

STANDARDS COUNCIL MEETING

National Fire Association Meeting  
236 Marriott Drive  
Quincy, MA 02126

Tuesday, August 14, 2018  
8:30 a.m.

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1 P R O C E E D I N G S

2 CHAIRMAN BELL: Good morning,  
3 Everyone. I'm going to call this hearing to  
4 order. My name is Kerry Bell. It's my  
5 pleasure to serve as chair on the NFPA  
6 Standards Council.

7 In a moment here we're going to go  
8 around the room and have everyone introduce  
9 themselves by stating their name and  
10 affiliation.

11 Before I do that, I did want to point  
12 out that we have a steno typist here with us  
13 today that's going to be recording these  
14 hearings. So for those of you who are  
15 speaking, I would ask that you clearly state  
16 your name and affiliation before you make  
17 each remark so we can capture that for the  
18 record.

19 Also for those of you who are speaking  
20 if you could give your business card at the  
21 end to the steno typist or Linda Fuller here  
22 so that we make sure that we get the  
23 spelling of your name and affiliation

1 correct, which is always -- in a room this  
2 large.

3 So with that, we're going to go ahead  
4 with the introductions. We'll start here to  
5 the right and go around the table and then  
6 go around the perimeter of the room.

7 MS. BELLIS: Dawn Michelle Bellis,  
8 NFPA staff.

9 MS. FULLER: Linda Fuller, NFPA  
10 staff.

11 MR. O'CONNOR: Dan O'Connor, member  
12 of council.

13 MR. KEITH: Gary Keith, member of  
14 council.

15 MR. POOLE: Jack Poole, member of  
16 council.

17 MR. GOLINVEAUX: James Golinveaux,  
18 member of council.

19 MS. GLEASON: Patricia Gleason,  
20 member of council.

21 MR. REISWIG: Rodger Reiswig,  
22 member of council.

23 MS. MANLEY: Bonnie Manley, member

1 of council.

2 MS. TRENCH: I'm Nancy Trench with  
3 Oklahoma State University, and I'm here for  
4 the first hearing.

5 MR. CRAWFORD: And I'm Jim  
6 Crawford, the project manager for Vision  
7 20/20, and I'm here for the second hearing.

8 MR. SNYDER: Michael Snyder, member  
9 of council.

10 MR. BUSH: Kenneth Bush, member of  
11 council.

12 MR. BEEBE: Chad Beebe, member of  
13 council.

14 MR. QUITTER: James Quitter, member  
15 of council.

16 MR. JOHNSTON: Michael Johnston,  
17 Member of council.

18 MS. GALLAGHER: Suzanne Gallagher,  
19 NFPA staff.

20 MS. GERSHA: I'm Debra Gersha, NFPA  
21 staff.

22 MR. FASH: Bob Fash, NFPA staff.

23 MR. COLIN: Ed Colin, NFPA staff.

1 MR. CLOUTIER: Mark Cloutier, NFPA  
2 staff.

3 MR. ROUX: Richard Roux, NFPA  
4 staff.

5 MR. TOLENTINO: Chris Tolentino,  
6 NFPA staff.

7 MR. DEHN: Heath Dehn, NFPA staff.

8 MS. BARAND-REED: Karen  
9 Barand-Reed, NFPA staff.

10 MS. RUBADOU: Chelsea Rubadou, NFPA  
11 staff.

12 MR. HOHENGASSER: Eric Hohengasser,  
13 NFPA staff.

14 MR. COLONNA: Guy Colonna, NFPA  
15 staff.

16 MR. DUBAY: Christian Dubay, NFPA  
17 staff.

18 CHAIRMAN BELL: Thank you for the  
19 introductions. Let us get started. And the  
20 first two hearings that we have this morning  
21 are related to agenda items 18-8-10a-1 and  
22 18-8-10b-1 on NFPA 1001.

23 And at this point I'm going to recuse

1 myself from both of these hearings, and I'm  
2 going to ask council member Jim Quitter to  
3 chair both of these hearings. Mr. Quitter,  
4 I'll turn the floor over to you.

5 MR. QUITTER: Thank you, Mr. Bell.  
6 I want to spend just a minute with the  
7 format of how we will operate. We will  
8 start with the appellant having ten minutes  
9 to present their case. That will follow  
10 with ten minutes for anyone who is in  
11 opposition to the position, and I haven't  
12 heard that anyone is here to do that, but --  
13 and then we'll open it up to a series of  
14 questions from the council to the appellant  
15 or the people who spoke, and those questions  
16 will be directed through the chair to help  
17 keep some control over the proceedings.

18 And when we have ended with questions,  
19 we will go back to five minutes for the  
20 appellant to summarize and then five minutes  
21 for anyone in opposition.

22 It's important to recognize that our  
23 discussions and decisions regarding the case

1 will occur after this session is closed,  
2 and, in fact, after the hearings are done  
3 today. And those will be in closed session,  
4 and I will say a bit more about that at the  
5 end.

6 I want to remind you everyone that  
7 there is a stenographer in the room, so  
8 please speak relatively slowly so that she  
9 can pick it up, and everyone who wants to  
10 speak should begin with their name and  
11 affiliation so she can pick that up.

12 Okay. All right. So with that, Ms.  
13 Trench, I assume you'll be doing the  
14 presentation?

15 MS. TRENCH: Yes.

16 MR. QUITTER: All right.

17 MS. TRENCH: Good morning. I'm  
18 Nancy Trench from Oklahoma State University.  
19 I serve as the assistant director of the  
20 Fire Protections Publications. We are the  
21 publisher of the Instafire training  
22 materials.

23 I want to present a few credentials to

1 you today. First of all, I was elected to  
2 the NFPA Board of Directors the 1989 and  
3 served six years in that position. And at  
4 that time appeals to the codes and  
5 standards, the final appeal was the board of  
6 directors. And I got to know Dennis very,  
7 very well.

8 I served on many of the appeal  
9 subcommittees making recommendations to the  
10 board of directors about codes and standards  
11 and including some infamous discussions on  
12 NFPA 101.

13 I also present the credential that my  
14 entire career of 40 years has been training  
15 firefighters. The first NFPA 1001 was  
16 published in 1974, and Oklahoma was one of  
17 the pilot states to say can we really  
18 certify firefighters to a standard.

19 So people agreed, yes, we could do a  
20 written test, but how would we ever do a  
21 practical skills exam. And the very first  
22 skills exam for firefighters was at the  
23 Midland City Oklahoma Fire Department just

1 outside of Tinker Air Force Base, and I was  
2 there for that momentous event.

3 Then they said, Well, you can do it  
4 for paid firefighters but not volunteers.  
5 So we repeated that exercise of  
6 certification skill exams in Amber,  
7 Oklahoma, for a volunteer fire department.

