



Dawn Michele Bellis
Secretary, Standards Council

8 August 2016

To: Interested Parties

Subject:

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| Standards Council Decision (Final): | D#16-12 |
| Standards Council Agenda Item: | SC#16-8-3-o |
| Date of Decision*: | 4 August 2016 |
| NFPA 70®, <i>National Electrical Code</i> ®, 2017 Edition | |

Dear Interested Parties:

At its meeting of August 3 – 4, 2016, the Standards Council considered an appeal on the above referenced matter. The Council's Final decision is now available and is attached herewith.

Sincerely,

A handwritten signature in black ink that reads "Dawn Michele Bellis".

Dawn Michele Bellis
Secretary, NFPA Standards Council

cc: D. Berry, S. Everett, L. Fuller, W. Burke, M. Earley
Members, NEC Code-Making Panel 17 (NEC-P17)
Members, NEC Correlating Committee (NEC-AAC)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA's codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the Regulations Governing the Development of NFPA Standards and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the Date of Decision noted in the subject line of this letter.



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SUMMARY OF ACTION (for convenience only; not part of official decision): *The Standards Council voted to deny the appeals to overturn the Association action on CAM 70-28 and Reject Second Correlating Revision No. 43.*

DECISION:

At its meeting of August 3 – 4, 2016, the Standards Council considered appeals from Phil Simmons of Simmons Electrical Services and Paul W. Abernathy of Encore Wire Corporation. These appeals request that the Standards Council overturn the Association action on CAM 70-28 and Reject Second Correlating Revision No. 43. Specifically, these appeals request the 2017 Edition of NFPA 70[®], *National Electrical Code*[®] be issued without proposed new Section 680.14. This text, recommended by Code-Making Panel 17, identifies areas where pool chemicals and equipment are stored as a corrosive environment and specifies wiring requirements for such areas.

As background, Second Correlating Revision No. 43 passed Correlating Committee ballot unanimously. Each of the Appellants filed a Notice of Intent to Make a Motion (NITMAM) which were together certified by the Motions Committee as CAM 70-28. CAM 70-28 failed on the floor of the NFPA Technical Meeting. Appellants each filed an appeal for the Council’s consideration and determination.

The appeals request that the Council overturn the results yielded by the standards development process. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, these appeals do not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that Second Correlating Revision No. 43 will be included in the 2017 Edition of NFPA 70[®], *National Electrical Code*[®].

Council Member Richard Owen recused himself during the hearing, deliberation and vote on this issue.