety than merely relying on NFPA 101. The request and need for these regulations are coming from the enforcement community and the industry that is regulated by the documents.

The technical issue no longer involves the need for sprinkler discharge criteria.

While the Decision indicates an issue associated with sprinkler discharge criteria, that issue was addressed by TIA 13-2, which removed all references to sprinklers in NFPA 1124. As such, the Council Decision identifies no technical flaws with NFPA 1124, PYR 1128, or PYR 1129. One would think that such drastic action by the Council would identify at least one technical flaw in one of the three standards that were withdrawn. The lack of any technical basis for the action, the unprecedented role that NFPA Staff has taken in the issue, the anomalies in following the Regs, and this being the first time that NFPA has been in “trouble” with ANSI all point to the fact that the action was taken solely to avoid any sanctions by ANSI for NFPA’s failure to follow its own Regulations in the issuance of TIA 13-2, and to finally dispose of the issue of retail sales of fireworks in the last Council meeting of Jim Shannon’s tenure as CEO.

Decision D#14-1 will have a negative impact on the technical adequacy of NFPA codes and standards and other codes that reference NFPA standards.

The Decision not only has a short term impact on the completeness and technical adequacy of NFPA codes such as NFPA 1 and NFPA 101, but it also has a long term impact. The Decision implies that NFPA 1 may not reference a standard produced by another SDO that addresses the retail sales and storage of consumer fireworks. While the 2015 Edition of the IFC was to reference the 2013 Edition of NFPA 1124, Decision D#14-1 has forced the ICC to return to a reference to the 2006 Edition of NFPA 1124, which contains sprinkler requirements and credits but does not contain requirements for fuse covers and flame breaks tested to a nationally recognized standard.

Decision D#14-1 is contrary to the mission of NFPA

The mission of the international nonprofit NFPA, established in 1896, is to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards, research, training, and education.
Treating facilities in which consumer fireworks are displayed and sold as a mercantile occupancy with ordinary hazard contents will not reduce the burden of fire and other hazards on the quality of life by providing and advocating consensus codes and standards. The same can be said for facilities in which consumer fireworks are stored. Code officials who rely on NFPA 101 and NFPA 1 to provide a reasonable level of protection will have inadequate requirements to enforce in such facilities.

Summary

Due to the procedural violations including the lack of public input, inappropriate influence by biased NFPA staff members, the lack of any technical basis, the lack of any adverse fire experience, the negative impact on the adoption and sales of NFPA codes and standards, and the fact that the Decision is contrary to the Mission of the NFPA, the NFPA Board of Directors, as a group, should overturn Decision D#14-1.

The APA strongly believes that the primary issues set forth in this Petition are of sufficient significance to the integrity of the NFPA standards development process, the question of the NFPA standards development process being in compliance with ANSI regulations, and the interests of the Association as to require action by the full Board of Directors. Many of the issues we have identified transcend the parochial interests of the APA, and we believe, have significant potential impact on the NFPA as a whole. Furthermore, in processing previous Petitions the APA understands that NFPA staff was present during the Subcommittee deliberations even though the Petitions alleged undue staff interference. This is equivalent to allowing a defendant an opportunity to participate in a decision while the accuser (or in this case the Petitioner) is not permitted to be present.

Relief Requested:

1. The NFPA Board of Directors should overturn Decision D#14-1. If the Board determines that immediate codes and standards development activities are necessary regarding the retail sales and storage consumer fireworks, the Council should be directed to appoint a balanced task group to address the technical issues and determine the appropriate implementation strategies to be used.

2. The NFPA Board should direct the Council to restrict the Chair of the Council from serving as the Chair of the Motions Committee to avoid the situation in which a single person can control the processing of an Appeal concerning the action of the Motions Committee.

3. The NFPA Board should revise the Regulations to require that any agenda item to be considered at a meeting of the NFPA Standards Council, with the exception of membership issues, be advertised as is required for meetings of NFPA Technical Committees and the NFPA Technical Meeting.

We stand fast in our resolve to fairly and reasonably represent our members in the NFPA standards development process in order to assure that our members' products and businesses are not unfairly treated or inadequately or inappropriately addressed in the NFPA standards development process.

We believe also that the NFPA standards development process is at risk of either being or appearing to be guided by a biased policy against legitimate public and governmental interests in the sale and regulation of fireworks in this country. Only through a hearing, full review and vetting by the Board of the procedures that have given rise to these extraordinary decisions can this perception be corrected.
Accordingly, we respectfully request that the Board of Directors grant our request for a hearing and full review of our petition by the entire NFPA Board.

Respectfully submitted,

American Pyrotechnics Association

[Signature]

Julie L. Heckman  
Executive Director
ATTACHMENT 1

Standards Council Decision (Final): D#14-1
Standards Council Agenda Item: SC#14-3-31
Date of Decision*: 3 March 2014

Standards Development Relating to the Storage and Retail Sales of Consumer Fireworks

I. Introduction

This decision arises out of the Standards Council’s review of a complaint that the American Pyrotechnics Association ("APA") has filed with the American National Standards Institute ("ANSI"). The APA’s complaint to ANSI challenges the Standards Council’s authority to take reasonable action to respond to the consumer fireworks interests’ refusal, over the course of more than ten years, to submit test data demonstrating the technical validity of the sprinkler design criteria for the protection of retail facilities that store and sell consumer fireworks to the general public.

APA Comment: This is a blatantly false statement. The APA did submit test data that they thought proved that Ordinary Hazard Group 2 was appropriate design criteria. Upon review of the test, a task group from NFPA 13 provided comments back to the APA. As a result, the APA funded a FPRF activity to determine an appropriate test protocol. Despite APA comments indicating shortcomings in the FPRF test protocol, the final report was published. When it was determined that funding was not available at the level necessary to complete the FPRF test protocol, that the schedule established by the Council in August 2012 could not be met using the FPRF test protocol, and knowing that the results of the FPRF protocol would be of limited value at best, the APA presented to the Council in October 2012 an alternate test protocol, using a national recognized standard for performing such tests, and one that could provide the requested design criteria in the time frame established by the Council. The Council rejected that proposed test protocol and provided further barriers to the APA performing any reasonable test program. At no time has the APA advised NFPA that fire tests will not be performed.

Furthermore, as a result of the 2008 Decision, there were nine conditions that were required to be met by the A2012 cycle. The last condition to be satisfied involved the design criteria for sprinkler protection. As previously required by the Council directives, PYR obtained approval from the AUT-SSD who are considered the experts regarding sprinkler discharge criteria. The Council appeared to be putting their judgment above that of the AUT-SSD who was satisfied enough with the work that they gave their approval for the document and the associated sprinkler and other requirements to be issued.

Specifically, the APA’s complaint seeks, in effect, to oblige the Standards Council to reverse a decision limiting the size and other features of these retail facilities until such time as test data...
to validate reasonable sprinkler design criteria was submitted to the responsible NFPA Technical Committee on Pyrotechnics (the “Technical Committee”).

APA Comment: This is a misrepresentation of the ANSI Appeal. The ANSI Appeal properly documented instances in which NFPA violated their own procedures and ANSI procedures. The TIA that deleted the references to sprinkler protection in NFPA 1124 was prepared by NFPA staff, processed for a Committee Ballot using a ballot protocol inconsistent with the Regulations, and was shown as submitted by the Technical Committee when far less than 50% of the Committee supported the TIA. Furthermore, and to the issue of a gross violation of the NFPA Regulations and ANSI procedures, the TIA was never advertised for Public Comment. As such, the TIA was issued by the Council without reaching a consensus and without Public Comment. This is yet another example where the Council made an unprecedented Decision that put their own judgment above that of the responsible TC. That was the basis of the APA Appeal to ANSI. When ANSI failed to dismiss the APA Appeal, NFPA requested additional time to respond to the allegations based upon the volume of information in the Appeal. This was nothing more than a smoke screen since NFPA had already seen all of the allegations in the Petition to the Board. The request for a delay was merely to provide an opportunity for NFPA 1124 to be withdrawn at the request of NFPA staff. NFPA never did respond to the allegations in the Appeal to ANSI and relied solely on the withdrawal of the standard as the basis for ANSI to dismiss the Appeal. This strategy worked but it does not answer the question as to whether NFPA Regulations and ANSI procedures were violated. This tactic represents one that is a dangerous precedent for standards developers; do no highlight our own Regulations violations to ANSI or we will withdraw the standard, thereby making your complaint moot. This forces the stakeholder into a corner, forcing them to choose between silence or having no standard with which to safely govern their subject area.

To say that the TIA was submitted by the responsible NFPA Technical Committee is a gross misstatement. The original draft of the TIA showed the Council as the submitted which was subsequently changed to the Technical Committee. As previously mentioned, the Committee did not support the TIA.

In ordinary circumstances, the NFPA would respond to an ANSI complaint through the usual channels within ANSI. We have no doubt that such response to the APA complaint would be successful. In the special circumstances surrounding the NFPA development of consumer fireworks standards, however, the APA’s complaint serves to finally confirm the APA’s unwillingness to meaningfully engage in the kind of standards development that would continue to yield quality standards consistent with the NFPA’s safety mission.

APA Comment: The fire test program sponsored by APA and submitted to NFPA along with the APA funding the FPRF project is in direct conflict with the allegation that the APA was not willing to engage in a meaningful manner. Testimony at the October 2012 Council hearing and written documentation submitted prior to the hearing directly conflict this statement.
This has prompted the Council to reconsider, as it has several times over the troubled history of standards development in this area, whether it was appropriate for NFPA to continue to develop standards for the storage and retail sales of consumer fireworks.

APA Comment: Even prior to filing the ANSI Appeal, the APA was aware that NFPA Senior Management had threatened to withdraw NFPA 1124 if an appeal was filed with ANSI.

On reconsideration, the Council, pursuant to its authority to determine the scope of NFPA standards activities, has now decided to cease issuing NFPA standards for the storage and retail sales of consumer fireworks. To effectuate that decision, the Council is temporarily withdrawing NFPA 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles* (2013 edition) ("NFPA 1124"), pending the removal of the consumer fireworks provisions and is providing guidance and taking other actions set forth, below, in Part III of this decision.

APA Comment: Again, NFPA has violated the Regulations and ANSI procedures. Prior to the Council action to withdraw three standards, there was no advertisement or public statement that the withdrawal of NFPA 1124 was a possibility. The previous discussions indicated that Chapters 6 and 7 would be withdrawn. There was no consensus reached that NFPA 1124 should be withdrawn, in fact the responsible Technical Committee was never consulted. As with the previous TIA, the public was never made aware of the possible withdrawal of NFPA 1124 to provide Public Comment as required by NFPA Regulations and ANSI procedures. The Council took this action without any notice to anyone in that it was not mentioned on the Council Agenda prior to the meeting and only limited information was provided to the Council, and only to the Council. Unfortunately, the Council was asked to take an action relying solely on a biased report prepared by NFPA staff (as evidenced by this Decision) with no input from the Committee, interested parties, or the Public. Based upon the limited and biased information, the Council may have made a correct decision. However, if the Council had been able to review the entire record from interested parties, other than biased NFPA staff, it is possible that a more appropriate action may have been taken.

The Council is now receiving information from interested parties and Technical Committees that is clearly demonstrating that the decision made was flawed. The TIA’s that were balloted are flawed technically and lack an emergency nature (as indicated by the ballot results). Unfortunately, due to the time constraints necessary to respond to ANSI, this input was not provided to the Council prior to making this decision. It should also be noted, that while TIA’s are necessary to several PYR documents, such TIA’s have not yet been processed which only begs the question as to whether NFPA staff does not want the Council to hear the input from the Technical Committee on Pyrotechnics.

II. **Background**

The Standards Council has addressed issues concerning standards for the storage and retail sales of consumer fireworks in a string of decisions that is unprecedented in length and detail.
Those decisions should be consulted for a full understanding of the basis of this decision. See especially Standards Council Decision #12-4 (Standards Council Agenda Item #12-8-11, August 9, 2012) (the “August 2012 Decision”) and Standards Council Decision #08-19 (Standards Council Agenda Item #08-7-38, July 24, 2008) (the “2008 Decision), and decisions and minute items cited in those decisions. The following briefly summarizes the background necessary for this decision.

NFPA, as a safety organization, has and continues to have, a long-standing advocacy position opposing, on well-documented safety grounds, any use of fireworks by consumers or other members of the general public. In light of that policy, the NFPA did not allow standards development activities related to the use of fireworks by the general public. Nevertheless, despite that opposition, and because the use of consumer fireworks was allowed in most states, the NFPA Board of Directors, in 1999, authorized the development of standards concerning the storage and retail sales of consumer fireworks, should the Standards Council choose to do so. At the urging of the APA and others, the Standards Council decided to proceed with this activity. This eventually led to the incorporation of consumer storage and retail sales provisions (“the consumer fireworks provisions”) into an expanded Chapter 6 and a new Chapter 7 of NFPA 1124 beginning with the 2003 edition, followed by new editions in 2006 and 2013.

From the inception, this work has been marked by difficulties. Initial wrangling over which technical committee would have jurisdiction for developing the consumer fireworks provision gave way over the years to persistent and recurring concerns, voiced repeatedly by the Standards Council, with the paucity of technical data and test results supporting many of the provisions. [See, e.g., Standards Council Decision #03-13 (Standards Council Agenda Item #03-1-10-a, January 17, 2003) (rej ecting exemption of existing facilities from certain requirements, based on reasons which included “the Council’s own concerns whether the safety issues [respecting the exemption]...have been given adequate consideration”). Standards Council Decision #06-04 (Standards Council Agenda Item #06-3-11, March 21, 2006) (rejecting Technical Committee request to enter three new draft fire test standards on packaging, covered fuses, and flame breaks used in the retail sale and display of consumer fireworks where “little if any research or testing was produced to support the draft standards and there is no clear prospect that the standards development process, once begun, would be supported by adequate technical substantiation”).]

Prominent among these concerns, from the very beginning, was the adequacy of the technical data available to support requirements for how and when storage and retail sales facilities should be protected by automatic sprinklers. See Standards Council Decision #03-14 (Standards Council Agenda Item #03-1-10-d, January 17, 2003)(rejecting as technically unjustified the Technical Committee’s recommended 12,000 square foot area threshold for requiring an automatic sprinkler system in permanent retail sales facilities, noting the lack of adequate large scale fire testing to justify the effective treatment of consumer fireworks as an ordinary hazard occupancy as defined by NFPA 13, Standard for the Installation of Sprinkler Systems, and accepting instead a 6,000 square foot area threshold); Standards Council Decision #04-05
(Standards Council Agenda Item #04-4-13/14/15/16, April 15, 2004) (accepting a Tentative Interim Amendment extending the area threshold for automatic sprinkler requirements to 7,500 square feet for existing permanent facilities, but noting further review and consideration should be forthcoming during the full revision cycle).

Against the background of growing concern with the technical adequacy of the consumer fireworks provisions, the Fire Protection Research Foundation (the Research Foundation) conducted a literature review to assemble and analyze research data related to the hazards associated with the storage and retail sales of consumer fireworks and to identify research needed to develop appropriate facility fire safety provisions. The Research Foundation hazard assessment, released in October 2007, identified a serious lack of data and clear scientific or technical basis underlying many of the consumer fireworks provisions in NFPA 1124.

Prominently included among the noted deficiencies was the sprinkler design criteria (See, Research Fountain report entitled “Fire Safety in Consumer Fireworks Storage and Retail Facilities – Hazard Assessment” released October 1, 2007, authored by Jonathan Perricone, P.E., Schirmer Engineering Corporation) (the “Research Foundation Hazard Assessment”).

At its October 2007 meeting, the Standards Council considered this report and concluded that it raised serious concerns regarding the technical basis for the consumer fireworks provisions of NFPA 1124 and “calls into question whether sufficient research and other technical substantiation exists to support meaningful standards development in this area.” (See Standards Council Agenda Item #08-1-8, January 10, 2008 [revising previous Minute Item #07-10-35, October 3-4, 2007].)

Based upon the findings presented in the Research Foundation Hazard Assessment, the Council indicated that it was contemplating a halt to the further development of NFPA standards on consumer fireworks. Following further proceedings, including a public hearing conducted at the NFPA Annual Meeting, the Council considered the matter further and issued its decision. In that decision, the Council cited a number of factors weighing against continued standards development. Although the Council was seriously inclined at this point to end the standards development activities for consumer pyrotechnics, it was highly mindful of the countervailing views expressed by the enforcement community. They urged that the consumer fireworks provisions of NFPA 1124, even though imperfect, were essential to the enforcement activities, as these provisions established some important limits. (See 2008 Decision at pp. 3-4.)

The Council stressed that it did not subscribe to the view that the development of a standard by the NFPA is invariably better than no NFPA standard. Indeed, said the Council:

It is possible that a standard set at a low level and without adequate support can, at some point, impede rather than promote progress and safety. NFPA does not wish to be associated with sustaining a weak standard, without limit, based solely on the argument that it is better than nothing. (Id.)

It concluded, however, that it might still be possible to materially improve and validate the standards. The Council, therefore, decided to allow the consumer fireworks provisions to remain in place in NFPA 1124, extending no further than the 2012 Annual Revision Cycle. In
doing so, however, the Council prescribed special conditions related to the nine areas of concern identified in the Research Foundation Hazard Assessment, for the processing of the consumer fireworks provisions through the next revision cycle of NFPA 1124. One of those special conditions addressed the need for validation of the sprinkler design criteria, in relevant part as follows:

The Council direct that sprinkler system design and installation provisions for both the storage and retail sale of consumer pyrotechnics be developed and adequately substantiated and that supporting testing, data, and other relevant studies by submitted and referenced. (2008 Decision at p. 12.)

In agreeing to continue standards development through one more cycle, the Council stressed that, if the compliance with the special conditions, including the sprinkler design conditions, was not completed by the end of the Annual 2012 cycle, the Council would remove the consumer fireworks provisions from the next edition of NFPA 1124, and the NFPA would no longer develop standards on this subject. (See the 2008 Decision at p. 6.) The Council expressed guarded optimism that the standard could be materially improved, but it noted that:

Ultimately, of course, producing acceptable standards within the time framework set forth in this decision will require a concerted commitment of the industry or others to fund and implement reliable and reviewable research and testing. It is hoped that such a commitment together with the energy and dedication of the participants in the NFPA standards development process will result in enhanced standards in the interests of public safety. (2008 Decision at p. 12)

Four years later, in August 2012, the proposed new edition of NFPA 1124 was presented to the Standards Council for issuance. Although eight of the nine subject areas identified in the 2008 Decision had been addressed, virtually nothing had been done to validate the sprinkler design criteria. Indeed, although the APA had belatedly sponsored the Research Foundation to develop a test plan, (the “Research Foundation Test Plan”), the consumer fireworks interests had taken no steps to even begin the testing. (See August 2012 Decision.) The failure to address the validation of the sprinkler design criteria meant that one of the most important conditions the Council had set for the continued NFPA development of consumer fireworks provisions had, without any justification, not been met.

The Council, however, did not end the development of the consumer fireworks provisions. Rather, the Council offered those interested in continuing the activity an additional opportunity to validate the sprinkler design criteria. Specifically, it issued the 2013 edition of NFPA 1124 with the consumer fireworks provisions, but it set a deadline of one additional year for validation of sprinkler design criteria. The Council cautioned that it would not allow the consumer fireworks provisions to remain in place for more than one year without appropriate substantiation. (August 2012 Decision at p. 8.) During that year, the full scale fire tests set forth in the Research Foundation Test Plan were to be completed and the results used to formulate requirements for sprinkler system design criteria and installation for the storage and retail sales of consumer fireworks. In the event the testing had not occurred by its August 2013 meeting, the Council would direct the processing of a Tentative Interim Amendment (“TIA”) to limit the threshold of
all permanent consumer fireworks retail sales and storage facilities to the threshold below which automatic sprinkler systems are not required under NFPA 1124 (i.e. less than 3,000 sq. ft. for new buildings and less than 7,500 sq. ft. for existing buildings). In the event neither of these actions had occurred, the Council again reiterated its intent to cease development of the consumer fireworks provisions and withdraw two related test method standards, PYR 1128, *Standard Method of Fire Test for Flame Breaks* and PYR 1129, *Standard Method of Fire test for Covered Fuse on Consumer Fireworks*.(See August 2012 Decision at p. 8.)

Less than six months into the extended deadline, the APA appeared before the Council. It made clear, not only that the consumer fireworks interests would fail to begin or complete the Research Foundation Test Plan within the year, but that these interests had abandoned any intention to conduct the Research Foundation Test Plan and had, instead, decided to investigate an “alternative test strategy” without specifying or defining what that alternative strategy might be. [See Standards Council Decision #12-17 at p.4 (Standards Council Agenda Item #12-10-12, October 29-30, 2012).]

APA Comment: The Council was provided with a test protocol based upon a nationally recognized standard and based upon APA working with and receiving a proposal to conduct such tests. The test program could have been completed by August 2013, as originally requested by the Council. See attached letter provided to the Council prior to the October hearing.

Given the request for still more time and no apparent commitment on the part of the industry to complete this important safety work, the Council determined that, pursuant to its 2012 Decision, the Council would proceed with a TIA that limited consumer fireworks storage and retail sales facilities to those facilities that, due to such factors as limited area and quantity of materials, are not required by NFPA 1124 to have automatic sprinklers. It is the Council’s eventual issuance of this TIA on March 7, 2013, [Standards Council Decision #13-2 (Standards Council Agenda Item #13-3-14-d)] that led the APA to file the appeal to ANSI described at the beginning of this decision.

APA Comment: While the issuance of the referenced TIA was not in accordance with NFPA Regulations and ANSI procedures due to the lack of a Public Comment period, the TIA addressed the only provisions in NFPA 1124 that the Council has indicated lacked technical substantiation. There have been no allegations that the recently issued PYR 1128 and PYR 1129 lacked technical substantiation. Not only did the PYR Committee process the two test standards, they were reviewed by the NFPA Technical Committee on Fire Tests. To withdraw NFPA 1124 in its entirety, along with PYR 1128 and PYR 1129, lacks any technical basis and appears to only be an attempt to avoid any sanctions by ANSI and to retaliate against APA for filing the ANSI Appeal. There has been no disagreement that the modifications to NFPA 1124 including the development of PYR 1128 and 1129 represent an increase in safety for the retail sales and storage of pyrotechnics.

III. Actions and Guidance
As indicated earlier, the Council, in the face of the continuing failure to validate the sprinkler design criteria and the consumer fireworks industry's unwillingness, confirmed in its ANSI appeal, to commit itself to providing such validation, has decided that the NFPA should no longer develop standards for the storage and retail sales of consumer fireworks. In the Council's view, the NFPA cannot develop such standards without the participation of the consumer fireworks industry and related interests, and it is apparent that these interests lack the commitment to the development of consumer fireworks standards in a manner that can produce and sustain such standards consistent with NFPA's safety mission.

In order to effectuate that decision, the Council, pursuant to its authority under Sections 2.2, 3.1 and 4.7 of the Regulations Governing the Development of NFPA Standards, is taking the following actions:

(i) **Committee Scope.** The scope of the Technical Committee on Pyrotechnics is revised to exclude the storage and retail sales of consumer fireworks as follows:

This Committee shall have primary responsibility for documents on the manufacture, transportation, and storage of consumer and display fireworks, pyrotechnic special effects, and model and high-power rocket motors. This Committee shall have primary responsibility for the use of display fireworks and for model and high-power rocketry, and the construction, launching, and other operations that involve model and high-power rocket motors. The Committee shall have primary responsibility for documents on the wholesale and retail sale and storage of consumer fireworks. The committee shall have responsibility for the development of fire test standards applicable to the packaging, covered fuses, and flame breaks used in retail sales display of consumer fireworks. The Committee shall coordinate the fire test documents with the Fire Test Committee. The Committee does not have responsibility for documents on the storage and retail sales of consumer fireworks or the use of consumer fireworks by the general public; on the use of pyrotechnic special effects before a proximate audience; on the manufacture, transportation, storage for use of military, automotive, agricultural, and industrial pyrotechnics.

(ii) **Temporary withdrawal of NFPA 1124.** NFPA 1124 is temporarily withdrawn pending the development of revisions deleting the consumer fireworks provisions from the standard. The Technical Committee should proceed, either through the processing of a TIA or through the regular revision cycle, to develop revisions removing the consumer fireworks provisions. In addition, the scope statement for the standard should be revised, in a form substantially as follows:

This code shall provide regulations for the construction, use, and maintenance of buildings and facilities for the following: (1) The manufacture and storage of fireworks, novelties and pyrotechnic articles at manufacturing facilities (2) The storage of display fireworks, pyrotechnic articles, salute powder, pyrotechnic and explosive compositions, and black powder at other than display sites (3) The storage of consumer fireworks at distribution facilities (4) The retail sales and related storage of consumer fireworks in...
consumer fireworks retail sales (CFRS) facilities and stores (5) The transportation on public highways of fireworks, pyrotechnic articles, and components thereof containing pyrotechnic or explosive materials (6) This code shall not apply to the storage and retail sales of consumer fireworks.

The Council anticipates that it will reissue NFPA 1124 as soon as possible once the Technical Committee has completed this work.


(iv) Other NFPA Standards. The Technical Committee on the Fire Code should process a Tentative Interim Amendment to NFPA 1, Fire Code, to remove all provisions concerning the storage and retail sales of consumer fireworks extracted from NFPA 1124. Other Technical Committees should likewise examine their standards and expeditiously remove references to and extracts from the consumer fireworks provisions of NFPA 1124.

To be clear, it is the intention of the Standards Council, in keeping with this decision and with the NFPA's long opposition to consumer fireworks, that no NFPA Committees should develop standards for the storage and retail sales of consumer fireworks or for the use of fireworks by members of the public.

IV. Conclusion

The Council stresses that its decision to end the NFPA's development of standards for the storage and retail sales of fireworks has not been taken lightly. The Council, in particular, is mindful of the enforcer community’s interest in having NFPA develop and maintain these standards. Indeed, it was this interest that prompted the Council and the NFPA Board to entertain the possibility of having NFPA develop these standards despite the NFPA's strong institutional policy against the use of consumer fireworks. (See 2008 Decision at p. 4.) It was, moreover, at the urging of many in the enforcement community that the Council held back from halting this activity in the face of the concerns raised in 2007 by the Research Foundation Hazard Assessment. Even when four years later, the consumer fireworks interests failed to fulfill the sprinkler validation condition set forth by the Council for the continued issuance of consumer fireworks provisions, the Council issued the consumer fireworks provisions in the 2013 edition of NFPA 1124, and extended the time to fulfill that condition for an entire year. It is only now that the Council has felt compelled to act, after the consumer fireworks interests failed yet again to undertake the necessary testing and after those interests have made clear, through their ANSI appeal, that they will not accept an NFPA standard unless it includes invalidated sprinkler protection provisions for consumer fireworks retail sales facilities.
We believe that the record demonstrates the Council's forbearance and the great lengths to which the Council has gone to accommodate those enforcement officials who urged us to continue. Nevertheless, as we have repeatedly said, the Standards Council does not subscribe to the view, without qualification, that the development of a standard by NFPA is invariably better than no NFPA standard. The Council, after fifteen years of sustained effort, has reluctantly concluded that there should be no NFPA standards for the storage and retail sales of consumer fireworks.

APA Comment: The preliminary ballot results on the TIA's do not support this position. To the contrary, the ballot results indicate that NFPA 1124, PYR 1128, and PYR 1129 (2013 Editions) are better than no NFPA standard. Now that the Council has finally received input from Technical Committees, interested parties, and the Public one can only hope that the Council will reverse the previous decision that was based solely on a biased report prepared by NFPA staff.

While the decision appears to be driven by the ANSI Appeal and an attempt to avoid sanctions from ANSI, one can only wonder if this 11th hour effort was done as Jim Shannon's last attempt to push forward his personal agenda to eliminate the public sale of consumer fireworks; this effort was completed during the last Council meeting before his retirement. Regardless of the motive, this unprecedented effort displays clearly where NFPA Staff can interfere and place their judgment before that of the respective committees—a dangerous precedent to set for such a noble organization. Such actions are inconsistent with an organization identified as an ANSI Audited Designator.
Item 14-8-11
1. Replace the current text of subsection 6.6.3 of both the 2010 and 2014 editions of NFPA 37 with the following:

**6.6.3** Piping for fuel tanks, other than engine-mounted tanks, shall be in accordance with the provisions of 6.6.3.1 through 6.6.3.3, except as provided for in 6.6.3.4 Chapter 27 of NFPA 30, Flammable and Combustible Liquids Code.

**6.6.3.1** Piping for fuel tanks shall meet the applicable requirements of Chapters 21 and 27 of NFPA 30, Flammable and Combustible Liquids Code. The fill pipe shall terminate outside the building at a point at least 600 mm (24 in.) from any building opening at the same or lower level.

**6.6.3.2** Tanks shall be filled by a closed piping system.

**6.6.3.3** The fill pipe for each tank shall be provided on an exterior wall of the room or structure enclosing the tank at a point at least 600 mm (24 in.) from any building opening at the same or lower level.

**6.6.3.4** A fill pipe terminating in accordance with 6.6.3.3 shall not be required for tanks that are filled manually at the fill connection of the tank, provided that the tank and its fill connection are located within the spill containment required by 6.3.2.4, 6.3.5.3, or 6.3.6.3 and the filling operation is constantly attended.

**Submitter’s Substantiation:** In sites with indoor engines, authorities having jurisdiction, citing the International Mechanical Code (IMC), have required carriers to provide exterior containment diesel fuel stations and remote fuel fill alarm panels. The problem is that on crowded communications sites, insufficient clearances are available to meet NFPA 37 as it is written. Today, installations include both remote fuel fill stations (mounted on the exterior wall of the shelters) and internal fill connections. In practice, most fuel providers are unable to meet the requirements for camlock connections (vapor-tight connections), pumps, and associated accessories necessary to fuel the tanks from the exterior connections. So, in practice, internal connections are the ones most commonly used to fill the tanks and the exterior fuel station goes unused. Class II fuels are stable, the fuel tanks at such sites are relatively small and the telephone industry has an impeccable record for fire safety and so this initiative bears more rewards than risk.

**Technical Validity:** Communications sites, such as cellular telephone tower sites and public safety communications systems, are arranged on small plots of land where a tower is a virtual ‘hotel’ for the antennas of numerous communications carriers. Often, the communications systems are housed in unoccupied industrial occupancies (precast shelter buildings) that have been delivered and installed on that site. Due to the small size of the shelter, it is not feasible to comply with the current provisions of Subsection 6.6.3 of NFPA 37, because there is no place to install a remote fuel fill that is far enough away from building openings at the same or lower level. See the included photos.

Left: A 2-room shelter about to be delivered. Note that there is no place to install a fuel fill that can meet the 24” clearance requirement as is covered in (current) 6.6.3.1. Right: a group of shelters placed in close proximity to each other.

Due to the limited space that multiple carriers share on a very small property, it is impractical to install the fuel fill at any distance from the shelter. Because many cell sites are on mountain tops or other off-road areas, the relatively small trucks needed to access such locations are not equipped with Camlocks, pumps, or other nozzles to achieve liquid/vapor tight connections. The shelters used for such applications already have concrete containments in the engine areas sufficient to contain spills. There is, to our knowledge,
no history of fires in cell site shelters relative to diesel fuel spills. While refueling spills do occasionally occur, the existing containment and relatively small quantities involved are easily cleaned up. The majority of existing installations utilize an internal fill connection, which has worked in practice for many years.

While no U.S. code or other regulation requires standby engine generators at cell sites, many telecommunications carriers provide them voluntarily. Such generators typically are in the 15 to 60 KW size and provide power to maintain a level of reliability necessary for public safety and competitive customer service. Although many carriers use outdoor engine modules, these assemblies are not as reliable as indoor units, because weather and rodent damage problems are inherent to such units.

Cell phones are how most people reach 911 services today and also are the secondary medium for emergency responders communicating among themselves. Additionally, the primary radio systems for first responders are dependent on repeater or ‘Trunked Radio’ systems whose antennas are collocated on towers with cellular or other systems. Emergency planners encourage citizens to prepare for evacuation emergencies with advice similar to South Carolina’s evacuation plan: “Motorists are encouraged to have a full tank of gas when they leave, bringing food items with them and cellular phones.” (emphasis added) Coping with disasters or weather severity is when the cellular and emergency responder systems are needed most and yet are times when commercial power is least reliable.

The standby diesel engines provided for communications sites employ relatively small, welded steel secondary containment-type belly tanks complying with ANSI/UL 142, Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids, for Class II fuel oil (diesel fuel). The shelters used for such purposes are unoccupied except during periodic maintenance activities and are not considered “important buildings” as defined in NFPA 30. Further, in NFPA 76, Standard for the Fire Protection of Telecommunications Facilities, these buildings are considered ‘redundant and replaceable’.

**Emergency Nature:** Given the conditions indicated herein and the contribution of standby generators to the reliability of the telecommunications system and, therefore by extension, public safety, it is vital that a standard-recognized method of fueling small diesel generators for communications equipment shelters be established.

Determination of emergency nature meets the conditions stated in Paragraph 5.3(f) of the Regulations Governing the Development of NFPA Standards: “The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification for the action.”
TIA TC FINAL BALLOT RESULTS

According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 10.

\[14 \text{ (eligible to vote)} - 1 \text{ (not returned)} - 0 \text{ (abstentions)} = 13 \times 0.75 = 9.75\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[14 \text{ eligible} \div 2 = 7 + 1 = 8 \text{ (this is the simple majority)}\]

14 Eligible to Vote

1 Not Returned (Preston)

TC FINAL Ballot results for Technical Merit are as follows:

11 Agree
2 Disagree (Elovitz, Nieman)
0 Abstentions

FINAL ACTION: PASSED

TC FINAL Ballot results for Emergency Nature are as follows:

11 Agree
2 Disagree (Elovitz, Nieman)
0 Abstentions

FINAL ACTION: PASSED
MEMORANDUM

TO: NFPA Technical Committee on Internal Combustion Engines
FROM: R. P. Benedetti
DATE: May 29, 2013
SUBJ: NFPA 37 Proposed TIA No. 1102 FINAL TC BALLOT RESULTS

According to 5.4 in the NFPA Regs, the final results show this TIA HAS achieved the ¾ majority vote needed on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

14 Eligible to Vote
1 Not Returned (O. Preston)

<table>
<thead>
<tr>
<th>Technical Merit:</th>
<th>Emergency Nature:</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Agree (without comment)</td>
<td>11 Agree (without comment)</td>
</tr>
<tr>
<td>0 Abstentions</td>
<td>0 Abstentions</td>
</tr>
<tr>
<td>2 Disagree (K. Elovitz and D. Nieman)</td>
<td>2 Disagree (K. Elovitz and D. Nieman)</td>
</tr>
</tbody>
</table>

There are two criteria necessary to pass ballot [(1) affirmative ¾ vote and (2) simple majority] with both questions needing to pass ballot in order to recommend that the Standards Council issues this TIA.

(1) In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
14 \text{ eligible} \div 2 = 7 + 1 = 8
\]

(2) The number of affirmative votes needed to satisfy the ¾ requirement is 10

(14 eligible to vote - 1 not returned - 0 abstentions = 13 × 0.75 = 9.75

An appeal relating to a proposed Tentative Interim Amendment shall be filed no later than 5 days after the notice of the Technical Committee TIA ballot results are published in accordance with 1.6.2 (c) and 4.2.6. In the case that a Correlating Committee is also being balloted, appeals need to be filed 5 days after the notice of the Correlating Committee TIA ballot results are published.

Final ballot comments are attached for your review. Ballots received from alternate members are not included, unless the ballot from the principal member was not received.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1102
To Replace the Current Text of Subsection 6.6.3 of both the 2010 and Proposed 2014 Editions of
NFPA 37, Standard For the Installation and Use of Stationary Combustion Engines and Gas Turbines

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to replace the current
text of subsection 6.6.3 of both the 2010 and Proposed 2014 Editions.

_________ AGREE __________ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This proposal needs more study and clarification to define the problem and identify suitable
solutions. The proposed 6.6.3.4 seems to allow hauling a fuel hose into a building and filling a tank
in a building. That does not sound like a safe arrangement. I further object to creating carve outs
in NFPA 37 to address specific users. With that approach our standard will soon have the integrity
of the Internal Revenue Code. Rather, solutions and requirements in NFPA 37 need to be
developed and stated in a way that is applicable universally.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE __________ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The submitter has not convinced me that the proposed change is appropriate, never mind
an emergency.

________________________
Signature

Kenneth M. Elowitz
Name (Please Print)

5/13/13
Date

Please return the ballot on or before Thursday, May 16, 2013

PLEASE RETURN TO:
Diane Matthews, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: dmatthews@nfpa.org

RECEIVED 05-13-13 09:43 FROM 0682760430 TO 0002/0002
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1102
To Replace the Current Text of Subsection 6.6.3 of both the 2010 and Proposed 2014 Editions of
NFPA 37, Standard For the Installation and Use of Stationary Combustion Engines and Gas Turbines

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to replace the current
text of subsection 6.6.3 of both the 2010 and Proposed 2014 Editions.

_________ AGREE  X DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Inclusion of Ch. 27 of NFPA 30 is not necessary. More
discussion and consideration of public comment(s) is
needed from the Committee on this particular issue.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE  X DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The nature of the proposal does not meet the definition of emergency as defined by the "Regulations
Governing the Development of NFPA Standards," in my opinion.

Signature

David Nieman
Name (Please Print)

5/14/13
Date

Please return the ballot on or before Thursday, May 16, 2013

PLEASE RETURN TO:
Diane Matthews, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169  FAX: (617) 984-7110  E-mail: dmatthews@nfpa.org
I oppose amendment 6.6.3.4 as written.

There is a need to specify a limitation to size of tank to be allowed manual filling. Also, there is a need for spill containment at the fill for these types of filling. Historically spills occur most often during this type of transfer operation.

Propose to add (in addition): 6.6.3.4.1 The provisions of 6.6.3.4 shall be allowed for storage containers of 1,000 gal capacity or less, that have spill protection at the fill.

Marcia Poxson
Engineer
Storage Tank Division
Bureau of Fire Services
3101 Technology Blvd
Lansing, MI 48910
517-373-3290
517-332-1428
www.michigan.gov/storagetanks
Item 14-8-12
NFPA® 45-Proposed 2015 Edition
Standard on Fire Protection for Laboratories Using Chemicals
TIA Log No. 1150
Reference: 1.1.2
Comment Closing Date: June 20, 2014
Submitter: Andrew Minister, Pacific Northwest National Laboratory

1. Revise 1.1.2 to read as follows:

1.1.2 This standard shall apply to all educational laboratory units and instructional laboratory units in which any quantity of chemicals, as defined in NFPA 704 with one or more of the following hazard ratings, is handled or stored: health — 2, 3, or 4; flammability — 2, 3, or 4; or instability — 2, 3, or 4. (See also Section B.2.)