8 So as I speak to this including this  
9 proposing No. 66 into the standard, I do it  
10 with a vast background of training  
11 firefighters. Lastly, I'm also chair of an  
12 NFPA professional qualifications standard,  
13 NFPA 1035.

14 I do believe we are one of the reasons  
15 that NFPA moved from pamphlet size to 8-1/2  
16 by 11, because our title of our committee  
17 fills up the whole cover. We are the  
18 Standard for Fire and Life Safety Educators,  
19 Public Information Officer and Youth Fire  
20 Center Intervention Specialist and Youth  
21 Fire Center Program Manager Professional  
22 Qualifications. So I hope I get a round of  
23 applause for getting the title of the

1 standard correct.

2 I would also like to make note that  
3 the proposed definition in proposal 66 is  
4 the same as the definition in NFPA 1037 and  
5 in 1035. So you have on record the results  
6 of the committee's action as well as the  
7 technical session and the action of the NFPA  
8 members. And I would remind you that there  
9 was overwhelming support from the NFPA  
10 membership for this -- for this  
11 recommendation as well as the vote was very,  
12 very close for the technical committee. In  
13 fact, if you do the math, it is less than  
14 one vote short of being a two-thirds  
15 majority.

16 We have provided to you the support  
17 from the International Association of  
18 Firefighters in the form of a letter, from  
19 the National Volunteer -- from the  
20 International Fire Marshals Association, the  
21 National Fallen Firefighter Foundation and  
22 Underwriters Laboratory and then the  
23 International Association of Fire Chiefs,

1 their fire alarm safety education section.

2 And those are all part of the record that

3 you have in front of you.

4 I would like to speak to the  
5 opposition for this proposal, which has been  
6 provided by the National Volunteer Fire  
7 Council. And they particularly say training  
8 firefighters takes too long already, how  
9 could we add more to the hours of training  
10 for volunteers. And I would like to tell  
11 you that while I respect that opinion, I  
12 believe that we are talking about four hours  
13 of training to include this proposal in the  
14 standard. That training is all available  
15 free and on line, so there's no cost to the  
16 firefighters, no cost to their fire  
17 department.

18 Furthermore, while we hear the  
19 opposition to additional training, I would  
20 like us to consider that many volunteer  
21 firefighters are also EMTs. So more than  
22 120 hours of training that they accept with  
23 no opposition and many of those volunteer

1 firefighters pay for that training and their  
2 licensure out of their own pocket.

3           So I believe if we look at those  
4 requirements for the firefighters and the  
5 acceptance of the volunteers that we should  
6 consider that community risk reduction can  
7 be covered in about four hours with on-line  
8 training that's currently available.

9           So my particular appeal makes four  
10 points. First of all, the 1001 technical  
11 committee has been unyielding in trying to  
12 compromise about this issue. We have worked  
13 on this for two complete cycles. And in  
14 August of 2011 we met at NFPA headquarters  
15 in a task group meeting where there was a  
16 compromise reached with understanding that  
17 the committee would support it when, in  
18 fact, they did not. And it was not included  
19 in the current edition.

20           So this is our second cycle of  
21 bringing the content of community risk  
22 reduction to NFPA 1001. And, finally, I  
23 think there's a couple of objectives that we

1 will achieve by putting this information and  
2 this requirement in 1001.

3           It's the first step to change the  
4 culture of the fire service to say that  
5 prevention and mitigation really is part of  
6 a firefighter's job. It also provides a  
7 firefighter -- an entry-level firefighter  
8 basic knowledge to install single station  
9 battery operated residential smoke alarms.

10           I don't know if you all have read it,  
11 but there's a report that says that the No.  
12 1 reason people disarm their residential  
13 smoke alarms is not because they need the  
14 battery for a radio or something else, which  
15 is commonly thought. It's because of the  
16 nuisance answer alarm. It's such a bother  
17 that people remove them. That's our fault  
18 as a fire service if we're installing those  
19 alarms by not putting them in the correction  
20 locations. And that content would be in  
21 this training, and it is available on line  
22 already.

23           And it is ultimately the best

1 firefighter safety. If the firefighter has  
2 installed smoke alarms, communicated with  
3 adults about installing those smoke alarms,  
4 helped that family with their home escape  
5 plan, with their own home fire drill and a  
6 call comes to that station, and they arrive  
7 at that house, and the family is waiting on  
8 the curb, that's just as much a part of  
9 their job as fire suppression. And that  
10 firefighters does not have to be at risk  
11 performing a rescue, because the occupants  
12 of that home are outside when the fire  
13 department arrives. Thank you, Mr. Chair  
14 for your time.

15 MR. QUITTER: Thank you. Is there  
16 anyone present who would like to speak  
17 against the appeal? Hearing none, we will  
18 take questions from council.

19 MS. GLEASON: Patricia Gleason,  
20 member of council. Is there a concern that  
21 you've heard from the new firefighters that  
22 of liability associated with this type of  
23 training and the preventive nature of it?

1 Has that been an argument or a concern  
2 that's been expressed as to why this  
3 additional four hours of training would be a  
4 concern to add to the additional training  
5 required?

6 MS. TRENCH: That has never been  
7 discussed and never been brought forward as  
8 an issue. Community by community deal with  
9 the liability of installing smoke alarms and  
10 other fire safety information on a  
11 case-by-case basis, but that argument has  
12 never been presented in this discussion.

13 MS. GLEASON: Thank you.

14 MR. KEITH: Gary Keith, member of  
15 council. Do you recall whether or not that  
16 was the same situation on your first attempt  
17 on the last cycle or has it -- are there  
18 several fire service organizations where  
19 they were opposed to it in the last cycle  
20 and then became in favor of it this time  
21 around?

22 MS. TRENCH: Gary, we never got  
23 that far, because the -- it would -- a task

1 force dealt with it and the technical  
2 committee, and the technical committee has  
3 been against it. And that was not presented  
4 in representations of national fire service  
5 organizations. And we never did a NITMAM  
6 mission. We never filed an appeal, so we  
7 never got to the point of seeking in writing  
8 those kinds of supports.

9 MR. KEITH: Thank you.

10 MR. QUITTER: So I know that it  
11 seems a little silly, but you need to start  
12 with your --

13 MS. TRENCH: I need to say my name.

14 MR. QUITTER: Yes.

15 MS. TRENCH: Got it.

16 MR. GOLINVEAUX: James Golinveaux,  
17 member of council. You mentioned that you  
18 participated in a task group. Was there a  
19 task group at the technical committee level?

20 MS. TRENCH: Yes, sir.

21 MR. GOLINVEAUX: And you also  
22 mentioned that there were some revisions  
23 made that you thought would be acceptable to

1 the task group for full committee. Would  
2 those revisions correlate with the  
3 definitions that you mentioned that were  
4 existing in other standards?

5 MS. TRENCH: We're talking about  
6 the 2013 edition of the NFPA 1001, and at  
7 that time I do not know if that definition  
8 was in other standards. I do not believe  
9 that it was.

