



Dawn Michele Bellis
Secretary, Standards Council

10 August 2016

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#16-5
Standards Council Agenda Item:	SC#16-8-1-e
Date of Decision*:	4 August 2016
NFPA 25, <i>Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems</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". The signature is written in a cursive, flowing style.

Dawn Michele Bellis
Secretary, NFPA Standards Council

cc: D. Berry, S. Everett, L. Fuller, R. Bielen, C. Duffy
Members, Inspection, Testing, and Maintenance of
Water-Based Systems (INM-AAA)
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 uphold the appeal as described in this decision.*

DECISION:

At its meeting of August 3 – 4, 2016, the Standards Council considered an appeal from Peter A. Larrimer, P.E. of the U.S. Department of Veterans Affairs. The appeal requests that the Standards Council issue the 2017 Edition of NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*, without Chapter 16. Specifically, the appeal requests the removal of Chapter 16 from the 2017 Edition of NFPA 25 asserting that Chapter 16 extracts inspection, testing and maintenance (ITM) requirements from NFPA 101 and NFPA 409 which, in turn, refer to requirements from the 2014 Edition of NFPA 25, the content of which was revised in the 2017 Edition.

As background, the Technical Committee voted in support of Second Revision No. 44. Mr. Larrimer filed a Notice of Intent to Make a Motion (NITMAM) which was certified by the Motions Committee as CAM 25-10. Mr. Larrimer chose not to pursue the CAM, as in doing so he would not achieve the result he was seeking. Therefore CAM 25-10 was not considered on the floor at the NFPA Technical Meeting. Mr. Larrimer filed an appeal for the Council’s consideration and determination.

The appeal requests 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, this appeal presents a clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process, although for a different reason and with a different result from those articulated in Mr. Larrimer’s appeal. Accordingly, the Council has voted to uphold the appeal to the extent it raised concerns over the proposed language in Chapter 16 of the 2017 Edition of NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*.

Mr. Larrimer requests the 2017 Edition of NFPA 25 be issued without Chapter 16 because Chapter 16 extracts material from NFPA 101 and NFPA 409 and, in each case these extractions, in turn,

refer to provisions in the 2014 Edition of NFPA 25 which have been revised in the 2017 Edition of NFPA 25. The Technical Committee sought to continue to extract material from NFPA 101 and NFPA 409 but to also incorporate in those “extracted” provisions the new language of the 2017 Edition of NFPA 25.

As described previously, Mr. Larrimer filed a NITMAM which the Motions Committee certified as CAM 25-10 but chose to not pursue the CAM on the floor of the Technical Meeting. The Motion may or may not have fully addressed his needs, but would have provided the opportunity to raise his concerns for consideration and debate within the process. In so choosing, Mr. Larrimer brings this appeal requesting the Council, without Technical Meeting review, to take the action that was not raised in the process. In circumstances such as this, where the Technical Committee has reached consensus and where no debate and public review of the action requested has taken place, the Council is reluctant to consider overturning the results of the process.

The Council acknowledges that this appeal, however, in part, involves the manner in which text proposed for inclusion in the 2017 Edition of NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems* was extracted from other documents. The Council has the authority to ensure the processing of documents under the NFPA standards development process is in accordance with the *Regulations Governing the Development of NFPA Standards* and with all other policies, procedures and guidance provided by the Council. Here, the revisions to Chapter 16 of the 2017 Edition of NFPA 25 were not made in accordance with NFPA’s extract policy in that they are not merely extracted text but rather extracted and revised text. Furthermore, the revisions to the extracted text were not reviewed by the Technical Committees having responsibility for the documents being extracted, namely NFPA 101 and NFPA 409. For these reasons, the Council has determined that to comply with the organization’s extract policy, Section 16.2.1.1 of the 2017 Edition of NFPA 25 will be revised to refer generally to NFPA 101, Sections 16.2.1.1.1 through 16.2.1.1.15 and all of Section 16.3 will be removed from Chapter 16 of the 2017 Edition of NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*.

The resulting text will read as follows:

16.2 Small Residential Board and Care Occupancies.

16.2.1 The requirements in this section shall only apply to residential board and care facilities with sprinkler systems installed in accordance with NFPA 13D as described in NFPA 101.

16.2.1.1 Systems installed in accordance with NFPA 13D shall be inspected, tested, and maintained in accordance with ~~33.2.3.5.8.1 through 33.2.3.5.8.15 of NFPA 101, which reference specific sections of NFPA 25. The frequency of the inspection, test, or maintenance shall be in accordance with [NFPA 101], whereas the purpose and procedure shall be from NFPA 25. [101:33.2.3.5.8]~~

In addition, the Council acknowledges that the appeal raises questions of intra-committee coordination between the Technical Committees responsible for NFPA 25 and for NFPA 101. Therefore, the Council is directing the Chair of the NFPA 25 Technical Committee and the Chair of the Correlating Committee for NFPA 101 to form a joint task group to specifically consider updates for extracts in their respective documents in accordance with the NFPA Extract Policy.