Submitter’s Substantiation: During the 2nd draft meeting for the current revision cycle of NFPA 45, the technical committee deleted the definition of chemical in chapter 3 and moved the wording to paragraph 1.1.1 where the document used to have the wording of “in which chemicals, as defined, are handled or stored”. This was in response to a public comment on the definition in Chapter 3. During the 1st draft meeting, the technical committee made a first revision to the document adding paragraph 1.1.2 to apply NFPA 45 to all educational and instructional laboratories. The second draft of the 2015 edition reads as follows:

1.1.1* This standard shall apply to laboratory buildings, laboratory units, and laboratory work areas whether located above or below grade in which chemicals, as defined, in NFPA 704 with one or more of the following hazard ratings are handled or stored: health — 2, 3, or 4; flammability — 2, 3, or 4; or instability — 2, 3, or 4. (See also Section B.2.).

1.1.2 This standard shall apply to all educational laboratory units and instructional laboratory units in which any quantity of chemicals, as defined, is handled or stored.

The bold portion of 1.1.2 is the problem. Since the technical committee deleted the definition of chemical from Chapter 3, this statement is not accurate. I am therefore requesting that analogous language be added to 1.1.2 in order to adequately define the scope of the document. The new wording for 1.1.2 will be similar to 1.1.1 as proposed above.

Emergency Nature: This document, if issued as final without the proposed change, will contain an error or an omission that was overlooked during a regular revision process. Neglecting to modify 1.1.2 to match the terminology in 1.1.1 was an oversight by the Technical Committee.
According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 18.

\[30 \text{ (eligible to vote) } - 6 \text{ (not returned) } - 0 \text{ (abstentions) } = 24 \times 0.75 = 18\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[30 \text{ eligible } \div 2 = 15 + 1 = 16 \text{ (this is the simple majority)}\]

30 Eligible to Vote
6 Not Returned (Anderson, Eckholm, Franson, Hudkins, Milligan, Quigley)

TC FINAL Ballot results for Technical Merit are as follows:
24 Agree
0 Disagree
0 Abstentions

FINAL ACTION: PASS

TC FINAL Ballot results for Emergency Nature are as follows:
24 Agree
0 Disagree
0 Abstention

FINAL ACTION: PASS
1. Revise 6.25.3.3 to read as follows:

6.25.3.3 Where a vehicle fuel dispenser or dispensing station is installed under a weather shelter or canopy, the area shall be ventilated and shall not be enclosed for more than 50 percent of its perimeter.

Submitter’s Substantiation: The 1998 edition of NFPA 58, in section 3-9.3, listed General Installation Provisions for vehicle fuel dispensers and dispensing stations. Section 3-9.3.2 said, “Installation shall not be within a building but shall be permitted to be under a weather shelter or canopy, provided this area is adequately ventilated and is not enclosed for more than 50 percent of its perimeter.” Both by its placement in 3-9.3 and by the beginning of the previous section, 3-9.3.1, the application of this provision was to vehicle fuel dispensers and dispensing stations.

Careful examination of the NFPA 58 – November 2000 ROP and the NFPA 58 – November 2000 ROC revealed no proposal or comment that changed anything in section 3-9.3.2. However, the NFPA 58 (Draft) in the ROP had a section 3-9.3.2 that read, “Vehicle fuel dispensers shall not be located within a building. Where installed under a weather shelter of canopy, the area shall be ventilated and shall not be enclosed for more than 50 percent of its perimeter.” This text is also in the General Installation Provisions for vehicle fuel dispensers and dispensing stations, not under section 3-9.4, Installation of Vehicle Fuel Dispensers. It also appears in the 2001 edition of NFPA 58. Neither the draft nor the 2001 edition have any revision marking indicating this change, so review by the technical committee would not have been expected of a section not indicated as being changed. It appears to have been an “editorial change” by the NFPA staff. However, it is not an editorial change, as a significant portion of dispensers were removed from this installation provision by this change. All dispensing stations that are not vehicle fuel dispensers are removed from the restriction against being installed in buildings and from the requirements for a ventilated weather shelter or canopy. Since the code is silent about being located in buildings or under shelters for these dispensers, it is conceivable that their installation in buildings and under shelters not well ventilated is allowed. No person on the technical committee would agree with this installation.

A subsequent change in the 2004 edition, sections 6.22.3.2 and 6.22.3.3, separated the two requirements in this section into two separate sections. Section 6.25.3.2 (2014) specifies that neither type of dispenser may be located in a building unless certain other provisions are met. However, the language dealing with placing a dispenser under a shelter or canopy still applies only to vehicle fuel dispensers.

The point of transfer at vehicle fuel dispensers is often at a vehicle, outside of any building or small shelter. The point of transfer at dispensing stations is usually at or near the scale and often under a shelter or canopy. Because of this, requirements for ventilation or for openness would be needed more for a dispensing station than for a vehicle fuel dispenser.

Requiring the installation provisions as stated in the 1998 and earlier editions carried over in the minds of many authorities having jurisdiction (AHJ). We were requiring this compliance, even after publication of the 2001 edition, as we knew it had been there and had not been notified of any change. When the owner of a dispensing station challenged our enforcement, we reviewed the code and found that the change had been made. An informal poll of several AHJs in the fall of 2013 revealed that none of them realized that this change had been
made. Further, revision of our inspection forms for proper references from the 2014 edition identified that the change impacted how a long-used form was not properly reflecting current requirements.

**Emergency Nature:** This change falls under multiple emergency nature factors. They are:

(a) The NFPA Standard contains an error or an omission that was overlooked during a revision process. – As previously described, the change was made without benefit of a proposal or comment. The draft document did not indicate that a change was made in any way other than presenting the new text. The issued document did not indicate that a change was made in any way other than presenting the new text. Since there was no discussion of this change or any documentation of the change, no committee member would have looked to see if the change was made properly. However, there was a change that resulted in a change in the requirements. It was not a simple editorial change.

(b) The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification for the action. – By removing the installation provisions for a whole class of dispensers, many locations could be installed improperly, resulting in dangerous situations during cylinder filling operations.
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS NOT** achieved the necessary votes on both Question 1 (**Technical Merit**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **19**.

\[
[30 \text{ (eligible to vote)} - 5 \text{ (not returned)} - 0 \text{ (abstentions)} = 25 \times 0.75 = 18.75]
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
[30 \text{ eligible} ÷ 2 = 15 + 1 = 16 \text{ (this is the simple majority)}]
\]

---

**30** Eligible to Vote  
**5** Not Returned (Garza-Obregon, Hoffman, Kastanas, Meyer, Ribbs)

**TC FINAL** Ballot results for **Technical Merit** are as follows:  
15 Agree (Barber w/comment)  
10 Disagree (Dunn, Gentry, Gilbert, Hinske, King, Mahre, McTier, Mortimer, Wilson, Woodward)  
0 Abstentions

**FINAL ACTION: FAIL**

**TC FINAL** Ballot results for **Emergency Nature** are as follows:  
16 Agree (Barber w/comment)  
9 Disagree (Gentry, Gilbert, Hinske, King, Mahre, McTier, Mortimer, Wilson, Woodward)  
0 Abstentions

**FINAL ACTION: FAIL**
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135

To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

______ AGREE  ______ X  DISAGREE*  ______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

An oversight occurred in 2001 edition with no revision marking indicating change, which is unfortunate; however, the language in 3.9.3.2 was silent regarding dispensing stations (within buildings or under weather shelter/canopy). Chapter 7 should have at the time adequately answered guidelines/requirements for the type of structure and ventilation needs, should someone decide to install a dispensing station in either of these manners. I do not feel that by being silent the code allowed installations in “not well ventilated” buildings or shelters – Chapter 7 would have offered construction and ventilation requirements and 3.3.6 addressed protection against tampering should the shelter option be selected.

The 2014 edition, 6.25.3.3 currently is also silent regarding dispensing stations. Now Chapter 10 provides the guidelines/requirements for the type of structure and ventilation needs, should someone decide to install a dispensing station in either of these manners and 6.19.4 would address the tampering protection issue.

I agree “no person on the technical committee would agree with this installation” – being located in “buildings and shelters not well ventilated”, and I cannot imagine an AHJ agreeing with this type of installation either. The code was silent, but it did not allow installations of dispensing stations in buildings or under shelters unless they met provisions for construction, ventilation and protection as detailed in other sections of the referenced code editions.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

______ X  DISAGREE*  ______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The proposed TIA would not meet the criteria for an emergency nature as detailed in 5.3 for TIA’s. While 5.3(a) regarding an error or omission being overlooked in the 2001 edition may be appropriate, I believe the existing references in NFPA 58, 2014 edition adequately address this issue (as detailed above).

Signature

Tom Dunn
Name (Please Print)

March 28, 2014
Date
Kim,

I still disagree on Question 1 — I am not changing my statement from my original statement provided on the ballot submitted earlier. The text below was in response to what Richard had sent me. All the text below did was further substantiate to Richard why I disagree.

I did change my vote on Question 2 to agree without comment.

Tom Dunn
Director of Safety, Education & Compliance

Iowa Propane Gas Association
P.O. Box 57188
Des Moines, IA 50317

Phone: 515-564-1260
Cell: 515-681-7832
Fax: 515-564-1262

E-mail: tdunn@iapropane.org

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TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

Agree  x  Disagree*  Abstain*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position.

This should be a proposal and be submitted as such so it can be discussed by the technical committee.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

Agree  x  Disagree*  Abstain*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position.

I fail to see the requirements of the emergency nature since there is plenty of time to get this in to this cycle of NFPA-58.

Steven T. Gentry
Signature

Steven T. Gentry
Name (Please Print)

April 8, 2014
Date

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7070
E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

_________ AGREE       _______ X____ DISAGREE*       _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

6.25.3.3 establishes a requirement for vehicle fuel dispensers, not located within an enclosed building but under a shelter or canopy, to be not enclosed for more than 50 percent of its perimeter.

A dispensing station not located within an enclosed building but under a shelter or canopy with walls is not required to be open for more than 50 percent of its perimeter provided that it is not totally enclosed.

I see no evidence that requiring the walls to be opened for more than 50 percent of the perimeter establishes the optimal safety criteria. Other methods such as opening the walls 4 ft. from the ground level around the perimeter may provide equal if not greater safety and not meet the 50% requirement.

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE       _______ X____ DISAGREE*       _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

6.25.3.2 and 6.25.3.3 do not conflict. They may not provide the degree of regulatory requirement that the proposer wishes but that does not constitute an emergency.

*An explanation must accompany a disagreement or abstaining position.

________________________________________

Signature

Richard L. Gilbert
Name (Please Print)

April 7, 2014

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070  E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

X AGREE

DISAGREE*

ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Section 6.25.3.3 is intended for dispensing stations associated with vehicles. Modifying 6.25.3.3 to include all dispensing station is not appropriate. See 6.5.1.2, this section prohibits the transfer of liquid into containers mounted on vehicles in buildings and specifically references 6.25.3.3 regarding the allowable structures to house vehicles filling operations.

Section 6.5.1.3 specifies that a structure which houses transfer operations (containing filling) must comply with Chapter 10. Ventilation requirements for these transfer buildings are giving in 10.2.2 (Structure and Building Ventilation) there is no technical reason to require 50 percent of the building to be open if the building complies with the ventilation requirement of 10.2.2

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE

X DISAGREE*

ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The proposed change does not have technical merit. The code already adequately addresses this hazard.

Raymond G. Hinske sent electronically
Signature

Raymond G. Hinske
Name (Please Print)

April 8, 2014
Date

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070
E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

________ AGREE  __X__ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

Section 19.2.2 of NFPA 58 already provides requirements for venting buildings or structures where liquid transfer is performed inside. Therefore there is no need to pass this TIA.

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject is of an EMERGENCY NATURE

________ AGREE  __X__ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

I am not aware of any pattern or trend indicating increased incidence of LP gas fires or explosions at dispensing stations caused by insufficient ventilation of buildings or other structures housing equipment. Therefore this does not appear to be an emergency.

If committee members and/or others who favor this TIA believe there is a need for additional requirements, a proposal should be submitted per established procedures for consideration (and discussion) during the next cycle.

*An explanation must accompany a disagreement or abstaining position.

Please type or print your comments:

Signature

[Signature]

Name (Please Print)

[Name]

Date

[Date]

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7079
E-mail: kshea@nfpa.org

August 5, 2014
TECHNICAL COMMITTEE LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

       AGREED        X       DISAGREE*        ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This proposal does not consider the thousands of self-contained secure cabinets which are located at convenience stores, bait shops, gas stations, hardware stores, etc. These cabinets are used to store connection adaptors, PPD (personal protection devices), hand tools, warning labels, etc. If this TIA is approved the cabinets would not comply with the NFPA 58 Code. I suggest that the Technical Committee Chairman appoint a Task Force to draft or modify the TIA to satisfy the draft and what is already installed in the real world.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

       AGREED        X       DISAGREE*        ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This TIA would require additional time as outlined and can be discussed at the next NFPA 58 Technical Committee Meeting. A new TIA can then be drafted for the 2014 Edition of NFPA 58

__________________________
W. L. Mahre
Signature

__________________________
Bill Mahre
Name (Please Print)

__________________________
03/27/2014
Date

Please return the ballot on or before April 8, 2014.
Shea, Kimberly

From: Sam McTier <sammtier@yahoo.com>
Sent: Thursday, April 10, 2014 8:56 AM
To: Shea, Kimberly
Subject: RE: NFPA 58 TIA Ballot Circulation

Kim,

Change my vote to disagree on both ballots.

Thanks,

From: Sam McTier [mailto:sammtier@yahoo.com]
Sent: Wednesday, April 09, 2014 5:24 PM
To: Ginny Munson
Subject: Fwd: NFPA 58 TIA Ballot Circulation

Sent from my iPhone

Begin forwarded message:

From: "Shea, Kimberly" <kshea@NFPA.org>
Date: April 9, 2014 at 10:51:57 AM CDT
To: "Shea, Kimberly" <kshea@NFPA.org>
Cc: "Foley, Patrick" <PFoley@NFPA.org>, "Walker, Nancy" <nwalker@NFPA.org>
Subject: NFPA 58 TIA Ballot Circulation

NFPA 58 Technical Committee members:

Attached please find a ballot circulation package on proposed TIA No. 1135. If you wish to submit your ballot or change your vote, please do so no later than April 16, 2014.

Kimberly Shea
Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
617-984-7953
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

_______ AGREE  _______ DISAGREE*  ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

____ Only dispensers are addressed here No need to make a change. The current wording is sufficient for dispensers. It was not the intent of the committee to make this section apply to all dispensing stations. Those are covered in chapter 10.2.2.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE  _______ DISAGREE*  ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

____ Any of this could be done during normal cycle review.

________________________
Signature

________________________
Name (Please Print)

________________________
Date

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070  E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT

PROPOSED TENTATIVE-INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

       AGREE   DISAGREE*   ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This can be addressed during the RP Process.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

       AGREE   DISAGREE*   ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This can be addressed during the RP Process.
And is not an emergency.

Signature

Thomas A. Wilson
Name (Please Print)

4-8-14
Date

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070
E-mail: kshea@nfpa.org
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

_____ AGREE    X _____ DISAGREE*   _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

______________________________

_The proposed change has not been discussed at a committee meeting and would have a profound effect on dispensing stations that are servicing fleets, etc (i.e. not public refueling). There could be security concerns if such stations were left 50% open.

______________________________

______________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_____ AGREE    X _____ DISAGREE*   _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

______________________________

The current code language has been in effect for over 10 years—it does not appear that any type of emergency situation exists.

______________________________

__ Leslie Woodward___________
Signature

__ Leslie Woodward___________
Name (Please Print)

__April 7, 2014___________
Date

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

______ X AGREE __________ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

RISK ASSESSMENTS FOR LPG INSTALLATIONS ALWAYS INDICATE PRODUCT TRANSFER AS A SERIOUS RISK. ON THE BASIS OF THE EXPLANATION I CONSIDER THIS TIA TO BE ESSENTIAL.

_____________________________________________________________________

_____________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

X AGREE __________ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

_____________________________________________________________________

AS DESCRIBED ABOVE, A PRODUCT TRANSFER AREA SHOULD ALWAYS BE WELL VENTILATED.

_____________________________________________________________________

Signature

Name (Please Print)
D BARBER

Date 25 MARCH 2014

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1135
To Revise 6.25.3.3 of the 2014 and Proposed 2016 Editions of NFPA 58,
Standard for Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 6.25.3.3

_________ AGREE _________ DISAGREE* _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Agreed that the dispensing station should be in a well-ventilated location even more than for vehicle fuel dispensers.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE _________ DISAGREE* _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Agreed that it is not just an editorial change and that if not rectified immediately it would have adverse safety impact on dispensing stations.

____________________
Kenneth Lirn (NON-VOTING MEMBER just expressing support to the TIA)

Name (Please Print)
26 March 2014

Date

Please return the ballot on or before April 8, 2014.

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7070

E-mail: kshea@nfpa.org

August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 576 of 1626
1. Revise subsection 5.17.1.3(C) to read as follows:

“Aluminum shall be used only for cylinders, gaskets, regulators, approved meters, LP-Gas filtration systems, and indirect electric vaporizers.”

2. Revise Table 5.17.1.3 to read as follows:

“Aluminum – For approved meters, approved regulators, LP-Gas filtration systems, and indirect vaporizers”

Submitter’s Substantiation: LP-Gas is becoming a popular alternative motor vehicle fuel and is being used in other non-traditional applications that, in order to achieve the level of performance desired, require the purity of LP-Gas to exceed even that specified by ASTM D 1835 Standard Specification for LP-Gases. In order to achieve that level of purity, it may be necessary to install filtration equipment in the liquid lines. The equipment will be used to detect and filter out the components from LP-Gas which are considered undesirable. For example, carbon based compounds other than propane that have a carbon chain number of C12 or greater (heavy ends) and inorganic particulate matter (sediment, rust) greater than 5 microns in diameter would be considered undesirable components for some applications.

Common components of a LP-Gas filtration system can include a filter head that contains inlet and outlet connections, porting to direct LP-Gas flow in and out of the filter and a screw on connection point for a steel filter housing. The filter head will be made out of a non-particle generating, non-oxidizing, non-porous material such as solid block aluminum. Currently, NFPA 58 limits the use of aluminum in pressure containing equipment to only those applications specified in 5.17.1.3 (C) and Table 5.17.1.3 Materials for Equipment Used in LP-Gas Service. The fact that aluminum has a melt point of 1,218°F, which is less than the referenced NFPA 58 1,500°F melting point, is the only technical justification for limiting the use of it in pressure applications. In this application especially, the aluminum components are blocks of machined aluminum that have substantial thickness and would not be expected to melt from radiant heat transfer due to a fire in the vicinity of the LP-Gas filtration system. The thickness and dimensions of the aluminum filter head greatly exceeds the thickness and dimensions of most, if not all, of the aluminum components already permitted by Section 5.17.1.3 and Table 5.17.1.3.

Emergency Nature: The proposed TIA is addressing Section 5.4 (e) of the NFPA “Regulations Governing the Development of NFPA Standards.” This paragraph reads as follows:

5.4 (e) The proposed TIA intends to accomplish a recognition of an advance in the art of safeguarding property or life where an alternative method is not in current use or is unavailable to the public.

Supporting Statement: The increased use of LP-Gas as a motor vehicle fuel and as a fuel for advanced equipment such as fuel cells is creating a demand for very high purity of liquid LP-Gas. In order to protect that equipment by achieving that level of purity, filtration systems are commonly used. Up to this point in time, filters were only installed at the point of use of the equipment. Now, however, because of the increase in demand, the industry is looking to install filtration systems at bulk plants and other facilities that handle high volumes of LP-Gas. Currently, there are no provisions in NFPA 58 that address the use of filtration systems, many of which utilize aluminum as standard components. Changing the code to allow the use of filtration systems that utilize aluminum components will address this emergency need by allowing high purity LP-gas to be stored and transported in the quantities needed to satisfy this growing demand.
Application

The equipment will be used to filter and detect contaminants in liquid propane. Contaminants are defined as carbon based compounds other than propane that have a carbon chain number of C12 or greater and inorganic particulate matter greater than 5 microns in diameter. *It should not remove the mercaptan in the propane below acceptable levels.*

Layout

A LP-Gas filtration system is not intended to be used as a container or container appurtenances.

LP-Gas filtration equipment appurtenances include everything other than the filters, filter housing and could include a filter head and filter head o-ring. The appurtenances shall follow all associated NFPA 58 specifications such as 5.9 Piping (Including Hose), Fittings, and Valves, 5.12 Valves other than Container Valves, 5.13 Hydrostatic Relief Valves and 5.17 Equipment.

LP-Gas Filtration System Construction and Example Pictures

The filtration/detection equipment and typical material of construction are presented in the following table.

<table>
<thead>
<tr>
<th>Item</th>
<th>Equipment Description</th>
<th>Function</th>
<th>Typical Material of Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Filter Housing</td>
<td>Contain the LPG as it passes through the filter media. Subject to process line pressure. Screw onto a head assembly.</td>
<td>Cold Rolled Steel that is entirely e-coated, powder coated, or coated by some other means that reduces/eliminates corrosion.</td>
</tr>
<tr>
<td>2</td>
<td>Filters</td>
<td>To remove contaminant(s) when present in a LP stream</td>
<td>Filter media and other materials resistant to propane degradation</td>
</tr>
<tr>
<td>3</td>
<td>Filter Head</td>
<td>Direct LP stream flow into and out of the filter media. Creates the ability to remove and replace filters. Subject to process line pressure.</td>
<td>Solid 6061 Aluminum or other non-corrosive, non-porous materials.</td>
</tr>
<tr>
<td>4</td>
<td>O-ring</td>
<td>Used to create a seal between the filter housing and spin on head.</td>
<td>Viton or other propane resistant o-ring materials</td>
</tr>
</tbody>
</table>
LP-Gas Filtration System Components – Example 1
Pressure Rating and Testing

LP-Gas filtration systems must meet service pressure ratings as presented in NFPA 58 Table 5.17.1.2. LP-Gas filtration systems that include a steel housing and a spin on style filter head can be pressure tested for certification to meet Table 5.17.1.2 using one of the following methods 1) NFPA (National Fluid Power Association) T3.10.17-1995(R2009) Finite life hydraulic filter pressure/life rating - Method for verifying the
fatigue life rating and the burst pressure rating of the pressure containing envelope of a spin-on hydraulic filter and/or 2) ISO 4548-6:2012(E) Methods of test for full-flow lubricating oil filters for internal combustion engines — Part 6: Static burst pressure test.
TIA® 58- 2014  
NFPA® 58, Liquefied Petroleum Gas Code  
Reference: 5.17.1.3 and Table 5.17.1.3  
(TIA Log 1153)

Comment Closing: 7/18/2014  
0 Public Comments Received

TIA PRELIMINARY TC BALLOT RESULTS

According to 5.4 in the NFPA (RGCP), the preliminary results show this TIA IS NOT achieving the necessary votes on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 18.

\[ 30\text{ (eligible to vote)} - 6\text{ (not returned)} - 1\text{ (abstention)} = 23 \times 0.75 = 17.25 \]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[ 30\text{ eligible} \div 2 = 15 + 1 = 16 \text{ (this is the simple majority)} \]

30 Eligible to Vote  
6 Not Returned (Belke, Bogan, Garza-Obregon, Hinske, Kastanas, Meyer)

TC PRELIMINARY Ballot results for Technical Merit are as follows:

13 Agree  
10 Disagree (Fredenburg, Hoffman, King, Mahnken, Mortimer, Osterhaus, Ribbs, Stainbrook, Wilson, Wolff-Flammer)  
1 Abstention (Barber)

PRELIMINARY ACTION: FAIL

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 17.

\[ 30\text{ (eligible to vote)} - 6\text{ (not returned)} - 2\text{ (abstentions)} = 22 \times 0.75 = 16.5 \]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[ 30\text{ eligible} \div 2 = 15 + 1 = 16 \text{ (this is the simple majority)} \]

TC PRELIMINARY Ballot results for Emergency Nature are as follows:

12 Agree  
10 Disagree (Fredenburg, King, Mahnken, Mortimer, Osterhaus, Ribbs, Stainbrook, Wilson, Wolff-Llammer, Young)  
2 Abstention (Barber, Hoffman)

PRELIMINARY ACTION: FAIL
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

___________ AGREE ___________ X _______ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The arguments presented in the substantiation are more complex than should be allowed in the hurried consideration of a TIA. Much technical information cannot be verified in this brief review. It needs to be researched and discussed.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

___________ AGREE ________ X _______ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The emergency nature cited (5.4 (e)) is not appropriate for this topic. Yes, it is an advance, but not in safeguarding property or life.

Signature

________________________________________

_Richard Fredenburg____________

Name

__June 20, 2014____________________________

Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
Dear Kimberly Shea

I have reviewed the proposed TIA and have several issues with it.

1. the alloy of choice is AA 6061, which is a good alloy.

2. the reported melting point is +1280F. This number represents the end of the melting range, where you have a puddle of aluminum on the bottom where it collected. The melting starts, for this alloy, at about 1080F. the melting would start throughout the alloy, at all low melting point constituents.

3. The use of threaded surfaces as shown in the attached photographs is not good, since aluminum is a poor "threading" alloy and galling / surface corrosion can occur, causing sealing issues on the threads. The counter to this is the mag-lite flashlights, which have a good life, but the threading can be difficult.

4. The filter canister is identified as steel - there will be a galvanic corrosion issue here with the aluminum being the anode, and corrosion could take place, depending on the environment the component is placed in.

The question that I must ask is how long will the canister / filter housing always be steel? or will that someday switch to aluminum.

Based on these comments, I cannot accept the technical merits of this proposed TIA.

I have no comment on the "emergency" nature of this issue, however, I think it needs more discussion time.

Richard Hoffmann
Technical Chairman
NFPA 58
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1153
To Revise 5.17.1.3 and Table 5.17.1.3 of the 2014 Edition of NFPA 58,
Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

<table>
<thead>
<tr>
<th>AGREE</th>
<th>DISAGREE*</th>
<th>ABSTAIN*</th>
</tr>
</thead>
</table>

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

THE PROPOSAL ADDRESSES A POTENTIAL FUEL QUALITY ISSUE, NOT SAFETY

---

Question 2: I agree that the subject is of an EMERGENCY NATURE.

<table>
<thead>
<tr>
<th>AGREE</th>
<th>DISAGREE*</th>
<th>ABSTAIN*</th>
</tr>
</thead>
</table>

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

THIS IS NOT AN EMERGENCY.

---

Signature

JOHN KING

Name

6/4/2014

Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1153
To Revise 5.17.1.3 and Table 5.17.1.3 of the 2014 Edition of NFPA 58,
Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

____________ AGREE  __X________ DISAGREE*  ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

No explanation was given why higher melting point materials cannot be used for the filter heads.

_____________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

____________ AGREE  __X____ DISAGREE*  ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Why should the standard be lowered to allow use of aluminum filter heads?

_____________________________________________________________________

Signature
Glenn Mahnken

Name
June 17, 2014

Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

[Signature]

Signature

Frank J. Mortimer

Name

June 6, 2014

Date

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

_There are current means available to filter LP fuel. This can and should be addressed during a normal cycle._

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[Signature]

Signature

Frank J. Mortimer

Name

June 6, 2014

Date

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

__No emergency here.__
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

_________ AGREE     _______ DISAGREE*     _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

________________________
I agree with the comments made by those who cast the initial ballot, against the technical merits of the TIA. There should be more discussion before including this equipment in the code.

____________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE     _______ DISAGREE*     _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

________________________
I agree with the comments made by those who voted against the emergency nature of the TIA in the first ballot. Passing the TIA so the equipment will be included in the next edition doesn’t meet the emergency nature criteria.

________________________
James T. Osterhaus
Signature

________________________
James T. Osterhaus
Name

6-27-14
Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
From: Phillip Ribbs <philribbs@aol.com>
Sent: Wednesday, June 11, 2014 3:59 AM
To: Shea, Kimberly
Subject: Re: NFPA 58 Proposed TIA

TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1153
To Revise 5.17.1.3 and Table 5.17.1.3 of the 2014 Edition of NFPA 58,
Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

__________ AGREE ______x______ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Nothing was submitted to justify that all devices will be manufactured to this quality. Why not forged, cast, spun aluminum. This appears to be a proprietary submittal.

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE ______x______ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This issue does not meet the level emergency. The subject should be vetted at an open TC meeting.

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

Phillip H Ribbs
Signature

Phillip H Ribbs
Name

6/11/14
Date
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1153
To Revise 5.17.1.3 and Table 5.17.1.3 of the 2014 Edition of NFPA 58,
Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

___________ AGREE  ______X_____ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
_The use of aluminum bodies in liquid applications especially in pipelines at bulk plants have always been restricted due to the concerns about heat from fire exposure resulting in the failure of the body and the discharge of product from the failed body making a bad situation worse. There are other materials that are currently approved for liquid applications called out in table 5.17.1.3 that more than likely could be used as a body for this product such as ductile iron, steel, malleable iron and brass to name a few.

_____________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

___________ AGREE  ______X_____ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
_There is no potential for loss of life, exposure of the public to a hazard or negative effect on over-all industry safety if this is not acted on immediately; this is not an emergency.

______________________________
Signature

David Stainbrook
Name

5/5/14
Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

_______ AGREE      _____ x _____ DISAGREE*     _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

___ This item should be ___ This item should be brought to the committee for review. No testing has been done to the devise. Steel will with stand a fire situation better than aluminum* __________________________

__________________________
__________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE      _____ x _____ DISAGREE*     _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

___ This is not an emergency in my opinion. I would like to have the material tested to see how it withstand a fire situation equal to a steel.

__________________________
__________________________

Signature

Thomas A Wilson
Name

___6/19/2014__________________________
Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
TECHNICAL COMMITTEE LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1153
To Revise 5.17.1.3 and Table 5.17.1.3 of the 2014 Edition of NFPA 58,
Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3.

   _________ AGREE   ______ X _______ DISAGREE*   _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

If the section is revised to include the entire LP-Gas filtration system, it would also include the housing. This proposal should be for filter heads only.

Also in section 5.7.1.2 the minimum melting point of 1500 degrees F would still apply to the filter heads. Section 5.7.1.2 would need to be revised and balloted to add filter heads as an exception.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

   _________ AGREE   ______ X _______ DISAGREE*   _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

A new proposal need to be submitted based on my comments above.

________________________________________________________

________________________________________________________

________________________________________________________

Edgar Wolff-Flammer

_________________________________

Signature

________________________ 6/17/2014 __________________________

Name

_________________________________

Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1153
To Revise 5.17.1.3 and Table 5.17.1.3 of the 2014 Edition of NFPA 58,
Liquefied Petroleum Gas Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 5.17.1.3 and Table 5.17.1.3

____XX____ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

___________ AGREE ______XX____ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Finding a new product which is may be desirable does not constitute an emergency.

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

_William J. Young_______________________________
Signature

_William J. Young_______________________________
Name

_____________________
Date

Please return the ballot to kshea@nfpa.org no later than Thursday, June 19, 2014.
Dear Kimberly,

I have carefully considered the proposed TIA, which I fully understand. However as an overseas member of the committee on this occasion I consider it inappropriate to vote, and therefore abstain.

For the benefit of the committee members I would like to bring to their attention the following situation relating to the use of aluminium components in LPG systems. I have personal experience of problems which can occur if the LPG is from a refinery which uses caustic soda for the removal of hydrogen sulphide. Any carry over of the caustic soda, if associated with water, causes an aggressive chemical reaction leading to the early failure of any aluminium components in the system.

We addressed this problem in the UK by replacing the aluminium components with matching items machined from stainless steel. We worked closely with the UK licensee for Rego on many occasions.

Best regards,

Don Barber

Principal & Senior Partner, Enmat International.

On 17 June 2014 at 17:00 "Shea, Kimberly" <kshea@NFPA.org> wrote:

Technical Committee on Liquefied Petroleum Gases:

Please note that ballots on proposed TIA 1153 on the 2014 edition of NFPA 58 are due no later than Thursday, June 19, 2014.

Kimberly Shea
Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
617-984-7953
According to 5.4 in the NFPA (RGCP), the final results show this TIA \textbf{HAS} achieved the necessary votes on both Question 1 (\textbf{Technical Merit}) and Question 2 (\textbf{Emergency Nature}).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 20.

\[
[33 \text{ (eligible to vote)} - 7 \text{ (not returned)} - 0 \text{ (abstentions)} = 26 \times 0.75 = 19.5]
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
[33 \text{ eligible} \div 2 = 16.5 = 17 \text{ (this is the simple majority)}]
\]

\begin{itemize}
  \item \textbf{33 \text{ Eligible to Vote}}
  \item \textbf{7 \text{ Not Returned (Deniston, Goodnight, Greenup, Healey, Major, Podolsky, Voisine)}}
\end{itemize}

\textbf{TC FINAL Ballot results for Technical Merit} are as follows:

\begin{itemize}
  \item 26 Agree
  \item 0 Disagree
  \item 0 Abstentions
\end{itemize}

\textbf{FINAL ACTION: PASS}

\textbf{TC FINAL Ballot results for Emergency Nature} are as follows:

\begin{itemize}
  \item 26 Agree
  \item 0 Disagree
  \item 0 Abstentions
\end{itemize}

\textbf{FINAL ACTION: PASS}
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.

Submitter’s Substantiation: 5.2(d) Problem: This TIA seeks to address the following very serious problem:

The intent of CMP-3 in their action to accept comment 3-38 was to permit listed cord sets or devices incorporating listed ground-fault circuit-interrupter protection for personnel, identified for portable use, to be used in addition to the previously required GFCI protection for all temporary receptacle outlets. However, the accepted text permits the installation of temporary receptacles without GFCI protection. This is in direct violation of federal OSHA regulations and potentially creates very serious shock hazards.

5.2(d) Substantiation: CMP-3 was correct in their rejection of proposal 3-107a. The submitter sought to include permissive text to permit listed cord sets or devices incorporating listed ground-fault circuit-interrupter protection for personnel identified for portable use. CMP-3 clearly illustrated in their statement that these devices are indeed permitted “in addition to the GFCI protection already installed as part of the non-permanent wiring.” CMP-3 was also correctly identified that “These cord sets should not take the place of the other GFCI protection at the source, since that leaves the extension cord or cable unprotected.”

CMP-3 reversed their position and accepted comment 3-38. In the substantiation provided by the submitter on comment 3-38, the intent of both proposal 3-107a and comment 3-38 is as follows:

“The proposed language is to add this text which makes it explicitly clear that these cord sets or devices are permitted in addition to the ground-fault circuit-interrupter (GFCI) protected wiring.”

The final accepted text in the 2014 NEC is extremely problematic. The following serious concerns are identified:

1. The text literally permits temporary receptacles to be installed without GFCI protection.
2. This is in direct violation of OSHA’s requirements in 1926.404(b)(1) and associated interpretations.
3. Very serious shock hazards are created by permitting temporary receptacles to be installed without GFCI protection.

The proposed revision in this TIA corrects this very serious safety concern while continuing to permit listed ground-fault circuit-interrupter protection for personnel identified for portable use in addition to the required GFCI protection.

It should be noted that in both the proposal and comment stage that this conflict and serious safety concern was recognized and identified by CMP-3 member Susan Stene.

Emergency Nature: This proposed TIA meets multiple requirements listed in 5.3 for the evaluation of emergency nature. 5.4(a) The technical committee had inadvertently made the GFCI requirement for temporary receptacles optional. 5.4(d) The proposed TIA reinstates the mandatory requirement for all temporary receptacles to be provided with GFCI protection.
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on Question 1 (Correlation Issues) but **HAS NOT** on Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 9.

\[
[12 \text{ (eligible to vote)} - 1 \text{ (not returned)} - 0 \text{ (abstentions)}] = 11 \times 0.75 = 8.25
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
[12 \text{ eligible} ÷ 2 = 6 + 1 = 7 \text{ (this is the simple majority)}]
\]

12 Eligible to Vote
1 Not Returned (Liggett)

**CC FINAL** Ballot results for **Correlation Issues** are as follows:
11 Agree (Labrake w/comment)
0 Disagree
0 Abstentions

**FINAL ACTION: PASS**

**CC FINAL** Ballot results for **Emergency Nature** are as follows:
8 Agree
3 Disagree (Brunssen, Drake, Hittinger)
0 Abstentions

**FINAL ACTION: FAIL**

*Final NEC-P03 Ballots are on the next page*
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 (**Technical Merit**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **10**.

\[13 \text{ (eligible to vote)} - 0 \text{ (not returned)} - 0 \text{ (abstentions)} = 13 \times 0.75 = 9.75\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[13 \text{ eligible} \div 2 = 6.5 = 7 \text{ (this is the simple majority)}\]

13  Eligible to Vote  
0  Not Returned

**TC FINAL** Ballot results for **Technical Merit** are as follows:
- 12  Agree (Sleights w/comment)
- 1  Disagree (Pace)
- 0  Abstentions

**FINAL ACTION: PASS**

**TC FINAL** Ballot results for **Emergency Nature** are as follows:
- 12  Agree
- 1  Disagree (Pace)
- 0  Abstentions

**FINAL ACTION: PASS**
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1133
To revise section 590.6 (A) (1) of the 2014 Edition of NFPA 70
National Electric Code®

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations.

[ ] AGREED
[ ] DISAGREE
[ ] ABSTAIN

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

[ ] AGREED
[ ] DISAGREE
[ ] ABSTAIN

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The current text of the 590.6(A)(1) accomplishes the Panel’s objective, i.e., to grant relief to existing generators by permitting the use of GFCI-equipped cords or other devices. The text as proposed in TIA 1133 is unnecessary and could be interpreted as requiring both GFCI outlets on the generator and GFCI-equipped cords or other devices.

Signature

James E. Brunssen
Name (Please Print)

3/26/14
Date

Please return the ballot on or before Monday, April 7, 2014.

PLEASE RETURN TO:
Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations.

______X______ AGREE  ____________ DISAGREE*  ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

_________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

__________ AGREE  _____X_____ DISAGREE*  ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The proposed TIA attempts to clarify wording, but does not fit into the qualifications for being of an emergency nature. There certainly was no error or omission because, as the submitter notes, a panel member brought up the concerns to the committee at both the comment and proposal stages.

At best it might be interpreted as lessening “a continuing dangerous condition,” but that argument falls back into whether the words are truly being misinterpreted.

Adopting the TIA does no harm, but it is a slippery slope if we use the TIA process to make the Code clearer.

Signature

_____William Drake____________________
Name (Please Print)

_____3.31.14_________________________
Date

Please return the ballot on or before Monday, April 7, 2014.