10 MR. GOLINVEAUX: Okay.

11 MS. TRENCH: And I'm sorry. I'm  
12 Nancy Trench from Oklahoma State University.  
13 So would you -- can you re-address that  
14 question?

15 MR. GOLINVEAUX: James Golinveaux,  
16 member of council. I thought I heard you  
17 say that this definition was currently in  
18 other standards.

19 MS. TRENCH: It is, yes, sir.

20 MR. GOLINVEAUX: And my question  
21 was, was there, in the task group, revisions  
22 made to it that would make it different than  
23 the existing definition, or would it

1 correlate with those other definitions?

2 MS. TRENCH: The task group that I  
3 referred to -- I'm Nancy Trench from  
4 Oklahoma State University. The task group  
5 that I referred to was for the 2013 edition  
6 of the standard, not the current edition.  
7 There has not been a task group that's  
8 worked on the content for the current  
9 edition that's up for adoption.

10 MR. GOLINVEAUX: Okay. Thank you.

11 MR. SNYDER: Michael Snyder, member  
12 of council. I'd like to just probe a little  
13 bit more about this task group. I thought I  
14 heard you say that there was an agreement  
15 reached at the task group level on the 2013  
16 code that would have been similar if not  
17 identical to the issue that you're appealing  
18 today. Can you just provide a little bit  
19 more background about what that agreement  
20 was?

21 MS. TRENCH: Yes, sir. Let me  
22 refer you, please, to my appeal letter that  
23 is in your record, and that is detailed on

1 page 2. There was an effort to add  
2 community risk reduction and fire prevention  
3 content. There were more than 100 public  
4 comments submitted, and I submitted 19 of  
5 those. The chairperson of 1001 created a  
6 task group, and we make seven  
7 recommendations to the committee for  
8 Firefighter 1 and Firefighter 2. And in my  
9 letter that is detailed.

10 What has happened for current standard  
11 is we have downsized that. We thought a  
12 smaller chunk of a definition and a few  
13 Firefighter 1 job performance requirements  
14 would have a better opportunity of being  
15 accepted by the 1001 technical committee.  
16 Did I answer your question, sir?

17 MR. SNYDER: Yes, you have. Thank  
18 you.

19 MR. QUITTER: Mr. O'Connor. State  
20 your name and affiliation first.

21 MR. O'CONNOR: Dan O'Connor, member  
22 of council. Can you explain -- I'm trying  
23 to understand when you guys were -- you're

1 involved as the assistant director of fire  
2 prevention publications, publisher of the --

3 MS. TRENCH: Uh-huh.

4 MR. O'CONNOR: There is training  
5 materials out there already on line. I  
6 believe, you mentioned four hours of  
7 training stuff is out there, it's free  
8 already. It's free to fire departments to  
9 go -- people to this side?

10 MS. TRENCH: Yes.

11 MR. O'CONNOR: I'm just trying to  
12 understand. As the publisher of training  
13 material is there -- is there -- is there  
14 any material interest in this subject area  
15 having this in their -- I investigate the  
16 publishing training materials. So this can  
17 go forward. Can you explain your background  
18 -- from a publisher standpoint.

19 MS. TRENCH: I'm Nancy Trench from  
20 Oklahoma State University. I am of the fire  
21 protection publications that publishes the  
22 Instafire training materials.

23 I will tell you that depending on the

1 decision of the Standards Council and when  
2 we receive that notification, we have book A  
3 and book B. Book A does not include  
4 community risk reduction. Version B does.  
5 It's written and prepared. Either one if  
6 ready to go to print. Our customers do not  
7 want additional content in a book that's not  
8 part of NFPA 1001.

9           So the publication of our book as well  
10 as those of our competitors is solely based  
11 on NFPA 1001, and that's why it's so  
12 important to get this information into the  
13 main body of the standards. Thank you.

14           MR. QUITTER: One question I have  
15 -- to appeal that -- going to hear are  
16 unrelated. If we decide against the second  
17 appeal, do you still want the first appeal  
18 to go forward by itself, or do you not see  
19 them as tightly related?

20           MS. TRENCH: Nancy Trench from  
21 Oklahoma State University. I think that  
22 they are partners, but if we could even get  
23 community risk reduction, that word, that

1 phrase in our standards, that is a baby step  
2 forward.

3 MR. QUITTER: Okay. Thank you.

4 Seeing no other hands, I have one more  
5 question. And that is there is a lot of  
6 discussion about -- from what I read about  
7 Firefighter 2 seems to be okay to the  
8 opposition, and it's really Firefighter 1  
9 that they are saying is too much training  
10 too early. Can you just expound on your  
11 thinking on that?

12 MS. TRENCH: Seldom do state fire  
13 training systems offer just Firefighter 1 or  
14 just Firefighter 2. In fact, there was  
15 discussion this year in the standard of  
16 making only one level.

17 It is also my experience that whatever  
18 anyone else at the fire station doesn't want  
19 to do, they give it to a recruit, and that  
20 could very much be a fire station tour or  
21 demonstrating protective equipment for young  
22 children or talking to a visitor that comes  
23 into the fire station. So I believe that

1 Firefighter 1 is appropriate as well as  
2 Firefighter 2.

3 And I just call your attention to the  
4 fact that for two cycles the committee has  
5 refused this content, and I think, Oh, it  
6 ought to be in Firefighter 2 or it ought to  
7 be Company Officer is a bit of a smoke  
8 screen of just preventing that additional  
9 content in the standard.

10 MR. QUITTER: Thank you.

11 MR. POOLE: Jack Poole, member of  
12 council. Help me understand your  
13 understanding of why the task group and/or  
14 the committee is opposed to this.

15 MS. TRENCH: Let me say -- Nancy  
16 Trench from Oklahoma State University. The  
17 task group was in favor of it, and when the  
18 task group report went to the full technical  
19 committee, they did not accept it. So the  
20 task group was in favor, the full committee  
21 was not.

22 MR. POOLE: And why do you feel  
23 that is the case?

1           MS. TRENCH: They've said over and  
2 over that it's not within the scope of an  
3 entry-level firefighter to know about fire  
4 prevention.

5           MR. POOLE: Do you -- Jack Poole,  
6 member of council. Do you agree with that  
7 statement based on the scope of 1001?

8           MS. TRENCH: This is -- I'm Nancy  
9 Trench from Oklahoma State University. I do  
10 disagree that it's not within the scope. I  
11 think every entry-level firefighter needs to  
12 have basic home fire safety information for  
13 themselves, their own family as well as to  
14 be able to communicate that content to the  
15 public.

16           MR. POOLE: Thank you.

17           MR. BUSH: Kenneth Bush, member of  
18 council. You said a moment ago that you  
19 anticipated that this training would be  
20 included in several different levels of  
21 firefighter training, Firefighter 1 and  
22 Firefighter 2 and Company Officer. Would  
23 you see this training to be done as advanced

1 in different levels of firefighter training,  
2 or would it be something that's repeated in  
3 each one of those levels of firefighter  
4 training?

5 MS. TRENCH: I think you start with  
6 basic concepts and basic information that's  
7 presented in this four hours of training  
8 that would meet the requirements of 1001 and  
9 these two comments that we're asking to be  
10 included in the standard and with that basic  
11 -- with that basic concept of -- that basic  
12 knowledge and skills that every level will  
13 add to that. And so you have somebody that  
14 delivers, somebody that prepares, someone  
15 who manages just like you do with the other  
16 professional qualification standards.

17 So I think the information is basic at  
18 the Firefighter 1 level. There's additional  
19 information already in Firefighter 2. And  
20 then it would continue into Fire Officer and  
21 other levels of the professional  
22 qualification system.

23 MR. BUSH: Thank you.

1 MR. QUITTER: Are there any final  
2 questions? Seeing none -- Mr. Poole?

3 MR. POOLE: Jack Poole, member of  
4 council. Do you feel that there is pushback  
5 by the firefighters that they won't go  
6 hanging a smoke detector because they  
7 haven't been trained on how to do that if  
8 they're asked to do so in the fire service?

9 MS. TRENCH: That's a really good  
10 question. Nancy Trench Oklahoma, State  
11 University. Jack, I think no one wants to  
12 be asked to do a job that they haven't been  
13 trained for, whether that is putting on  
14 breathing apparatus or driving an engine or  
15 installing a smoke alarm.

16 MR. POOLE: Thank you.

17 MR. QUITTER: Thank you. Okay.  
18 Seeing no final questions, I will open it up  
19 to five minutes of summary.

20 MS. TRENCH: So, in summary, I'd  
21 like to say that we are going to have very  
22 little impact on firefighters accepting  
23 prevention and mitigation as part of the

1 fundamental job as firefighters if we don't  
2 have this content in their training. It  
3 should be a core part of the work they do.  
4 And it needs to be required in the  
5 professional qualification standards upon  
6 which we base training, accreditation and  
7 certification of firefighters. Thank you.

8 MR. QUITTER: Okay. Thank you very  
9 much. Just to summarize what happens from  
10 here. The council will go into closed  
11 session at the conclusion of this hearing  
12 and make our decision.

13 The only record of our decision will  
14 be the official record prepared by the Dawn  
15 Michelle Bellis and issued. Any other  
16 clarification from any member of council or  
17 anyone else who has -- is not part of the  
18 record and should not be sought or should  
19 not be given.

20 And I think that will close this  
21 session. So what we will do is roll  
22 directly into the second field.

23 Mr. Crawford, is that -- I have not

1 seen anyone enter or leave the room so I'm  
2 not going to do introductions again.

3 I will just open it up directly to  
4 Mr. Crawford for the ten minutes of the  
5 presentation.

6 And let me ask before we start, is  
7 there anyone who wanted to speak the  
8 decision?

9 Okay. Go ahead, Mr. Crawford.

10 MR. CRAWFORD: Thank you. Jim  
11 Crawford, project manager for Vision 20/20.  
12 I left a card out outside. I started in  
13 fire service as a volunteer firefighter in  
14 1975, a paid firefighter in 1976. I've been  
15 involved with the NFPA since the early '80s  
16 in one capacity or another as a volunteer.  
17 I was a member of standards council some  
18 time ago. I was past president of the  
19 International Fire Marshals Association and  
20 the chair of the Fire Marshals Protocol  
21 1037, now a member of that committee.  
22 That's my background, if that's helpful. I  
23 don't approach this from a standpoint of

1 being new to the concept of prevention,  
2 orientation for firefighters.

3 Nancy and I and others worked on all  
4 of these together, so the fact that my name  
5 is on this appeal would be misleading, and,  
6 in fact, we ran this whole content by what  
7 we call the CRR leadership team comprised of  
8 some thought leaders, innovators and some  
9 organizational representatives nationally  
10 before submitting these proposals as well as  
11 the steering committee for Vision 20/20 --  
12 any further with this, even understanding  
13 that the Volunteer Fire Council was opposed  
14 to the concept.

15 The way that we operate is we might  
16 not always agree on everything, that doesn't  
17 make us enemies. Nancy means it and I do  
18 too when we say we fully respect the  
19 Volunteer Fire Council's position on this,  
20 we just disagree.

21 We think that four hours is a  
22 reasonable period of time for a firefighter  
23 to understand the basics of community risk

1 reduction, what it is, and some basic public  
2 education skills including installation of  
3 smoke alarms that go along with it. When  
4 you don the uniform, people start asking you  
5 questions, it would be helpful to know.

6 But, more fundamentally, we believe  
7 that firefighters should understand there's  
8 more than one tool in the tool kit. And I  
9 don't think it's presumptuous to say that.  
10 I'm sure that you will all know that  
11 already, you live it.

12 When a fire starts, if you don't  
13 respond, generally, it's going to get  
14 bigger. If you do respond and control the  
15 fire, that is community risk reduction.  
16 Emergency response is community risk  
17 reduction.

18 But if you start thinking in terms of  
19 outcomes for fire protection like how would  
20 we control this fire to the area of origin  
21 90 percent of the time, that's when you open  
22 the door for building compartmentalizations,  
23 sprinkler systems, alarm systems and public

1 education. That what community risk  
2 reduction is.

3 That's what we are trying to get them  
4 to understand when they come into the door  
5 so that they know there's more than one way  
6 to solve a problem and then to provide them  
7 with some basics to go along with it.  
8 That's the essence of these two proposals,  
9 and as Nancy pointed out, why we kind of  
10 whittled everything down to the basis.

11 I'll try to deal with some of the  
12 other issues as I go through, and I'm not  
13 being repetitive, but IFSTA -- from my  
14 perspective, not speaking for Nancy, or  
15 IFSTA -- does not have any more financial  
16 interest in this concept than anybody else.  
17 In fact, it's evidence of their support for  
18 the importance of community risk reduction  
19 that they're providing this training for  
20 free.

21 So the training was developed with the  
22 assistance of firefighter grant funds. It  
23 resides on IFSTA resource 1. You have to

1 create an account to get this on-line  
2 training, but it's free, and it will always  
3 be free.

4 The IFSTA manuals, as Nancy pointed  
5 out, are ready to go with new material if  
6 the standard council rules that we want to  
7 include this. Informal conversations that I  
8 had with John Bartlett Publisher indicated,  
9 you know, the same thing. We know that  
10 we're holding up, you know, publication of  
11 this material, but it's -- we're not going  
12 to make any more money by including  
13 community risk reduction in the standard. I  
14 hope that makes some sense.