PLEASE RETURN TO:
Colleen Kelly, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 770-0700
E-mail: ckelly@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1133

To revise section 590.6 (A) (1) of the 2014 Edition of NFPA 70

National Electric Code®

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations.

_____X_____ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

____________ AGREE ________X____ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Substantiation: I would have to agree with the comments submitted by Mr. Drake. The TIA is being sought to clarify wording that was considered by the technical committee and is part of the ROP and ROC public record. In both meetings the issue was addressed and acknowledged that listed portable cord sets are permitted but only after GFCI protection is provided at the temporary outlet. This TIA is not of emergency nature.

________________________
David Hittinger

Signature

Name (Please Print) ____________________________
4/23/14

Date

Please return the ballot on or before **Friday, April 25, 2014**

PLEASE RETURN TO:
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1133
To revise section 590.6 (A) (1) of the 2014 Edition of NFPA 70
National Electric Code®

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations.

_____X_____ AGREE  ____________ DISAGREE*  ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

As written, this is an issue for Code Usability for Code-making Panel 3 to address in the 2017 NEC cycle.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_____X_____ AGREE  ____________ DISAGREE*  ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

________________________
Signature

Neil F. LaBrake, Jr. – CC Principal, EEI rep.
Name (Please Print)

31 March 2014
Date

Please return the ballot on or before Monday, April 7, 2014.

PLEASE RETURN TO:
Colleen Kelly, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 770-0700  E-mail: ckelley@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1133
To revise section 590.6 (A) (1) of the 2014 Edition of NFPA 70
National Electric Code®

Question 1:

I agree with the TECHNICAL MERITS of the Proposed TIA to revise section 590.6 (A) (1)

__________ AGREE      _____X____ DISAGREE*       __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I do not agree with the submitter’s statement in the substantiation, “The text literally permits temporary receptacles to be installed without GFCI protection”. The current text reads “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.” To me that says all shall have GFCI protection. The requirement to provide protection can be accomplished in many ways, i.e. GFCI receptacles, GFCI circuit breakers, GFCI devices built into the electric supply cord of portable tools and equipment, etc. The second statement simply allows listed cord sets incorporating listed GFCI devices, or listed devices incorporating listed GFCI devices as a couple of ways that are permitted to meet the requirement of providing GFCI protection. I don’t see that this is a problem and the language to me is clear. If there is an issue with some people’s interpretation of the second sentence, I suggest removing it and just leaving the first sentence, which I do not think could be misinterpreted. This change is not necessary as the existing language is clear and I do not agree with the technical merits of the proposed TIA to revise section 590.6 (A) (1).

Question 2:    I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE      _____X____ DISAGREE*       __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I do not agree that the existing language presents a problem. I feel the existing language is clear as I have explained in my explanation of vote on the technical merits of the TIA, above. I therefore do not agree that the subject is of an emergency nature.

________________________
Signature

________________________
Name (Please Print)

________________________
Date

Please return the ballot on or before Thursday, March 13, 2014.

PLEASE RETURN TO:
Colleen Kelly, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

Fax: (617) 770-0700
Email: ckelley@nfpac.org
Question 1:

I agree with the TECHNICAL MERITS of the Proposed TIA to revise section 590.6 (A) (1)

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

While I agree that this action will address the immediate matter at hand, this section (590.6) needs to be reviewed revised to remove all question about which type of GFCI protection is required or permitted and where.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

John E. Sleight

Signature

John E. Sleight

Name (Please Print)

03/05/14

Date

Please return the ballot on or before Thursday, March 13, 2014.

PLEASE RETURN TO:
Colleen Kelly, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 770-0700
E-mail: ckelley@nfpa.org

August 5, 2014

Supplemental Agenda - Standards Council Meeting August 11-14, 2014
Page 806 of 1626
I imagine this must be sent to the proper PA also

From: Nick S [mailto:nick.sasso@wyo.gov]  
Sent: Thursday, February 27, 2014 5:54 PM  
To: stds_admin  
Subject: TIA Log No. 1133 — Comment Closing Date: April 18, 2014

While I understand the need for the change, I feel that the proposed language isn't quite there yet. Most people in the field may interpret that section to allow the portable cord set in lieu of making the receptacle outlet G.F.C.I. In a practical sense, it may create problems for the inspector in the field. I think my language below is much clearer:

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. Listed cord sets or devices incorporating ground-fault circuit-interrupter protection for personnel identified for portable use shall not be permitted in lieu of this requirement.

Also, it is somewhat troubling that a G.F.C.I. device (without a cord) will not satisfy the requirements. For example, take this device:  
http://www.electriduct.com/Shock-Buster.html  
Isn't the entire reason these devices came about in the first place, was to supply G.F.C.I. protection to an outlet where the protection did not exist previously? The new language seems to say that this type of G.F.C.I. device is OK to supplement a G.F.C.I. protected receptacle outlet. But in and of itself it is quite useless, and it will not satisfy the intent of the code, even though it provides G.F.C.I. protection and is listed as such.

In the event that CMP-3 agrees that this type of device satisfies the intent, then I would submit this language:

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 incorporating ground-fault circuit-interrupter protection for personnel identified for portable use shall be permitted.

Exception No. 1: Listed "plug-in" devices that do not contain a cord shall satisfy the requirements.
of this section.

Please consider.

Best regards,

Nick Sasso  
Electrical Plans Examiner & Inspector  
Department of Fire & Electrical Safety  
307-856-8154

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.
I would propose that the entire last sentence of 590.6(A)(1) be deleted because the use of cord sets, with GFCl protection or not, has nothing to do with the requirement for GFCl protection of the non-permanent receptacles. A load could be plugged into a non-permanent receptacle without the use of a cord set.

Victor M. Ammons, PE, LEED AP | JACOBS | Senior Electrical Engineer - Global Buildings | 862-242-7346 | 908.763.4593 cell
Victor.Ammons@jacobs.com | www.JACOBS.com
Date: July 31, 2014

Appellant: John R. Kovacik
Principal Engineer
UL LLC
333 Pfingsten Road
Northbrook IL 60062

Appeal: On behalf of UL, I am appealing the results of the balloting by NEC Code Panel 3 and the NEC Correlating Committee on TIA 1133. This TIA is agenda item 14-8-15 for the August 11-14, 2014 Standards Council Meeting.

Grounds: This TIA revises Section 590.6(A)(1) of the 2014 National Electrical Code to resolve a serious safety concern associated with the current text of this section. The results of the balloting of Code Panel 3 indicated the panel overwhelming supported the TIA on both technical merit and emergency nature. During the initial balloting of the Correlating Committee the results indicated the committee supported the TIA on both correlation and emergency nature. However, during circulation of the balloting results one member changed his vote to disagree on emergency nature which resulted in the Correlating Committee ballot on emergency nature to fail by one vote.

The purpose of the TIA is to revise the text of NEC 590.6(A)(1) to clarify that listed cord sets or devices incorporating listed ground-fault circuit-interrupter protection for personnel identified for portable use shall not be used as a substitute for ground-fault circuit-interrupter protection for personnel provided as an integral part of receptacle outlets that are not a part of the permanent wiring of the building or structure and that are in use by personnel.

The following summarizes the issues surrounding the need for this TIA. The final accepted text in the 2014 NEC is extremely problematic and the following serious concerns are identified:
(1) The text literally permits temporary receptacles to be installed without GFCI protection.
(2) This is in direct violation of OSHA’s requirements in 1926.404(b)(1) and associated interpretations.
(3) Very serious shock hazards are created by permitting temporary receptacles to be installed without GFCI protection.
(4) The cord sets that the text of Section 590.6(A)(1) permit should not take the place of the GFCI protection at the source, since that leaves the extension cord or cable unprotected.
The proposed revision in this TIA corrects these very serious safety concerns while continuing to permit listed ground-fault circuit-interrupter protection for personnel identified for portable use in addition to the required GFCI protection in the receptacle.

Since the TIA failed the ballot of the Correlating Committee on emergency nature, I would like to address the explanations of those who voted to disagree.

Brunssen states “the current text of the 590.6(A)(1) accomplishes the Panel’s objective, i.e., to grant relief to existing generators by permitting the use of GFCI-equipped cords or other devices.” This implies that the cords or other devices could be used in lieu of GFCI protection in the receptacles. This was not the panel’s objective. He also states, “the text as proposed in TIA 1133 is unnecessary and could be interpreted as requiring both GFCI outlets on the generator and GFCI-equipped cords or other devices.” Actually, one of the reasons for the TIA is to eliminate the possibility of this interpretation.

Drake states “the proposed TIA attempts to clarify wording, but does not fit into the qualifications for being of an emergency nature. There certainly was no error or omission because, as the submitter notes, a panel member brought up the concerns to the committee at both the comment and proposal stages.” There is certainly an error in text because it allows for a misinterpretation of the requirements which could result in a serious safety issue. He also states “at best it might be interpreted as lessening “a continuing dangerous condition,” but that argument falls back into whether the words are truly being misinterpreted.” It has been proven by example that the words can be misinterpreted. He concludes by saying “adopting the TIA does no harm, but it is a slippery slope if we use the TIA process to make the Code clearer.” The TIA process has been used many times to clarify the code in order to avoid a misinterpretation that could result in creating a known hazard or a continuing dangerous condition or situation.

Hittinger states “I would have to agree with the comments submitted by Mr. Drake. The TIA is being sought to clarify wording that was considered by the technical committee and is part of the ROP and ROC public record. In both meetings the issue was addressed and acknowledged that listed portable cord sets are permitted but only after GFCI protection is provided at the temporary outlet.” The ROP and ROC are documents which do not govern the installation of electrical equipment and are not used to determine the requirements for temporary electrical installations. The focus of this issue is NEC and the words of the NEC do not send a clear message that listed portable cord sets are permitted, but only after GFCI protection is provided at the temporary outlet.

In my opinion, a substantial case has not been made to rebuff the emergency nature of this TIA.
Relief: I respectfully request the Standards Council to Issue TIA 1133

Hearing: No hearing on this appeal is requested.

Respectfully,

John R. Kovacik
Principal Engineer
Distinguished Member of Technical Staff
UL LLC
Office 847-664-2972
Cell 847-224-9821
Fax 847-664-2972
Email john.r.kovacik@ul.com
NFPA 70®-2014  
National Electrical Code®  
TIA Log No. 1151  
Reference: 520.45  
Comment Closing Date: June 20, 2014  
Submitter: Ken Vannice, Rep. US Institute for Theatre Technology

1. Revise 520.45 to read as follows:

520.45 Receptacles. Receptacles for electrical equipment on stages shall be rated in amperes. Conductors supplying receptacles shall be in accordance with Articles 310 and 400. Section 406.15 shall not apply.

Submitter’s Substantiation: New section 406.15 reads as follows:

406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.

In Article 520 venues, receptacles may be connected to dimmers, relays, or directly to an overcurrent protective device without control, depending on the needs of a particular production. In a modern theatrical lighting system, the configuration of a receptacle (dimmed, switched, or constant power) may even be determined by the configuration settings of the control system feeding the receptacle. In addition, a theatre uses many different types of “standard” NEMA or ANSI/PLASA configuration receptacles in the same facility. These might include stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles. Any or all of these configuration types may be controlled by a dimmer.

Personnel operating a theatre are trained in the management of dimmed, switched, and constant-power circuits and receptacles. This has been the practice for many years, and there is no record of loss to warrant applying the general-purpose restriction of section 406.15 to the Special Occupancies of Article 520. In addition, the example in the substantiation for Proposal 18-53 for new 406.15 also may also be a misapplication of product—the rope light luminaire and/or the dimmer (there are different types of dimmers for different types of loads) and a possible violation of installation and use per listing and instructions requirements of 110.3(B). Trained personnel in Article 520 venues are aware of these factors and address them in their regular duties.

It is clear that section 406.15 did not receive adequate review from those familiar with standard operating practices in Article 520 venues. Unfortunately, the conflict between the general-purpose restriction of section 406.15 and theatre dimming systems of article 520 was not picked up by the Correlating Committee, and thus CMP 15 was never asked to review the actions of CMP 18 on section 406.15. This seems unusual, since Article 520 venues contain perhaps the largest number of receptacles fed by dimmers of any occupancy covered by the NEC.

In another section 404.14(E), relating to restrictions on loads that may be connected to general purpose dimmer switches, the NEC Handbook acknowledges that the restrictions of 404.14(E) do not apply to theatre dimmers, as follows:

General-use dimmers are not permitted to control receptacles or cord-and-plug-connected table and floor lamps. If a dimmer evaluated only for the control of incandescent luminaires is used, the potential for connecting incompatible equipment such as a cord-and- plug-connected motor-operated appliance or a portable fluorescent lamp is increased by using the dimmer to control a receptacle. Section 404.14(E) does not apply to commercial dimmers or theater dimmers that can be used for fluorescent lighting and portable lighting.
No similar exemption for theatre dimmers to new section 406.15 exists in the Code or the Handbook. As such, the proposed additional wording of the TIA for section 520.45 is needed.

**Emergency Nature:** This proposed TIA is of an emergency nature because the insertion of section 406.15 is clearly covered by section 5.3(f) of the *Regulations Governing Committee Projects*:

(f) The proposed TIA intends to correct a circumstance in which the revised document has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process, or was without adequate technical (safety) justification for the action.

Without the wording of the TIA, new section 406.15 will have a material and costly effect on construction, renovation, and operating practice in all article 520 venues that is not warranted by any documented safety problem.
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 (**Correlation Issues**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **9**.

\[
[11 \text{ (eligible to vote)} - 0 \text{ (not returned)} - 0 \text{ (abstentions)} = 11 	imes 0.75 = 8.25]
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
[11 \text{ eligible} ÷ 2 = 5.5 = 6 \text{ (this is the simple majority)}]
\]

**CC FINAL** Ballot results for **Correlation Issues** are as follows:

<table>
<thead>
<tr>
<th>Agree</th>
<th>10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disagree (Fiske)</td>
<td>1</td>
</tr>
<tr>
<td>Abstentions</td>
<td>0</td>
</tr>
</tbody>
</table>

**FINAL ACTION: PASS**

**CC FINAL** Ballot results for **Emergency Nature** are as follows:

<table>
<thead>
<tr>
<th>Agree</th>
<th>9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disagree (Fiske, Saporita)</td>
<td>2</td>
</tr>
<tr>
<td>Abstentions</td>
<td>0</td>
</tr>
</tbody>
</table>

**FINAL ACTION: PASS**

*Final NEC-P15 Ballots are on the next page*
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 *(Technical Merit)* and Question 2 *(Emergency Nature).*

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **12.**

\[
18 \text{ (eligible to vote)} - 2 \text{ (not returned)} - 0 \text{ (abstentions)} = 16 \times 0.75 = 12
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
18 \text{ eligible} ÷ 2 = 9 + 1 = 10 \text{ (this is the simple majority)}
\]

---

**18** Eligible to Vote  
**2** Not Returned (DuPriest, Shelly)

**TC FINAL** Ballot results for *Technical Merit* are as follows:  
15 Agree  
1 Disagree (Rock)  
0 Abstentions

**FINAL ACTION: PASS**

**TC FINAL** Ballot results for *Emergency Nature* are as follows:  
15 Agree  
1 Disagree (Rock)  
0 Abstentions

**FINAL ACTION: PASS**
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1151
To Revise 520.45 of the 2014 edition of NFPA 70, National Electrical Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

_________ AGREE ______X_______ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

The proposed TIA creates a correlation issue among Articles 406, 518 and 520. The scope of Article 520, as stated in 520.1, is broad, encompassing spaces “designed or used for presentation, dramatic, musical, motion picture, or similar purposes ...”. Including “or used” in 520.1 means that the purposes identified in the section don’t have to be primary or even secondary uses of the space.

A place of assembly that is occasionally used for performances, even though not designed as performance space, would be permitted to have an unlimited number of dimmer-controlled receptacles if this TIA were accepted as written.

The reality is that, by adding 406.15 to NEC 2014, CMP-18 created a correlation issue between Articles 406 and 520. Unfortunately, the proposed TIA not only fails to solve the problem, it exacerbates it.

A TIA to delete 406.15 might be better, as it would give Panels 15 and 18, and the Correlating Committee a chance to align requirements in NEC 2017. As of this writing, no TIA of that nature has been proposed.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_________ AGREE ______X_______ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

Given that accepting the submitter’s added text would exacerbate an existing problem, there is absolutely no urgency whatever for adopting the TIA.

__________________________
__________________________

__________________________
W. T. Wisbe

Signature

August 5, 2014
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1151
To Revise 520.45 of the 2014 edition of
NFPA 70, National Electrical Code

**Question 1:** I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

[ ] AGREE   [ ] DISAGREE*   [ ] ABSTAIN*

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.


**Question 2:** I agree that the subject of this TIA is of an EMERGENCY NATURE.

[ ] AGREE   [X] DISAGREE*   [ ] ABSTAIN*

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

**SEE BALLOT FROM BRIAN ROCK (CM P15)**

[Signature]
VINCENT Saporita

Name (Please Print)
6/16/14

Date

**Ballots are due no later than June 17, 2014**

**PLEASE RETURN TO:**
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

**FAX:** (617) 984-7070  **E-mail:** kshea@nfpa.org
Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 520.45

_________ AGREE  _______ X _______ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

See attached.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE  _______ X _______ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The Submitter’s Substantiation for “Emergency Nature” is unconvincing, given the complete absence of Comments to Proposal 18-53 during the last Code cycle, with regard to Section 5.3(f) of the Regulations Governing Committee Projects. In accordance with NEC® 90.4 third paragraph, the AHJ already has adequate enforcement discretion in specific NEW installations, without granting NEC® Article 520 installations unconditional exemption to NEC® 406.15 that could compromise safety if such dimmer-controlled general-use receptacle outlets are accessible to untrained personnel and the general public. NEC® 80.9(B) and 80.9(C) preclude retroactive application of the new NEC® 406.15 requirement to existing NEC® Article 520 installations. This matter therefore does not constitute an emergency.

________________________
Signature

Brian E. Rock
Name

May 16, 2014
Date

Please return the ballot to kshea@nfpa.org no later than May 22, 2014.
2014 *NEC® 406.15* was added by Inspection Bureau Inc’s Proposal 18-53 (Log # 469) and, as reworded by CMP-18’s ROP Panel Action, received no Comments whatsoever during the last *Code* cycle.

The TIA Submitter’s Substantiation extrapolates requirements of *NEC® 404.14(E)* but that Section speaks only to use of “GENERAL-USE dimmer switches” with “permanently installed incandescent luminaires” and includes allowances for GENERAL-USE dimmers listed for “other loads”. Contrary to the Submitter’s Substantiation, *NEC® 404.14(E)* does not explicitly address NON-general use dimmers specifically controlling CORD-AND-PLUG-CONNECTED LOADS, such as THEATRICAL dimmers controlling GENERAL-USE CONFIGURATION receptacles; indeed, *NEC® 404.14(E)* is silent on NON-general use theatrical dimmers. Rather, it is *NEC® 404.14(F)*, unmentioned in the Submitter’s Substantiation, that addresses snap switch control (including dimmers) of cord-and-plug-connected loads.

The *NEC® Handbook* regarding *NEC® 404.14(E)* does correctly identify the safety concern that GENERAL-USE dimmers intended only for incandescent luminaires might be used with motor loads or fluorescent ballast loads. Such misapplication can result in overheating of the windings in motors, transformers, and fluorescent ballasts. Indeed, with the greatly diminishing usage of incandescent lighting sources and the increased usage of non-incandescent portable lighting, the 2014 addition of *NEC® 406.15* closes any ambiguity regarding whether an AC wave-chopping dimmer can supply GENERAL-USE CONFIGURATION receptacles, to the benefit of public safety. In the absence of mandatory restriction of access to GENERAL-USE CONFIGURATION receptacles controlled by a dimmer and the absence of any identification of that receptacle only for incandescent usage, the likelihood of incidental untrained connection of an unsuitable load is relatively greater.

As proposed, NEMA disagrees with portions of the Technical Merits but would be receptive to submittal of a new TIA with suitable changes to address the following concerns.

- **Lack of Mandatory Restricted Access from the General Public**

The proposed TIA No. 1151 introduces permissive language that does not draw distinction between areas accessed by trained personnel and the general public. Contrary to the Submitter’s Substantiation regarding personnel “trained in the management of dimmed, switched, and constant-powered circuits and receptacles”, *NEC® Article 520* encompasses not only areas with access limited to theater personnel, but also “Audience Areas” and “Performance Areas”, which may be temporarily established, in areas fully accessible to untrained personnel and the general public. Although *NEC® Article 520* does restrict indoor-use portable equipment in outdoor applications by explicit requirements in *NEC® 520.10* mandating “the equipment is supervised while energized and barriered from the general public”, such restrictions do not apply to indoor public-area applications nor to fixed equipment and outdoor-use portable equipment in outdoor public-area applications.

Furthermore, by *NEC® 520.62(B)* reference to *NEC® 520.45*, this lack of mandatory controlled access could extend exposure of such general-use receptacle supplied by specific-
purpose dimmers to yet other public areas. Similarly, NEC® 520.23 (“Control and Overcurrent Protection of Receptacle Circuits”) effectively permits a “stage switchboard [that] contains dimmers to control nonstage lighting” that may be cord-and-plug connected by general-use receptacle outlets accessible to untrained personnel.

While the existing sentences in NEC® 520.45 are explicitly specific to receptacles “on stages” (and their supply conductors), neither the title of NEC® 520.45 nor the proposed added sentence are similarly specific as to locations within the scope of NEC® Article 520 including those locations accessible to untrained personnel.

- Duty-To-Warn

2014 NEC® 406.15 includes a key safety attribute, missing from the proposed TIA, for receptacles used in conjunction with dimmers: IDENTIFICATION of intended purpose and limited operating conditions of the receptacle outlet, fulfilling DUTY-TO-WARN.

If a receptacle having a specific-purpose configuration per 2014 NEC® 406.15 must be so identified, why then would a GENERAL-USE CONFIGURATION receptacle being reassigned to limited operating conditions per this TIA NOT be similarly identified, to warn users of dangers and risks?

While NEMA is opposed to safety risks introduced by the oversimplified proposed wording in TIA No. 1151, NEMA does recognized the value of theater personnel who are trained in management of dimmed, switched and constant-power circuits and receptacles in existing practice, provided the aforementioned concerns are addressed. Consequently, NEMA would be receptive to consideration of submittal of a new TIA and/or a Public Input to 2017 NEC® that:

- revises NEC® 520.45 to read as follows:

  520.45 Receptacles. Receptacles for electrical equipment on stages shall be rated in amperes. Conductors supplying receptacles shall be in accordance with Articles 310 and 400. Receptacle outlets that have general-use connection configurations shall be permitted to be supplied by theatrical dimmers to control lighting loads provided that:
  
  (1) the markings “DIMMER-CONTROLLED” and “NOT FOR MOTOR, TRANSFORMER OR BALLAST LOADS” shall be located on or immediately adjacent to the receptacle, or on its cover plate; and,
  
  (2) the receptacle shall be supervised by qualified personnel while energized and barriered from the general public.

- removes from the Substantiation references to NEC® 404.14(E) for GENERAL-USE dimmers, as such references are misleading and extraneous to those considering proposed receptacle outlet requirements.
I could not agree more with Ken Vance's assertion: "It is clear that section 406.15 did not receive adequate review from those familiar with standard operating practices in Article 520 [and 530] venues."

In our industry, which is covered by Article 520 and 530, exemptions are permitted regarding wire types (520.44 C), over current protection (520.52) and conductor ampacity (520.68 B). These existing exemptions address the specific use case of article 520 and 530 venues, and are acceptable because they apply to non-residential work place environments where they are applied by trained personnel. This is also the case with the exemptions proposed in TIA's 1151 and 1152.

In article 520 and 530 venues, there are different types of dimmers for different types of loads, and both the dimmers and the loads are adjusted and replaced as a matter of routine in the daily operation of these systems. These trained personnel in article 520 and 530 venues are aware of these factors, and are constantly monitoring and addressing them in their regular duties. In this environment, where these systems are under constant management from trained personnel, 406.15 should not apply. I fully support TIA 1151 and 1152 and see it as imperative to the entertainment industry that they be approved and ratified.

Should these TIA's not be ratified, the section 406.15 will have substantial and material negative impacts on article 520 and 530 venues, without providing any safety benefits to such venues.

Thank you for your time and consideration,

Casey Diers
Systems Design and Integration
DesignLab Chicago
Member of PLASA Electrical Power Working Group
P: (773) 285-1100
D: (773) 242-2178
F: (773) 285-0800
I support the adoption of TIA 1151 and TIA 1152. As Mr. Vannice writes, without the wording of the TIA, the new section 406.15 will have a material and costly effect on construction, renovation, and operating practice in all article 520 venues. The additional expenses and operational difficulties that 406.15 will create for people working in article 520 and article 530 venues are not warranted by any documented safety problem.

It was a mistake to have adopted the new section 406.15 without an exception for those venues. The TIAs will rectify the mistake.

Best regards,
Karl G Ruling
Technical Standards Manager
Senior Technical Editor, Protocol

PLASA
630 Ninth Avenue, Suite 609
New York, NY 10036 USA
1-212-244-1505
I am writing in support of TIAs No. 1151 and 1152 as they apply to the proposed 2014 NEC, new Section 406.15.

It appears the intent of the addition was to address circumstances found primarily in residential or commercial settings where equipment or loads not intended to be powered though a dimmed circuit could be connected and present a safety hazard.

In theatrical and studio production lighting systems, many times the “dimmer” may actually be a relay circuit controlled by the system’s control circuitry that can provide either constant power or dimmed power to a traditional incandescent or newer LED/Solid State theatrical luminaire. As is noted in both TIA’s, theatrical equipment, power receptacles and connectors for stage or studio use are specialized and also have to meet other use requirements and standards.

As is also noted in both TIA’s, implementation of the new Section 405.16 would have unintended deleterious effects on the design, manufacture, installation, inspection, and use of theatrical and studio lighting systems where no known safety issues exist to warrant compliance with Section 406.15.

Therefore we agree that an exception should be made for theatrical and studio production lighting systems, and that the requirements of the new Section 406.15 should not apply to current Sections 520.45 and 530.21.

Thank you for your kind attention to this important issue and for the opportunity to comment.

Peter Scheu, ASTC

Schue Consulting Services, Inc.
Theatre Consulting
113 Woodberry Lane
Fayetteville, NY 13066
Tel: 315.214.4564
www.scheuconsulting.com

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Do you really need to print this e-mail?
We strongly recommend adoption of TIA 1151 and 1152.

Clearly 406.15 was written to address public locations such as homes or public areas of businesses where users are not necessarily trained to use the systems in these buildings. In these locations the inadvertent connection of a device not designed for a phase controlled or otherwise dimmed feed is both possible and potentially hazardous.

In contrast in a theatre dimmed power distribution has been a fact for nearly a century and personnel who are trained in the use of this type of facilities.

Mr Vannice has clearly demonstrated that 406.15 has unintended consequences and therefore requires clarification.

Curtis Kasefang  
Theatre Consultants Collaborative, Inc.

519 Polk Street  
Raleigh, NC 27604  
T 919.929.7443 x103  
T 919.546.0288 direct  
F 866.279.2937  
ckasefang@theatrecc.com  
www.theatrecc.com
This is an important Temporary Interim Amendment. Application of section 406.15 would cause undue confusion and limitations in theatres. Theatre personnel are already trained to ensure that equipment matches receptacles and power safely. The fact that modern dimming systems may be configured in several ways allows for the use of various types of equipment without presenting dangers to the equipment or the operators. It would be highly detrimental to apply 406.15 to theatres and might even make them less safe.

--

Noemi Ybarra
Lighting Specialist
Office: 765.423.1123
Cell: 765.430.4309
www.jonesphillips.com
Sir/Madam:

I write in support of the above referenced TIA and wish to offer my comments both as a working professional in the field as well as an ETCP / PLASA certified trainer in entertainment lighting.

Within the parameters of temporary lighting associated with article 520, it is extremely common to procure lighting and other electrical from rental houses. Standard approved connectors are [mostly] in place after years of incompatibility and we have devised a method of identification that is workable.

Most importantly, many existing dimming systems are configurable as non-dim circuits and provide power in temporary fashion to rented devices not normally associated with dimmers but located where dimming circuits are the logical available power source.

Manufacturers are keenly aware of the need to swap dimming circuits for non dimming ones. There are installations throughout the industry that specifically include modular and movable 'non dim' cartridges in order to provide constant power.

Last week, I used this very method to provide constant power to a number of LED ellipsoidal fixtures that were rented for a one week period. If the existing power source from dimming had been excluded, many hundreds of feet of extension cords would have been the alternative with all the safety concerns associated with dancers walking over, around and through cabling in the dark. Data can be broadcast wirelessly so as to avoid these problems.

There are unfortunately no wireless options for power.

Mandating nonstandard receptacles for such locations would require adapters and other items that are presently unnecessary, unavailable and potentially hazardous. Please allow for our unique needs.

Regards,

Rick Crum

cell: 808.782.5540
rickcrum@gmail.com
May 12, 2014

Ms. Dawn Bellis,
Secretary – Standards Council
National Fire Protection Association (NFPA)
Post Office Box 9101
Quincy, Massachusetts 02269-9101

SUBJECT: Proposed TIA No. 1151 to NEC® 520.45: Submitter Substantiation misuse of Hubbell Incorporated's registered trademark “Twist-Lock®”

Dear Ms. Bellis,

In the Submitter’s Substantiation to Proposed TIA No. 1151, Mr. Vannice includes the following statement:

“These might include stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles.”

Twist-Lock® is a registered trademark of Hubbell Incorporated for Hubbell’s locking-type receptacles, plugs, connectors, inlets, cord sets, street lighting photocells, etc. It is a violation of our trademark registration for this Submitter’s Substantiation to use this trademark generically to represent any and all manufacturers’ locking-type receptacles.

I provide this comment to this Proposed TIA No. 1151 as an individual NFPA member representing Hubbell Incorporated. This comment is separate from any comment or position I submit later on the Technical Merits or Emergency Nature as NEMA’s Principal Representative to NEC® Code-Making Panel 15.

Best regards,

[Signature]

Brian E. Rock
Engineering Manager – Standards and Certification
Hubbell Incorporated
Nancy and Linda

This is fully acceptable. So long as my Comments and NFPA’s acknowledgement are included as part of the published record with the Submitter’s Substantiations, we and NFPA have preserved Hubbell’s trademark’s ownership integrity despite the Submitter’s generic misuse of our registered trademark, and we have given adequate notice to anyone else trying to cite this particular trademark misuse as a precedent for their own misuse or usurping of Hubbell’s Twist-Lock® trademark.

Thanks and best regards,
Brian

Brian E. Rock
Engineering Manager - Standards & Certification
Hubbell Incorporated, Hubbell Wiring Devices-Kellems

Principal Member - NEC® Code Panel 15 [NEMA]
Member - UL Standard Technical Panels
Member - CSA Technical Subcommittees

e-mail: BROCK@hubbell.com
e-mail: Brian.Rock.electrotechnical@gmail.com [standards & code development only]
phone: +1 475 882 4655
fax: +1 203 783 9407
post: Hubbell Incorporated
40 Waterview Drive
Shelton, Connecticut 06484 USA

From: Walker, Nancy [mailto:nwalker@NFPA.org]
Sent: Thursday, May 15, 2014 12:52 PM
To: Rock, Brian
Subject: RE: Comments on Proposed TIA Nos 1151 and 1152: Submitter’s Substantiations misuses of a registered trademark

Please see the enclosed regarding your comment to TIA 1151 and TIA 1152.

Nancy
nwalker@nfpa.org

From: Bellis, Dawn
Sent: Tuesday, May 13, 2014 10:32 AM
To: Walker, Nancy
Cc: Fuller, Linda
Subject: FW: Comments on Proposed TIA Nos 1151 and 1152: Submitter’s Substantiations misuses of a registered trademark

From: Rock, Brian [mailto:brock@hubbell.com]
Sent: Monday, May 12, 2014 4:10 PM
To: Bellis, Dawn; stds_admin
Cc: Brian Rock; Samojeden, Matt; Oddsen, Dennis; Mulvihill, John
Subject: Comments on Proposed TIA Nos 1151 and 1152: Submitter’s Substantiations misuses of a registered trademark

Dear Ms. Bellis,

Attached are comments to similar Proposed Tentative Interim Amendments Nos. 1151 and 1152. In the Submitter’s Substantiation to each Proposed TIA, Mr. Vannice includes the following statement:

“These might include stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles.”

Twist-Lock® is a registered trademark of Hubbell Incorporated for Hubbell’s locking-type receptacles, plugs, connectors, inlets, cord sets, street lighting photocells, etc. It is a violation of our trademark registration for this Submitter’s Substantiation to use this trademark generically to represent any and all manufacturers’ locking-type receptacles.

I provide these comments to Proposed TIA Nos. 1151 and 1152 as an individual NFPA member representing Hubbell Incorporated. These comments are separate from any comments or positions I submit later on the Technical Merits or Emergency Nature as NEMA’s Principal Representative to NEC® Code-Making Panel 15.

Best regards,

Brian E. Rock
Engineering Manager - Standards & Certification
Hubbell Incorporated, Hubbell Wiring Devices-Kellems

Principal Member - NEC® Code Panel 15 [NEMA]
Member - UL Standard Technical Panels
Member - CSA Technical Subcommittees

e-mail: BROCK@hubbell.com
e-mail: Brian.Rock.electrotechnical@gmail.com [standards & code development only]
phone: +1 475 882 4655
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post: Hubbell Incorporated
40 Waterview Drive
Shelton, Connecticut 06484 USA

Confidentiality Requirement: This communication, including any attachment(s), may contain confidential information and is for the sole use of the intended recipient(s). If you are not the intended recipient, you are hereby notified that you have
August 5, 2014

Supplemental Agenda - Standards Council Meeting August 11-14, 2014

Attachment 14-8-16-c
Page 10 of 18

From: Phil Reilly <displacing_electrons@mac.com>
Sent: Friday, May 16, 2014 9:40 AM
To: TIAas
Subject: Comment on Proposed TIA #1151

> TIAas_Errata_Fls@nfpa.org
> Secretary, Standards Council
> 1 Batterymarch Park, Quincy, MA 02169-7471.
> Dear Standards Council Secretary,
> I am writing in support of TIA # 1151, referencing 520.45 of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 520 venues such as the one where I work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.
> (406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)
> TV studios are a unique "special occupancy" area that differs greatly from other types of offices or work places. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized or used in proximity to these receptacles.
> Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studio and performance areas.
> Furthermore, the professional personnel working in Article 520 venues such as our television studios are trained in the management and use of dimmed, switched, and constant-power circuits and receptacles. WGBH has been operating television studios since 1955 and has no record of loss to warrant applying the general-purpose restriction of section 406.15 to our plant, or for that matter, other Article 520 venues in the United States.
>
> Please consider TIA #1151.
>
> Thank you.
Phil Reilly
35 Chisholm Road
Boston, MA 02131
Phil Reilly <displacing_electrons@mac.com>
From: John Gates <litguy@gmail.com>
Sent: Saturday, May 17, 2014 7:52 AM
To: TIA
Subject: TIA # 1151

Secretary, Standards Council

1 Batterymarch Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA # 1151, referencing 520.45 of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 520 venues, like the many television studios I work at, to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

TV studios are a unique "special occupancy" places that have little in common with other types of work places, like offices and warehouses. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized or used in proximity to these receptacles.

Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the television studio.

Furthermore, the professional personnel working in Article 520 venues, like television and motion picture production studios, are trained in the management and use of dimmed, switched, and constant-power circuits and receptacles. I have not found a record of loss to warrant applying the general-purpose restriction of section 406.15 to Article 520 venues in the United States.

Please consider TIA #1151.

Thank you.
Supplemental Agenda - Standards Council Meeting August 11-14, 2014

From: BRIAN LUKAS <brianlukas@mac.com>
Sent: Wednesday, May 28, 2014 11:40 AM
To: TIAs
Subject: TIA # 1151

TIAs_Errata_Fls@nfpa.org
Secretary, Standards Council
1 Batterymarch Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA # 1151, referencing 520.45 of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 520 venues such as the one where I work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

Theaters and audience areas of motion picture/television studios are a unique "special occupancy" area that differs greatly from other types of offices or work places. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized by or used in proximity to these receptacles.

Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studio and performance areas.

Furthermore, the professional personnel working in Article 520 venues are trained in the management and use of dimmed, switched, and constant-power circuits and receptacles. Theaters and motion picture/television studios have been utilizing the same connectors for dimmed and non-dimmed equipment for several decades and have no record of loss to warrant applying the general-purpose restriction of section 406.15 to Article 520 venues in the United States.

Please consider TIA #1151.

Thank you.
Brian Lukas
brianlukas@mac.com
818 395-1542
RED TORNADO PRODUCTIONS
4149 Camellia Avenue
Studio City, CA 91604
I am writing in support of TIA 1151 due to the negative and likely unintended impact upon theatres and other places of public assembly as covered under Article 520. The recently added section 406.15 materially affects the theatrical lighting and controls industry. Our industry uses a variety of connectors, none of which can fairly be called “nonstandard” for the distribution of dimmed circuits. In my experience there is little or no evidence of loss or damage due to connecting lighting or non-lighting loads to dimmer-controlled circuits. Users of lighting control systems are trained to understand the types of loads that can be connected to each type of circuit. Ken Vannice’s rationale for this TIA is sound and I fully support this action. I further hope that this amendment is added to the next edition of NFPA or 406.15 is modified to exclude venues such as theatres where connecting lighting loads through “standard” connectors is common.

I hope that in future standards work the committee recognizes there are other spaces than Article 520 venues where 406.15 is an issue. Aside from Article 530 venues (covered in TIA 1152), there are other locations where legitimate use of standard connectors for dimmed lighting loads is common; including museums, places of worship, arenas and any place where portable theatrical (cord and plug) lighting may be properly installed and used in a safe manner as part of a lighting design.

Respectfully,

Paul Sanow ASTC
To Whom It May Concern,

With 40 years of experience on the theatre production, 30 years experience as a Theatre Consultant designing theatre technical systems on over 325 projects, and as a member of the US Institute for Theatre Technology, I would like to express my strong support for TIA 1151 and TIA 1152 submitted by Ken Vannice. I would like to also express my agreement with the reasons he listed in his submittal.

Thank you for the opportunity to comment on these important TIAs.