15 The other thing that I did want to  
16 reiterate aside from that is the definition  
17 and the Firefighter 2. The definition may  
18 change here before too long, and I may be  
19 mistaken, but I've view that as a  
20 correlation issue. For example, there is a  
21 new standard in NFPA system moving forward  
22 now, NFPA 1300, which I think is pretty much  
23 going to dictate to the other standards

1 including protocol what the definition of  
2 community risk reduction is. But it's a  
3 correlation issue. And the issue of  
4 Firefighter 2 it already has some  
5 information in there about inspections.

6 In my opinion, it doesn't clearly  
7 delineate between business inspections and  
8 home safety inspections. I'm not an expert,  
9 but that was my read of the whole thing --  
10 could stand some improvement too.

11 But I hope this was clear in Nancy's  
12 testimony that it begins with the basics.  
13 It evolves into more detailed information  
14 about home safety visits and then NFPA 1021,  
15 the Fire Officer, had more information on  
16 that. So there is intended to be a  
17 continuum of growth for the concept of  
18 community risk reduction throughout the  
19 documents.

20 It's kind of difficult to coordinate  
21 all of that, and I'm going to suggest  
22 something if that's not too brazen on my  
23 part when I wrap up my presentation.

1           But when you've got 1021 on this cycle  
2   and 1001 on this cycle and the other  
3   proposals -- trying to coordinate all of  
4   that, you know, information about the timing  
5   and whatnot, it's a little bit challenging.

6           And I think that if the correlating  
7   committee was open to it, a task group --  
8   correlating committee, maybe with a dash of  
9   NFPA 1300, it would be helpful to discuss  
10   how you correlate all of those issues over  
11   the entire NFPA standard documents. Nancy  
12   and I discussed this, we'd willing to help  
13   with that part of it.

14           I think that there is adequate reason  
15   for this standards council to intervene in  
16   this case. As Nancy pointed out, we very  
17   close to two-thirds, the indicator that NFPA  
18   uses for a consensus for the committee.  
19   There was overwhelming support on the floor  
20   too. So now you have, you know, a conflict,  
21   between technical committee and floor vote,  
22   which is rationale, I think, for the  
23   standards council to intervene and say what

1 truly is consensus here in this document.  
2 And your opinion weighs heavily. I'll try  
3 to make that case here before -- but the  
4 overwhelming floor support was something  
5 like 377 to 73 in favor. The membership  
6 felt very strongly that it's appropriate to  
7 have this basic information in beginning  
8 firefighters.

9 Unless I am mistaken, as Nancy pointed  
10 out, a lot of the objections for including  
11 this information was because it's outside of  
12 the firefighters scope of work. I think the  
13 standards council is the one that determines  
14 the scope of the documents. In other words,  
15 I think you have the authority to say this  
16 is part of the scope, and every firefighters  
17 should have these basics. That's basically  
18 what we are asking you all to do, approve  
19 the proposals. By doing so, you're really  
20 enacting long-term change in the fire  
21 service. You're helping to change the  
22 culture of the fire service.

23 It's not going to do away with

1 emergency response ever. It's not going to  
2 be threat to anybody. And the traditional  
3 other organizations, the IFF, the IFG is  
4 supportive of this. I think everybody has  
5 kind of reached that tipping point or most  
6 everybody has reached that tipping point  
7 where they're realizing, yes, this is a part  
8 of what we should teach our young  
9 firefighters, and that is what we're asking  
10 you to do.

11 There are correlating issues to be  
12 sorted it out. Hopefully, you'll find some  
13 friendly ears on the correlating committee  
14 for that kind of approach. That concludes  
15 an do that. That concludes my testimony. I  
16 hope it made sense.

17 MR. QUITTER: Okay. Are there any  
18 questions for council?

19 MS. GLEASON: Patricia Gleason,  
20 member of council. The four hours  
21 additional training what is the amount --  
22 what is the amount of the hours of training  
23 for the Firefighter 1?

1 MR. CRAWFORD: For all of  
2 Firefighter 1?

3 MS. GLEASON: Yes.

4 MR. CRAWFORD: I'm Jim Crawford. I  
5 can't answer that question. I don't know  
6 what it is for all of Firefighter 1. Do you  
7 know, Nancy?

8 MS. TRENCH: Nancy Trench from  
9 Oklahoma State University. Different states  
10 address that differently, anywhere from 40  
11 to 60 hours up over 100 hours. Yup.

12 MS. GLEASON: Okay. Thank you.

13 MS. MANLEY: Bonnie Manley, member  
14 of council. I'm just curious, has there  
15 been any independent study or report to take  
16 a look at this issue, the capabilities of  
17 the firefighters, whether volunteer or paid,  
18 and establish what the minimum should be at  
19 this level?

20 MR. CRAWFORD: I'm Jim Crawford.  
21 There's no formal studies that I --

22 MS. TRENCH: Home Safety Council.

23 MR. CRAWFORD: Home Safety Council?

1 No, that was a -- that was a gap analysis  
2 significant for what kind of programs were  
3 lacking for the fire service resources and  
4 whatnot.

5 The only group that I can think of is  
6 Johns Hopkins, which is on the steering  
7 committee of Vision 20/20, and I don't  
8 believe there's any formal study that would  
9 indicate that. I think we're relying more  
10 on anecdotal experience for what's  
11 reasonable.

12 And, as Nancy pointed out, each state  
13 is going to decide whether they adopt the  
14 codes and what standards and how far they're  
15 willing to go with that.

16 And, as far as I know, there's no set  
17 hours that go along with every piece. One  
18 state could say it's this, we know one state  
19 could say this. It's not -- we just believe  
20 that four hours is a reasonable approach. I  
21 hope that answers your question or rather I  
22 can't answer your question.

23 MS. MANLEY: Yes.

1           MR. O'CONNOR: Dan O'Connor, member  
2 of council. Mr. Crawford, on the scope  
3 issue, I just -- on the scope of the  
4 standards that the standards identify as the  
5 minimum job requirement for career and  
6 volunteer firefighters whose duties are  
7 primarily structural in nature. So  
8 listening to you discuss this scope, I'm  
9 just trying to understand is the -- are you  
10 -- are you asking that -- does the scope  
11 need to be changed, or how is it that the  
12 community risk reduction will fit into that  
13 scope or not?

14           MR. CRAWFORD: Jim Crawford. I  
15 think it's a matter of opinion. I think it  
16 is within the scope, and I think the  
17 standards council has the authority to stay  
18 we don't need to change anything. It is in  
19 the scope, that's my opinion.

20           MR. BUSH: Kenneth Bush, member of  
21 council. You earlier said that you were  
22 possibly going to change the definition of  
23 community risk reduction for Firefighter 2

1 training, but you did mention something  
2 about changing it to Firefighter 1. Is that  
3 correct? And, if you could, expand on why  
4 the difference for Firefighter 2 and  
5 Firefighter 1 for the same return.