Darrell Ziegler

Darrell Ziegler | ASTC | Associate Principal
Theatre Design Specialist

Westlake Reed Leskosky
One East Camelback Road
Suite 690
Phoenix, AZ 85012

Washington DC | New York | Phoenix | Los Angeles | Cleveland

www.wrldesign.com | Facebook | Twitter | LinkedIn

Architect Magazine 2013; Ranked #3 Overall among U.S. design firms; #5 in Sustainability
June 14, 2014

To: National Electrical Code – Technical Correlating Committee

From: Ken Vannice, CMP-15
Steve Terry, CMP-15
Mitch Hefter, CMP-15

Re: Proposed TIA 1151 – Revision to 520.45
Support for proposed TIA 1151
Specific Response to Brian Rock Explanation of Negative Vote

We would like to provide a response to the Brian Rock explanation of negative vote, as follows:

1. Emergency Nature –

While section 90.4 does allow some latitude for the AHJ to waive specific requirements or allow alternative methods, it does not automatically allow for the exception requested in the TIA. An AHJ who is not familiar with the specifics and unusual environment presented in article 520 venues (we’ve seen instances in the past where Inspectors and even Code Panel members have made completely erroneous interpretations) is less likely to allow a variance to section 406.15 in such an instance.

Section 80.9 is part of Informative Annex H, which means it may or may not be adopted by local municipalities when adopting the rest of the Code. More importantly, as much of the equipment used in 520 venues is portable and can be toured from locale to locale, each use may be considered a new installation and the retroactive application waiver under 80.9(B) may not be applicable. In the same consideration, these touring situations would not fall under 80.4(C) either.

Until the existence of Section 406.15, there was no restriction on application of dimmers to receptacles, so the "unconditional exemption" referred to in the negative comment is misleading. The proposed modification to 520.9 by TIA 1151 simply restores the status quo. There is no record of loss to justify changing the current safe approach in article 520 venues.

2. Technical Nature –

The commenter is correct in identifying the weaknesses in Section 404.15. It is because of this vagueness and the overreach of 406.15 that this TIA was proposed. 406.15 does not allow for the special nature of Article 520 venues.

Section 520.9 allows any receptacle with sufficient voltage and current rating to be used on any circuit for stage set lighting. If desired, a 400A, 600V receptacle may be used on a 20A, 120V circuit. This wording was suggested by the late George Flach, a highly respected electrical inspector and CMP-15 member, during a Panel 15 discussion years ago. With this flexibility comes the responsibility of the trained stage electrician to investigate the source of any receptacle for appropriateness before connecting any load.

Stage dimmers are listed to UL 508 or Subject 334 (a melding of UL 508 and UL 891). Stage dimmers are typically rated “incandescent loads only” or “any AC lighting loads”. “Any AC lighting loads”, in addition to incandescent, includes ballast and transformer loads driving arc, low-voltage incandescent, neon and many other lamps. These types of loads are supported by different software for proper operation. It is the
responsibility of the trained stage electrician to match the appropriate dimmer setup with the connected load at the time of connection.

With respect to the suggestion regarding Mandatory Restricted Access from the General Public – this is what Article 520 does. It is a Special Occurrence that clearly states in the scope its special nature.

Article 520 covers, not only the stage proper, but also the audience area. This is because there are often stage lighting and other loads located in the audience area such as lighting trees, balcony front lighting and follow spot positions. The audience area is under the supervision of the trained stage electrician including protecting it from misuse by others. Some “black box” theatres are just open spaces. Seating areas are created by platforms and seats; the balance of the space being the “stage” area. While we understand concern about dimmed standard receptacles (and what is a standard receptacle is undefined) in areas that may be accessible to the general public, 406.15 is so broad that it also could be applied to the connector strips and borderlights above a stage or in catwalks – certainly not a general public hazard, but a show stopper if these receptacles cannot be dimmed. A key problem with section 406.15 is that the NEC contains no definition of “non-standard receptacle”, leaving this section open to wide misapplication in occupancies where it was never intended to be applied, such as those of article 520. The proposed TIA will correct this problem.

Regarding the “Duty to Warn” comments – the fallacy of the “Duty-to-Warn” as in “identified” language in 406.15 is that the NEC definition of Identified is not the same as marking, which is really what is being asked. Identified (as applied to equipment). Recognizable as suitable for the specific purpose, function, use, environment, application, and so forth, where described in a particular Code requirement.

Informational Note: Some examples of ways to determine suitability of equipment for a specific purpose, environment, or application include investigations by a qualified testing laboratory (listing and labeling), an inspection agency, or other organizations concerned with product evaluation.

As noted above, some dimmers can control motors, transformers, and ballasts under their conditions of listing. Given the above information, the markings suggested in the negative vote are inappropriate. If applied, such markings would always be changing – which would be extremely confusing, considering that the appropriateness of the circuit to supply these loads must always be verified. This method of operation has been the case for many years without incident in article 520 venues.

Respectfully Submitted,

Ken Vannice – Ken Vannice LLC, Principal Representative to CMP-15 for USITT
Steve Terry – Electronic Theatre Controls, Alternate Representative to CMP-15 for USITT
Mitch Hefter – Philips Lighting - Principal Representative to CMP-15 for IES
August 5, 2014

Supplemental Agenda - Standards Council Meeting August 11-14, 2014

Secretary, Standards Council
1 Battery March Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA #1151, referencing 520.45 of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 520 venues such as where IATSE Lighting Technicians work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

Theaters and Audience Areas of Motion Picture/Television Studios are unique special occupancy venues that differ from more traditional work areas such as factories, offices, and warehouses. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized by or used in proximity to these receptacles.

Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studio and performance areas.

406.15 serves a valuable purpose but the nature of the work of the entertainment industry and the constant attention of its' trained and qualified crews makes the rationale behind 406.15 irrelevant to 520 venues. Furthermore, 406.15 would cause a significant negative impact to the efficiency of our industry to resolve an issue that has long been negated by the qualified Entertainment Lighting Technicians who are trained in the management and use of dimmed, switched, and constant power circuits and receptacles.

Please consider TIA #1151.

----------------------------------
Alan M. Rowe
Safety & Training Director, IATSE Local 728
Chairman, IATSE Crafts Advancement Program
Co-Chair ETCP Entertainment Electrician SMEs
1001 W. Magnolia Blvd
Burbank, CA 91506
(818) 954-0728
Supplemental Agenda - Standards Council Meeting August 11-14, 2014

August 5, 2014

Walker, Nancy

From: Roger Lattin <rlattin@ca.rr.com>
Sent: Friday, June 20, 2014 2:20 AM
To: TIA # 1151
Subject: 

Secretary, Standards Council
1 Batterymarch Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA # 1151, referencing 520.45 of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 520 venues such as the one where I work, to be exempt from new section 408.15, which calls for "nonstandard" connectors for use on dimmed circuits. Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studio and performance areas.

(408.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

Theaters and audience areas of motion picture/television studios are a unique "special occupancy" area that differs greatly from other types of "normal" offices or work places. Receptacles used to "dim" lighting instruments are well marked and documented for and by the qualified personnel involved with the activities that take place in these special occupancies. The "non-dim" receptacles are also well marked and documented by the qualified personnel on the other sections of our portable power distribution systems.

Theaters and motion picture/television studios have been utilizing the same connectors for dimmed and non-dimmed equipment for several decades and have no record of loss to warrant applying the general-purpose restriction of section 406.15 to Article 520 venues in the United States. In my 30 plus years of experience with the entertainment industries I do not recall any incidents with equipment miss patched (plugged) causing damage or injury to either personnel or property because of "normal equipment" being utilized on a "dimmed" circuit.

Please consider TIA #1151.

Our local has hosted several "back stage" tours for code panel 15 and other code panel members when you hold your meetings in Southern California. When you are in the area please feel free to contact me for a visit to these types of facilities they are really rather unique types of venues!

Thank you.

Roger Lattin
Studio Set Lighting Technician
IATSE Local 728
ETCP Certified Stage Electrician
NFPA Member
rlattin@ca.rr.com
Cell (818) 681-2542
Item 14-8-17
Revise 530.21(A) to read as follows:

**530.21 Plugs and Receptacles.**
(A) Rating. Plugs and receptacles, including cord connectors and flanged surface devices, shall be rated in amperes. The voltage rating of the plugs and receptacles shall be not less than the nominal circuit voltage. Plug and receptacle ampere ratings for ac circuits shall not be less than the feeder or branch-circuit overcurrent device ampere rating. Table 210.21(B)(2) shall not apply. Section 406.15 shall not apply.

**Submitter’s Substantiation:** New section 406.15 reads as follows:

**406.15 Dimmer-Controlled Receptacles.** A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.

In Article 530 venues, receptacles may be connected to dimmers, relays, or directly to an overcurrent protective device without control, depending on the needs of a particular production. In a modern lighting system, the configuration of a receptacle (dimmed, switched, or constant power) may even be determined by the configuration settings of the control system feeding the receptacle. In addition, a studio uses many different types of “standard” NEMA or ANSI/PLASA configuration receptacles in the same facility. These might include stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles. Any or all of these configuration types may be controlled by a dimmer.

Personnel operating a studio are trained in the management of dimmed, switched, and constant-power circuits and receptacles. This has been the practice for many years, and there is no record of loss to warrant applying the general-purpose restriction of section 406.15 to the Special Occupancies of Article 530. In addition, the example in the substantiation for Proposal 18-53 for new 406.15 also may also be a misapplication of product - the rope light luminaire and/or the dimmer (there are different types of dimmers for different types of loads) and a possible violation of installation and use per listing and instructions requirements of 110.3(B). Trained personnel in Article 530 venues are aware of these factors and address them in their regular duties.

It is clear that section 406.15 did not receive adequate review from those familiar with standard operating practices in Article 530 venues. Unfortunately, the conflict between the general-purpose restriction of section 406.15 and studio dimming systems of article 530 was not picked up by the Correlating Committee, and thus CMP 15 was never asked to review the actions of CMP 18 on section 406.15. This seems unusual, since Article 530 venues contain large numbers of receptacles fed by dimmers.

In another section 404.14(E), relating to restrictions on loads that may be connected to general purpose dimmer switches, the NEC Handbook acknowledges that the restrictions of 404.14(E) do not apply to theatre dimmers (often used in article 530 venues), as follows:

General-use dimmers are not permitted to control receptacles or cord-and-plug-connected table and floor lamps. If a dimmer evaluated only for the control of incandescent luminaires is used, the potential for connecting incompatible equipment such as a cord-and- plug-connected motor-operated appliance or a portable fluorescent...
lamp is increased by using the dimmer to control a receptacle. Section 404.14(E) does not regulate commercial
dimmers or theater dimmers that can be used for fluorescent lighting and portable lighting.

No similar exemption for studio dimmers to new section 406.15 exists in the Code or the Handbook. As such,
the proposed additional wording of the TIA for section 530.21(A) is needed.

**Emergency Nature:** This proposed TIA is of an emergency nature because the insertion of section 406.15 is
clearly covered by section 5.3(f) of the *Regulations Governing Committee Projects*:

(f) The proposed TIA intends to correct a circumstance in which the revised document has resulted in an
adverse impact on a product or method that was inadvertently overlooked in the total revision process, or was
without adequate technical (safety) justification for the action.

Without the wording of the TIA, new section 406.15 will have a material and costly effect on construction,
renovation, and operating practice in all article 530 venues that is not warranted by any documented safety
problem.
TIA 70®-2014
NFPA 70®, National Electrical Code®
Reference: 530.21(A)
(TIA Log 1152)

Comment Closing: 6/20/2014
16 Public Comments Received

TIA FINAL CC BALLOT RESULTS

According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Correlation Issues) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 9.

\[11 \text{ (eligible to vote)} - 0 \text{ (not returned)} - 0 \text{ (abstentions)} = 11 \times 0.75 = 8.25\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[11 \text{ eligible } \div 2 = 5.5 = 6 \text{ (this is the simple majority)}\]

11 Eligible to Vote
0 Not Returned

CC FINAL Ballot results for Correlation Issues are as follows:
11 Agree
0 Disagree
0 Abstentions

FINAL ACTION: PASS

CC FINAL Ballot results for Emergency Nature are as follows:
10 Agree
1 Disagree (Saporita)
0 Abstentions

FINAL ACTION: PASS

Final NEC-P15 Ballots are on the next page
According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 12.

\[18 \text{ (eligible to vote)} - 2 \text{ (not returned)} - 0 \text{ (abstentions)} = 16 \times 0.75 = 12\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[18 \text{ eligible} \div 2 = 9 + 1 = 10 \text{ (this is the simple majority)}\]

18 Eligible to Vote
2 Not Returned (DuPriest, Shelly)

TC FINAL Ballot results for Technical Merit are as follows:
15 Agree
1 Disagree (Rock)
0 Abstentions

FINAL ACTION: PASS

TC FINAL Ballot results for Emergency Nature are as follows:
15 Agree
1 Disagree (Rock)
0 Abstentions

FINAL ACTION: PASS
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1152
To Revise 530.21(A) of the 2014 edition of
NFPA 70, National Electrical Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

X AGREE           DISAGREE*       ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.


Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

X AGREE           DISAGREE*       ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

SEE BALLOT FROM BRIAN ROCK (EMP15)

Signature
VINCENT SAPORITA
Name (Please Print)

Date
5/14/14

Ballots are due no later than June 17, 2014

PLEASE RETURN TO:
Kim Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070  E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1152
To Revise 530.21(A) of the 2014 Edition of NFPA 70,
National Electrical Code®

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise 530.21(A)

_________ AGREE  ________X____ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
   See attached.

________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE  ________X____ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The Submitter’s Substantiation for “Emergency Nature” is unconvincing, given the complete absence of Comments to Proposal 18-53 during the last Code cycle, with regard to Section 5.3(f) of the Regulations Governing Committee Projects. In accordance with NEC® 90.4 third paragraph, the AHJ already has adequate enforcement discretion in specific NEW installations, without granting NEC® Article 530 installations unconditional exemption to NEC® 406.15 that could compromise safety if such dimmer-controlled general-use receptacle outlets are accessible to untrained personnel and the general public. NEC® 80.9(B) and 80.9(C) preclude retroactive application of the new NEC® 406.15 requirement to existing NEC® Article 530 installations. This matter therefore does not constitute an emergency.

Signature

Brian E. Rock

Name

May 16, 2014

Date

Please return the ballot to kshea@nfpa.org no later than May 22, 2014.
Question 1 “TECHNICAL MERITS” EXPLANATION OF NEGATIVE VOTE - Please type or print your comments:

2014 NEC® 406.15 was added by Inspection Bureau Inc’s Proposal 18-53 (Log # 469) and, as reworded by CMP-18’s ROP Panel Action, received no Comments whatsoever during the last Code cycle.

The TIA Submitter’s Substantiation extrapolates requirements of NEC® 404.14(E) but that Section speaks only to use of “GENERAL-USE dimmer switches” with “permanently installed incandescent luminaires” and includes allowances for GENERAL-USE dimmers listed for “other loads”. Contrary to the Submitter’s Substantiation, NEC® 404.14(E) does not explicitly address NON-general use dimmers specifically controlling CORD-AND-PLUG-CONNECTED LOADS, such as THEATRICAL dimmers (often used in NEC® Article 530 venues) controlling GENERAL-USE CONFIGURATION receptacles; indeed, NEC® 404.14(E) is silent on NON-general use theatrical dimmers. Rather, it is NEC® 404.14(F), unmentioned in the Submitter’s Substantiation, that addresses snap switch control (including dimmers) of cord-and-plug-connected loads.

The NEC® Handbook regarding NEC® 404.14(E) does correctly identify the safety concern that GENERAL-USE dimmers intended only for incandescent luminaires might be used with motor loads or fluorescent ballast loads. Such misapplication can result in overheating of the windings in motors, transformers, and fluorescent ballasts. Indeed, with the greatly diminishing usage of incandescent lighting sources and the increased usage of non-incandescent portable lighting, the 2014 addition of NEC® 406.15 closes any ambiguity regarding whether an AC wave-chopping dimmer can supply GENERAL-USE CONFIGURATION receptacles, to the benefit of public safety. In the absence of mandatory restriction of access to GENERAL-USE CONFIGURATION receptacles controlled by a dimmer and the absence of any identification of that receptacle only for incandescent usage, the likelihood of incidental untrained connection of an unsuitable load is relatively greater.

As proposed, NEMA disagrees with portions of the Technical Merits but would be receptive to submittal of a new TIA with suitable changes to address the following concerns.

• Lack of Mandatory Restricted Access from the General Public

The proposed TIA No. 1152 introduces permissive language that does not draw distinction between areas accessed by trained personnel and the general public. Contrary to the Submitter’s Substantiation regarding personnel “trained in the management of dimmed, switched, and constant-powered circuits and receptacles”, NEC® Article 530 encompasses not only areas with access limited to studio personnel but, given the propensity of studio tours to be used as amusement attractions and studios to be combined with amusement parks, also areas accessible to untrained personnel and the general public. Although NEC® Article 530 does restrict portable equipment in outdoor applications by explicit requirements in NEC® 530.6 mandating “the equipment is supervised while energized and barred from the general public”, such restrictions do not apply to indoor public-area applications nor to fixed equipment in outdoor public-area applications.
• **Duty-To-Warn**

2014 *NEC®* 406.15 includes a key safety attribute, missing from the proposed TIA, for receptacles used in conjunction with dimmers: IDENTIFICATION of intended purpose and limited operating conditions of the receptacle outlet, fulfilling DUTY-TO-WARN.

If a receptacle having a specific-purpose configuration per 2014 *NEC®* 406.15 must be so identified, why then would a GENERAL-USE CONFIGURATION receptacle being reassigned to limited operating conditions per this TIA NOT be similarly identified, to warn users of dangers and risks?

While NEMA is opposed to safety risks introduced by the oversimplified proposed wording in TIA No. 1152, NEMA does recognize the value of studio personnel who are trained in management of dimmed, switched and constant-power circuits and receptacles in existing practice, provided the aforementioned concerns are addressed. Consequently, NEMA would be receptive to consideration of submittal of a new TIA and/or a Public Input to 2017 *NEC®* that:

• revises *NEC®* 530.21(A) to read as follows:

  530.21 Plugs and Receptacles.

  (A) Rating. Plugs and receptacles, including cord connectors and flanged surface devices, shall be rated in amperes. The voltage rating of the plugs and receptacles shall be not less than the nominal circuit voltage. Plug and receptacle ampere ratings for ac circuits shall not be less than the feeder or branch-circuit overcurrent device ampere rating. Table 210.21(B)(2) shall not apply. Receptacle outlets that have general-use connection configurations shall be permitted to be supplied by theatrical dimmers to control lighting loads provided that:

  (1) the markings “DIMMER-CONTROLLED” and “NOT FOR MOTOR, TRANSFORMER OR BALLAST LOADS” shall be located on or immediately adjacent to the receptacle, or on its cover plate; and,

  (2) the receptacle is supervised by qualified personnel while energized and barred from the general public.

• removes from the Substantiation references to *NEC®* 404.14(E) for GENERAL-USE dimmers, as such references are misleading and extraneous to those considering proposed receptacle outlet requirements.
I could not agree more with Ken Vance's assertion: "It is clear that section 406.15 did not receive adequate review from those familiar with standard operating practices in Article 520 [and 530] venues."

In our industry, which is covered by Article 520 and 530, exemptions are permitted regarding wire types (520.44 C), over current protection (520.62) and conductor ampacity (520.68 B). These existing exemptions address the specific use case of article 520 and 530 venues, and are acceptable because they apply to non-residential work place environments where they are applied by trained personnel. This is also the case with the exemptions proposed in TIAs 1151 and 1152.

In article 520 and 530 venues, there are different types of dimmers for different types of loads, and both the dimmers and the loads are adjusted and replaced as a matter of routine in the daily operation of these systems. These trained personnel in article 520 and 530 venues are aware of these factors, and are constantly monitoring and addressing them in their regular duties. In this environment, where these systems are under constant management from trained personnel, 406.15 should not apply. I fully support TIA 1151 and 1152 and see it as imperative to the entertainment industry that they be approved and ratified.

Should these TIAs not be ratified, the section 406.15 will have substantial and material negative impacts on article 520 and 530 venues, without providing any safety benefits to such venues.

Thank you for your time and consideration,

Casey Diers
Systems Design and Integration
DesignLab Chicago
Member of PLASA Electrical Power Working Group
P: (773) 265-1100
D: (773) 242-2175
F: (773) 265-0800
I support the adoption of TIA 1151 and TIA 1152. As Mr. Vannice writes, without the wording of the TIA, the new section 406.15 will have a material and costly effect on construction, renovation, and operating practice in all article 520 venues. The additional expenses and operational difficulties that 406.15 will create for people working in article 520 and article 530 venues are not warranted by any documented safety problem.

It was a mistake to have adopted the new section 406.15 without an exception for those venues. The TIAs will rectify the mistake.

Best regards,
Karl G Ruling
Technical Standards Manager
Senior Technical Editor, Protocol

PLASA
630 Ninth Avenue, Suite 609
New York, NY 10036 USA
1-212-244-1505
I am writing in support of TIA’s No. 1151 and 1152 as they apply to the proposed 2014 NEC, new Section 406.15.

It appears the intent of the addition was to address circumstances found primarily in residential or commercial settings where equipment or loads not intended to be powered though a dimmed circuit could be connected and present a safety hazard.

In theatrical and studio production lighting systems, many times the “dimmer” may actually be a relay circuit controlled by the system’s control circuitry that can provide either constant power or dimmed power to a traditional incandescent or newer LED/Solid State theatrical luminaire. As is noted in both TIA’s, theatrical equipment, power receptacles and connectors for stage or studio use are specialized and also have to meet other use requirements and standards.

As is also noted in both TIA’s, implementation of the new Section 405.16 would have unintended deleterious effects on the design, manufacture, installation, inspection, and use of theatrical and studio lighting systems where no known safety issues exist to warrant compliance with Section 406.15.

Therefore we agree that an exception should be made for theatrical and studio production lighting systems, and that the requirements of the new Section 406.15 should not apply to current Sections 520.45 and 530.21.

Thank you for your kind attention to this important issue and for the opportunity to comment.

Peter Scheu, ASTC

Scheu Consulting Services, Inc.
Theatre Consulting
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Fayetteville, NY 13066
Tel: 315.214.4564
www.scheuconsulting.com

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Do you really need to print this e-mail?
We strongly recommend adoption of TIA 1151 and 1152.

Clearly 406.15 was written to address public locations such as homes or public areas of businesses where users are not necessarily trained to use the systems in these buildings. In these locations the inadvertent connection of a device not designed for a phase controlled or otherwise dimmed feed is both possible and potentially hazardous.

In contrast in a theatre dimmed power distribution has been a fact for nearly a century and personnel who are trained in the use of this type of facilities.

Mr Vannice has clearly demonstrated that 406.15 has unintended consequences and therefore requires clarification.

Curtis Kasefang
Theatre Consultants Collaborative, Inc.

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This is an important Temporary Interim Amendment. Application of section 406.15 would cause undue confusion and limitations in theatres and studios. Theatre personnel are already trained to ensure that equipment matches receptacles and power safely. The fact that modern dimming systems may be configured in several ways allows for the use of various types of equipment without presenting dangers to the equipment or the operators. It would be highly detrimental to apply 406.15 to theatres and might even make them less safe.

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Noemi Ybarra
Lighting Specialist
Office: 765.423.1123
Cell: 765.430.4309
www.jonesphillips.com
August 5, 2014

Supplemental Agenda - Standards Council Meeting August 11-14, 2014

Page 655 of 1626

Sir/Madam:

I write in support of the above referenced TIA and wish to offer my comments both as a working professional in the field as well as an ETCP / PLASA certified trainer in entertainment lighting.

Within the parameters of temporary lighting associated with article 530, it is extremely common to procure lighting and other electrical from rental houses. Standard approved connectors are [mostly] in place after years of incompatibility and we have devised a method of identification that is workable.

Most importantly, many existing dimming systems are configurable as non-dim circuits and provide power in temporary fashion to rented devices not normally associated with dimmers but located where dimming circuits are the logical available power source.

Manufacturers are keenly aware of the need to swap dimming circuits for non dimming ones. There are installations throughout the industry that specifically include modular and movable 'non dim' cartridges in order to provide constant power.

Last week, I used this very method to provide constant power to a number of LED ellipsoidal fixtures that were rented for a one week period. If the existing power source from dimming had been excluded, many hundreds of feet of extension cords would have been the alternative with all the safety concerns associated with dancers walking over, around and through cabling in the dark. Data can be broadcast wirelessly so as to avoid these problems.

There are unfortunately no wireless options for power.

Mandating nonstandard receptacles for such locations would require adapters and other items that are presently unnecessary, unavailable and potentially hazardous. Please allow for our unique needs.

Regards,

Rick Crum

cell: 808.782.5540
rickcrum@gmail.com
May 12, 2014

Ms. Dawn Bellis,
Secretary – Standards Council
National Fire Protection Association (NFPA)
Post Office Box 9101
Quincy, Massachusetts 02269-9101

SUBJECT: Proposed TIA No. 1152 to NEC® 530.21(A): Submitter Substantiation
misuse of Hubbell Incorporated’s registered trademark “Twist-Lock®”

Dear Ms. Bellis,

In the Submitter’s Substantiation to Proposed TIA No. 1152, Mr. Vannice includes the following statement:

“These might include stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles.”

Twist-Lock® is a registered trademark of Hubbell Incorporated for Hubbell’s locking-type receptacles, plugs, connectors, inlets, cord sets, street lighting photocells, etc. It is a violation of our trademark registration for this Submitter’s Substantiation to use this trademark generically to represent any and all manufacturers’ locking-type receptacles.

I provide this comment to this Proposed TIA No. 1152 as an individual NFPA member representing Hubbell Incorporated. This comment is separate from any comment or position I submit later on the Technical Merits or Emergency Nature as NEMA’s Principal Representative to NEC® Code-Making Panel 15.

Best regards,

Brian E. Rock
Engineering Manager – Standards and Certification
Hubbell Incorporated
Nancy and Linda

This is fully acceptable. So long as my Comments and NFPA’s acknowledgement are included as part of the published record with the Submitter’s Substantiations, we and NFPA have preserved Hubbell’s trademark’s ownership integrity despite the Submitter’s generic misuse of our registered trademark, and we have given adequate notice to anyone else trying to cite this particular trademark misuse as a precedent for their own misuse or usurping of Hubbell’s Twist-Lock® trademark.

Thanks and best regards,
Brian

Brian E. Rock
Engineering Manager - Standards & Certification
Hubbell Incorporated, Hubbell Wiring Devices-Kellems

Principal Member - NEC® Code Panel 15 [NEMA]
Member - UL Standard Technical Panels
Member - CSA Technical Subcommittees

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fax: +1 203 783 9407
post: Hubbell Incorporated
40 Waterview Drive
Shelton, Connecticut 06484 USA

Please see the enclosed regarding your comment to TIA 1151 and TIA 1152.

Nancy
nwalker@nfpa.org
Subject: FW: Comments on Proposed TIA Nos 1151 and 1152: Submitter’s Substantiations misuses of a registered trademark

From: Rock, Brian [mailto:brock@hubbell.com]
Sent: Monday, May 12, 2014 4:10 PM
To: Bellis, Dawn; stds_admin
Cc: Brian Rock; Samojeden, Matt; Oddsen, Dennis; Mulvihill, John
Subject: Comments on Proposed TIA Nos 1151 and 1152: Submitter’s Substantiations misuses of a registered trademark

Dear Ms. Bellis,

Attached are comments to similar Proposed Tentative Interim Amendments Nos. 1151 and 1152. In the Submitter’s Substantiation to each Proposed TIA, Mr. Vannice includes the following statement:

“These might include stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles.”

Twist-Lock® is a registered trademark of Hubbell Incorporated for Hubbell’s locking-type receptacles, plugs, connectors, inlets, cord sets, street lighting photocells, etc. It is a violation of our trademark registration for this Submitter’s Substantiation to use this trademark generically to represent any and all manufacturers’ locking-type receptacles.

I provide these comments to Proposed TIA Nos. 1151 and 1152 as an individual NFPA member representing Hubbell Incorporated. These comments are separate from any comments or positions I submit later on the Technical Merits or Emergency Nature as NEMA’s Principal Representative to NEC® Code-Making Panel 15.

Best regards,

Brian E. Rock
Engineering Manager - Standards & Certification
Hubbell Incorporated, Hubbell Wiring Devices-Kellems

Principal Member - NEC® Code Panel 15 [NEMA]
Member - UL Standard Technical Panels
Member - CSA Technical Subcommittees

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Confidentiality Requirement: This communication, including any attachment(s), may contain confidential information and is for the sole use of the intended recipient(s). If you are not the intended recipient, you are hereby notified that you have
Dear Standards Council Secretary,

I am writing in support of TIA #1152, referencing 530.21(A) of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 530 venues such as the one where I work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

TV studios are a unique "special occupancy" area that differs greatly from other types of offices or work places. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized or used in proximity to these receptacles.

Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studio and performance areas.

Furthermore, the professional personnel working in Article 530 venues such as our television studios are trained in the management and use of dimmed, switched, and constant-power circuits and receptacles. WGBH has been operating television studios since 1955 and has no record of loss to warrant applying the general-purpose restriction of section 406.15 to our plant, or for that matter, other Article 530 venues in the United States.

Please consider TIA #1152.

Thank you.

Phil Reilly
35 Chisholm Road
Boston, MA 02131
Phil Reilly <displacing_electrons@mac.com>
From: John Gates <litguy@gmail.com> 
Sent: Saturday, May 17, 2014 7:52 AM 
To: TIAs 
Subject: TIA # 1152

Secretary, Standards Council

1 Batterymarch Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA # 1152, referencing 530.21(A) of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 520 venues, like the many television studios I work at, to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

TV studios are a unique "special occupancy" places that have little in common with other types of work places, like offices and warehouses. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized or used in proximity to these receptacles.

Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the television studio.

Furthermore, the professional personnel working in Article 520 venues, like television and motion picture production studios, are trained in the management and use of dimmed, switched, and constant-power circuits and receptacles. I have not found a record of loss to warrant applying the general-purpose restriction of section 406.15 to Article 520 venues in the United States.

Please consider TIA #1152.

Thank you.
Supplemental Agenda - Standards Council Meeting August 11-14, 2014

From: BRIAN LUKAS <brianlukas@mac.com>
Sent: Wednesday, May 28, 2014 11:43 AM
To: TIAs
Subject: TIA # 1152

TIAs_Errata_Fls@nfpa.org
Secretary, Standards Council
1 Batterymarch Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA # 1152, referencing 530.21(A) of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 530 venues such as the one where I work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

Motion picture/television studios are a unique "special occupancy" area that differs greatly from other types of offices or work places. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized by or used in proximity to these receptacles.

Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studio and performance areas.

Furthermore, the professional personnel working in Article 520 venues are trained in the management and use of dimmed, switched, and constant-power circuits and receptacles. Motion picture/television studios have been utilizing the same connectors for dimmed and non-dimmed equipment for several decades and have no record of loss to warrant applying the general-purpose restriction of section 406.15 to Article 520 venues in the United States.

Please consider TIA #1152.

Thank you.

Brian Lukas
brianlukas@mac.com
818 395-1542
RED TORNADO PRODUCTIONS
4149 Camellia Avenue
Studio City, CA 91604
From: rick kelley <rickkelley54@hotmail.com>
Sent: Monday, June 02, 2014 11:24 AM
To: TIAs
Subject: TIA 1152

Secretary, Standards Council
1 Battery March Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

Working on a Television set we need to control lights on cues. A table lamp has to turn on when someone pushes a fake switch on the wall. We have been circuiting the plugs and lighting fixtures on sets through dimmers for years. Creating a standard, which serves to make this more expensive and difficult to achieve, in our controlled environments on set. Furthermore, the professional personnel working in Article 520 venues are trained in the management and use of dimmed, switched, and constant-power circuits and receptacles. Motion picture/television studios have been utilizing the same connectors for dimmed and non-dimmed equipment for several decades and have no record of loss to warrant applying the general-purpose restriction of section 406.15 to Article 520 venues in the United States.

I am writing in support of TIA #1152, referencing 530.21(A) of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 530 venues such as the one where I work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

Motion picture/television studios are a unique "special occupancy" area that differs greatly from other types of offices or work places. Receptacles used to power lighting instruments are used exclusively for that purpose, and general-use equipment is never energized by or used in proximity to these receptacles.

Traditionally, stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade receptacles, or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studio and performance areas.

Please consider TIA #1152.

Thank you.

Richard Kelley
Chief Lighting Technician, "Jessie"
I am writing in support of TIA 1152 due to the negative and likely unintended impact upon studios and similar locations as covered under Article 530. The recently added section 406.15 materially affects the studio lighting and controls industry. The studio industry uses a variety connectors, none of which can fairly be called “nonstandard” for the distribution of dimmed circuits. In my experience there is little or no evidence of loss or damage due to connecting lighting or non-lighting loads to dimmer-controlled circuits. Users of lighting control systems are trained to understand the types of loads that can be connected to each type of circuit. Ken Vannice’s rationale for this TIA is sound and I fully support this action. I further hope that this amendment is added to the next edition of NEC or 406.15 is modified to exclude venues such as studios where connecting lighting loads through “standard” connectors is common.

I hope that in future standards work the committee recognizes there are other spaces than Article 530 venues where 406.15 is an issue. Aside from Article 520 venues (covered in TIA 1151), there are other locations where legitimate use of standard connectors for dimmed lighting loads is common; including museums, places of worship, arenas and any place where portable theatrical (cord and plug) lighting may be properly installed and used in a safe manner as part of a lighting design.

Respectfully,

Paul Sanow ASTC
To Whom It May Concern,

With 40 years of experience on the theatre production, 30 years experience as a Theatre Consultant designing theatre technical systems on over 325 projects, and as a member of the US Institute for Theatre Technology, I would like to express my strong support for TIA 1151 and TIA 1152 submitted by Ken Vannice. I would like to also express my agreement with the reasons he listed in his submittal.

Thank you for the opportunity to comment on these important TIAs.

Darrell Ziegler

Darrell Ziegler | ASTC | Associate Principal
Theatre Design Specialist

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www.wrlarch.com | Facebook | Twitter | LinkedIn
Architect Magazine 2013; Ranked #3 Overall among U.S. design firms; #5 in Sustainability
June 14, 2014

To: National Electrical Code – Technical Correlating Committee

Re: Proposed TIA 1152 – Revision to 530.21(A) 
Support for proposed TIA 1152 
Specific Response to Brian Rock Explanation of Negative Vote

From: Ken Vannice, CMP-15
Steve Terry, CMP-15
Mitch Hefter, CMP-15

We would like to provide a response to the Brian Rock explanation of negative vote, as follows:

1. Emergency Nature –

While section 90.4 does allow some latitude for the AHJ to waive specific requirements or allow alternative methods, it does not automatically allow for the exception requested in the TIA. An AHJ who is not familiar with the specifics and unusual environment presented in article 530 venues (we’ve seen instances in the past where Inspectors and even Code Panel members have made completely erroneous interpretations) is less likely to allow a variance in such an instance.

Section 80.9 is part of Informative Annex H, which means it may or may not be adopted by local municipalities when adopting the rest of the Code. More importantly, as much of the equipment used in 530 venues is portable and can be moved from location to location, each use may be considered a new installation and the retroactive application waiver under 80.9(B) may not be applicable. In the same consideration, these location situations would not fall under 80.4(C) either.

Until the existence of Section 406.15, there was no restriction on application of dimmers to receptacles., so the “unconditional exemption” referred to is misleading. The proposed modification to 530.21(A) by TIA 1152 simply restores the status quo. There is no record of loss to justify changing the current safe approach in article 530 venues.

2. Technical Nature

The commenter is correct in identifying the weaknesses in Section 404.15. It is because of this vagueness and the overreach of 406.15 that this TIA was proposed. 406.15 does not allow for the special nature of Article 530 venues.

Section 530.21(A) allows any receptacle with sufficient voltage and current rating to be used on any circuit for stage & studio set lighting. If desired, a 400A, 600V receptacle may be used on a 20A, 120V circuit. This wording was suggested by the late George Flach, a highly respected electrical inspector and CMP-15 member, during a Panel 15 discussion years ago. With this flexibility comes the responsibility of the trained studio electrician to investigate the source of any receptacle for appropriateness before connecting any load.

Stage dimmers, often used in television studios, are listed to UL 508 or Subject 334 (a melding of UL 508 and UL 891). Stage dimmers are typically rated “incandescent loads only” or “any AC lighting loads”. “Any AC lighting loads”, in addition to incandescent, includes ballast and transformer loads driving arc, low-voltage incandescent, neon and many other lamps. These types of loads are supported by different software for
proper operation. It is the responsibility of the trained studio electrician to match the appropriate dimmer setup with the connected load at the time of connection.

With respect to the suggestion regarding Mandatory Restricted Access from the General Public – this is what Article 530 does. It is a Special Occupancy that clearly states in the scope its special nature.

Article 530 covers the set/stage proper. Any audience area is covered by Article 520. General public areas referred to in the comment about amusement attractions and studio tours are completely not applicable – those areas would normally fall under Chapters 1 - 4 and possibly Article 518 or Article 525. While we understand concern about dimmed standard receptacles (and what is a standard receptacle is undefined) in areas that may be accessible to the general public, 406.15 is so broad that it also could be applied to the connector strips, and breakout assemblies, above a studio set or in catwalks (greens) – certainly not a general public hazard, but a show stopper if these receptacles cannot be dimmed. A key problem with section 406.15 is that the NEC contains no definition of “non-standard receptacle”, leaving this section open to wide misapplication in occupancies where it was never intended to be applied, such as those of article 530. The proposed TIA will correct this problem.

Regarding the "Duty to Warn" comments – the fallacy of the "Duty-to-Warn" as in "identified" language in 406.15 is that the NEC definition of Identified is not the same as marking which is really what is being asked. Identified (as applied to equipment). Recognizable as suitable for the specific purpose, function, use, environment, application, and so forth, where described in a particular Code requirement.

Informational Note: Some examples of ways to determine suitability of equipment for a specific purpose, environment, or application include investigations by a qualified testing laboratory (listing and labeling), an inspection agency, or other organizations concerned with product evaluation.

As noted above, some dimmers can control motors, transformers, and ballasts under their conditions of listing.. Given the above information the markings suggested in the negative vote are inappropriate. If applied, such markings would always be changing, which would be extremely confusing considering that the appropriateness of the circuit to supply these load must always be verified. This method of operation has been the case for many years without incident in article 530 venues.

Respectfully Submitted,

Ken Vannice – Ken Vannice LLC, Principal Representative to CMP-15 for USITT
Steve Terry – Electronic Theatre Controls, Alternate Representative to CMP-15 for USITT
Mitch Heffter – Philips Lighting - Principal Representative to CMP-15 for IES
Secretary, Standards Council
1 Battery March Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA # 1152, referencing 530.21(A) of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 530 venues such as where IATSE Set Lighting Technicians work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

Motion Picture/Television Studios are unique special occupancy venues that differ from more traditional work areas such as factories, offices, and warehouses. Our portable power distribution systems are constantly monitored and only used by trained and qualified personnel. Incandescent luminaires are the backbone of entertainment lighting and can be used with or without dimmer control depending upon the needs of the individual scene. Portable dimmer racks are frequently used to control lighting loads to increase the efficiency of our productions as well as effect lighting cues on camera. We often have several lighting setups per day where the lights can be moved from a dimmable to constant power source.

406.15 serves a valuable purpose but the nature of the work of the motion picture/television industry and the constant attention of its' trained and qualified crews makes the rationale behind 406.15 irrelevant to 530 venues. Furthermore, 406.15 would cause a significant negative impact to the efficiency of our industry to resolve an issue that has long been negated by the qualified Set Lighting Technicians who are trained in the management and use of dimmed, switched, and constant power circuits and receptacles.

Please consider TIA #1152.

--------------------------------------
Alan M. Rowe
Safety & Training Director, IATSE Local 728
Chairman, IATSE Crafts Advancement Program
Co-Chair ETCP Entertainment Electrician SMEs
1001 W. Magnolia Blvd
Burbank, CA 91506
(818) 954-0728
Walker, Nancy

From: Roger Lattin <rlattin@ca.rr.com>
Sent: Friday, June 20, 2014 3:35 AM
To: TIA#1152
Subject: Supplemental Agenda - Standards Council Meeting August 11-14, 2014

August 5, 2014

Supplemental Agenda - Standards Council Meeting August 11-14, 2014

Page 668 of 1626

Secretary, Standards Council
1 Batterymarch Park, Quincy, MA 02169-7471.

Dear Standards Council Secretary,

I am writing in support of TIA # 1152, referencing 530.21(A) of the 2014 edition of NFPA 70. This Tentative Interim Amendment (TIA) addresses the need for Article 530 venues such as the one where I work to be exempt from new section 406.15, which calls for "nonstandard" connectors for use on dimmed circuits.

(406.15 Dimmer-Controlled Receptacles. A receptacle supplying lighting loads shall not be connected to a dimmer unless the plug/receptacle combination is a nonstandard configuration type that is specifically listed and identified for each such unique combination.)

Much of what 406.15 is trying to accomplish already exists in the movie and TV world that we work in. While we do utilize "standard" connectors within our systems they are not subject to the fears of 406.15's authors, therefore we should be exempted from this article to avoid unnecessary confusion by AHJs and others.

Motion picture/television studios are a unique "special occupancy" area that differs greatly from other types of offices or work places. Receptacles used to power lighting instruments are used exclusively for set lighting purposes. There are very few of these occupancies that utilize "built in" dimmers incorporated into the facility. Most of the power and dimming systems are of a specialized portable power type to begin with and utilize many "non-standard" connectors. Many of the connectors that we do use are not available at home centers or even "regular" electrical supply houses. Stage pin receptacles (ANSI/PLASA E1.24 and reference by UL 498), parallel blade "U" ground receptacles (NEMA 5-15 or 5-20), or twist-lock receptacles may all be controlled by a dimmed circuit within the confines of our studios and performance areas. We worked very hard to get these stage pin connectors "standardized" by UL for the entertainment industries.

The studios themselves are not open to the general public and the personnel that work with our portable power systems are trained to work with the portable dimming systems. The "dimmed" circuits are well documented and the circuits are labeled by our qualified technicians for our exclusive use. Motion picture/television studios have been utilizing the same connectors for dimmed and non-dimmed equipment for several decades and have no record of loss to warrant applying the general-purpose restriction of section 406.15 to Article 530 venues in the United States.

Please consider TIA #1152.

Should you require more information and/or pictures of these types of systems in use please do not hesitate to contact me. As we have done in the past when you are in the area please contact me for a "behind the scenes" tour that will illuminate you to how specialized our venues are!

Thank you.

Roger Lattin
Studio Set Lighting Technician
IATSE Local 728
ETCP Certified Stage Electrician
NFPA Member
rlattin@ca.rr.com
Cell (818) 681-2542
Item 14-8-18
NFA 70E-Proposed 2015 Edition
Standard for Electrical Safety in the Workplace®
TIA Log No. 1128
Reference: Table 130.7(C)(15)(A)(a)
Comment Closing Date: May 16, 2014
Submitters: Marcia Eblen, Pacific Gas & Electric and James T. Dollard Jr., IBEW Local Union 98

1. Revise Table 130.7(C)(15)(A)(a) as follows:
   Revise the title of the second and third columns as follows:
   - Delete the asterisk and add “(3)” in the second column and
   - Add “(1, 2)” in the third column
   - Table 130.7(C)(15)(A)(a)—Arc-Flash Hazard Identification for Alternating Current (ac) and Direct Current (dc) Systems

<table>
<thead>
<tr>
<th>Task</th>
<th>Equipment Condition*(3)</th>
<th>Arc Flash PPE Required (1, 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   [Remainder of Table unchanged]

   (2) Number the existing Notes, delete the asterisk, modify the first note and add a new second Note as follows:

   Note 1: Hazard identification is one component of risk assessment. Risk assessment involves a determination of the likelihood of occurrence of an incident, resulting from a hazard that could cause injury or damage to health. The assessment of the likelihood of occurrence contained in this table does not cover every possible condition or situation. Where this table indicates that arc flash PPE is not required, an arc flash is not likely to occur. It does not mean that an arc flash incident is not possible.

   Note 2: Clothing shall meet the nonmelting requirements of 130.7(C)(11) and 130.7(C)(12) when this table indicates arc flash PPE is not required.

   Note 3: The phrase properly installed, as used in this table, means that the equipment is installed in accordance with applicable industry codes and standards and the manufacturer’s recommendations. The phrase properly maintained, as used in this table, means that the equipment has been maintained in accordance with the manufacturer's recommendations and applicable industry codes and standards. The phrase evidence of impending failure, as used in this table, means that there is evidence of arcing, overheating, loose or bound equipment parts, visible damage, deterioration, or other damage.

   Problem: This TIA seeks to address two identified problems:
   1. The revised table does not state that the use of clothing containing meltable fibers is prohibited for tasks that are identified as “No” in the “Arc Flash PPE Required” column.

   The tables in the 2012 edition of NFPA 70E identified some tasks as Hazard/Risk Category (HRC) 0. Those tasks were considered to have an extremely low probability of initiating an arc flash occurrence. The clothing requirements for HRC 0 prohibited the use of meltable fibers.

   The revisions to the table in the 2015 edition resulted in the deletion of HRC 0. The tasks that were previously identified as HRC 0 became “No” in the “Arc Flash PPE Required” column. However, the table no longer states that the use of clothing containing meltable fibers is prohibited for those tasks.

   This TIA does not seek, in any manner, to reinstate HRC 0. Rather, it seeks to clarify that the use of clothing containing meltable fibers is prohibited for tasks that are identified as “No” in the “Arc Flash PPE Required” column. This prohibition will be a requirement as the table notes are mandatory, not informational.

   2. Concern was expressed in some negative ballot comments that the newly revised table and the “yes or no” column for arc flash rated PPE was indicating to the table user that an arc flash was not possible.
The substance of existing Note 1, particularly the last sentence, indicates this was not the intent. However, to address the concern expressed in some of the negative ballots, and to remove any ambiguity, a new sentence is added at the end of the paragraph. The sentence informs the user of the standard that while the tasks identified as “No” in the “Arc Flash PPE Required” column have an extremely low probability of initiating an arc flash occurrence, it does not mean that an arc flash occurrence is not possible.

**Submitter’s Substantiation:** When the Technical Committee deleted Hazard/Risk Category 0 from Table 130.7(C)(15)(A)(a) and Table 130.7(C)(15)(B) it was not the intent to suggest that the use of clothing constructed of meltable fabrics was now permitted by users of these tables. However, it is possible that with the deletion of HRC 0 some users of the document might be confused about clothing requirements when using the Table 130.7(C)(15)(A)(a) and erroneously conclude that the use of meltable fabric clothing is now permitted. This TIA is meant to correct this possible misinterpretation of Table 130.7(C)(15)(A)(a).

The additional sentence at the end of Note 1 provides the user of this standard with a clarification that while the listed tasks that do not require arc flash PPE have an extremely low probability of resulting in an arc flash, a remote possibility of an incident does exist.

**Emergency Nature:** This proposed TIA meets multiple requirements listed in 5.3 for the evaluation of emergency nature.

The technical committee deleted HRC 0 and did not address the prohibition clothing containing meltable fibers in the newly revised table.

There is a potential conflict between the newly revised table and the requirements of 130.7(C)(11) & 130.7(C)(12) without a specific reference in the table to prohibit meltable fabrics.

The proposed TIA prohibits meltable fabrics from being worn while tasks with an extremely low chance of an arc flash are performed. While an arc flash is not likely to occur when these tasks are performed, it does not mean that an arc flash incident is not possible. If meltable fabrics are worn and an arc flash does occur the burn injury will be seriously aggravated.
According to 5.4 in the NFPA (RGCP), the final results show this TIA \textbf{HAS NOT} achieved the necessary votes on both Question 1 (Correlation Issues) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 9.

\[12 \text{ (eligible to vote)} - 1 \text{ (not returned)} - 0 \text{ (abstentions)} = 11 \times 0.75 = 8.25\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[12 \text{ eligible} \div 2 = 6 + 1 = 7 \text{ (this is the simple majority)}\]

12 Eligible to Vote  
1 Not Returned (Fiske)

CC FINAL Ballot results for \textbf{Correlation Issues} are as follows:  
8 Agree (LaBrake, Jr. w/comment)  
3 Disagree (Brunssen, Bunker, Jr., Liggett)  
0 Abstentions

\textbf{FINAL ACTION: FAIL}

CC FINAL Ballot results for \textbf{Emergency Nature} are as follows:  
3 Agree  
8 Disagree (Brunssen, Bunker, Jr., Drake, Hittinger, Kovacik, LaBrake, Jr., Liggett, Owen)  
0 Abstentions

\textbf{FINAL ACTION: FAIL}

\textit{Final EEW-AAA Ballots are on the next page}
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS NOT** achieved the necessary votes on both Question 1 (**Technical Merit**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **18**.

\[25 \text{ (eligible to vote)} - 0 \text{ (not returned)} - 1 \text{ (abstention)} = 24 	imes 0.75 = 18\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[25 \text{ eligible} \div 2 = 12.5 = 13 \text{ (this is the simple majority)}\]

---

25  Eligible to Vote  
0  Not Returned

**TC FINAL** Ballot results for **Technical Merit** are as follows:

- 16  Agree (Hickman w/comment)
- 8  Disagree (Dini, Drobnick, Gray, Mohla, Neitzel, Pace, Stallcup, Tobias)
- 1  Abstention (Wallis)

**FINAL ACTION: FAIL**

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **18**.

\[25 \text{ (eligible to vote)} - 0 \text{ (not returned)} - 2 \text{ (abstentions)} = 23 	imes 0.75 = 17.25\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[25 \text{ eligible} \div 2 = 12.5 = 13 \text{ (this is the simple majority)}\]

---

**TC FINAL** Ballot results for **Emergency Nature** are as follows:

- 15  Agree
- 8  Disagree (Dini, Drobnick, Gray, Mohla, Neitzel, Pace, Stallcup, Tobias)
- 2  Abstentions (Hayes, Wallis)

**FINAL ACTION: FAIL**
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

_________ AGREE       _______ DISAGREE*       _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

The proposed revision prohibiting meltable fabric does not correlate with 130.7(A) Informational Note No. 2 that states "...normal operation of enclosed electrical equipment, operating at 600 volts or less, that has been properly installed and maintained by qualified persons is not likely to expose the employee to an electrical hazard". Hence, requiring the wearing of non-meltable fabric clothing in such situations is in conflict with the proposed TIA.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_________ AGREE       _______ DISAGREE*       _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

Normal operation of properly installed and maintained enclosed electrical equipment should not expose the worker to undue hazard requiring non-meltable fabric.

Signature

James E. Brunssen
Name (Please Print)

April 23, 2014
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

AGREE  [ ] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

I concur with the comments expressed by Msrs. Dini and Gray.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

AGREE  [ ] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

I concur with the comments expressed by Msrs. Dini and Gray.

________________________
Signature

________________________
Name (Please Print)

________________________
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169.
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

X AGREE        DISAGREE*        ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.


Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

AGREE        X DISAGREE*        ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

The TIA does not meet the criteria of an emergency nature because even without the proposed notes there is not a conflict in the requirements, nor is there a hazard that has not been addressed.

Signature
William Drake
Name (Please Print)
4.24.14
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

___ X ___ AGREE  ___________ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

________________________________________________________________________

________________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

________ AGREE  ___________ X ___ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

I disagree that this TIA would be of an emergency nature since it does not comply with any of the criteria listed in the regulations governing committee projects. The committee clearly knew what it was doing when it removed HRC 0 and the requirement for non-melting clothing. This is a part of the public record. This TIA is a back-door approach to change the action of the technical committee and should not be used for that purpose. The appropriate course of action to require non-melting clothing when working on equipment with low incident-energy values is to debate this during the next revision cycle of 70E.

__________________________
David Hittinger
Signature

__________________________
Name (Please Print)  4/24/14
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park

August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 677 of 1626
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

____ X _____ AGREE  ________ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

______ AGREE  __________ X _____ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a negative/disagreement or abstaining position.

The normal operation of properly installed and maintained electrical equipment should not expose the worker to an undue hazard, and UL is not aware of any such incidents.

_______________________________
Signature
John Kovacik
Name (Please Print)
April 24, 2014
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park

August 5, 2014
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

____X____ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

Since the TIA Technical Merit did not pass the TC ballot, it does not pose a correlation issue.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

__________ AGREE _____X____ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

First, neither the Technical Merit nor the Emergency Nature passed the TC ballot. Second, the substantiation claims this TIA is a "clarification" of the text and several ballots note that the "problem" is covered elsewhere.

Signature

Neil F. LaBrake, Jr. – CC Principal, EEI rep.
Name (Please Print)

21 April 2014
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 150.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

_______ AGREE _______ XX____ DISAGREE* _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

Acceptance of this TIA would create confusion. The Table header states that "No Arc Flash PPE is Required". The addition of statement that an arc flash is still possible and the requirement of non-melting clothing will send mixed messages and will leave those reading the standard confused. In my mind this sets up a correlation issue within the Table.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_______ AGREE _______ XX____ DISAGREE* _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

While I do not agree with the content of this Table, the Table is clear. The addition of the note does not correct the Table nor does it require additional protection. This does not constitute an emergency.

_____ Danny P Liggett
Signature
_____ Danny P Liggett
Name (Please Print)

Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128
To Revise 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E,
Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

X AGREE

DISAGREE*

ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

---

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

AGREE

X DISAGREE*

ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a negative/disagreement or abstaining position.

I find the arguments of the committee sufficient to agree that this is not of an emergency nature

Richard P. Owen
Signature
Richard P. Owen
Name (Please Print)
April 19, 2014
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

__________ AGREE __________ X _______ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The normal operation of properly installed and maintained electrical equipment should not expose the worker to an undue hazard. The product standard requirements for listed products such as circuit breakers, switches, etc., contain pass/fail criteria that evaluates the product's ability to perform safely under normal operation. The new arc-flash hazard identification table in NFPA 70E is a vast improvement over past editions in identifying where arc flash PPE is or is not required. Previous editions (e.g. 70E-2012) included a hazard/risk category 0, where nonmelting protective clothing was required for tasks such as circuit breaker or fused switch operation with covers on. However, Informational Note No. 2 to Sec. 130.7 further clarified that normal operation of enclosed electrical equipment, operating at 600 volts or less, that has been properly installed and maintained by qualified persons is not likely to expose the employee to an electrical hazard. Requiring all workers who are covered under the scope of 70E to wear nonmelting clothing, even when performing normal operation of properly installed equipment, appears to be unwarranted.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE __________ X _______ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The normal operation of properly installed and maintained electrical equipment should not expose the worker to an undue hazard, and UL is not aware of any such incidents.

Signature

David A. Dini
Name (Please Print)

__________ April 8, 2014__________
Date

Please return the ballot on or before April 8, 2014
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of
NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

[ ] AGREE  [X] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Section 130.7(cxi) already prohibits the wearing of metal-free clothes. This TIA does
not prohibit performing electrical work while wearing non-metallic
short sleeve shirt and shorts.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE  [X] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

All sections of Article 130 are applicable in the use
of the tables.

DOROTHY E. DROBNICK
Name (Please Print)

Date

3-25-14

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169  FAX: (617) 984-7070   E-mail: kshea@nfpa.org
REVISE TABLE 130.7(C)(15)(A)(a) OF THE PROPOSED 2015 EDITION OF NFPA 70E, STANDARD FOR ELECTRICAL SAFETY IN THE WORKPLACE

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I respectfully disagree with the submitters on the technical merit of this TIA proposal. First, the addition of the sentence to the existing note is redundant and unnecessary. I believe the users of the standard are for the most part educated enough to understand that “not likely” is not the same as “impossible,” without the technical committee explanation of the difference. Similar phrases are used elsewhere in the standard (e.g. definition of Arc Flash Hazard, 110.6(G), 130.7) with no indication these phrases are misunderstood by the users. In fact, it is my experience that most users now understand that the only way to achieve impossibility of exposure to an electrical hazard is through establishing an electrically safe working condition, not through the use of additional PPE.

Next, I appreciate the objective this proposal is attempting, but I think it will dilute the positive effects the improvements in the table will provide the industry. I realize the submitters do not intend to reintroduce HRC 0, but in fact, that is exactly what this TIA will do. Acceptance will return the table to a misguided philosophy that reduced protection is associated with reduced probability. In the 2012 edition, operation of a circuit breaker in a 240 volt single phase panel where the arc flash boundary is 19 inches according to the parameters, does not require the worker to wear arc-rated clothing. This is in direct conflict with 130.7(C)(1) and 130.1. This proposed wording seeks to do the same thing. Based on the substantiation, use of non-melting clothing should be required because an arc-flash incident is possible for this equipment and tasks. If that is our concern, we should require arc-rated clothing. OSHA has provided evidence that fatalities can occur at these levels due to clothing ignition from slag particles similar to arc welding accidents. So, if the goal is to prevent this event, non-melting clothing alone will not achieve the results. We should specify the proper protection for the identified hazard.

Further, the proposed wording seeks to address an unlikely but possible event. I have documented evidence that arc flash events occur without human intervention. The possibility is remote, but still possible. Yet, we accept that risk else we would dress our children in arc flash clothing each day because they walk by 480 volt lighting panels in our public school hallways, without any knowledge of how well installed or maintained the equipment. However, with this change, we will prohibit an adult from operating a single-pole circuit breaker in a compliant and maintained panelboard wearing polyester pants or nylon sneakers. The concern seems inappropriately skewed.

Unlikely events should be addressed through a task-based hazard analysis provided by the employer as they are elsewhere in the standard. We should not attempt to mandate to responsible employers and employees generic rules that should be selected based on the unique circumstance of an individual workplace. That could be done more effectively by prohibiting use of the table in lieu of a specific risk assessment for those tasks that are considered unlikely.
Question 2: I agree that the subject is of an EMERGENCY NATURE.

| AGREE | X | DISAGREE* | ABSTAIN* |

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The substantiation does not provide evidence as to the emergency nature of this proposed TIA. If fact, it concedes the event it intends to address is unlikely. If the event is unlikely, the lack of urgency does not warrant change from the direction agreed to by the full debate of the technical committee and correlating committee.

Signature

_Bobby J Gray__________________________________
Name (Please Print)

March 28, 2014__________________________________
Date

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070 E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of
NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

_________ AGREE  _______ X____ DISAGREE*  _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

The additional proposed notes are making an already bad situation worse by providing mixed messages. Notes do not address the problem created by the phrase in the table where NO is mentioned under the column “Arc Flash PPE required”. That phrase provides definite directions to the users that arc flash PPE is not required if all the stated conditions are met.

Note 1: Hazard identification is one component of risk assessment. Risk assessment involves a determination of the likelihood of occurrence of an incident, resulting from a hazard that could cause injury or damage to health. The assessment of the likelihood of occurrence contained in this table does not cover every possible condition or situation. Where this table indicates that arc flash PPE is not required, an arc flash is not likely to occur. However, this indication does not mean that an arc flash incident is not possible.

Since risk assessment involves a determination of likelihood of occurrence of an incident (as stated in the first part of the note). The language in the note further states arc flash is not likely to occur. It will convey to a user that no further protection is required. Adding the phrase “It does not mean that arc flash incident is not possible” will further confuse the users? How can both conditions be true? If an arc flash is not likely to occur what more is a user supposed to do if it is still possible?

The substantiation states "The additional sentence at the end of Note 1 provides the user of this standard with a clarification that while the listed tasks that do not require arc flash PPE have an extremely low probability of resulting in an arc flash, a remote possibility of an incident does exist.”

Why arc flash PPE is not required if an arc flash incident is possible? How is a user supposed to decide of the possibility of an arc flash incident probability between not likely to occur and is possible? How a user is supposed to differentiate between “extremely low probability” and “remote possibility” while evaluating risk?

Secondly, Note 2: states: Clothing shall meet the non-melting requirements of 130.7(C) 11 and 130.7(C) (12) when this table indicates arc flash PPE is not required.

Nonmelting does not mean non-flammable. This implies that in the event of a remote possibility non melting clothing will provide mitigation and protection.

See the informational notes in the current 70E 130.7 (C) 11) below (underlining is by submitter of the ballot for emphasis and highlighting)

Informational Note No. 2: Non–arc-rated cotton, polyester cotton blends, nylon, nylon-cotton blends, silk, rayon, and wool fabrics are flammable. Fabrics, zipper tapes, and findings made of these materials can ignite and continue to burn on the body, resulting in serious burn injuries.

Informational Note No. 3: Rayon is a cellulose-based (wood pulp) synthetic fiber that is a flammable but nonmelting material.

It clearly establishes that non melting fabrics may not be non-flammable.

Being concerned about the melting of fabrics and not about ignition and flammability of fabrics does not make sense. The incident energy needed to melt is close to that required for ignition. Clothing ignition can result in a larger percentage of body burn than from melting alone.

August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 686 of 1626
How is a user supposed to decide whether clothing is non melting? If the wording is not on the label, then there no way for the user to assure the clothing is non melting. Plus once "arc flash is not likely to occur, is clearly stated why should there be additional requirements? This note will lead the users to believe that non melting clothing provides some arc flash protection. It does not.

Although well meaning, acceptance of TIA 1128 is in reality a step backward and will lead to more confusion in application of this standard. Adding the two notes recommended in TIA 1128 does not add any clarity to the text.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[Blank] AGREE [X] DISAGREE* [Blank] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The addition of notes will create a more dangerous situation and confusion in the user community due to contradictory messages in the table and Notes.

Signature

Daleep Mohla
Name (Please Print)

April 3, 2014
Date

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070

E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of
NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

_________ AGREE      _______ DISAGREE*      _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
1) Adding the statement “It does not mean that an arc flash incident is not possible” is contradicting what the Table states that “Arc Flash PPE Required – NO”. Is an arc flash possible or not. Adding this statement makes it confusing to the reader. 2) Adding a new Note 2 that states “Clothing shall meet the non-melting requirements of 130.7(C)11 and 130.7(C)12 when this table indicates arc flash PPE is not required” implies that non-melting clothing is okay to wear even if an arc flash were to occur. This, coupled with the new proposed statement in Note 1, will put people at risk of serious injury or death. Also, non-melting fabrics can still be flammable, so non-melting does not make it safer.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE      _______ DISAGREE*      _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
This is not an emergency in that it would create a more dangerous situation for workers, as noted in my “disagree” statement above.

__________________________
Signature

__________________________
Dennis K. Neitzel
Name (Please Print)

April 3, 2014
Date

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070     E-mail: kshea@nfpa.org

August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 688 of 1626
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of
NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

__________ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I do not agree that the proposed TIA corrects a possible misinterpretation of
Table 130.7(C)(15)(A)(a) as stated by the authors. The requirement for non-
melting fabrics is sufficiently communicated in the balance of the standard. If
that requirement is not followed, when already being part of the existing text,
adding a note will not change that. The issue is the fact that the table header at
the top of the third column states “Arc Flash PPE Required” and is followed by
“Yes” or “No”. The table indicates in several cases that no arc flash PPE is
required. This proposed TIA would then add note that says “It does not mean
that an arc flash incident is not possible”. There is a conflicting message here
by saying in one place no PPE is required, which to the reader will mean no
hazard exists, and then stating “It does not mean that an arc flash incident is not
possible”. I agree there is a problem with the table as currently written but this
does not fix it. As stated in the body of the proposed TIA, the issue is likelihood
or risk of an event. At lower risk situations, the employer may choose to allow
the work to be done without PPE. This does not mean there is no risk, it means
the risk is low enough that it is an acceptable risk to that employer. This
standard cannot make that determination for all employee workplaces, all
situations, all equipment, all employees, all conditions, etc. If we are talking
about high and low risk, or likelihood, we need to say that. The table should state
which activities involve high and low risk of an incident, and it then is up to the
employer to decide if PPE is required for that task.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I do not agree the subject of this TIA is of an emergency nature.

__________________________
Signature
__________________________
Name (Please Print)
__________________________
Date

August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 689 of 1626
Hi Kimberly,
James Jr and I agree with the comment made by Daleep Molha by his ballot.
Regards,
James, Sr.

Sent from my iPhone

On Apr 14, 2014, at 12:00 PM, "Shea, Kimberly" <kshea@NFPA.org> wrote:

James,

Please provide a reason (explanation) for voting disagree on both Questions 1 and 2.

Thank you,
Kim

---

Hi Kimberly,
James Jr and I after review of comments, we would like to change our vote and disagree with TIA 1128.
Thanks,
James Sr

Sent from my iPhone

On Apr 10, 2014, at 8:56 AM, "Shea, Kimberly" <kshea@NFPA.org> wrote:

NFPA Technical Committee on Employee Safety in the workplace:

Please find attached one Public Comment received on proposed TIA 1128. If you wish to change your vote based upon the members voting comments or Public Comment, you may do so by email. It is not necessary to re-submit your ballot form. If you do not wish to change your vote, no further action is required.

If further Public Comments are received prior to the Public Comment closing date of May 16, 2014, they will be forwarded to you for your consideration.

Kimberly Shea
Administrator, Technical Projects
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

[ ] AGREE  [x] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position

Concur with comments circulated by Mr. Aini

and Mr. Neitzel.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE  [x] DISAGREE*  [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

As above.

Signature

John M. Tobias

Name (Please Print)

Date

4/16/14

Regulation 4/16/14

Please return the ballot on or before April 18, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070  E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of
NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA.

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

_________________________________________________________

_________________________________________________________

_________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE [ ] DISAGREE* [X] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

_________________________________________________________

*An explanation must accompany a disagreement or abstaining position.

______________________________
Not Sure

______________________________

______________________________
Signature
James Hayes

Name (Please Print)

1/2/14
Date

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070
E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the **TECHNICAL MERITS** of the Proposed TIA

<table>
<thead>
<tr>
<th>AGREED</th>
<th>DISAGREED*</th>
<th>ABSTAIN*</th>
</tr>
</thead>
</table>

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

OSHA policy requires abstaining on technical issues. I do support, however, the Technical Committee’s efforts to clarify the standard.

Question 2: I agree that the subject is of an **EMERGENCY NATURE**.

<table>
<thead>
<tr>
<th>AGREED</th>
<th>DISAGREED*</th>
<th>ABSTAIN*</th>
</tr>
</thead>
</table>

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

OSHA policy requires abstaining on technical issues.

**Signature**

David M. Wallis
Name (Please Print)

April 8, 2014
Date

Please return the ballot on or before **April 8, 2014**

**PLEASE RETURN TO:**
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

**FAX:** (617) 984-7070

**E-mail:** kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1128

Revise Table 130.7(C)(15)(A)(a) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

____XX____ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Suggest editorial modification to Note 2 to add parenthesis around “11” and “12” as follows: Note 2: Clothing shall meet the nonmelting requirements of 130.7(C)(11) and 130.7(C)(12) when this table indicates arc flash PPE is not required.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

____XX____ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

__________________________
Signature

Palmer Hickman

March 26, 2014

Date

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070  E-mail: kshea@nfpa.org
From: Vince May <vince@vincemay.com>
Sent: Thursday, March 27, 2014 5:31 PM
To: TIAS
Cc: Avm Inc
Subject: Comment on Proposed TIA 1128

Comment on TIA 1128 2015 70E:

The addition of note 2 in the proposed TIA is putting category or level 0 clothing requirements back in effect with the use of notes to the table referencing non-melting garments, rather than by an identified category or level.

With the deletion of level 0 from the arc flash risk categories, what will equipment labels indicate about the arc flash hazard, “less than 1.2 cal/cm2”? If this TIA is adopted I am concerned that anyone operating any switch or circuit breaker without non-melting clothing could be held accountable for violation of policies, standards, and regulations when the risk of an arc flash is considered extremely low by both energy and occurrence. Think of all the workers who turn breakers and switches on or off to equipment or lighting circuits every day in countless stores, manufacturing facilities, warehouses, etc.

Why would any recognized testing laboratory give these device enclosures safety or compliance ratings for fire and shock if it requires the operator to wear non-melting clothing for even the lowest level of calculated arc energy? The arc-flash energy at a 20A, 277V, 1p, wall switch, covered with a plastic plate and secured with two 6/32 screws, could have in excess of 10KA fault current at its load rated contact points and thus be a larger arc hazard than a switched duty rated 120v, fault current rated circuit breaker in a panel.

I do not believe requirements for non-melting clothing material is necessary to operate electrical equipment calculated to be less than 1.2 cal./cm2, if the covers are in place or the door is closed, the equipment is properly installed, maintained, operated and there is no sign of impending failure. However, I do believe some form of label needs to be installed indicating the arc energy has been calculated at <1.2 cal/cm2 or less than HRC 1, so the qualified worker can determine proper PPE for shock or arc flash hazards to remove the cover or open the door, i.e. voltage rated rubber gloves w/protection, safety glasses, non-melting clothing, etc., for those tasks with a higher risk of exposure to an arc flash or shock.

Which leads to the question, should manufacturers or testing labs provide information relative to the point the arc energy can be large enough to remove the enclosure covers, or the “withstand rating” of the enclosure? A true risk based analysis would greatly benefit from knowing how the enclosure is likely to react during different energy or fault levels; will the hinge side or latch side fail first, and which side is best to operate a particular switch or piece of equipment?

Thank you,

A. Vincent May
(812) 322-3119
vince@vincemay.com
http://www.vincemay.com
PO Box 1486
Murray, KY 42071
Item 14-8-19
1. In 130.7(C)(10)(b)(1), delete the phrase “and the anticipated incident energy exposure is greater than 4cal/cm².” This restores the text as found in the 2012 edition of NFPA 70E.

(1) An arc-rated balaclava shall be used with an arc-rated faceshield when the back of the head is within the arc flash boundary and the anticipated incident energy exposure is greater than 4cal/cm². An arc-rated hood shall be permitted to be used instead of an arc-rated faceshield and balaclava.

2. In Table H.3(a), delete the following text in the first column under the heading “Faceshield.” “4 cal/cm²: Arc-rated faceshield that covers the face, neck and chin and Exposures > 4.0 cal/cm² to.” This restores the text as found in the 2012 edition of NFPA 70E.

Table H.3(a) Summary of Specific Sections Describing Personal Protective Equipment for Electrical Hazards

<table>
<thead>
<tr>
<th>Arc Flash Hazard PPE Applicable Section(s)</th>
<th>130.7(C)(1); 130.7(C)(3); 130.7(C)(10)(a); 130.7(C)(10)(b); 130.7(C)(10)(c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Face shield:</td>
<td>130.7(C)(10)(a); 130.7(C)(10)(b); 130.7(C)(10)(c)</td>
</tr>
<tr>
<td>Exposures ≥ 1.2 cal/cm² to 4 cal/cm²: arc-rated faceshield that covers the face, neck and chin</td>
<td>130.7(C)(10)(a); 130.7(C)(10)(b); 130.7(C)(10)(c)</td>
</tr>
<tr>
<td>Exposures &gt; 4.0 cal/cm² to and ≤ 12 cal/cm²: arc-rated faceshield that covers the face, neck and chin and an arc-rated balaclava or an arc-rated arc flash suit hood</td>
<td>130.7(C)(10)(a); 130.7(C)(10)(b); 130.7(C)(10)(c)</td>
</tr>
</tbody>
</table>

3. In Table H.3(b), delete the following text in the second column. “≥ 1.2 to 4.0 cal/ cm² Arc-rated face shield > 4.0 to 12 cal/ cm².” This restores the text as found in the 2012 edition of NFPA 70E.

Table H.3(b) Guidance on Selection of Arc-Rated Clothing and Other PPE for Use When Incident Energy Exposure is Determined

<table>
<thead>
<tr>
<th>Incident Energy Exposure</th>
<th>Protective Clothing and PPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>≥ 1.2 to 12 cal/cm²</td>
<td>Arc-rated clothing and equipment with an arc rating equal to or greater than the determined incident energy (See Note 3.)</td>
</tr>
<tr>
<td></td>
<td>Arc-rated long-sleeve shirt and arc-rated pants or arc-rated coverall or arc flash suit (SR) (See Note 3.)</td>
</tr>
<tr>
<td></td>
<td>≥ 1.2 to 4.0 cal/cm²</td>
</tr>
<tr>
<td></td>
<td>Arc-rated face shield</td>
</tr>
<tr>
<td></td>
<td>&gt; 4.0 to 12 cal/cm²</td>
</tr>
<tr>
<td></td>
<td>Arc-rated face shield and arc-rated balaclava or arc flash suit hood (SR) (See Note 1.)</td>
</tr>
<tr>
<td></td>
<td>Arc-rated jacket, parka, or rainwear (AN)</td>
</tr>
</tbody>
</table>

Submitter’s Substantiation: The revision to Section 130.7(C)(10)(b)(1) created by 70E-SR37 and the related revisions to Table H.3(a) and Table H.3(b) created by 70E-SR61 conflicts with the following sections:
- Section 130.7(C)(1) “All parts of the body inside the arc flash boundary shall be protected”
- Section 130.7(C)(6) “Workers shall wear arc-rated clothing wherever exposure to an electric arc flash above the threshold incident-energy level for a second-degree burn, i.e., 5 J/cm² (1.2 cal/cm²), is possible.”

This conflict was identified in the negative ballot comments on SR37 and SR61 by Palmer Hickman and Rodney West. At the request of the NFPA Correlating Committee a task group was established by NFPA 70E Technical committee Chair, David August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 697 of 1626
Dini, comprised of the following NFPA 70E Technical Committee members:
Rod West (chair), Louis Barrios, Steve Corrado, Paul Dobrowsky, Bobby Gray, Palmer Hickman, John Luke, Mark McNellis, and
Vince Saporita.

The task group unanimously agreed on the following:
• The proposed TIA is emergency in nature as it meets the criteria of 5.1(f) in the Regulations Governing the Development of
NFPA Standards; and
• The proposed resolution to the identified conflict.

Emergency Nature: As indicated in the substantiation, this proposed TIA meets the following requirement listed in 5.3 of the
Regulations Governing the Development of NFPA Standards for the evaluation of emergency nature:
5.3(b) The NFPA Standard contains a conflict within the NFPA Standard or with another NFPA Standard.
According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Correlation Issues) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 9.

\[12 \text{ (eligible to vote)} - 1 \text{ (not returned)} - 0 \text{ (abstentions)} = 11 \times 0.75 = 8.25\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[12 \text{ eligible} \div 2 = 6 + 1 = 7\text{ (this is the simple majority)}\]

<table>
<thead>
<tr>
<th>12</th>
<th>Eligible to Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Not Returned (Fiske)</td>
</tr>
</tbody>
</table>

CC FINAL Ballot results for Correlation Issues are as follows:

- 9 Agree (Brunssen Hickman w/comment)
- 2 Disagree (Hittinger, LaBrake, Jr.)
- 0 Abstentions

FINAL ACTION: PASS

CC FINAL Ballot results for Emergency Nature are as follows:

- 9 Agree (Hickman w/comment)
- 2 Disagree (Hittinger, LaBrake, Jr.)
- 0 Abstentions

FINAL ACTION: PASS

Final EEW-AAA Ballots are on the next page
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 (**Technical Merit**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **18**.

\[
[25 \text{ (eligible to vote)} - 0 \text{ (not returned)} - 1 \text{ (abstention)} = 24 \times 0.75 = 18]\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
[25 \text{ eligible} ÷ 2 = 12.5 = 13 \text{ (this is the simple majority)}]\
\]

---

25  Eligible to Vote  
0   Not Returned  

**TC FINAL** Ballot results for **Technical Merit** are as follows:  
22   Agree  
   2  Disagree (Bowman, Widup)  
   1  Abstention (Wallis)  

**FINAL ACTION: PASS**

**TC FINAL** Ballot results for **Emergency Nature** are as follows:  
21   Agree  
   3  Disagree (Bowman, Widup, Wallis)  
   1  Abstention (Hayes)  

**FINAL ACTION: PASS**
Hi Kim

Regarding TIA 1132 please record my vote as follows:

Question 1-Disagree

The acceptance of this TIA would create a correlation issue.

In the original SR-61, the technical committee acknowledged that the balaclava is not required for incident energy values up to 4.0 cal/cm². This change was technical in nature and intended to match the clothing requirements of the Table Method and the Incident Energy Calculation Method.

TIA 1132 would reverse the committee action and no longer correlate the Table Method and the Incident Energy Calculation Method.

Further, the Regulations Governing Committee Projects Section 5 is silent on whether a TIA can be applied to a proposed document. I believe the proper procedure would be to submit a NITMAM on the proposed document to be considered during the NFPA Annual Meeting to follow the document adoption process, then if not resolved this TIA could be considered on the new version of the published document.

Question 2-Disagree
The TIA does not meet any of the criteria described in the Regulations Governing Committee Projects in 5.3.

Thank you,

David Hittinger

On Thu, May 1, 2014 at 9:07 AM, Shea, Kimberly <kshea@nfpa.org> wrote:

Yes, you may submit your change via an email; it is not necessary to submit a revised ballot form.
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1132
To Revise 130.7(C)(10)(b)(1), Table H.3(a) and Table H.3(b) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

_____ AGREE  _____ X _____ DISAGREE*  _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

I am changing my initial ballot to “Disagree” since the acceptance of this TIA would create a correlation issue between 130.7(C)(10)(b)(1) and Tables H.3(a) and H.3(b) related to the level of personnel protection for the same hazard condition in the section and the tables. Further, This TIA is on a proposed NFPA technical document rather than a current version of the document, which presents a NFPA process correlation issue to itself. The NITMAM and Annual Meeting Technical Document adoption process must come first. If unresolved, then the TIA process may be implemented on the published document.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_____ AGREE  _____ X _____ DISAGREE*  _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

I am changing my initial ballot to “Disagree” since the acceptance of this TIA is on a proposed NFPA technical document rather than a current version of the document, which still needs to progress through the NFPA Annual Meeting and Appeals process.