6 MR. CRAWFORD: Okay. Jim Crawford.  
7 I appreciate the ability to clarify. The  
8 definition wouldn't change between 1 and 2.  
9 The specific information that goes into  
10 basic public education skills would be in 1,  
11 and there is already language in the  
12 Firefighter 2 about inspections. So the  
13 definition is going to be in the document.  
14 It wouldn't change between Firefighter 1 and  
15 2. It could be just the level of  
16 information that you're required to know in  
17 Firefighter 2 as opposed to Firefighter 1.  
18 Am I answering your questions?

19 MR. BUSH: So the change is in  
20 really the training not necessarily the  
21 definition?

22 MR. CRAWFORD: Correct.

23 MR. BUSH: Thank you.

1 MR. QUITTER: Mr. Poole?

2 MR. POOLE: Jack Poole, member of  
3 council. Help me understand, are there any  
4 fire prevention training activities included  
5 in either Firefighter 1 or Firefighter 2  
6 currently?

7 MR. CRAWFORD: Jim Crawford, yes.  
8 Currently there are some prevention  
9 requirements in Firefighter 2 that have to  
10 do with inspections, and I think that the  
11 way that I read it, it is oriented more  
12 towards home safety inspections and NFPA  
13 1452 where there is some detail provided  
14 about how to conduct a home safety visit.  
15 There is nothing in Firefighter 1. There is  
16 nothing that says you have to have a basic  
17 understanding of community risk reduction,  
18 and there are no requirements in their most  
19 basic public fire and life safety education  
20 knowledge in Firefighter 1. I think that  
21 fleshes it out and provides a foundation for  
22 what is already in Firefighter 2.

23 MR. POOLE: Thank you.

1           MR. SNYDER: Michael Snyder, member  
2 of council. In just overlooking -- looking  
3 over the record and the NVFC letter of July  
4 30th, the third paragraph of the letter  
5 really, I think, brings into question one of  
6 pieces of responses that did not believe  
7 four hours of training watching videos will  
8 adequately deliver what is going to be  
9 required in the JPR. Just for the record  
10 that will be discussing, can you just  
11 provide and recall with your background a  
12 professional opinion about will those videos  
13 that are provided for free deliver the  
14 ability for somebody to meet JPRs without  
15 additional hours of work?

16           MR. CRAWFORD: Is it okay for Nancy  
17 to weigh in as well?

18           MR. SNYDER: Sure.

19           MR. CRAWFORD: I'm not sure that of  
20 the procedures, so --

21           MS. TRENCH: I'm Nancy Trench from  
22 Oklahoma State University. The on-line  
23 training is interactive adult education

1 based on best practices of self on-line  
2 instructions. So it's not just watching  
3 videos. It's interactive and engages the  
4 learner.

5 One of the things you deal with with  
6 training is everyone's attention span keeps  
7 getting shorter. So with on-line training,  
8 you have to change regularly how you deliver  
9 that education to reboot our attention span.  
10 One of the ways we do that is we use  
11 different voices as the narrator and  
12 involving the student in moving things on  
13 the screen. Yes, there's video included,  
14 but it's based -- but on-line learning is  
15 more than just videos, and this -- these  
16 four hours are designed to incorporate those  
17 best practices for adult continuing  
18 education and on-line learning.

19 MR. CRAWFORD: Mr. Chairman, may I  
20 briefly --

21 MR. QUITTER: Go ahead.

22 MR. CRAWFORD: So what Nancy said  
23 -- and she's an expert, I'm not. But in

1 addition to that, there's nothing to prevent  
2 somebody from the field adding more  
3 information. You asked about my experience  
4 and training. Some firefighters will follow  
5 up and want more information, and there are  
6 resources there. There are plenty of  
7 resources that the NFPA -- exists in the  
8 NFPA giving material away, you know, videos  
9 and whatnot that support public education.  
10 So there's a ton for those people who are  
11 going to follow up. So there's a bell curve  
12 of firefighters nationally. Some of them  
13 are way out here, a lot of them are in the  
14 middle, and some of them are down here --  
15 you are going to meet the absolute minimum  
16 and that's it.

17           So I'm -- I think that they can  
18 receive an adequate level of training. I  
19 think this is the beginning of something  
20 more for the fire service to rely on that  
21 there is a proactive way to measure  
22 effective -- in the field.

23           MR. QUITTER: Mr. Snyder?

1           MR. SNYDER: Mike Snyder, member of  
2 council. Just to be very clear that from  
3 the instructional design perspective, this  
4 four-hour interactive training will deliver  
5 the ability of someone completing it to meet  
6 the JPRs as proposed in this appeal. Is  
7 that -- I just want to make sure that that's  
8 on the record correctly?

9           MR. CRAWFORD: Jim Crawford.  
10 That's our opinion, yes. It's not up --  
11 it's definitely up to the locals to decide  
12 what's acceptable and what's not. So  
13 somebody, you know, in an accrediting body  
14 is going to determine what's acceptable and  
15 what's not.

16           In our opinion, we've done a good job  
17 in providing some of the adult learning that  
18 meets the requirements.

19           MR. GOLINVEAUX: James Golinveaux,  
20 member of council. I want to clarify just  
21 my own sage here an earlier question on the  
22 previous appeal of whether these two were  
23 linked together and required to go together.

1 We have a definition in one chapter that we  
2 have criteria in chapter 4. I'm seeing them  
3 very linked. I just -- and I want to make  
4 sure that one makes -- does this appeal make  
5 any sense without a definition, or does the  
6 definition in our opinion leave a hanging  
7 chatter that there's no criteria to a  
8 definition.

9 So could you just educate me on how  
10 these two are linked, and are they both  
11 required together. Does the council -- to  
12 decide or could one stand alone from the  
13 other?

14 MR. CRAWFORD: Jim Crawford. They  
15 are linked. They're clear linked. We work  
16 as a team with others involved from the very  
17 beginning to try and provide proposals  
18 there. But, unlike Nancy, what you're  
19 really doing here is sending a message to  
20 the technical committee about what's  
21 important to have in the document.

22 So clearly we would like to see both  
23 included in the document. And, you know --

1 work on this concept? Absolutely not. But  
2 if you picked one or the other and put it in  
3 there, we still think that's a message to  
4 the committee.

5 And I think the definition, myself,  
6 this is my bias -- is less important than  
7 the body of the proposal that says this is  
8 what you have to know, the basic  
9 understanding of CRR and the basic public  
10 education skills. Because, if nothing else,  
11 the committee is faced with the idea that we  
12 have that language in there, and they're  
13 going to have that come back at some point.  
14 I don't know how this is done editorially  
15 and say we should that definition. Okay.

16 MR. GOLINVEAUX: Thank you.

17 MR. POOLE: Jack Poole, member of  
18 council. I have a two-part question.  
19 Through the documentation and the testimony  
20 here today I've understood that one of the  
21 components of the CRR would be how to locate  
22 a home's smoke detector, correct, and  
23 potentially install it?