Signature

Neil F. LaBrake, Jr. - CC Principal, EEI rep.
Name (Please Print)

30 April 2014
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

August 5, 2014
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1132
To Revise 130.7(C)(10)(b)(1), Table H.3(a) and Table H.3(b) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regulations Governing Committee Projects.

X AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

Affirmative comment: Note that in the TIA proposed text for Table H.3(a), "Face shield", the word "suite" is used as follows: "... arc-rated faceshield that covers the face, neck and chin and an arc-rated balaclava or an arc-rated arc flash suite 'hood'. The word as contained in NFPA 70E 2012 Edition is "suit".

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

X AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

______________________________
______________________________
______________________________

Signature

James E. Brunnsen
Name (Please Print)

April 23, 2012
Date

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169
TECHNICAL CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1132
To Revise 130.7(C)(10)(b)(I), Table H.3(a) and Table H.3(b) of the Proposed 2015 Edition of 
NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy 
enclosed) of the NFPA Regulations Governing Committee Projects.

________ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant 
section(s)/paragraph(s) of the correlation issue and describe.

I agree that this TIA fixes a correlation issue as identified by a task group that 
recommended the TIA and by the overwhelming vote of the 70E Technical Committee.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

________ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

I agree with the overwhelming vote of the 70E Technical Committee that this issue is of an 
emergency nature.

[Signature]

Name: Palmer Hickman

Date: 04/17/14

Please return the ballot on or before Thursday, April 24, 2015.

PLEASE RETURN TO:
kshea@nfpa.org
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

3.4.2 Authority. A TCC shall direct the activities of the TCs that have primary responsibility for 
the development and revision of Documents assigned to them. The TCC shall be responsible for
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1131

Revision 130.7(C)(10)(b)(1), Table H.3(a) and Table H.3(b) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

AGREE  X  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
In the incident energy range of 1.2 to 4 cal/cm² the arc flash boundary is very small and the face shield with a wrap-around guard is sufficient to protect the face and neck. This issue was debated extensively in the task group and it was agreed that the balaclava was not necessary when the incident energy is in the 1.2 to 4 cal/cm² range. The issue was debated before the whole committee when the vote to accept the second revision was made.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE  X  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
In the incident energy range of 1.2 to 4 cal/cm² the arc flash boundary is very small and the face shield with a wrap-around guard is sufficient to protect the face and neck. Therefore, no emergency exists.

[Signature]

[Name (Please Print)]

4/8/14

Date

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1132

Revise 130.7(C)(10)(b)(1), Table H.3(a) and Table H.3(b) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

AGREE   DISAGREE*   X   ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

OSHA policy requires abstaining on technical issues. However, I do not see any conflict between (1) Sections 130.7(C)(10)(b)(1) and Tables H.3(a) and H.3(b) and (2) Sections 130.7(C)(1) and 130.7(C)(6). As I read the standard, Section 130.7(C)(1) requires protection for all parts of the body (including the head) and Section 130.7(C)(10)(b)(1) and the two tables explain what adequate protection for the head is. Section 130.7(C)(6) requires arc-rated clothing for exposures above 1.2 cal/cm². That section does not require arc-rated clothing for the entire body. As long as the worker is wearing otherwise compliant arc-rated clothing, then the way I read Section 130.7(C)(6), there is compliance. That said, whether there is a conflict or not is a technical one, which the Committee must decide, and thus I abstain.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE   X   DISAGREE*   ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

OSHA policy requires abstaining on technical issues. However, the issue here is not technical. The TIA stated that the working group decided that the issue raised by the TIA is emergency in nature because it meets the criteria of 5.1(f) in the Regulations Governing the Development of NFPA Standards without providing any explanation of how the TIA met those criteria. Because the TIA contains no explanation for its emergency nature, it fails the test in 5.1(f) of the regulations.

Signature

David M. Wallis
Name (Please Print)

April 8, 2014
Date

Please return the ballot on or before April 8, 2014.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1132

Revise 130.7(C)(10)(b)(1), Table H.3(a) and Table H.3(b) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

AGREE  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Requiring a balaclava for an HRC 1 task is not necessary. Industry doesn't support the need and reasonable work practices do not either. When a worker has the necessary PPE on for a task that involves exposures at less than 4 calories an arc-rated face shield along with other necessary PPE will suffice, and I disagree that a balaclava is required for exposures that are anticipated to be less than 4 calories. We need to keep the application and focus of requirements within the 70E on items that are practical and usable to the worker in the field. Also, it seems more appropriate to fully discuss and debate this issue next cycle, not through a TIA.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

There has not enough information or technical substantiation presented that makes this a subject of emergency nature. It can be addressed during the next code cycle.

Signature

Ron Widup
Name (Please Print)

April 8, 2014
Date

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070     E-mail: kshea@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1132

Revise 130.7(C)(10)(b)(1), Table H.3(a) and Table H.3(b) of the Proposed 2015 Edition of NFPA 70E, Standard for Electrical Safety in the Workplace

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

AGREE          DISAGREE*          ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE          DISAGREE*          X          ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

?

Signature

Jens Mayer

Name (Please Print)

Jamos Hayes

Date

4/2/14

Please return the ballot on or before April 8, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7070
E-mail: kshea@nfpa.org
Boiler and Combustion Systems Hazards Code
TIA Log No. 1136
Reference: 8.9.2
Comment Closing Date: June 20, 2014
Submitter: Steven Meierotto, Nooter Eriksen

1. Revise 8.9.2 to read as follows:

8.9.2 Purge.

8.9.2.1 Unfired HRSG.

8.9.2.1.1 A purge of both the HRSG enclosure and the bypass system shall be completed as required in 8.8.4 prior to the admission of combustion turbine exhaust gas into the HRSG.

8.9.2.1.2 Following the purge as required in 8.9.2.1.1, it shall be permitted to interrupt the flow through the HRSG using the bypass stack.

8.9.2.1.3 Combustion turbine exhaust flow shall be permitted to re-enter the HRSG at a later time without repurging, provided the combustion turbine has been in continuous operation with no trips or misfires.

8.9.2.1.4 Where HRSG isolation is maintained and the combustion turbine operation has been interrupted, the combustion turbine shall be permitted to purge and operate with combustion turbine exhaust through the bypass stack.

8.9.2.1.4.1 When HRSG isolation is removed, it is desired to return the HRSG to service, a purge of the HRSG enclosure shall be performed as required by 8.9.2.1.1

8.9.2.1.4.2 After the purge of 8.9.2.1.4.1, an interruption as allowed by 8.9.2.1.2 shall be permitted.

8.9.2.1.4.3 In the event that HRSG isolation is disabled and the combustion turbine can continue to be operated with an exhaust temperature at least 56°C (100°F) lower than the autoignition temperature of the fuels designed for use in the specific combustion turbine, the combustion turbine exhaust gas at this lower temperature shall be permitted to be used to purge the HRSG:

Where the combustion turbine operation has been interrupted and it is desired to return the HRSG to service, the combustion turbine shall be permitted to continue operating and the combustion turbine exhaust shall be permitted to be used to purge the HRSG, provided the exhaust temperature is at least 56°C (100°F) lower than the autoignition temperature of the fuels designed for use in the specific combustion turbine.

8.9.2.2 Fired HRSG.

8.9.2.2.1 A purge of both the HRSG enclosure and the bypass system shall be completed as required in 8.8.4 prior to the admission of combustion turbine exhaust gas into the HRSG.

8.9.2.2.2 Where HRSG isolation is continuously maintained and the combustion turbine operation is interrupted, the combustion turbine shall be permitted to purge and operate with combustion turbine exhaust through the bypass stack.

8.9.2.2.2.1 When HRSG isolation is removed, a purge of the HRSG enclosure shall be performed as required by 8.9.2.2.1, except as permitted in 8.9.2.2.4.

8.9.2.2.2.2 In the event that HRSG isolation is disabled and the combustion turbine can continue to be operated with an exhaust temperature at least 56°C (100°F) lower than the autoignition temperature of the fuels designed for use in the specific combustion turbine and duct burner, the combustion turbine exhaust gas at this lower temperature shall be permitted to be used to purge the HRSG.
Where the combustion turbine operation has been interrupted and it is desired to return the HRSG, the combustion turbine shall be permitted to continue operating and the combustion turbine exhaust shall be permitted to be used to purge the HRSG, provided the exhaust temperature is at least 56°C (100°F) lower than the autoignition temperature of the fuels designed for use in the specific combustion turbine and the duct burner.

8.9.2.2.3 Where the combustion turbine has been in continuous operation with no trips or misfires and it is desired to return the HRSG to service, the combustion turbine shall be permitted to continue to be operated and the combustion turbine exhaust may be used to purge the HRSG, provided the exhaust temperature is at least 56°C (100°F) lower than the autoignition temperature of the fuels designed for use in the duct burner.

8.9.2.2.3 If damper(s) operation or other cause(s) results in the exhaust mass flow through the HRSG falling below the purge rate required in 8.8.5, a repurge as required in 8.8.5 shall be performed prior to lighting the duct burner.

8.9.2.2.4* When it is desired that the HRSG be bypassed for a period of time and then for the HRSG to be returned to service by means of damper positioning without a power interruption, one of the following conditions shall be met:
   (1) A continuous flow of at least the purge rate of exhaust or fresh air shall be maintained through the HRSG when the combustion turbine is operating.
   (2) The combustion turbine is in operation without trips or misfires and the duct burner fuel system satisfies the isolation requirements for a combustion turbine purge credit in accordance with 8.8.4.6.

8.9.2.3* Returning HRSG to Service Where combustion turbine exhaust flow is to be reintroduced to the HRSG through operation of the stack diverter damper, the combustion turbine load and damper sequence of operation shall be in accordance with considered by the HRSG manufacturer’s operating instructions.

Submitter’s Substantiation: This TIA addresses ambiguities in the section discussed in the January 16, 2014 meeting of the Technical Committee on Heat Recovery Steam Generators and also corrects an inconsistency between an unfired HRSG and a fired HRSG when returning the HRSG into service after bypass operation.

There is an inconsistency between an unfired HRSG and a fired HRSG when returning the HRSG into service after bypass operation. 8.9.2.1.3 allows combustion turbine exhaust gas to re-enter the unfired HRSG without repurging provided the combustion turbine has been in continuous operation with no trips or misfires. When returning a fired HRSG to service and the combustion turbine exhaust gas is used as the purging medium, 8.9.2.2.2.2 currently requires the exhaust temperature to be at least 100°F less than the AIT of the fuels used in the design of the combustion turbine and the duct burner. As currently written, the requirements to return a natural gas supplementary fired HRSG with a combustion turbine bypass system operating behind a combustion turbine designed to operate on both natural gas and distillate oil to service after operating in by-pass mode will result in an interruption of power and undue wear on the CT because the combustion turbine exhaust temperature would need be reduced to where the CT flame would need to be extinguished. Following the logic of 8.9.2.1.3, if the combustion turbine has been in continuous operation with no trips or misfires, the combustion turbine exhaust flow should need only be 100°F less than the AIT of the fuels used in the design of the duct burner and NOT the combustion turbine. The proposed changes correct this inconsistency and clarify what the temperature of the purging medium must be considering previous combustion turbine operation.

Emergency Nature: As currently written, the requirements will result in unnecessary interruption of power or undue costs to implement the provisions of 8.9.2.2.4 where they would not otherwise be required. The proposed changes were discussed in meetings of the Technical Committee on Heat Recovery Steam Generators however the current revision cycle will not allow for the changes to be included in the 2015 Edition.
According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Correlation Issues) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 12.

\[21 \text{ (eligible to vote)} - 6 \text{ (not returned)} - 0 \text{ (abstentions)} = 15 \times 0.75 = 11.25\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[21 \text{ eligible} \div 2 = 10.5 = 11 \text{ (this is the simple majority)}\]

21 Eligible to Vote
6 Not Returned (Colloton, Fleming, King, Mason, Moskal, Schmidt)

CC FINAL Ballot results for Correlation Issues are as follows:
12 Agree (Polagye w/comment)
3 Disagree (Basile, Wong, Zadiraka)
0 Abstentions

FINAL ACTION: PASS

CC FINAL Ballot results for Emergency Nature are as follows:
13 Agree (Gaetke w/comment)
2 Disagree (Wong, Zadiraka)
0 Abstentions

FINAL ACTION: PASS

*Final BCS-HRS Ballots are on the next page*
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 (**Technical Merit**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 13.

\[
\left[ 23 \text{ (eligible to vote)} - 5 \text{ (not returned)} - 1 \text{ (abstention)} \right] = 17 \times 0.75 = 12.75
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
23 \div 2 = 11.5 = 12 \text{ (this is the simple majority)}
\]

---

**23 Eligible to Vote**

| 5 Not Returned (Balsbaugh, Burney, Cancelado, Drndarevic, Wertz) |

**TC FINAL** Ballot results for **Technical Merit** are as follows:

- 14 Agree
- 3 Disagree (Evely, Gaetke, Polagye)
- 1 Abstention (Yarinovsky)

**FINAL ACTION: PASS**

**TC FINAL** Ballot results for **Emergency Nature** are as follows:

- 16 Agree
- 1 Disagree (Gaetke)
- 1 Abstention (Yarinovsky)

**FINAL ACTION: PASS**
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1136
To Revise 8.9.2 of the 2011 and Proposed 2015 Editions of NFPA 85,
* Boiler and Combustion Systems Hazards Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

_________ AGREE _______ X _______ DISAGREE* _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

It seems a bit awkward that language pertaining to continuous operation (8.9.2.2.3) is included within the paragraph describing interrupted operation (8.9.2.2.2). Suggest that 8.9.2.2.3 be renumbered as 8.9.2.2.3, and subsequent paragraphs be renumbered accordingly.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

______ X______ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

________________________________________________________________________

________________________
Signature
Barry J. Basile
Name (Please Print)
27 May 2014
Date

Please return the ballot no later than Tuesday, June 2, 2014 to:

Kimberly Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070

E-mail: kshea@nfpa.org
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1136
To Revise 8.9.2 of the 2011 and Proposed 2015 Editions of NFPA 85,
Boiler and Combustion Systems Hazards Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

_________ AGREE       _______ DISAGREE*      _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

________________________

Revisions are not clear are still confusing. Key TC members make similar statements. There must be a way to simplify section 8.9.2 and maybe a full committee rewrite is necessary. A flow/logic chart in the Appendix may help.

________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_________ AGREE       _______ DISAGREE*      _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

________________________

As presently written the text may be contradictory and confusing but it does not introduce a hazardous condition justifying a TIA. _

________________________
Signature
Henry K. Wong

Name (Please Print)
Henry K. Wong

Date
June 2, 2014

Please return the ballot no later than Tuesday, June 2, 2014 to:

Kimberly Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070

E-mail: kshea@nfpa.org

August 5, 2014

Supplemental Agenda - Standards Council Meeting August 11-14, 2014

Page 715 of 1626
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1136
To Revise 8.9.2 of the 2011 and Proposed 2015 Editions of NFPA 85,
Boiler and Combustion Systems Hazards Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

__________ AGREE _______ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

Revised appears inconsistent in that the unfired HRSG must be purged with turbine exhaust gas 100F below AIT of GT fuels yet fired HRSG does not care about AIT of GT fuels. I feel that this proposal needs a full public review.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

__________ AGREE _______ DISAGREE* __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

Justification for TIA is that it is an inconvenience which I do not feel requires an emergency action.

Signature
Allan J Zadiraka
Name (Please Print)
05/28/2014
Date

Please return the ballot no later than Tuesday, June 2, 2014 to:

Kimberly Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070 E-mail: kshea@nfpa.org

August 5, 2014
Supplemental Agenda - Standards Council Meeting August 11-14, 2014
Page 716 of 1626
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1136
To Revise 8.9.2 of the 2011 and Proposed 2015 Editions of NFPA 85,
Boiler and Combustion Systems Hazards Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

______X______ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

_____________________________________________________________________

_____________________________________________________________________

_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

______X______ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

_____________________________________________________________________

After re-reading TIA since initial proposal to TC, it appears paragraph (f) of NFPA 5.3 applies towards the emergency nature of this proposal. The TIA is correcting a circumstance in which the NFPA standard has resulted in adverse impact to CT’s that was inadvertently overlooked in the NFPA revision process.

_____________________________________________________________________

Gordon Gaetke
Signature
Gordon Gaetke
Name (Please Print)
May 29, 2014
Date

Please return the ballot no later than Tuesday, June 2, 2014 to:

Kimberly Shea, Project Administrator
NFPA
1 Batterymarch Park
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1136
To Revise 8.9.2 of the 2011 and Proposed 2015 Editions of NFPA 85;
Boiler and Combustion Systems Hazards Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

_____ X _____ AGREE  ________ DISAGREE  (*) ________ ABSTAIN  (*)

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

I voted negative on Question 1 (technical merit) at the technical committee level not because I disagreed with the technical issue the TIA is addressing, but because I thought slightly different wording and some rearrangement of the material would make it easier for users of NFPA 85 to understand. (With the NFPA process for TIA's, once a TIA is approved, no changes can be made to it. Rejecting the TIA on technical merit was the only way to give the technical committee an opportunity to consider alternate wording.) The technical committee ballot results show most committee members didn't feel changes were necessary. I will go along with the technical committee's decision and further agree there are no issues to address within the scope of the correlating committee's authority and responsibilities.

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_____ X _____ AGREE  ________ DISAGREE  (*) ________ ABSTAIN  (*)

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

_________________________________
_________________________________

__Michael C. Polage__
Signature
Michael C. Polage
Name (Please Print)
May 22, 2014
Date

Please return the ballot no later than Tuesday, June 2, 2014 to:

Kimberly Shea, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7070  E-mail: kshea@nfpa.org

August 5, 2014
Supplemental Agenda - Standards Council Meeting August 11-14, 2014
Kimberly,

I would like to change my vote on the Technical Merit question regarding this TIA to “disagree”. The explanation for this “disagree” vote is that the wording and structure of the proposed changes in the mandatory text are unclear and need to be reworked. Please let me know if you have any questions.

Regards,

Dale Evely
Southern Company

From: Shea, Kimberly [mailto:kshea@NFPA.org]
Sent: Thursday, May 08, 2014 12:21 PM
To: Shea, Kimberly
Subject: NFPA 85 TIA 1136

NFPA Technical Committee on Heat Recovery Steam Generators:

Please note that in my email below I misidentified Mike Polagye as the chair of the Heat Recovery Steam Generators TC. Dwight Hyche is the Chair of this Technical Committee. As you are aware Mike is chair of the Correlating Committee. My apologies to both Dwight and Mike.

Kim Shea
NFPA

NFPA Technical Committee on Heat Recovery Steam Generators:

Please review the note below received from Chair, Mike Polagye, relative to Proposed TIA 1136. If you are in agreement with the negative votes of Gordon and Mike and their proposed revisions to the TIA, you would want to change your vote to “disagree” on the Technical Merit question. If the current proposed TIA fails ballot, the revised TIA can be submitted for ballot.

In order to provide you with further time to review the preliminary ballot results (attached) and proposed revisions to the TIA, the circulation period has been extended until May 16, 2013. If you wish to change your vote, please do so by sending an email and explanation to kshea@nfpa.org no later than May 16, 2013.

Thank you for your attention to this matter.

Kimberly Shea
NFPA
617-984-7953

To the HRS Committee Members:

After seeing Gordon Gaetke’s negative, I took another look at the TIA because I thought it was technically correct and wanted to try to figure out why he thought it wasn’t.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1136

Boiler Combustion Systems Hazards Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

_________ AGREE  _______ X____ DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. The proposed revisions are extensive and should be discussed by the TC before submitting to public. The TIA alters the unfired HRSG case to interrupting combustion turbine operation removing allowance to keep CT running through bypass stack. An inconsistency appears to be introduced in the fired HRSG case by providing a condition to interrupt CT operation (8.9.2.2.2) but a sub-paragraph discussing CT running (8.9.2.2.2.3).

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE  _______ X____ DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. No support documentation provided justifying position that the existing rule requires CT to be removed from operation to meet the original text. Does original text affect all manufacturers or is the TIA required by a manufacturer? The original text allows use of fresh air to maintain purge, but substantiation did not discuss this. None of the reasons listed by NFPA in section 5.3 for a TIA seem to apply nor did submitter provide which of the list is being applied.

Gordon Gaetke
Signature

Gordon Gaetke
Name (Please Print).

5/1/14
Date

Please return the ballot on or before May 5, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7070  E-mail: kshea@nfpa.org
Kimberly,

Upon review of Gordon Gaetke’s negative and further review of the TIA, I wish to change my vote to negative on Question 1. I concur the new language creates confusion by providing a requirement/permissive that addresses continuous operation of a combustion turbine as a sub-paragraph in a section addressing conditions when combustion turbine operation has been interrupted.

Please let me know if this e-mail is sufficient to record my amended vote or if additional support/documentation is needed.

Thank you and best regards,

Mike
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1136

Boiler Combustion Systems Hazards Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA

AGREE  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I abstain from voting as I don't fully understand the proposed text changes, need further clarification

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE  DISAGREE*  ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Please see above explanation

Signature

ILYA YARINOVSKY

Name (Please Print)

30-Apr-2014

Date

Please return the ballot on or before May 5, 2014

PLEASE RETURN TO:
Kimberly Shea
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7070  E-mail: kshea@nfpa.org
Item 14-8-21
5.1.3.6.3.10 Electrical Power and Control

(A) An additional compressor(s) shall automatically activate when the compressor(s) in operation is incapable of maintaining the required pressure.

(B) Automatic or manual alternation of compressors shall allow division of operating time. If automatic alternation of compressors is not provided, the facility staff shall arrange a schedule for manual alternation.

(C) Each compressor motor shall be provided with electrical components including, but not limited to, the following:

(1) Dedicated disconnect switch installed in the electrical circuit ahead of each motor starter
(2) Motor starting device
(3) Overload protection
(4) Where compressor systems having two or more compressors employ a control transformer or other voltage control power device, installation of at least two such devices.

(D) Medical air compressor system controls shall be provided with electrical systems including, but not limited to, the following:

(1) Built-in disconnect means to allow appropriate operation of multiple compressor systems and to protect service personnel from exposure to live voltages
(2) (5) Control circuits arranged in such a manner that the shutdown of one compressor does not interrupt the operation of another compressor. Control circuits arranged so that failure of any component of the control circuit or shutdown of one compressor (e.g., for service) does not interrupt automatic operation of the standby compressor
(3) Where components are common to more than one control circuit (e.g., autodrains), the common device provided with electrical protection to prevent loss of the control circuits(s) in the event of short circuit in the device
(4) (6) Automatic restart function, such that the compressor(s) will restart after power interruption without manual intervention

(E) (D) Electrical installation and wiring shall conform to the requirements of NFPA 70, National Electrical Code.

(F) (E) Emergency electrical service for the compressors shall conform to the requirements of the essential electrical system as described in Chapter 6.

5.1.3.7.5 Electrical Power and Control.

5.1.3.7.5.1 Additional pumps shall automatically activate when the pump(s) in operation is incapable of adequately maintaining the required vacuum.

5.1.3.7.5.2 Automatic or manual alternation of pumps shall allow division of operating time. If automatic alternation of pumps is not provided, the facility staff shall arrange a schedule for manual alternation.

5.1.3.7.5.3 Each pump motor shall be provided with electrical components including, but not limited to, the following:

(1) Dedicated disconnect switch installed in the electrical circuit ahead of each motor starter
(2) Motor starting device
(3) Overload protection
5.1.3.7.5.4 Vacuum source system controls shall be provided with electrical systems including, but not limited to, the following:

1. Control circuits arranged in such a manner that the shutdown of one pump does not interrupt the operation of another pump. Control circuits arranged so that failure of any component of the control circuit or shutdown of one pump (e.g., for service) does not interrupt automatic operation of the standby pump.
2. Controls shall be provided with built-in disconnect means to allow appropriate operation of multiple pump systems and to protect service personnel from exposure to live voltages.
3. Where components are common to more than one control circuit, the common device provided with electrical protection to prevent loss of the control circuits(s) in the event of short circuit in the device.
4. Automatic restart function, such that the pump(s) will restart after power interruption without manual intervention.

5.1.3.7.5.5 Electrical installation and wiring shall conform to the requirements of NFPA 70, National Electrical Code.

5.1.3.7.5.6 Emergency electrical service for the pumps shall conform to the requirements of the essential electrical system as described in Chapter 6.

5.1.3.8.4 Electrical Power and Control.

5.1.3.8.4.1 Additional producers shall automatically activate when the producer(s) in operation is incapable of maintaining the required vacuum.

5.1.3.8.4.2 Automatic or manual alternation of producers shall allow division of operating time. If automatic alternation of producers is not provided, the facility staff shall arrange a schedule for manual alternation.

5.1.3.8.4.3 Each producer motor shall be provided with electrical components including, but not limited to, the following:

1. Dedicated disconnect switch installed in the electrical circuit ahead of each motor starter.
2. Motor starting device.
3. Overload protection.
4. Where WAGD systems having two or more producers employ a control transformer or other voltage control power device, at least two such devices.

5.1.3.8.4.4 WAGD source system controls shall be provided with electrical systems including, but not limited to, the following:

1. Control circuits arranged in such a manner that the shutdown of one producer does not interrupt the operation of another producer. Control circuits arranged so that failure of any component of the control circuit or shutdown of one producer (e.g., for service) does not interrupt automatic operation of the standby producer.
2. Controls provided with built-in disconnect means to allow appropriate operation of multiple producer systems and to protect service personnel from exposure to live voltages.
3. Where components are common to more than one control circuit, the common device shall be provided with electrical protection to prevent loss of the control circuits(s) in the event of short circuit in the device.
4. Automatic restart function such that the producer(s) will restart after power interruption without manual intervention.

5.1.3.8.4.5 Electrical installation and wiring shall conform to the requirements of NFPA 70, National Electrical Code.

5.1.3.7.5.65 Emergency electrical service for the producers shall conform to the requirements of the essential electrical system as described in Chapter 6.
(1) When multiple compressors are used, an additional compressor(s) shall automatically activate when the compressor(s) in operation is incapable of maintaining the required pressure.

(2) When multiple compressors are used, automatic or manual alternation of compressors shall allow division of operating time. If automatic alternation of compressors is not provided, the facility staff shall arrange a schedule for manual alternation.

(3) Each compressor motor shall be provided with electrical components including, but not limited to, the following:
   
   (a) Dedicated disconnect switch installed in the electrical circuit ahead of each motor starter
   (b) Motor starting device
   (c) Overload protection
   (d) Where compressor systems having two or more producers employ a control transformer or other voltage control power device, at least two such devices.

(4) Instrument air compressor system controls shall be provided with electrical systems including, but not limited to, the following:
   
   (a) Built-in disconnect means to allow appropriate operation of multiple compressor systems and to protect service personnel from exposure to live voltages
   (b) (c) Control circuits arranged in such a manner that the shutdown of one compressor does not interrupt the operation of another compressor Control circuits arranged so that failure of any component of the control circuit or shutdown of one compressor (e.g., for service) does not interrupt automatic operation of the standby compressor
   (c) Where components are common to more than one control circuit (e.g., autodrains), the common device provided with electrical protection to prevent loss of the control circuits(s) in the event of short circuit in the device
   (d) (f) Automatic restart function, such that the compressor(s) will restart after power interruption without manual intervention

(5) (4) Electrical installation and wiring shall conform to the requirements of NFPA 70, National Electrical Code.

(6) (5) Emergency electrical service for the compressors shall conform to the requirements of the essential electrical system as described in Chapter 6.

Submitters’ Substantiation: This change more closely aligns the requirements of NFPA 99 with the NEC and provides an appropriate level of safety for workers in accordance with NFPA 70E. It prevents inadvertent loss of components that could endanger patient safety.

Emergency Nature: As currently written, this section does not align with NFPA 70 or NFPA 70E and poses risk to staff working on components as well as patients in the case of system component failure. Component failure has caused failure of the entire system.
According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on Question 1 (Correlation Issues) but HAS NOT on Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 15.

\[ 20 \text{ (eligible to vote)} - 1 \text{ (not returned)} - 0 \text{ (abstentions)} = 19 \times 0.75 = 14.25 \]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[ 20 \text{ eligible} ÷ 2 = 10 + 1 = 11 \text{ (this is the simple majority)} \]

20 Eligible to Vote
1 Not Returned (Sack)

CC FINAL Ballot results for Correlation Issues are as follows:
19 Agree
0 Disagree
0 Abstentions

FINAL ACTION: PASS

CC FINAL Ballot results for Emergency Nature are as follows:
9 Agree
10 Disagree (Bobik, Burrill, Crowley, Ferrari, Gagnon, Gregory, Koffel, Rosenbaum, Schroeder, Versteeg)
0 Abstentions

FINAL ACTION: FAIL

Final HEA-PIP Ballots are on the next page
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on Question 1 (**Technical Merit**) but **HAS NOT** on Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **20**.

\[
\text{[29 (eligible to vote) – 2 (not returned) – 1 (abstention) = 26 \times 0.75 = 19.5]}
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
\text{[29 eligible ÷ 2 = 14.5 = 15 (this is the simple majority)]}
\]

---

**29** Eligible to Vote  
**2** Not Returned (Frankel, Thomason)

TC FINAL Ballot results for **Technical Merit** are as follows:
- **23** Agree (McBride w/comment)  
- **3** Disagree (Brittain, Lucas, Wagner)  
- **1** Abstention (Megremis)

**FINAL ACTION: PASS**

---

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **18**.

\[
\text{[29 (eligible to vote) – 2 (not returned) – 4 (abstentions) = 23 \times 0.75 = 17.25]}
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
\text{[29 eligible ÷ 2 = 14.5 = 15 (this is the simple majority)]}
\]

---

TC FINAL Ballot results for **Emergency Nature** are as follows:
- **13** Agree  
- **10** Disagree (Allen, Brittain, Ferrari, Golla, Gregory, Lucas, McBride, Mohile, Mraulak, Wagner)  
- **4** Abstentions (Anderson, McIlroy, Megremis, Willard)

**FINAL ACTION: FAIL**
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

__________ x__ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

__________ AGREE ______X____ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

___ Do not see any data or documentation that meets criteria of an emergency nature.
Needs to be discussed during the next revision cycle.
_____________________________________________________________________
_____________________________________________________________________

Signature

Constance Bobik

Name (Please Print)

5/14/2014

Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110 E-mail: ecarroll@nfpa.org
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

______ X ______ AGREE  ________ DISAGREE*  ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

______ AGREE  ______ X ______ DISAGREE*  ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

_____________________________________________________________________

There was no compelling evidence provided to support the emergency nature of these changes. I am not aware of any incident having occurred that would warrant emergency nature of the proposed changes.

_____________________________________________________________________

______________________________
Signature

Gordon D. Burrill, P.Eng., FASHE, CHFM, CHC

Name (Please Print)

2014-May-06

Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110  E-mail: ecarroll@nfpa.org
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the
proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3
(copy enclosed) of the NFPA Regs.

______X______ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite
relevant section(s)/paragraph(s) of the correlation issue and describe.

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

__________ AGREE ________ X________ DISAGREE* ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.
_____There is not adequate information on the emergency need for this change._

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Signature
Michael A Crowley______________
Name (Please Print)
April 30, 2014_________________
Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
CORRELATING COMMITTEE
LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

   [ ] AGREE   [ ] DISAGREE*   [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.


Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

[ ] AGREE   [ ] DISAGREE*   [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

I DO NOT SEE A CONFLICT AS EXPLAINED IN 5.3.(h) EVALUATION OF EMERGENCY NATURE. 5.3.(d) LESS A KNOWN HAZARD OR AMELIORATE A DANGEROUS CONDITION = NO LIST OR REFERENCE OF INCIDENTS OR POTENTIAL INCIDENTS IN SUBSTANCTION. THIS CHANGE SHOULD GO THROUGH THE NORMAL TC PROCESS.

Signature KEITH FARRELL

Name (Please Print) 5-1-14

Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169   FAX: (617) 984-7110   E-mail: ecarroll@nfpa.org

August 5, 2014
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the
proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3
(copy enclosed) of the NFPA Regs.

_____ XXX ___ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite
relevant section(s)/paragraph(s) of the correlation issue and describe.
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_________ AGREE ____________ XXXX DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.
_____________________________________________________________________

__ I would prefer to discuss this issue during the next cycle and give full attention to
it._____________________________________________________________________
_____________________________________________________________________

Robert Gagnon
Signature
__Robert M. Gagnon, PE________________________________________
Name (Please Print)
__5/1/14_____________________________________________________
Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110 E-mail: ecarroll@nfpa.org
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the
proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3
(copy enclosed) of the NFPA Regs.

_____X______ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite
relevant section(s)/paragraph(s) of the correlation issue and describe.

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_________ AGREE ____X____ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

No explanation has been provided to indicate this is of an emergency nature, and why it

_____________________________________________________________________

it cannot wait until the next revision cycle

Signature
Kenny Gregory
Name (Please Print)
April 30, 2014
Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

___X_______ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

_________ AGREE _____X____ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

The statement should read as follows: Consistent with the TC ballot indicating that the issue is not of an Emergency Nature.

Signature

William Koffel
Name (Please Print)

May 14, 2014
Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Carroll, Elena

From: Kelly, Colleen
Sent: Friday, May 16, 2014 9:15 AM
To: Carroll, Elena
Subject: FW: NFPA 99 Proposed TIA No. 1115 Circulation of CC Ballots

---

From: Eric Rosenbaum ]
Sent: Friday, May 16, 2014 9:00 AM
To: Kelly, Colleen
Cc: Eric Rosenbaum
Subject: RE: NFPA 99 Proposed TIA No. 1115 Circulation of CC Ballots

My vote:

I agree with issue and disagree with emergency nature like others for same reason as emergency nature not documented.
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

X AGREE DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.


Question 2: I agree that the subject of this TiA is of an EMERGENCY NATURE.

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.
Do not see sufficient supporting documentation to justify the emergency nature of this amendment


Signature
Ronald A. Schroeder
Name (Please Print)
5/9/14
Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

________X____ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

___________ AGREE _______X____ DISAGREE* ____________ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

_____________________________________________________________________

___________ I see no documentation substantiating an emergency nature ______

_____________________________________________________________________

Joseph H. Versteeg
Signature

Joseph H. Versteeg
Name (Please Print)

May 14, 2014
Date

Please return the ballot on or before Wednesday, May 14, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT  
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115  
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed  
2015 Editions of NFPA 99,  
Health Care Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections  
5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)  

______ X__ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*  

EXPLANATION OF VOTE - Please type or print your comments:  

*An explanation must accompany a disagreement or abstaining position.

__________________________________________________________________________  
__________________________________________________________________________  
__________________________________________________________________________  

Question 2: I agree that the subject is of an EMERGENCY NATURE.  

_________ AGREE  ____X___ DISAGREE*  ___________ ABSTAIN*  

EXPLANATION OF VOTE - Please type or print your comments:  

*An explanation must accompany a disagreement or abstaining position.  
As a company, BeaconMeds did a product recall based on this subject in 2009 involving  
product we had sold in the 1980's. We have not built product which does not conform to  
these provisions since about 1990. Therefore, from our perspective the problem is handled  
already.  

Signature  
Mark Allen  
Name (Please Print)  
4-3-2014  
Date  

Please return the ballot on or before April 18, 2014.  

PLEASE RETURN TO:  
Evelyn Carroll, Administrator, Technical Projects  
NFPA  
1 Batterymarch Park  
Quincy, MA 02169  
FAX: (617) 984-7110  
E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115

To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
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Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
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_______ AGREE _______ X______ DISAGREE* ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

No specific references to NFPA 70E were given, and no specific examples of problems with current systems were presented.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE _______ X______ DISAGREE* ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

No substantiating documentation was provided with this TIA to demonstrate why this must be handled on an emergency basis. This proposal should be submitted for consideration for the next revision cycle.

(David L. Brittain - Submitted Electronically)
Signature

David L. Brittain
Name (Please Print)

14 April 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
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✓ AGREE  ❌ DISAGREE*  ❌ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.


Question 2: I agree that the subject is of an EMERGENCY NATURE.

✓ AGREE  ❌ DISAGREE*  ❌ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I do not see a conflict as explained in 5.3 (b) Evaluation
of Emergency Nature 5.3 (d) - known hazard or
Amenable to Regulatory Action. No listed reference of increments or
potential incentives in substitution. This change should go through
the normal TC process.

Signature

KEITH FERRARI
Name (Please Print)

April 3, 2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110  
E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
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Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
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_____ X _____ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

____________________________________________________________________
____________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE  _____ X _____ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

_The change does not seem to meet the definition of an emergency

____________________________________________________________________
____________________________________________________________________

__Edward D. Golla__________________________
Signature

Please us above as my electronicsignature
Name (Please Print)

__ 04-14-2014 ___________________________
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
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5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

☐ AGREE ☐ DISAGREE* ☐ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

☐ AGREE ☐ DISAGREE* ☐ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

One of my electrical engineers who I had review the revisions
did not feel this would be considered an emergency nature.
The equipment functions the way it should, thus appears to be a preferred method.

Signature

John Gregory

Name (Please Print)

4-17-14

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
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Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

_______ AGREE   _______ X ______ DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

_________________________________________________________________________

   __ See attached  ____________________________

_________________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_______ AGREE   _______ X ______ DISAGREE*  _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

_________________________________________________________________________

   __ See attached  ____________________________

_________________________________________________________________________

Signature
Jim Lucas
Name (Please Print)

4/16/2014
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: ecarroll@nfpa.org
TIA log # 1115

It is not totally clear to what condition this revision is trying to address, and I believe a more specific requirement may do a better job of accomplishing the stated goals.

In panels where transformers are used and fuses are used to provide circuit protection, there can be situations where a short circuit can open fuses on the primary and automatically engaged secondary transformer. If the service technician does not have a ready supply of replacement fuses, there can be a delay before pump function can be restored. A solution could be to utilize circuit breakers instead of fuses or to provide an independent source of starter coil power for the pump motor hand operating mode.

In any case, the solution to the perceived problem should conform to the NFPA 99 principal of single fault tolerance while maintaining 100% capacity – so the condition of a short circuit in a common device; which would potentially open the fuse of both control transformers would be resolved by isolating that device, and operating the system on the alternate or reserve. The current code would preclude using a common auto drain if after isolation; the system could not deliver 100% of the rated capacity.