1           MR. CRAWFORD:  Jim Crawford,  
2    correct.

3           MR. POOLE:  So in reference to some  
4    of the opposition, is there any concern from  
5    a liability standpoint by the fire  
6    department and/or the firefighters, okay, I  
7    now went out and installed a smoke detector  
8    in somebody's house, and it wasn't quite  
9    right.  The house burned down and X number  
10   of people perished in the fire, and now  
11   they're going to come after me because it  
12   wasn't located X number of inches from the  
13   wall or in the exact right location.  Is  
14   that some of the concern or what's the  
15   response to that?

16           MR. CRAWFORD:  Jim Crawford.  That  
17    is a concern for some fire departments all  
18    across the nation now with regard to whether  
19    or not they engage in home safety visits and  
20    smoke alarms installation programs.

21           I think if you look at the language in  
22    detail you'll find that it says, When  
23    required by the local authority having

1 jurisdiction, that they would be able to do  
2 those things. So, ultimately, it's still  
3 going to boil down to what the local AHJ  
4 says we're doing to do.

5         And one community -- a mistake in my  
6 opinion -- will have a legal council that  
7 says or maybe no legal counsel, they just  
8 don't want to install smoke alarms --  
9 they'll use it as an excuse to say we could  
10 get into some serious trouble here, you  
11 know, if we install the smoke alarms in the  
12 wrong place. No case law. Nothing that we  
13 have been able to find.

14         There's a high-powered attorney  
15 running a non-profit in California that was  
16 kind of getting into this arena who was  
17 going to put a model waiver together and it  
18 fell apart. I think his interests got --  
19 something shinier on the other side that  
20 dragged it away.

21         But there's no case law that they  
22 could find or anybody else, to our  
23 knowledge, that could find where a fire

1 department has been sued for installing  
2 smoke alarms in that regard. And the  
3 professionals that I've consulted with  
4 indicate that it's more of an issue for the  
5 manufacturer of the alarm than it is for the  
6 fire departments.

7           There are tons of fire departments in  
8 the United States now who are installing  
9 smoke alarms and are well aware of the risks  
10 involved in that. I don't think it is  
11 related to this issue at all. I think that  
12 somebody after came up with a reason why  
13 they don't want this material included and  
14 perhaps providing some justification that  
15 we're concerned about liability. And I hope  
16 I'm making my point. Liability is there  
17 whether this included in the documents or  
18 not. And the local jurisdiction is the one  
19 who's going to decide whether or not they're  
20 going to install smoke alarms or not.

21           MS. TRENCH: Nancy Trench, Oklahoma  
22 State University. Jack, no one has said the  
23 word liability in opposing this proposal.

1 It has not been part of the basis for anyone  
2 to oppose it. The Volunteer Fire Council  
3 merely is about how much additional training  
4 would be required as their opposition.

5 MR. POOLE: Thank you.

6 MS. TRENCH: Well, I did want to  
7 re-visit the liability question, and Jack  
8 followed up on it. Thank you.

9 MR. QUITTER: All right. Mr. Bush?

10 MR. BUSH: Kenneth Bush, member of  
11 council. There's been a lot of discussion  
12 I've heard about this training including the  
13 installation of smoke alarms. But am I  
14 correct in assuming that this training will  
15 also address other community risk reduction  
16 efforts that are current such as residential  
17 sprinklers, positions of bedroom doors,  
18 things like that? And also will training be  
19 revised -- reviewed and revised accordingly  
20 when future trends may indicate other types  
21 of reduction efforts?

22 MR. CRAWFORD: Jim Crawford. I'm  
23 going to defer to Nancy. She oversaw the

1 project that created the training.

2 MS. TRENCH: Nancy Trench, Oklahoma  
3 State University. The training involves a  
4 firefighter understanding the benefit of  
5 community risk reduction for the community  
6 and the fire department and the firefighter  
7 and also to be able to discern solving a  
8 fire problem with an engineering solution,  
9 an education solution, an emergency response  
10 solution, an economic incentive solution.

11 And when we look at injury prevention,  
12 we talk about those five Es, and it does  
13 revolve around those. There are also the  
14 ability to answer some basic questions about  
15 fire prevention and also other hazards in  
16 the home perhaps just like NFPA has combined  
17 fall prevention with fire prevention for  
18 older adults, that particular program is  
19 understanding the way that they connect in  
20 reducing home injuries are part of -- are  
21 part of the training.

22 And the beauty of the NFPA  
23 professional qualification standards are

1 they're updated every five years. So if  
2 there is new state-of-the-art content, it  
3 should be brought into that standard.

4 I wrote part of this on-line training,  
5 and we specifically speak about these  
6 technologies, including the stovetop fire  
7 prevention, smart burners and home fire  
8 sprinkler systems. And as we begin to see  
9 the new smoke alarm technology roll out into  
10 the marketplace, then that would be adjusted  
11 in the training. Thank you.

12 MR. CRAWFORD: Jim Crawford. Are  
13 we answering your questions? I just want to  
14 make sure.

15 MR. BUSH: Yeah.

16 MR. CRAWFORD: All right.

17 MR. BUSH: Thank you.

18 Mr. JOHNSTON: Mike Johnston,  
19 member of council. I'm reading in the  
20 record in a couple of states -- on this.  
21 And in one area it seems like the -- chairs  
22 is supporting the technical committee thing  
23 -- did not within the scope of the document.

1           My question is, during that task group  
2 work, was it ever talked about or submitted  
3 any proposed language so it would be clear  
4 that the scope wasn't -- hang on to what --  
5 saying -- confined of scope. Thank you.

6           MR. CRAWFORD: Jim Crawford. I  
7 think that's what Bill Peterson is trying to  
8 say, and the roll of the correlating  
9 committee in this issue is if this language  
10 is not in the technical committee document,  
11 is there a correlation issue and the answer  
12 is, no, there's not.

13           The question is, if there is language  
14 put in, is there a correlation issue. And I  
15 don't think they were ever asked that  
16 question. I don't think that there is any  
17 more than there is for any other series of  
18 documents that the NFPA produces. They're  
19 always going to be -- as you go along.

20           But I think what Bill is trying to say  
21 is if there's no collaboration committee --  
22 if the correlating committee both reflects  
23 the fact that this does not go in and we

1 revert back to previous cycle language, is  
2 there a correlation issue? And the answer  
3 is, Of course not. So I hope I'm addressing  
4 that part of it.

5 MR. QUITTER: Are there any final  
6 questions? Hearing none, I will give you  
7 five minutes to summarize your --

8 MR. CRAWFORD: This is Jim  
9 Crawford, and I won't take five minutes.  
10 Hopefully we've made our case. I appreciate  
11 your position fully. As I said before,  
12 there is tremendous support for this from  
13 the fire service. To answer a question  
14 earlier, I think that has evolved as people  
15 have understood what we are trying to do and  
16 support from the IFF has been a long time  
17 coming, for example, getting them to the  
18 point where they appreciate what it is we're  
19 trying to do.