Given the nature of the usage of these systems, there are going to be cases where the panel is open and troubleshooting is being performed. The work should be performed with applicable safety protocols followed. Again it is not clear to me what is actually being addressed here, what is the problem and how is the proposal resolving it? If the specific intent is to have circuit breakers or control (lockable) switches on the control circuit or some branch of the control circuit, the main power and the power to the starter coils are going to have to be present anyway. So what exactly is being proposed?

The concept of using a circuit breaker instead of a fuse, or some other device that is able to be easily toggled to facilitate repair after a load has shorted the protection device is fine. The change as written makes the design of the panel significantly change if the goal is to eliminate work in a panel that is energized. To design circuits that are able to be operated for maintaining pump function but not have power in the panel would require a complete change to the design concepts in use.

There may be some intermediate design concept that would be suitable. I am not sure.
TECHNICAL COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT
LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

☐ AGREE ☐ DISAGREE* ☐ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

There are two 5.1.3.7.5.4 (4)'s. One of them should be (3).

Question 2: I agree that the subject is of an EMERGENCY NATURE.

☐ AGREE ☑ DISAGREE* ☐ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Has there been a fire, injury or death associated with the proposed change?

Signature

Jeffrey F. McBride

Name (Please Print)

4/10/14

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110

E-mail: ecarroll@nfpa.org

August 5, 2014
Supplemental Agenda - Standards Council Meeting August 11-14, 2014
Page 747 of 1626
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the
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Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

X AGREE   _______ DISAGREE*
ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.


Question 2: I agree that the subject is of an EMERGENCY NATURE.

____ AGREE   X DISAGREE*
ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

While I do agree there is a technical reason for passing this TIA, I
do not agree that this is an emergency and that staff or patients might
might be harmed.

__________________________
Signature
David B. Mohile

Name (Please Print)

4/3/14
Date

Please return the ballot on or before April 18, 2014.
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

_______ X ___ AGREE ____________ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position.
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE ______X_____ DISAGREE* ____________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position.
Nothing has been proven to me that this is an emergency and isn’t something that can’t be handled at the next cycle.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

_Thomas J. Mraulak____________________________
Signature
Please return the ballot on or before **April 18, 2014.**

**PLEASE RETURN TO:**
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169  
FAX: (617) 984-7110  
E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
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Health Care Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

__________ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Refer to attached comments dated 4-11-2014.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Refer to attached comments dated 4-11-2014.

Signature 

J. Richard Wagner

Name (Please Print)

4-11-2014

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: eccarroll@nfpa.org

August 5, 2014
Refer to 5.1.3.6.3.9 (C)

1. Proposed (D) is not coordinated with (C). (C) and (D) both call for disconnect switches.
2. 5.1.3.6.3 applies to medical air compressors. 5.1.3.6.3.9 is Electrical Power and Control for medical air compressors. What medical air compressors does proposed (D) apply to? Are they different from the compressors covered by (A), (B), (C), (E), and (F)?
3. The proposed changes in (D) are more specific and detailed than the existing requirements in (C) but the six existing parts of (C) have the same basic requirements.
4. If they are needed, the proposed changes in (D) should be incorporated into (C).

Refer to 5.1.3.7.5.3

1. Proposed 5.1.3.7.5.4 is not coordinated with 5.1.3.7.5.3. Both call for disconnect switches.
2. 5.1.3.7 applies to medical-surgical vacuum systems. 5.1.3.7.5 is Electrical Power and Control for medical-surgical vacuum systems. What vacuum sources does proposed 5.1.3.7.5.4 apply to? Are they different from the vacuum sources covered by 5.1.3.7.5.1, 5.1.3.7.5.2, 5.1.3.7.5.3, 5.1.3.7.5.5, and 5.1.3.7.5.6?
3. The proposed changes in 5.1.3.7.5.4 are more specific and detailed than the existing requirements in 5.1.3.7.5.3 but the six existing parts of 5.1.3.7.5.3 have the same basic requirements.
4. If they are needed, the proposed changes in 5.1.3.7.5.4 should be incorporated into 5.1.3.7.5.3.

Refer to 5.1.3.8.4.3

1. Proposed 5.1.3.8.4.4 is not coordinated with 5.1.3.8.4.3. Both call for disconnect switches.
2. 5.1.3.8 applies to waste anesthetic gas disposal (WAGD). 5.1.3.8.5 is Electrical Power and Control for WAGD vacuum producers. What vacuum producers does proposed 5.1.3.8.4.4 apply to? Are they different from the vacuum producers covered by 5.1.3.8.4.1, 5.1.3.8.4.2, 5.1.3.8.4.3, 5.1.3.8.4.5 and 5.1.3.8.5.6? (should 5.1.3.7.5.6 be 5.1.3.8.4.6)?
3. The proposed changes in 5.1.3.8.4.4 are more specific and detailed than the existing requirements in 5.1.3.8.4.3 but the six existing parts of 5.1.3.8.4.3 have the same basic requirements.
4. If they are needed, the proposed changes in 5.1.3.8.4.4 should be incorporated into 5.1.3.8.4.3.
Refer to 5.1.13.3.5.13 (3)

1. Proposed (4) is not coordinated with (3). (3) and (4) both call for disconnect switches.

2. 5.1.13.3.5 applies to Instrument Air Supply Systems. 5.1.13.3.5.13 is Electrical Power and Control for instrument air compressors. What instrument air compressors does proposed (4) apply to? Are they different from the compressors covered by (1), (2), (3), (5), and (6)?

3. The proposed changes in proposed (4) are more specific and detailed than the existing requirements in (3) but the five existing parts of (3) have the same basic requirements.

4. If they are needed, the proposed changes in (4) should be incorporated into (3).

I disagree with the Technical Merits of TIA 1115.

a. Disconnect switches don't permit operation of multiple circuits and protect service personnel from exposure to live voltages at the same time. The function of disconnect switches in NFPA 99 is no different than normal.

b. NFPA 70E - Standard for Electrical Safety in the Workplace is primarily for company electrical safety programs and personnel management. NFPA 70E is not referenced in NFPA 99.

c. What specific requirements of NFPA 70E apply to electrical power and control in NFPA 99 Chapter 5?

d. How will the proposed changes affect the design and manufacture of motor controls in Chapter 5? Do any NFPA 99 Chapter 5 equipment manufacturers have motor controls that would be affected?

e. Do the proposed changes affect motor controls in Chapter 8 for Plumbing and Chapter 9 for HVAC?

I disagree with the Emergency Nature of TIA 1115.

a. The requirements for electrical power and control in Chapter 5 are the same in the 2002, 2005, and 2012 editions of NFPA 99. There have been no indications of problems. What is the problem and its emergency nature?

b. NFPA 70E is not referenced in NFPA 99.

J. Richard Wagner
4-11-2014
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
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Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

X AGREE □ DISAGREE* □ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

________________________________________________________

________________________________________________________

________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE;

□ AGREE □ DISAGREE* X ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

There is no supporting documentation stating this change is an emergency.

________________________________________________________

Signature

[Signature]

Name (Please Print)

[Name]

Date

4/11/14

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: ecarroll@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
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X AGREE          DISAGREE*          ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.


Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE          DISAGREE*          X ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

I do not feel a strong enough argument has been made by the authors to satisfy "5.3 Evaluation of Emerg Nature"

Don McIlroy

Signature

Don McIlroy

Name (Please Print)

4/4/14

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: ecarroll@nfpa.org
Supplemental Agenda - Standards Council Meeting August 11-14, 2014

August 5, 2014

TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed 2015 Editions of NFPA 99, Health Care Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

_________ AGREE __________ DISAGREE* ______ X ______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position.

________________________

________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE __________ DISAGREE* ______ X ______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:
*An explanation must accompany a disagreement or abstaining position.

________________________

________________________

_________ Spiro Megremis ______________________
Signature

________________________

________________________

Spiro Megremis
Name (Please Print)

_________ 4/15/2014 ________________________
Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: ecarroll@nfpa.org
Goyette, Joanne

To: Carroll, Elena
Subject: RE: TIA Ballot

From: Spiro Megremis [mailto:sjmegremis@yahoo.com]
Sent: Friday, April 18, 2014 3:17 PM
To: Carroll, Elena
Subject: Re: TIA Ballot

Hi Carroll,

I read through the proposed changes, and they seem reasonable. However, since I just started with the group and have not participated in any of the group discussions, I thought that it would be prudent to abstain until I become more familiar with the background of the work.

I’m out of town at a Biomaterials meeting in Denver. I hope this email can serve as a reason for my abstention. If not, please let me know.

Thank you, Carroll
Spiro

Sent from my iPhone

On Apr 18, 2014, at 7:28 AM, "Carroll, Elena" <ecarroll@nfpa.org> wrote:

I received your TIA ballot however, you do not provide a reason for your abstentions. Please resend.
Thank you.

Elena Carroll
Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
ecarroll@nfpa.org
Tel: 617-984-7952
Fax: 617-984-7110

<image001.jpg>

Check out NFPA on social media... www.nfpa.org/socialmedia
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1115
To Revise Sections 5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3) of the proposed
2015 Editions of NFPA 99,
Health Care Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise Sections
5.1.3.6.3.9(C), 5.1.3.7.5.3, 5.1.3.8.4.3, and 5.1.13.3.5.13(3)

_____ AGREE  _____ DISAGREE*  _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_____ AGREE  _____ DISAGREE*  _____ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Not sure about the emergency nature
of this TIA. Not an expert on electrical.

Signature: [Signature]

JONATHAN WILLARD

Name (Please Print)

4/9/14

Date

Please return the ballot on or before April 18, 2014.

PLEASE RETURN TO:
Elena Carroll, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110  E-mail: ecarroll@nfpa.org
To whom it may concern,

RE: Recommendation for added reference in NFPA-99

Regarding NFPA-99, Health Care Facility Code

Tentative Interim Amendments TIA No. 1115

Given that a great majority of healthcare facilities have a functioning "Heliport", I would recommend that NFPA-418 "Standard for Heliports" be referenced in NFPA-99 in some fashion.

Rex Alexander
NFPA-418 Committee Member

SINCERELY,

Rex J. Alexander
Senior Consultant

28 Baruch Drive, Long Branch, NJ 07740
Cell: (260) 494-0891 Office: (732) 870-8883
Email: Rex@heliexp.com
Web: www.heliexpsratiointernational.com

"The four cornerstones of character on which the structure of this nation was built are: Initiative, Imagination, Individuality and Independence."

"Edward Vernon Rickenbacker"
Item 14-8-22
1. Delete entire subsection 10.2.3.6(5) as follows:

(5) *Means are employed to ensure that additional devices or nonmedical equipment cannot be connected to the multiple outlet extension cord after leakage currents have been verified as safe.

2. Delete corresponding Annex A material A.10.2.3.6(5) as follows:

A.10.2.3.6(5) Power taps used in conjunction with an isolated power system are not subject to this requirement.

Submitter’s Substantiation: The Technical Committee accepted a public comment (NFPA 99 HEA-MED A11 ROC; 99-307 HEA-MED) which would have deleted 10.2.3.6 (5), but another public comment 99-308 HEA-MED on that section was Accepted in Principal and resulted in adding annex material A.10.2.3.6 (5) to that section. (Both items reported in the NFPA 99 Report on Comments A2011.) NFPA, when compiling the revised version of the document, did not incorporate the first committee action and implemented the second action, without determining the position of the committee on this issue.

Technical background: Both of the ROC proposals were based on the recognition that it is impractical to completely eliminate the use in hospitals of multiple outlet extension cords that allow clinicians and staff to plug and unplug devices as needed. The situation in the OR was adeptly explained in ROC 99-308 HEA-MED, “It is near impossible to plug all electrical devices used in an operating room to a wall receptacle. The cord length on equipment are not long enough to reach the wall and even if it did it would restrict safe movement around the OR table.” The problem, however, exists not just in the OR. For example, it is often necessary to use three or more infusion pumps, in addition to other devices, on one patient in a patient room. There may not be an adequate number of outlets nearby and running multiple cords, perhaps with extension cords, can hamper access to the patient and present a trip hazard. Instead, having an appropriate quality and properly maintained multiple outlet extension cord mounted on an IV pole, allows a safe method of powering whatever number of IV pumps is needed for a patient.

The Committee action to accept proposal 99-307 HEA-MED would have allowed this type of use of multiple outlet extension cords and eliminated any need for further exceptions or annex material.

Furthermore, the use of isolated power, currently mentioned in the annex material, does not address concerns related to touch (leakage) current values that are addressed in the main text to which the annex comment is attached. Isolated power does not limit equipment touch currents to values required within the main document.

Emergency Nature: Uncorrected, the present requirements pose an unreasonable burden on hospitals and clinicians and restricts safe access to patients not only in the operating room, but also in other patient care areas. Furthermore, as accrediting bodies, such as The Joint Commission (TJC) and the U.S. Centers for Medicare & Medicaid Services (CMMS) incorporate these requirements into their assessments and survey processes, it becomes increasingly difficult to reverse these decisions and facilities are forced to implement alternative practices that may be either unnecessarily expensive (e.g., renovations to increase outlet numbers and accessibility throughout the hospital) or less safe (e.g., use of more single outlet extension cords running greater distances to access multiple wall outlets). Hospitals have already approached ECRI Institute regarding this problem, and it is therefore not just a theoretical concern, but one which facilities are being forced to address now.

This TIA would address at least three of the factors to be considered when assessing the emergency nature of a TIA proposal (REGULATIONS GOVERNING COMMITTEE PROJECTS, http://www.nfpa.org/assets/files/PDF/CodesStandards/Directory/RegsGovCommProjects_2012.pdf)

(b) The document contains a conflict within the document or with another NFPA document. This factor applies, because, as discussed in the technical background above, the Annex reference to isolated power is not related to the associated main document text.
(d) The proposed TIA intends to offer to the public a benefit that would lessen a recognized (known) hazard or ameliorate a continuing dangerous condition or situation. Adherence to the requirements may hinder access to the patient and pose a trip hazard.

(f) The proposed TIA intends to correct a circumstance in which the revised document has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process, or was without adequate technical (safety) justification for the action. As discussed above, the current situation is the result of NFPA procedures in place at the time (and since corrected) that allowed for decisions to be made based on a procedural mishap without addressing technical considerations.
NFPA 99, Health Care Facilities Code
Reference: 10.2.3.6(5) and A.10.2.3.6(5)
(TIA Log 1104)

Comment Closing: 6/14/2013
5 Public Comments Received

TIA FINAL CC BALLOT RESULTS

According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Correlation Issues) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 12.

\[ 19 \text{ (eligible to vote)} - 3 \text{ (not returned)} - 0 \text{ (abstentions)} = 16 \times 0.75 = 12 \]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[ 19 \text{ eligible} \div 2 = 9.5 = 10 \text{ (this is the simple majority)} \]

19 Eligible to Vote
3 Not Returned (Brannan, Gagnon, Jensen)

CC FINAL Ballot results for Correlation Issues are as follows:
16 Agree
0 Disagree
0 Abstentions

FINAL ACTION: PASSED

CC FINAL Ballot results for Emergency Nature are as follows:
16 Agree
0 Disagree
0 Abstentions

FINAL ACTION: PASSED

Final HEA-MED Ballots are on the next page
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 (**Technical Merit**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 9.

\[ 14 \text{ (eligible to vote)} - 3 \text{ (not returned)} - 0 \text{ (abstention)} = 11 \times 0.75 = 8.25 \]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[ 14 \text{ eligible} \div 2 = 7 + 1 = 8 \text{ (this is the simple majority)} \]

14 Eligible to Vote  
3 Not Returned (Brousseau, King, Silver)

**TC FINAL** Ballot results for **Technical Merit** are as follows:

- 11 Agree
- 0 Disagree
- 0 Abstention

**FINAL ACTION: PASSED**

**TC FINAL** Ballot results for **Emergency Nature** are as follows:

- 11 Agree
- 0 Disagree
- 0 Abstention

**FINAL ACTION: PASSED**
I am in agreement with ECRi's proposal that there is a need to allow users to be able to plug and unplug equipment in multiple outlet extension cords in various areas of the hospital.

Jim Marsala  
Director of Clinical Engineering  
JeffTECH @ Holy Redeemer Health System  
215-938-3903  
jmarsala@holyredeemer.com

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Thank you for your cooperation.
To Whom It May Concern:
I would like to express my concerns regarding the following proposed rule change by the NPFA;

Section 10.2.3.6(5) of NFPA 99 specifies the following: "Means are employed to ensure that additional devices or nonmedical equipment cannot be connected to the multiple outlet extension cord after leakage currents have been verified as safe."

As a Surgical Services Administrator, I feel that such a requirement will place considerable burden upon hospitals to either retrofit electrical systems to be compliant. As an alternative I envision that many will use single electrical extension cords which will then pose a serious risk to patients and staff in all surgical suites. Steps have been taken over the years to construct operating rooms with alternatives to cords having to be strung across floors and this proposed change will in fact bring them back again creating an unsafe environment as that will be the only short term solution.

I encourage you to re-evaluate this approach and work with the surgical community to arrive at a better solution or at least one that addresses this need with future construction versus existing suites.

Thank you for the opportunity of input.

James E. McGowan, DHA
Vice President
Procedural Care Services
University of Maryland Medical Center
22 S. Greene St.
Baltimore MD. 21201
Pager - Best Contact Method
[Internal] 82337 Pgr #9190
[External] 410.480.0385
jmcgowan@umm.edu

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This is in reference to TIA 1104-

We are in full support of the ECRI Institute proposed revision of the NFPA Mandate regarding restricted use of multiple outlet extension cords.

Thank You,

Roger

Roger A. Marquis  
Director, Clinical Engineering  
Catholic Medical Center  
100 McGregor St.  
Manchester, NH 03102

p 603-663-6152  
f 603-663-6827
NFPA,
I agree with ECRI Institute's proposal:

Our facilities have mounted multiple outlet extension cords on medical devices and IV poles in order to accommodate a proliferation of low energy use devices that require power near our patients. This has been done on dialysis, anesthesia, and respiratory equipment in order to aggregate equipment used with that particular device. It has also been done on IV poles for general use in OR's. We simply do not have enough electrical outlets and/or power cords that are long enough to individually power each of these devices. In every case, the added electrical outlets are inventoried and routinely inspected for safe operation.

Please implement the emergency revision to Section 10.2.3.6(5) of NFPA 99 as recommended by ECRI. Failure to do so will result in undue hardship for our facilities.

Larry Feenstra - Director, Clinical Engineering Dept., Loma Linda University Medical Center
PO Box 2000, 11290 Campus St., Loma Linda, California 92354 | phone (909) 558-4503 | fax (909) 558-0403 | email lfeenstra@llu.edu
From: Siefers, Bob [Bob.Siefers@ProMedica.org]
Sent: Thursday, June 06, 2013 2:20 PM
To: TIAs
Subject: Comment on Proposed TIA 1104

Please consider allowing users to be able to plug and unplug equipment in multiple outlet extension cords in various areas of the hospital. Without this provision there will be more risk of injury with multiple power cords everywhere. A removal of this provision is in my opinion warranted at this time, not waiting until the next revision in 2015.
Thank You for your consideration

Bob Siefers - CBET
ProMedica Flower Hospital
Clinical Engineering/Biomed
(419)824-1496
bob.siefers@promedica.org

"Without exception; we will provide an amazing and memorable experience by creating a safe, accessible, and comfortable environment"

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Item 14-8-23
*Health Care Facilities Code*  
TIA Log No. 1125  
Reference: 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3  
Comment Closing Date: January 17, 2014  

1. Revise text to read as follows:

11.5.1.1 Elimination of Sources of Ignition.

11.5.1.1.1 Smoking materials (e.g., matches, cigarettes, lighters, lighter fluid, tobacco in any form) shall be removed from patients receiving respiratory therapy.

11.5.1.1.2* When a nasal cannula and its associated supply tubing are delivering oxygen outside of a patient care room, no sources of open flame shall be permitted in the site of intentional expulsion.

11.5.1.1.32* When any other oxygen delivery equipment not specified in 11.5.1.1.2 is in use, no sources of open flame, including candles, shall be permitted in the area of administration.

11.5.1.1.4* Solid fuel-burning appliances shall not be permitted in the area of administration.

11.5.1.1.35* Sparking toys shall not be permitted in any patient care room.

11.5.1.1.46 Nonmedical appliances that have hot surfaces or sparking mechanisms shall not be permitted within oxygen-delivery equipment or within the site of intentional expulsion.

A.11.5.1.1.2 Outside of a patient care room, 11.5.1.1.2 prohibits sources of open flames within the site of intentional expulsion [1 ft (0.3 m)] of a nasal cannula. No sources of open flame are permitted within the area of administration [15 ft (4.3 m)] for other types of oxygen delivery equipment or in patient care rooms (see 11.5.1.1.3).

The amount of oxygen delivered by a nasal cannula is limited. One (1) ft (0.3 m) is sufficient separation from an oxygen-enriched atmosphere produced by a nasal cannula which is an oxygen delivery equipment used outside of patient care areas. In the open air, dilution goes to ambient levels (not oxygen-enriched atmosphere) within a few inches of the cannula openings, but 12 in. (300 mm) provides an adequate safety factor. Other oxygen delivery equipment such as masks, are not included since masks would not typically be associated with mobile patients in health care facilities and may deliver greater quantities of oxygen than nasal cannula.

The household-style nursing homes that include kitchens intended for residents’ use and enclosed gas fireplaces present a source of flame ignition to which residents will be exposed. Residents utilizing a nasal cannula would potentially not be allowed to participate in the cooking because it would place the cooking flame within the site of intentional expulsion. However, they would be allowed in the kitchen area to assist in preparing the food and to socialize with other residents and staff in the kitchen similar to what happens in the kitchens of residential environments.

The primary concern is that flame-producing equipment exists in many places in a nursing home and that it would be impractical to maintain a resident with a nasal cannula a minimum of 15 ft (4.3 m) (Area of Administration) away from the flame-producing equipment. Typical flame-producing equipment found in a nursing home includes the following:

1. Candles in chapels
2. Open kitchens using gas cooking equipment
3. Fireplaces
4. Fuel-fired heating equipment
5. Private family dining rooms using fuel-fired equipment
6. Canned cooking fuel (e.g., used under chafing dishes)
A.11.5.1.1.23 Patients and hospital personnel in the area of administration should be advised of respiratory therapy hazards and regulations.

Visitors should be cautioned of these hazards through the prominent posting of signs. (See 11.3.4.)

A.11.5.1.1.4 Solid fuel–burning appliances include wood-burning fireplaces, wood stoves, and similar appliances. These pose a greater risk in locations where oxygen is being provided than gas-fueled appliances, in part due to their ability to emit embers into the environment.

A.11.5.1.1.35 Such toys have been associated with fire incidents in health care facilities.

A suggested text for precautionary signs for oxygen tent canopies and oxygen hoods used in pediatric nursing units is the following:

CAUTION: OXYGEN IN USE
ONLY TOYS APPROVED BY NURSES MAY BE GIVEN TO CHILD

Submitters’ Substantiation: The proposed TIA will address potentially restrictive interpretations for the presence of open flames in the vicinity of nasal cannula oxygen delivery equipment. The area of administration is defined as any point within a room within 15 ft of oxygen equipment or an enclosure containing or intended to contain an oxygen-enriched atmosphere. Section 11.5.1.1.2 prohibits sources of open flame, including candles, in the area of administration. A nasal cannula is considered as oxygen delivery equipment (ODE). Thus, with the current code, a resident with a nasal cannula could be prohibited from being within 15 ft of an open flame.

A site of intentional expulsion is defined as all points within 1 ft of a point at which an oxygen-enriched atmosphere is intentionally vented to the atmosphere. For example, for a patient receiving oxygen via a nasal cannula, the site of intentional expulsion normally surrounds the cannula.

This TIA proposes to revise Section 11.5.1.1.2 to prohibit sources of open flames within the site of intentional expulsion of a nasal cannula. One (1) ft is sufficient separation from an oxygen-enriched atmosphere produced by a nasal cannula, which is an oxygen delivery equipment used outside of patient care rooms. Current text in NFPA 99-2012 Edition (i.e., the fifth paragraph in Section A.10.5.4.5) states that in the open air, dilution goes to ambient levels (not oxygen enriched atmosphere) within a few inches of the venting port, but 12 inches provides an adequate safety factor. The proposed revision is consistent with the boundary limit for other sources of ignition, such as electrical equipment, which are prohibited to be used within the site of intentional expulsion (10.5.4.1). Other oxygen delivery equipment such as masks are not included knowing that masks would not typically be associated with mobile patients in health care facilities and may deliver greater quantities of oxygen.

It is estimated that at least 25% of residents in nursing homes need portable oxygen. The main focus of this proposed TIA is the site of intentional expulsion around the cannula. The traditional institutional design for nursing homes has the traditional sources of electrical, hot surfaces and flame sources of ignitions. The new "cultural change facilities" (household units) are allowed in the Life Safety Code-2012 Edition and are being actively promoted by the Centers for Medicare & Medicaid Services (CMS) and providers. CMS has allowed the permissive requirements for open kitchens and enclosed gas fireplaces in the Life Safety Code-2012 Edition until CMS adopts the Life Safety Code-2012 Edition. These are small units of 10-30 beds, with most being 10-16 beds and built with a residential open interior to include kitchens or fireplaces similar to private residences.

The household style nursing homes that include kitchens intended for residents’ use and enclosed gas fireplaces present a source of flame ignition to which residents will be exposed. Residents on oxygen would potentially not be allowed to participate in the cooking because it would place the cooking flame within the site of intentional expulsion. However; they would be allowed in the kitchen area to assist in preparing the food and to socialize with other residents and staff in the kitchen just like what happens in the kitchens of residential environments.

The primary concern is that flame producing equipment exists in many places in a nursing home and that it would be impractical to maintain a resident with a nasal cannula a minimum of 15 ft (Area of Administration) away from the flame producing equipment. Typical flame producing equipment found in nursing homes includes the following:
1. Open kitchens using gas cooking equipment
2. Fireplaces
3. Candles in chapels
4. Fuel fired heating equipment
5. Private family dining rooms using fuel fired equipment
6. Canned cooking fuel (e.g., used under chafing dishes)

Emergency Nature: The proposed TIA intends to correct a circumstance in which the revised document has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process, or was without adequate technical (safety) justification for the action.

The household unit concept has been actively promoted and this concept has been incorporated into the Life Safety Code-2012 Edition to allow features such as kitchens and fireplaces with safeguards. In addition, the International Code Council (ICC) has approved similar changes for the 2015 editions of the ICC Codes. The 15-ft prohibition of open flames has not been widely enforced by code officials nationwide as applying to areas of administration such as the area around a nasal cannula. Enforcement of the 15-ft limit could lead to a CMS “immediate jeopardy” deficiency which includes an automatic fine and other penalties such as a restriction on the admission of new residents, and could have the effect of adversely affecting the benefits of socialization by residents who utilize portable oxygen.

CMS has announced that they plan to adopt the Life Safety Code-2012 Edition in the near future, which includes the NFPA 99-2012 Edition. CMS regulates all health care facilities in the United States and has stated that TIA’s issued by NFPA prior to CMS final adoption of the Life Safety Code-2012 Edition will be considered part of the Code. Therefore, adoption of the TIA prior to CMS adoption of the Life Safety Code-2012 Edition is critical for the application of the criteria to facilities regulated by CMS.
TIA 99-2014
NFPA 99, Health Care Facilities Code
Reference: 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3
(TIA Log 1125)

Comment Closing: 1/17/2014
0 Public Comments Received

TIA FINAL CC BALLOT RESULTS

According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Correlation Issues) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 13.

\[18 \text{ (eligible to vote)} - 1 \text{ (not returned)} - 0 \text{ (abstentions)} = 17 \times 0.75 = 12.75\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[18 \text{ eligible} \div 2 = 9 + 1 = 10 \text{ (this is the simple majority)}\]

18 Eligible to Vote
1 Not Returned (Sack)

CC FINAL Ballot results for Correlation Issues are as follows:
17 Agree (Koffel w/comments)
0 Disagree
0 Abstentions

FINAL ACTION: PASS

CC FINAL Ballot results for Emergency Nature are as follows:
15 Agree
2 Disagree (Bobik, Burrill)
0 Abstentions

FINAL ACTION: PASS

Final HEA-MED Ballots are on the next page
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **12**.

\[
17 \text{ (eligible to vote)} - 2 \text{ (not returned)} - 0 \text{ (abstentions)} = 15 \times 0.75 = 11.25
\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[
17 \text{ eligible ÷ 2} = 8.5 = 9 \text{ (this is the simple majority)}
\]

<table>
<thead>
<tr>
<th>17</th>
<th>Eligible to Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Not Returned (Dagenais, Silver)</td>
</tr>
</tbody>
</table>

**TC FINAL** Ballot results for **Technical Merit** are as follows:

- 14 Agree (Gwynn, Ferrari w/comment)
- 1 Disagree (Maurer)
- 0 Abstentions

**FINAL ACTION: PASS**

**TC FINAL** Ballot results for **Emergency Nature** are as follows:

- 12 Agree
- 3 Disagree (Gwynn, Maurer, Reynolds)
- 0 Abstentions

**FINAL ACTION: PASS**
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1125
To Revise 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3

**Question 1:** I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

____ X ___AGREE _________ DISAGREE* ____________ ABSTAIN*

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

_________________________________________________________

_________________________________________________________

_________________________________________________________


**Question 2:** I agree that the subject of this TIA is of an EMERGENCY NATURE.

____ X _______AGREE _________ DISAGREE* ____________ ABSTAIN*

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

No data to support that the health and safety of clients/patients is currently adversely impacted under the present language in the code or that the requested change will correct a hazardous situation or ensure a greater level of client/patient safety.

_________________________________________________________

_________________________________________________________


**Constance Bobik**

Signature

Constance Bobik

Name (Please Print)

Date  1/12/2014
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1125
To Revise 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

_____x_____ AGREE ________ DISAGREE* ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

__________ AGREE ________x______ DISAGREE* ________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

While requirements as stated in the current wording may restrict movement of residents, it does not appear to create any safety risk. __________________________

Signature
Gordon Burrill____________________
Name (Please Print)
__2014-January-11________________
Date

Please return the ballot on or before Monday, January 13, 2014.

PLEASE RETURN TO:
Colleen Kelly, Administrator, Technical Projects
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: 617 / 770-0700  E-mail: ckelley@nfap.org
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1125
To Revise 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

X AGREE   DISAGREE*   ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

There are a number of editorial revisions that should be made, especially to proposed A.11.5.1.1.2, The metric conversion of .3 m should be in parenthesis after the text “One ft) and not between “One” and “ft”. Since the one foot is in the text, it is not required to be in brackets. Commas are needed in several locations such as the last sentence in the second paragraph (“delivery equipment, such as masks, are not......

Question 2: I agree that the subject of this TIA is of an EMERGENCY NATURE.

X AGREE   DISAGREE*   ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a negative/disagreement or abstaining position.

[Signature]
Koffel
Name (Please Print)
January 8, 2014
Date

Please return the ballot on or before **Monday, January 13, 2014**.

PLEASE RETURN TO:
Colleen Kelly, Administrator, Technical Projects
NFPA
1 Batterymarch Park
MEMORANDUM

TO: NFPA Technical Committee on Medical Equipment (HEA-MED)
FROM: Colleen Kelly
DATE: January 3, 2014
SUBJ: NFPA 99 Proposed TIA No. 1125 FINAL TC BALLOT RESULTS

According to 5.5(a) in the NFPA Regs, the final results show this TIA **HAS** achieved the ⅔ majority vote needed on both Question 1 (Technical Merit) and Question 2 (Emergency Nature).

<table>
<thead>
<tr>
<th>Eligible to Vote</th>
<th>Not Returned (Dagenais, Silver)</th>
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<tbody>
<tr>
<td><strong>17</strong></td>
<td>2</td>
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<tr>
<th>Technical Merit:</th>
<th>Emergency Nature:</th>
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</thead>
<tbody>
<tr>
<td>14 Agree (w/comment; Gwynn, Ferrari)</td>
<td>12 Agree</td>
</tr>
<tr>
<td>1 Disagree (Maurer)</td>
<td>3 Disagree (Gwynn, Maurer, Reynolds)</td>
</tr>
</tbody>
</table>

There are two criteria necessary to pass ballot [(1) simple majority (2) affirmative ⅔ vote]. Both questions must pass ballot in order to recommend that the Standards Council issue this TIA.

1. In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

   \[17 \text{ eligible} ÷ 2 = 8.5 = (9)\]

2. The number of affirmative votes needed to satisfy the ⅔ requirement is **12**.

   \[(17 \text{ eligible to vote} - 2 \text{ not returned} - 0 \text{ abstentions} = 15 \times 0.75 = 11.25 = 12)\]

An appeal relating to a proposed Tentative Interim Amendment shall be filed no later than 5 days after the notice of the Technical Committee TIA ballot results are published in accordance with 1.6.2 (c) and 4.2.6. In the case that a Correlating Committee is also being balloted, appeals need to filed 5 days after the notice of the Correlating Committee TIA ballot results are published.

Final ballot comments are attached for your review. Ballots received from alternate members are not included, unless the ballot from the principal member was not received.

Attachment
TECHNICAL COMMITTEE LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1125

To revise text in sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3 to the 2012 Edition of NFPA 99, Healthcare Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise text in sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3

___x_______ AGREE ___________ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Agree in principal. However this should be discussed with the group at large to ensure the appropriate requirements have been added

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE ______x____ DISAGREE* ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The proposal lack sufficient supporting substance to justify an emergency position.

Signature

Pamela K Gwynn
Name (Please Print)

Dec 13, 2013

Date

Please return the ballot on or before Monday, December 23, 2013

PLEASE RETURN TO:
Colleen Kelly, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 770-0700 E-mail: ckelly@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1125
To revise text in sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3 to the 2012 Edition of NFPA 99, Healthcare Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise text in sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

The application of NFPA 99-2012, 1.3, pertains to all health care facilities other than home care. However, building a correlation to a home care-type setting to offer support of the proposed Tentative Interim Amendment in A.11.5.1.1.2 is not offering a safe environment, in this case. Leading practices support a minimum of at least five feet separation between areas of oxygen administration and heat and ignition sources. This is supported further in the NFPA99-2012 Handbook note (beginning of Section 11.2) in the reference material through the American Association of Respiratory Care guide for home oxygen therapy. Additional resources suggesting at least five feet of separation are the National Library of Medicine (www.nlm.nih.gov/medlineplus/ency/patientinstructions/000049.htm) and the ECRI Institute (www.ecri.org/Documents/Patient_Safety_Center/HomeDevice_Oxygen.pdf).

Question 2: I agree that the subject is of an EMERGENCY NATURE.

AGREE X DISAGREE* ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Fires continue to occur in areas where oxygen is being administered. Reducing requirements based, in part, on a patient population referenced in the proposed A.11.5.1.1.2 could potentially increase the risks of fires and patient injury relative to the proposed revisions. While the concerns to allow for more patient self-efficacy are appreciated, perhaps alignment in definitions for Areas of Administration and Patient Care Vicinity would be more prudent.

Signature

John D Maurer
Name (Please Print)

Page 8 of 10
Supplemental Agenda - Standards Council Meeting August 11-14, 2014

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise text in sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

---

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE [X] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

There may be situations where 15 feet is a good idea. People do not often pay attention to distance restrictions in any case. I don't see 15 as a mark strip or emergency and it is safer than 4 feet. CMS can choose to interpret the code section differently.

Signature

[Signature]

Name (Please Print)

[Name]

Date

[12-10-13]

Please return the ballot on or before Monday, December 23, 2013

PLEASE RETURN TO:
Colleen Kelly, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 770-0700
E-mail: ckelly@nfpa.org

August 5, 2014
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1125
To revise text in sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3 to the 2012 Edition of NFPA 99, Healthcare Facilities Code

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA to revise text in sections 11.5.1.1.2 through 11.5.1.1.4 and A.11.5.1.1.2 through A.11.5.1.1.3

√ AGREE          _______ DISAGREE*          _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

But now will the E cylinders stay 15 ft away from the open sources of flames? When the next command is I may.
The cylinders are oxygen delivery equipment.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

√ AGREE          _______ DISAGREE*          _______ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.


Signature

Name (Please Print) KEVIN

Date 12-10-13

Please return the ballot on or before Monday, December 23, 2013

PLEASE RETURN TO:
Colleen Kelly, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 770-0700
E-mail: ckelley@nfpa.org
Item 14-8-24
1. Revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision cycle – NFPA 101 Second Draft), to read as follows:

12.4.1 Life Safety Evaluation.

12.4.1.1* General. Where a life safety evaluation is required by other provisions of the Code, it shall comply with the following:

(1) The life safety evaluation shall be performed by persons acceptable to the AHJ.
(2) The life safety evaluation shall include a written assessment of safety measures for conditions listed in 12.4.1.2 and of the building systems and facility management in accordance with 12.4.1.3.
(3) The life safety evaluation shall be approved annually by the AHJ and shall be updated for special or unusual conditions in accordance with the provisions of 13.4.1 for existing assembly occupancies.

12.4.1.2 Conditions to Be Assessed. Life safety evaluations shall include an assessment of all of the following conditions and related appropriate safety measures:

(1) Nature of the events and the participants and attendees
(2) Access and egress movement, including crowd density problems
(3) Medical emergencies
(4) Fire hazards
(5) Permanent and temporary structural systems
(6) Severe weather conditions
(7) Earthquakes
(8) Civil or other disturbances
(9) Hazardous materials incidents within and near the facility
(10) Relationships among facility management, event participants, emergency response agencies, and others having a role in the events accommodated in the facility

12.4.1.3 Building Systems and Facility Management Assessments. Life safety evaluations shall include assessments of both building systems and facility management upon which reliance is placed for the safety of facility occupants, and such assessments shall consider scenarios appropriate to the facility.

12.4.1.3.1 Building Systems. Prior to issuance of the building permit, the design team shall provide the AHJ with building systems documentation in accordance with 12.4.1.4.

12.4.1.3.2 Facility Management. Prior to issuance of the certificate of occupancy, the facility management shall provide the AHJ with facility management documentation in accordance with 12.4.1.5.

12.4.1.3.3 Life Safety Evaluation.

12.4.1.3.3.1 Prior to issuance of the building permit, the persons performing the life safety evaluation shall confirm that the building systems provide appropriate safety measures.

12.4.1.3.3.2 Prior to issuance of the certificate of occupancy, the persons performing the life safety evaluation shall confirm that the facility management and operational plans provide appropriate safety measures.

12.4.1.3.3.3 The AHJ shall determine approve the acceptable persons performing the life safety evaluation in a timely manner to enable the design team and facility management to resolve concerns to the satisfaction of the persons performing the life safety evaluation prior to their submission.

12.4.1.4 Life Safety Building Systems Document. The AHJ shall be provided with a life safety building systems document providing the information required in 12.4.1.4.2 through 12.4.1.4.4.

12.4.1.4.1 Document Distribution. The persons performing the life safety evaluation, the AHJ, the A/E design team, and the building owner shall receive a copy of the life safety building systems document prior to issuance of the building permit.

12.4.1.4.2 Life Safety Narrative. A life safety narrative shall be provided describing the following:

(1) Building occupancy, construction type, and intended uses and events
(2) Building area and population capacity of the proposed facility
(3) Principal fire and life safety features/strategies for the building, including as applicable the following:
12.4.1.4.3 Life Safety Floor Plans. Life safety floor plans of each level shall be provided – as applicable – with the following:

1. Occupant load, exit location, exit egress capacity, main exit/entrance/exit, horizontal exits, travel distance, and exit discharge
2. Fire barriers, and smoke barriers, and smoke partitions
3. Areas of smoke-protected assembly occupancy
4. Separate smoke-protected areas or zones, if applicable
5. Areas of other occupancy type and separations, if required
6. Unprotected vertical openings, including atriums, communicating spaces, and convenience openings
7. Event plans for each anticipated type of event depicting the following:
   a. Seating configuration
   b. Exhibit booth layout
   c. Stage location
   d. Occupant load, exit egress capacity required, exits provided, and travel distance
   e. Any floor or stage use restrictions
   f. Plan and/or section drawing indicating areas where the roof construction is more than 50 ft (15 m) above floor level and limits areas where sprinkler protection is omitted
   g. Areas of refuge — interior and exterior

12.4.1.4.4 Engineering Analysis and Calculations. An engineering analysis and calculations shall be provided with the following:

1. Smoke protection calculations analysis to substantiate the use of smoke-protected assembly seating as follows:
   a. Performance-based design methods approved by the AHJ
   b. Smoke exhaust and fresh air control requirements per NFPA 92, Standard for Smoke Control Systems
   c. Smoke control assumptions, such as fire scenario description, fire size quantification, and smoke development/smoke movement analysis
   d. Smoke maintained at a level 6 ft above the floor of the means of egress
   e. Fire control system and pass/fail criteria
   f. Calculations for performance-based design methods accepted by the AHJ
   g. Assumed flow rates and travel speed

2. Sprinkler protection calculations, including an engineering analysis substantiating locations in accordance with 12.3.5.3 where sprinkler protection would be ineffective due to height and combustible loading
3. Load diagram of rigging/load capacity of gridiron, fly loft, or long-span roof structure used for hanging overhead objects

12.4.1.5 Life Safety Management Document. The AHJ shall be provided with a life safety management document providing the information required in 12.4.1.5.2 through 12.4.1.5.7.

12.4.1.5.1 Document Distribution. The persons performing the life safety evaluation, the AHJ, the A/E design team, and the building owner shall receive a copy of the life safety management document prior to issuance of the certificate of occupancy.

12.4.1.5.2 Facility Management and Operational Plans. Facility management and operational plans shall address the following:

1. Best practices adopted or recognized
(2) Emergency plans  
(3) Evacuation plans  
(4) Shelter-in-place plans, including capacities and protection considerations  
(5) Crowd management training plan  
(6) Safety plans, which include the following:  
   (a) Training plans  
   (b) Safety equipment plans  
(7) Fire alarm, smoke control system protocol, and testing plans  
(8) First aid or medical treatment plans, which include the following:  
   (a) Defined levels of service  
   (b) Standing orders adopted  
   (c) Supply and equipment plan  
(9) Housekeeping plans — biological, medical, hazardous materials cleaning  
(10) Emergency communication plans, which include the following:  
   (a) Chain of authority and incident command system employed  
   (b) Contact information for the following:  
      i. Venue personnel  
      ii. Emergency management and response organizations, (e.g., such as fire, police, medical, utility, transportation, and key stakeholders)  
   (c) Communication systems  
   (d) Standard announcement for incidents or emergency situations  
(11) Risk and threat assessment for venue and surrounding area for the following:  
   (a) Severe weather  
   (b) Hazardous materials  
   (c) Terrorism  
   (d) Hostile intruder  
(12) Operating procedures and protocols for risks, such as the following:  
   (a) Severe weather preparedness and monitoring plans  
   (b) Hazardous materials incidence response plans  
   (c) Terrorism response plans  
   (d) Hostile intruder response plans  
(13) First responder response/arrival routes plans  
(14) Alcohol management plans  
(15) Food safety plans  
(16) Rigging and temporary performance structure, which includes the following:  
   (a) Design and safety review plans  
   (b) Emergency action plans  
(17) Chemical and hazardous materials information and data  
(18) Barrier and wall protection plans for motor sports or similar events

12.4.1.5.3 Records. Records of the facility management plans, including procedures and location, shall be maintained for the following:  
(1) Crowd management training  
(2) Safety training  
(3) Fire alarm, smoke control system maintenance, and test records  
(4) First aid or medical treatment and regulation compliance

12.4.1.5.4 Building Systems Reference Guide. A building systems reference guide shall be provided in accordance with 12.4.1.5.4.1 through 12.4.1.5.4.3.  
12.4.1.5.4.1 A basic life safety building systems reference guide shall be developed and maintained.  
12.4.1.5.4.2 The life safety building systems reference guide shall contain the important and key information for the venue management’s use when planning events/activities for the safety of patrons, performers/participants, employees, and vendors.  
12.4.1.5.4.3 The life safety building systems document in accordance with 12.4.1.4 shall be permitted to be used, but additionally the life safety building systems reference guide shall include the following:  
   (1) Occupant capacity of every space/room  
   (2) Egress flow diagrams, including assumed flow rates, and capacities of all aisles and hallways, including public and nonpublic areas
(3) Capacities of all exterior doors and/or choke points in immediate perimeter areas
(4) Limitations or assumptions for ingress control that could be in place during an emergency egress/evacuation, including control gates, queuing barriers, and turnstiles
(5) Capacities of immediate perimeter exterior walkways, including assumed flow rates for exterior areas
(6) Assumed egress paths for normal conditions — transportation modes
(7) Management level (lay) sequencing charts for alarm and emergency communication systems, the manual, or override options/instructions that include the following:
   (a) List of codes or alarm signals
   (b) Location of manual overrides
   (c) Description of what exactly happens during an alarm, sequence of operations during an alarm such as exhaust fans operate or doors open
(8) Principal fire and life safety features/strategies, such as sprinklers, smoke control, fire alarm notifications, PA system, emergency power, and fire department access
(9) Assumptions when developing occupancy plans for venue floor, open areas, and nonevent spaces, such as the following:
   (a) Event floor plans/setup diagrams for each typical event/activity
   (b) Fire sprinkler and smoke protection capabilities
(10) Severe weather shelter areas, locations, structure considerations (limitations), capacities (occupancy and density factor)
(11) Command center, which includes the following:
   (a) Location (formal or informal)
   (b) Structural integrity considerations
   (c) Redundant locations and/or capabilities
   (d) Jurisdictional rights — assumed and/or applied
(12) Locations and capacities of wheelchair and mobility-impaired seating
(13) Locations and capacities of "Safe Haven" areas of refuge and other safe areas
(14) Rigging or structural load capacities of grids, truss structure, fly lofts, ceilings, floors, ramps, staging, etc.
(15) List of locations of emergency equipment (i.e., such as fire extinguishers, fire hose cabinets, fire hydrants, AEDs, etc.)
(16) Sequencing of electrical service, such as the following:
   (a) Emergency generators and charts of all areas illuminated during power outages
   (b) Multiple electrical feed capabilities
(17) List of mechanical, moveable equipment in the facility
(18) Potential hazards in the surrounding neighborhood, including train tracks and propane stations
(19) Assumptions or accommodations considered and used in design

12.4.1.5.5 The facility management plans shall be maintained and adjusted as necessary for changes to the venue structure, operating purposes and style, and event occupancy.

12.4.1.5.6 Facility management and operational plans shall be reviewed by submitted to the AHJ annually.

12.4.1.5.7 For events and activities at the venue that are outside the normal operating conditions or vary from the normal facility management plans, the following shall apply:
   (1) Facility management shall perform an event/activity-specific facility management plan for the AHJ to review.
   (2) The AHJ shall provide guidance as needed, but approval of the AHJ for the specific facility management plan shall occur prior to such event.

2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3

3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision cycle – NFPA 101 Second Draft), to read as follows:

13.4.1 Life Safety Evaluation.

13.4.1.1* General. Where a life safety evaluation is required by other provisions of this Code, it shall comply with the following:
   (1) The life safety evaluation shall be performed by persons acceptable to the AHJ.
   (2) The life safety evaluation shall include a written assessment of safety measures for conditions listed in 13.4.1.2 and of the building systems and facility management in accordance with 13.4.1.3.
The life safety evaluation shall be approved annually by the AHJ and shall be updated in response to unusual conditions in accordance with the provisions of 13.4.1 for existing assembly occupancies.

**13.4.1.2 Conditions to Be Assessed.** Life safety evaluations shall include an assessment of all of the following conditions and related appropriate safety measures:

1. Nature of the events and the participants and attendees
2. Access and egress movement, including crowd density problems
3. Medical emergencies
4. Fire hazards
5. Permanent and temporary structural systems
6. Severe weather conditions
7. Earthquakes
8. Civil or other disturbances
9. Hazardous materials incidents within and near the facility
10. Relationships among facility management, event participants, emergency response agencies, and others having a role in the events accommodated in the facility

**13.4.1.3 Building Systems and Facility Management Assessments.** Life safety evaluations shall include assessments of both building systems and facility management upon which reliance is placed for the safety of facility occupants, and such assessments shall consider scenarios appropriate to the facility.

**13.4.1.3.1 Building Systems.** Documentation of the building systems in accordance with 13.4.1.4 shall be provided upon request of the AHJ.

**13.4.1.3.2 Facility Management.** Facility management shall provide the AHJ with facility management documentation in accordance with 13.4.1.5 upon request of the AHJ.

**13.4.1.3.3 Life Safety Evaluation.** The life safety evaluation shall confirm that the building systems and the facility management and operational plans provide appropriate safety measures.

**13.4.1.4 Life Safety Building Systems Document.** The AHJ shall be provided with a life safety building systems document providing the information required in 13.4.1.4.2 through 13.4.1.4.4.

**13.4.1.4.1 (Reserved.)**

**13.4.1.4.2 Life Safety Narrative.** A life safety narrative shall be provided describing the following:

1. Building occupancy, construction type, and intended uses and events
2. Building area and population capacity of the proposed facility
3. Principal fire and life safety features/strategies for the building, such as including—as applicable—the following:
   - Egress
   - Access Control
   - Fire barriers, smoke barriers, and smoke partitions
   - Sprinkler protection
   - Smoke control/protection
   - Fire detection and alarm—visual and audible
   - PA system
   - Emergency elevator operation
   - Emergency power and lighting
   - Provisions for patrons with disabilities
   - Fire department access
   - Fire/Emergency command center

4. Exterior construction design parameters used/applied

**13.4.1.4.3 Life Safety Floor Plans.** Life safety floor plans of each level shall be provided—provided—as applicable—with the following:

1. Occupant load, exit location, egress capacity, main exit/entry/entrance/exit, horizontal exits, travel distance, and exit discharge
2. Fire and barriers, smoke barriers, and smoke partitions
3. Areas of smoke-protected assembly occupancy
4. Separate smoke-protected areas or zones, if applicable
5. Areas of other occupancy type and separations, if required
6. Unprotected vertical openings, such as atriums, communicating spaces, and convenience openings
7. Event plans for each anticipated type of event depicting the following:
   - Seating configuration
   - Exhibit booth layout
(c) Stage location
(d) Occupant load, egress capacity required, exits provided, and travel distance
(e) Any floor or stage use restrictions
(f) Plan and/or section drawing indicating areas where the roof construction is more than 50 ft (15 m) above floor level and limits of areas where sprinkler protection is omitted
(g) Areas of refuge — interior and exterior

13.4.1.4.4 Engineering Analysis and Calculations. An engineering analysis and calculations shall be provided with the following:

1. Smoke protection calculations analysis to substantiate the use of smoke-protected assembly seating as follows:
   (a) Performance-based design methods approved by the AHJ
   (b) Smoke exhaust and fresh air control requirements per NFPA 92, Standard for Smoke Control Systems
   (c) Smoke control assumptions, such as fire scenario description, fire size quantification, and smoke development/smoke movement analysis
   (d) Smoke maintained at a level 6 ft above the floor of the means of egress
   (e) Proposed testing protocol for smoke control system and pass/fail criteria
   (f) Calculations for performance-based design methods accepted by the AHJ
   (g) Smoke and fire modeling
   (h) Timed egress analysis and assumed flow rates and travel speeds
   (i) Assumed flow rates and travel speeds

2. Sprinkler protection calculations, including an engineering analysis substantiating locations in accordance with 13.3.5.3 where sprinkler protection would be ineffective due to height and combustible loading

3. Load diagram of rigging/load capacity of gridiron, fly loft, or long-span roof structure used for hanging overhead objects

13.4.1.5 Life Safety Management Document. The AHJ shall be provided with a life safety management document providing the information required in 13.4.1.5.2 through 13.4.1.5.7.

13.4.1.5.1 (Reserved.)

13.4.1.5.2 Facility Management and Operational Plans. Facility management and operational plans shall address the following:

1. Best practices adopted or recognized
2. Emergency plans
3. Evacuation plans
4. Shelter-in-place plans including capacities and protection considerations
5. Crowd management training plans
6. Safety plans, which include the following:
   (a) Training plans
   (b) Safety equipment plans
7. Fire alarm, smoke control system protocol, and testing plans
8. First aid or medical treatment plans, which include the following:
   (a) Defined levels of service
   (b) Standing orders adopted
   (c) Supply and equipment plan
9. Housekeeping plans — biological, medical, hazardous materials cleaning
10. Emergency communication plans, which include the following:
    (a) Chain of authority and incident command system employed
    (b) Contact information for the following:
        i. Venue personnel
        ii. Emergency management and response organizations, such as fire, police, medical, utility, transportation, and key stakeholders
    (c) Communication systems
    (d) Standard announcement for incidents or emergency situations
11. Risk and threat assessment for venue and surrounding area for the following:
    (a) Severe weather
    (b) Hazardous materials
    (c) Terrorism
    (d) Hostile intruder
12. Operating procedures and protocols for risks, such as the following:
(a) Severe weather preparedness and monitoring plans  
(b) Hazardous materials incidence response plans  
(c) Terrorism response plans  
(d) Hostile intruder response plans  

(13) First responder response/arrival routes plans  
(14) Alcohol management plans  
(15) Food safety plans  
(16) Rigging and temporary performance structure, which includes the following:  
   (a) Design and safety review plans  
   (b) Emergency action plans  

(17) Chemical and hazardous materials information and data  
(18) Barrier and wall protection plans for motor sports or similar events  

13.4.1.5.3 Records. Records of the facility management plans, including procedures and location, shall be maintained for the following:  
(1) Crowd management training  
(2) Safety training  
(3) Fire alarm, smoke control system maintenance, and test records  
(4) First aid or medical treatment and regulation compliance  

13.4.1.5.4 Building Systems Reference Guide. A building systems reference guide shall be provided in accordance with 13.4.1.5.4.1 through 13.4.1.5.4.3.  

13.4.1.5.4.1 A basic life safety building systems reference guide shall be developed and maintained.  

13.4.1.5.4.2 The life safety building systems reference guide shall contain the important and key information for the venue management’s use when planning events/activities for the safety of patrons, performers/participants, employees, and vendors.  

13.4.1.5.4.3 The life safety building systems document in accordance with 13.4.1.4 shall be permitted to be used, but additionally the life safety building systems reference guide shall include the following:  
(1) Occupant capacity of every space/room  
(2) Egress flow diagrams, including assumed flow rates, and capacities of all aisles and hallways, including public and nonpublic areas  
(3) Capacities of all exterior doors and/or choke points in immediate perimeter areas  
(4) Limitations or assumptions for ingress control that could be in place during an emergency egress/evacuation, including control gates, queuing barriers, and turnstiles  
(5) Capacities of immediate perimeter exterior walkways, including assumed flow rates for exterior areas  
(6) Assumed egress paths for normal conditions — transportation modes  
(7) Management level (lay) sequencing charts for alarm and emergency communication systems, the manual, or override options/instructions that include the following:  
   (a) List of codes or alarm signals  
   (b) Location of manual overrides  
   (c) Description of what exactly happens during an alarm, sequence of operations during an alarm such as exhaust fans operate or doors open  
(8) Principal fire and life safety features/strategies, such as sprinklers, smoke control, fire alarm notifications, PA system, emergency power, and fire department access  
(9) Assumptions when developing occupancy plans for venue floor, open areas, and nonevent spaces  
   (a) Event floor plans/setup diagrams for each typical event/activity  
   (b) Fire sprinkler and smoke protection capabilities  
(10) Severe weather shelter areas, locations, structure considerations (limitations), capacities (occupancy and density factor)  
(11) Command center, which includes the following:  
   (a) Location (formal or informal)  
   (b) Structural integrity considerations  
   (c) Redundant locations and/or capabilities  
   (d) Jurisdictional rights — assumed and/or applied  
(12) Locations and capacities of wheelchair and mobility-impaired seating  
(13) Locations and capacities of “Safe Haven” areas of refuge and other safe areas  
(14) Rigging or structural load capacities of grids, truss structure, fly lofts, ceilings, floors, ramps, and staging  

August 5, 2014  
Supplemental Agenda - Standards Council Meeting August 11-14, 2014  
Page 791 of 1626
(15) List of locations of emergency equipment (i.e., such as fire extinguishers, fire hose cabinets, fire hydrants, AEDs, etc.)

(16) Sequencing of electrical service, such as the following:
   (a) Emergency generators and charts of all areas illuminated during power outages
   (b) Multiple electrical feed capabilities

(17) List of mechanical, moveable equipment in the facility

(18) Potential hazards in the surrounding neighborhood, including train tracks and propane stations

(19) Assumptions or accommodations considered and used in design

**13.4.1.5.5** The facility management plans shall be maintained and adjusted as necessary for changes to the venue structure, operating purposes and style, and event occupancy.

**13.4.1.5.6** Facility management and operational plans shall be **reviewed by** submitted to the AHJ annually.

**13.4.1.5.7** For events and activities at the venue that are outside the normal operating conditions or vary from the normal facility management plans, the following shall apply:

1. Facility management shall perform an event/activity-specific facility management plan for the AHJ to review.
2. The AHJ shall provide guidance as needed; however, approval of the AHJ for the specific facility management plan shall occur prior to such event.

4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

**Submitter’s Substantiation:** This TIA is submitted at the recommendation of the Correlating Committee on Safety Life which reviewed technical changes being made to the Life Safety Evaluation provisions related to designer and owner responsibilities (NFPA 101 12.4.1 and 13.4.1) by the Assembly Occupancies Technical via the Second Draft for the 2015 Annual Meeting. The Correlating Committee is in agreement with the technical committee chair that revision is desirable to avoid potential for incorrect and inconsistent enforcement. The processing of the TIA is intended to provide the Standards Council with the materials it will need to blend the changes from the TIA with the code text developed by the committee for issuance as part of the 2015 edition of NFPA 101 – something the Council will address at its August 2014 meeting. Substantiation for the proposed corrections follows.

1. **NFPA 101 12.4.1.4.2 / 13.4.1.4.2 Life Safety Narrative.** The Second Draft omits the following requirements for the Life Safety Narrative: egress; access control; fire barriers, smoke barriers, and smoke partitions; fire detection; and emergency elevator operation. These features are critical to the overall safety of the occupants. Without specific explanation, designers and enforcers may incorrectly assume that these items were purposefully omitted, which will lead to incomplete, incorrect, and potentially unsafe designs. This TIA corrects these omissions.

2. **NFPA 101 12.4.1.4.4 / 13.4.1.4.4 Engineering Analysis and Calculations.** The Second Draft requires smoke control designs to meet NFPA 92 – Standard for Smoke Control Systems, and also requires the design to provide the following: *(smoke maintained at a level 6 ft above the floor of the means of egress)*. This new requirement will explicitly prohibit all smoke below 6 ft, whether tenable or not, and whether occupants have evacuated or not. This poses two issues.

   **Issue A.** This is in direct conflict with long standing methods for evaluating performance criteria outlined within NFPA 101 A.5.2.2. More specifically, this conflicts with Methods 1 and 2.
   - Method 1 allows occupants to evacuate through smoke where tenable conditions are maintained.
   - Method 2 allows smoke to bank down within areas where occupants are expected to have previously evacuated, such as an upper level balcony in a large open space.

   Both Methods allow smoke to descend below 6 ft above the floor of the means of egress, and are considered safe by NFPA 101.

   To be clear, Life Safety Evaluations are intended to follow guidance from NFPA 101 Chapter 5. The text of A.12.4.1.1 / A.13.4.1.1 states in part the following.
   
   *Life safety evaluations are examples of performance-based approaches to life safety. In this respect, significant guidance in the form and process of life safety evaluations is provided by Chapter 5, keeping in mind the fire safety emphasis in Chapter 5.*

   The 6 ft requirement is in direct conflict with Chapter 5. This TIA resolves this conflict.

   **Issue B.** The second issue involves practical design implications with the 6 ft requirement, as this puts an undue burden upon designs using Computational Fluid Dynamics (CFD) simulation to substantiate tenability. In many cases,
these simulations are necessary and prudent to appropriately account for smoke movement in geometrically complex spaces. In addition, the enhanced detail provided in less complex spaces allows for better informed design.

Consider the following, NFPA 92 Figure A.3.3.13.1 notes that the *Smoke Layer Interface* is above the *First Indication of Smoke*. Since equations within NFPA 92 specifically calculate the *Smoke Layer Interface*, smoke is clearly expected to be present below the NFPA 92 calculated smoke layer. Smoke below the calculated *Smoke Layer Interface* is neglected for Equations within NFPA 92.

![Figure A.3.3.13.1 First Indication of Smoke.](attachment://image.png)

CFD simulations provide better resolution of the smoke layer properties, and predict the *Transition Zone* with relatively good accuracy. When CFD methods are required to limit *all* smoke below the 6 ft zone (6 ft above the floor of the means of egress), the simulations must use the *First Indication of Smoke* as criteria, rather than the *Smoke Layer Interface*. Thus, these CFD simulations would require more smoke exhaust and would maintain the *Smoke Layer Interface* at a greater distance above the floor than required by NFPA 92 equations. This TIA resolves this conflict.

3. **Example Inconsistencies NFPA 101 12.4.1.3.3.3 / 13.4.1.3.3.3.** Other changes within the TIA are proposed to avoid inconsistencies within NFPA 101. For example, NFPA 101 12.4.1.3.3.3 / 13.4.1.3.3.3 in the proposed draft requires the following.

   The AHJ shall *determine* acceptable persons performing the life safety evaluation in a timely manner to enable the design team and facility management to resolve concerns to the satisfaction of the persons performing the life safety evaluation prior to their submission. The draft language requires the AHJ to *determine* the acceptable persons. This infers selection and thus places an undue burden on the AHJ. This also takes selection ability and responsibility away from the owner and designer team. The TIA amends the text from *determine* to *approve* to be consistent with other portions of NFPA 101.

**Emergency Nature:** In accordance with the Regulation Governing the Development of NFPA Standards, clause 5.3(a), the proposed TIA intends to correct an error or an omission that was overlooked during a regular revision process.

The changes for the 2015 draft were meant to clarify the responsibilities and the level of detail for Life Safety Analysis. As stated in the above substantiation, the text proposed by the committee includes incorrect and inconsistent provisions. These changes are necessary: (1) to avoid undue burden on the AHJ; (2) to avoid potentially unsafe designs; and (3) to avoid inherent inconsistencies in the 2015 edition of NFPA 101.

By processing the TIA at this time, the public review and committee balloting (technical committee and correlating committee) can be completed in time to provide the Standards Council with the materials it will need to blend the changes from the TIA with the code text developed by the committee for issuance as part of the 2015 edition of NFPA 101.
According to 5.4 in the NFPA (RGCP), the final results show this TIA HAS achieved the necessary votes on both Question 1 (Correlation Issues) and Question 2 (Emergency Nature).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is 9.

\[ 12 \text{ (eligible to vote)} - 0 \text{ (not returned)} - 0 \text{ (abstentions)} = 12 \times 0.75 = 9 \]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[ 12 \text{ eligible} \div 2 = 6 + 1 = 7 \text{ (this is the simple majority)} \]

---

**TIA FINAL CC BALLOT RESULTS**

<table>
<thead>
<tr>
<th></th>
<th>12</th>
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</thead>
<tbody>
<tr>
<td>Eligible to Vote</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Not Returned</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

CC FINAL Ballot results for Correlation Issues are as follows:

- 10 Agree
- 2 Disagree (Collins, Reynolds)
- 0 Abstentions

**FINAL ACTION: PASS**

CC FINAL Ballot results for Emergency Nature are as follows:

- 10 Agree
- 2 Disagree (Collins, Reynolds)
- 0 Abstentions

**FINAL ACTION: PASS**

*Final SAF-AXM Ballots are on the next page*
According to 5.4 in the NFPA (RGCP), the final results show this TIA **HAS** achieved the necessary votes on both Question 1 (**Technical Merit**) and Question 2 (**Emergency Nature**).

The number of affirmative votes needed to obtain a recommendation to issue the TIA is **17**.

\[25 \text{ (eligible to vote)} - 3 \text{ (not returned)} - 0 \text{ (abstentions)} = 22 \times 0.75 = 16.50\]

In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

\[25 \text{ eligible} \div 2 = 12.5 = 13 \text{ (this is the simple majority)}\]

---

**25** Eligible to Vote  
**3** Not Returned (Jackson, Keberle, Treiber)

**TC FINAL** Ballot results for **Technical Merit** are as follows:  
21 Agree (Roether w/comment)  
1 Disagree (Humble)  
0 Abstentions

**FINAL ACTION: PASS**

**TC FINAL** Ballot results for **Emergency Nature** are as follows:  
18 Agree  
4 Disagree (Battalora, Gandy, Gerdes, Humble)  
0 Abstentions

**FINAL ACTION: PASS**
CORRELATING COMMITTEE
LETTER BALLOT

PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1130

1. To revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision
cycle - NFPA 101 Second Draft)
2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3
3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision
cycle - NFPA 101 Second Draft)
4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

**Question 1:** I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy
enclosed) of the NFPA Regs.

[ ] AGREE  [X] DISAGREE*  [ ] ABSTAIN*

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant
section(s)/paragraph(s) of the correlation issue and describe.
Many of the items in the TIA are actually editorial and can be handled as such in lieu of a
TIA. I agree with Humble’s negative.

---

**Question 2:** I agree that the subject is of an **EMERGENCY NATURE**.

[ ] AGREE  [X] DISAGREE*  [ ] ABSTAIN*

**EXPLANATION OF VOTE** - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
I agree with the negatives from the AXM Committee.

---

[Signature]

David S. Collins, FAIA

Name (Please Print)

March 21, 2014

Date

Please return the ballot on or before **March 26, 2014**.

**PLEASE RETURN TO:**
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

**FAX:** (617) 984-7110  **E-mail:** kcarey@nfpa.org

August 5, 2014  Supplemental Agenda - Standards Council Meeting August 11-14, 2014  Page 796 of 1626
CORRELATING COMMITTEE
LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1130
1. To revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision cycle – NFPA 101 Second Draft)
2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3
3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision cycle – NFPA 101 Second Draft)
4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

Question 1: I agree that there are no correlation issues in accordance with 3.4.2 and 3.4.3 (copy enclosed) of the NFPA Regs.

__________ AGREE  _______ X______ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position. If disagreeing, cite relevant section(s)/paragraph(s) of the correlation issue and describe.

_The new 12.4.1.3.3.3 requires approval of people. AHJ’s are trained to approve designs, not people. This puts a huge burden on AHJs. There is no correlation or requirement anywhere in NFPA 101 for approving of people._

Question 2: I agree that the subject is of an EMERGENCY NATURE.

__________ AGREE  _______ X______ DISAGREE*  __________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

_Although most section changes make sense and should be approved, there is no validation of an “emergency” nature in these changes._

Ron Reynolds
Signature

Ron Reynolds
Name (Please Print)

March 17, 2014
Date

Please return the ballot on or before March 26, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110
E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1130
1. To revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision cycle – NFPA 101 Second Draft)
2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3
3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision cycle – NFPA 101 Second Draft)
4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA Log No. 1130.

___ X ___ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Although I agree with the changes proposed in the TIA, the substantiation also points out a potential inconsistency that has been in existence for several cycles, specifically 12.4.2.1(2)(a) & 13.4.2.1(2) which was not changed by the proposal. The Life Safety Evaluation provisions were intended to reflect that required, not initiate new requirements. The long standing methods for evaluating performance have traditionally been consistent with that outlined in A5.2.2. The TIA substantiation brings to the forefront the need to address 12.4.2.1(2)(a) & 13.4.2.1(2) in the next cycle for greater consistency.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

___ X ___ AGREE  ___________ DISAGREE*  ___________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

__________________________________
Signature

Ed Roether
Name (Please Print)

25 February 2014
Date

Please return the ballot on or before February 27, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110  E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1130

1. To revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision cycle – NFPA 101 Second Draft)
2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3
3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision cycle – NFPA 101 Second Draft)
4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA Log No. 1130.

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

THE AHJ ALREADY HAS THE AUTHORITY TO REQUIRE SUCH INFORMATION.

[Signature]

RAYMOND J. CATTALOJA
Name (Please Print)

3/04/2014
Date

Please return the ballot on or before February 27, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169

FAX: (617) 984-7110

E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1130

1. To revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision cycle – NFPA 101 Second Draft)
2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3
3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision cycle – NFPA 101 Second Draft)
4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA Log No. 1130.

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

________________________________________________________________________

________________________________________________________________________

Question 2: I agree that the subject is of an EMERGENCY NATURE.

[ ] AGREE [ ] DISAGREE* [ ] ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

IT WAS NOT APPROPRIATE TO TAKE THIS ISSUE DIRECTLY TO THE COOPERATION COMMITTEE. THE TECHNICAL COMMITTEE SHOULD HAVE TIME TO DISCUSS.

[Signature]

[Name (Please print)]

2/14/14

Date

Please return the ballot on or before February 27, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110 E-mail: kcarey@nfpa.org
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1130

1. To revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision cycle – NFPA 101 Second Draft)
2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3
3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision cycle – NFPA 101 Second Draft)
4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA Log No. 1130.

_________ AGREE  X  DISAGREE*  _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Please see attached negative reason statement.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

_________ AGREE  X  DISAGREE*  _________ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.
Please see attached reason statement

[Signature]

Jonathan Humble (Primary representative)
Name (Please Print)

20 February 2014
Date

Please return the ballot on or before February 27, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
NFPA
1 Batterymarch Park
Quincy, MA 02169
FAX: (617) 984-7110
E-mail: kcarey@nfpa.org
TIA – AXM – 101
NFPA 101 Proposed Tentative Interim Amendment (TIA) No. 1130
Jonathan Humble, American Iron and Steel Institute
20 February 2014
Negative Vote

PART #1

Negative Reason Statement:
Recommendation: Do not have these provisions accepted as part of the TIA. Instead, have the relevant correlating committee and Standards Council find that these recommended modifications are editorial in nature and so modify the standard on that basis.

I must question if this proposed TIA appears to be of an emergency nature requiring prompt action. When I view the following sections I see editorial or grammatical modifications being requested, and not substantive topics which are of an emergency nature. As a result, I must disagree that this proposed TIA is of both a technical and emergency nature as defined by the NFPA policy and procedures.

Please see the following examples, and notice that the number of instances represent a substantial portion of the proposed TIA. This would further suggest that the TIA should not proceed as proposed as the makeup of the proposal appears primarily editorial in nature.

“12.4.1.1* General. Where a life safety evaluation is required by other provisions of the this Code, it shall comply with the following:....”

“12.4.1.4.2 Life Safety Narrative. A life safety narrative shall be provided describing the following:
(1) Building occupancy, construction type, and intended uses and events
(2) Building area and population capacity of the proposed facility
(3) Principal fire and life safety features/strategies for the building, including including as applicable—the following:....”

“12.4.1.4.3 Life Safety Floor Plans. Life safety floor plans of each level shall be provided— as applicable with the following:....”

12.4.1.5.2 Facility Management and Operational Plans. Facility management and operational plans shall address the following:
(1) through (9) not shown.
(10) Emergency communication plans, which include the following:
(a) Chain of authority and incident command system employed
(b) Contact information for the following:
   i. Venue personnel
   ii. Emergency management and response organizations, (e.g., such as fire, police, medical, utility, transportation, and key stakeholders)
   (c) Communication systems
   (d) Standard announcement for incidents or emergency situations”
“12.4.1.5.4.3 The life safety building systems document in accordance with 12.4.1.4 shall be permitted to be used, but and additionally the life safety building systems reference guide shall include the following:…..”
(1) through (7) not shown.
(8) Principle Principal fire and life safety features/strategies, such as sprinklers, smoke control, fire alarm notifications, PA system, emergency power, and fire department access
(9) through (14) not shown.
(15) List of locations of emergency equipment (i.e., such as fire extinguishers, fire hose cabinets, fire hydrants, AEDs, etc.)

“13.4.1.1* General. Where a life safety evaluation is required by other provisions of the this Code, it shall comply with the following:…..”

“13.4.1.4.2 Life Safety Narrative. A life safety narrative shall be provided describing the following:
(1) Building occupancy, construction type, and intended uses and events
(2) Building area and population capacity of the proposed facility
(3) Principal fire and life safety features/strategies for the building, such as including-as applicable—the following:…..”

13.4.1.4.3 Life Safety Floor Plans. Life safety floor plans of each level shall be provided as applicable with the following:

13.4.1.5.2 Facility Management and Operational Plans. Facility management and operational plans shall address the following:
(1) through (9) not shown
(10) Emergency communication plans, which include the following:
(a) Chain of authority and incident command system employed
(b) Contact information for the following:
   i. Venue personnel
   ii. Emergency management and response organizations. (e.g., such as fire, police, medical, utility, transportation, and key stakeholders)

13.4.1.5.4.3 The life safety building systems document in accordance with 13.4.1.4 shall be permitted to be used, but and additionally the life safety building systems reference guide shall include the following:
(1) through (7) not shown
(8) Principle Principal fire and life safety features/strategies, such as sprinklers, smoke control, fire alarm notifications, PA system, emergency power, and fire department access.
(9) through (14) not shown
(15) List of locations of emergency equipment (i.e., such as fire extinguishers, fire hose cabinets, fire hydrants, AEDs, etc.)

February 6, 2009
PART #2

TIA Proposed Language:
12.4.1.3.3.1 Prior to issuance of the building permit, the persons performing the life safety evaluation shall confirm that the building systems provide appropriate safety measures.....

Negative Reason Statement:
The addition of the term “appropriate” makes this provision change from mandatory language based provision to a subjective language based provision. The term “appropriate” has no qualifiers, nor is it tied to other provisions from which to determine what appropriate is to be, and does not distinguish who determines when something is or is not “appropriate”. This is a serious infraction of the manual of style for the development of mandatory language. In view of this, the term “appropriate” should rejected in this case.

But, Section 12.4.1.3.3.2 also uses the term “appropriate” in the same syntax, so why not use the term “appropriate” here too? For the same reasons as stated above the term does not represent mandatory language, and therefore should also be removed from Section 12.4.1.3.3.2.

PART #3

TIA Proposed Language:
12.4.1.3.3.3 The AHJ shall determine approve the acceptable persons performing the life safety evaluation in a timely manner to enable the design team and facility management to resolve concerns to the satisfaction of the persons performing the life safety evaluation prior to their submission.

TIA Reason Statement:
3. Example Inconsistencies NFPA 101 12.4.1.3.3.3 / 13.4.1.3.3.3. Other changes within the TIA are proposed to avoid inconsistencies within NFPA 101. For example, NFPA 101 12.4.1.3.3.3 / 13.4.1.3.3.3 in the proposed draft requires the following.

The AHJ shall determine acceptable persons performing the life safety evaluation in a timely manner to enable the design team and facility management to resolve concerns to the satisfaction of the persons performing the life safety evaluation prior to their submission.

The draft language requires the AHJ to determine the acceptable persons. This infers selection and thus places an undue burden on the AHJ. This also takes selection ability and responsibility away from the owner and designer team. The TIA amends the text from determine to approve to be consistent with other portions of NFPA 101.

Negative Vote Reason:
This proposed language will yield unintended consequences. As written the proposed language changes from a position where the AHJ reviews and makes a determination of the acceptable persons to a mandate where the AHJ now must approve the acceptable persons without a review. Notice should also be given to the fact that in this case the AHJ could also be the licensing or registration board/agency within that jurisdiction, and not necessarily the code official.

Further, this provision already has two topics blended into a single run-on sentence. If we are truly going to perform a TIA then we would also need to separate thoughts into two simple yet direct sentences.
Better language would read:

12.4.1.3.3.3 The AHJ shall determine the acceptable persons performing the life safety evaluation shall be subject to the approval of the AHJ. The life safety evaluation shall be conducted in a timely manner to enable the design team and facility management to resolve concerns to the satisfaction of the persons performing the life safety evaluation prior to their submission.

(END)
TECHNICAL COMMITTEE LETTER BALLOT
PROPOSED TENTATIVE INTERIM AMENDMENT LOG NO. 1130

1. To revise 12.4.1, from what was done by Second Revision SR-95 (Annual 2014 revision cycle – NFPA 101 Second Draft)
2. No further change to advisory annex text A.12.4.1.1 and A.12.4.1.3
3. Revise 13.4.1, from what was done by Second Revision SR-96 (Annual 2014 revision cycle – NFPA 101 Second Draft)
4. No further change to advisory annex text A.13.4.1.1 and A.13.4.1.3

Question 1: I agree with the TECHNICAL MERITS of the Proposed TIA Log No. 1130.

✓ AGREE        □ DISAGREE*        □ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

Question 2: I agree that the subject is of an EMERGENCY NATURE.

□ AGREE       ✓ DISAGREE*        □ ABSTAIN*

EXPLANATION OF VOTE - Please type or print your comments:

*An explanation must accompany a disagreement or abstaining position.

This, to me, has a significant impact and

needs time to work out

________________________________________
Max Gandy
Signature

________________________________________
Max Gandy
Name (Please Print)

25 Feb 2014
Date

Please return the ballot on or before February 27, 2014.

PLEASE RETURN TO:
Kelly Carey, Project Administrator
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Quincy, MA 02169

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Classification: UNCLASSIFIED

Caveats: NONE

NFPA 101®-Proposed 2015 Edition

Life Safety Code®

TIA Log No. 1130

Concur with proposed TIA. The proposed language is more consistent with the rest of this Code and more understandable.

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Caveats: NONE