20 And I think there is adequate reason  
21 for this standard council to intervene.  
22 It's very close on two-thirds with the  
23 committee itself, overwhelming floor

1 support. And I think you can interpret the  
2 scope to say it is part of the firefighter's  
3 job. That's really the fundamental thing  
4 that we are trying to get at here.  
5 Everything else said and done, we're trying  
6 to say firefighters should understand  
7 there's more than one tool in the tool kit  
8 and give them some basic skills and then  
9 build on that over a period of time  
10 throughout their career.

11 I hope that make sense. Thank you for  
12 your time. We are here because it's very  
13 important. We could have relied on written  
14 testimony, but we think this is a very  
15 important issue, and we wanted to address  
16 you in person.

17 MR. QUITTER: Thank you, Mr.  
18 Crawford and Ms. Trench. As I mentioned  
19 earlier, there should be no discussions  
20 outside of the room about this hearing. The  
21 decision will be issued by the secretary,  
22 and you will receive a copy and will also be  
23 hosted on the NFPA website.

1           With that, we will close this session  
2           and take a ten-minute recess at which time  
3           we will reconvene for the next hearing.

4           Thank you. We'll go off the record now.

5           (Recess)

6           CHAIRMAN BELL: I call this hearing  
7           to order. I am Kerry Bell. It is my  
8           pleasure to serve as chair of the NFPA  
9           Standards Council. In a moment here we're  
10          going to go around the room and have every  
11          introduce themselves by stating their name  
12          and affiliation.

13          But before we do that, I want to point  
14          out that we have steno typist who is going  
15          to be recording the session. So for those  
16          of you who are going to be speaking, I would  
17          just ask that you state your name and  
18          affiliation before you make each remark so  
19          that we can capture that for the record.  
20          And also if you could speak up. We've got a  
21          large room, so please speak up to make sure  
22          that the typist can hear you. So with that,  
23          we'll go ahead and get started with the

1 introductions. We'll start to my right and  
2 go around the table. And then after the  
3 table is finished, we'll go to the perimeter  
4 and we'll start to right.

5 MS. BELLIS: Dawn Michelle Bellis,  
6 NFPA staff.

7 MS. FULLER: Linda Fuller, NFPA  
8 staff.

9 MR. O'CONNOR: Daniel O'Connor,  
10 member of council. And on this issue, I  
11 will be recusing myself. I will not  
12 participate as a member of the Standards  
13 Council on any of the debates or  
14 deliberations on this particular hearing and  
15 agenda item.

16 MR. KEITH: Gary Keith, member of  
17 council.

18 MR. POOLE: Jack Poole, member of  
19 council.

20 MR. GOLINVEAUX: James Golinveaux,  
21 member of council.

22 MS. GLEASON: Patricia Gleason,  
23 member of council.

1           MR. REISWIG: Roger Reiswig, member  
2 of council.

3           MS. MANLEY: Bonnie Manley, member  
4 of council.

5           THE COURT REPORTER: I'm the court  
6 reporter, Janet Chase.

7           MR. VERNON: Oh, sorry.

8           THE COURT REPORTER: That's okay.

9           MR. VERNON: My name is Walt  
10 Vernon. I'm with a company called Mazzetti.

11          MR. SNYDER: Michael Snyder, member  
12 of council.

13          MR. BUSH: Kenneth Bush, member of  
14 council.

15          MR. BEEBE: Chad Beebe, member of  
16 council. And on this issue I will be  
17 recusing myself. I will not participate as  
18 a member of the Standards Council on any of  
19 the debates or deliberations on this  
20 particular hearing and agenda item.

21          MR. QUITTER: James Quitter, member  
22 of council.

23          MR. JOHNSTON: Mike Johnston,

1 member of council, and on this issue I will  
2 be recusing myself. I will not participate  
3 as member of the Standards Council on any of  
4 the debates or deliberations on this  
5 particular hearing and agenda item.

6 MS. GALLAGHER: Suzanne Gallagher,  
7 NFPA staff.

8 MS. GERSHA: Debra Gersha, NFPA  
9 staff.

10 MR. SCHROEDER: Glenn Schroeder,  
11 NetOne.

12 MR. SPECTOR: Ivan Spector, for  
13 TMA.

14 MR. SIMPSON: Richard Simpson,  
15 Vector Security.

16 MR. CLARY: Shane Clary, Bay Alarm  
17 Company.

18 MR. CLOUTIER: Mark Cloutier, NFPA  
19 staff.

20 MR. ROUX: Richard Roux, NFPA  
21 staff.

22 MR. TOLENTINO: Chris Tolentino,  
23 NFPA staff.

1 MR. O'CONNOR: Brian O'Connor, NFPA  
2 staff.

3 MR. DEHN: Heath Dehn, NFPA staff.

4 MR. HOHENGASSER: Eric Hohengasser,  
5 NFPA staff.

6 MR. COLONNA: Guy Colonna, NFPA  
7 staff.

8 CHAIRMAN BELL: All right. Thanks  
9 everyone for the introductions. And with  
10 that, we'll go ahead and get start with this  
11 hearing, which is related to agenda item  
12 18-8-5a-1 and also 18-8-5b-1 on NFPA 110.

13 And as I understand it, Mr. Vernon,  
14 you will be speaking in support of your  
15 appeal to overturn the technical committee's  
16 ballad result certifying motions 110-1 and  
17 110-2 thereby asking the council to issue  
18 those amendments; is that correct?

19 MR. VERNON: That is correct.

20 CHAIRMAN BELL: All right. Thank  
21 you. And I understand Mr. Vernon is going  
22 to be speaking for this appeal. Is there  
23 anyone else going to be speaking for or

1 against this appeal? Seeing none, we'll go  
2 ahead and start the process.

3 And what we're going to do Mr. Vernon,  
4 is allow you a total of ten minutes to make  
5 any opening remarks, and after that we're  
6 going to open it up to questions from the  
7 council. And once the questions have been  
8 finished, we'll go ahead and move to closing  
9 this hearing and allowing you a total of  
10 five minutes to make closing remarks.

11 MR. VERNON: Okay.

12 CHAIRMAN BELL: All right. I do  
13 want to point out that we have all the  
14 written materials you've provided to us, and  
15 there's no reason to repeat any of that  
16 material during your remarks.

17 So if there's no other questions,  
18 we'll go ahead and you can get started with  
19 your opening remarks.

20 MR. VERNON: Okay. Thank you. My  
21 name is Walt Vernon. I'm with a company  
22 called Mazzetti, so I suppose I'm  
23 representing myself.

1           I guess the first thing I want to do  
2    is thank you for the opportunity to serve.  
3    I've been a member of NFPA for more than to  
4    decades now, and it's been a privilege to  
5    serve in many my ways. I also want to state  
6    that I have no conflict of interest in this  
7    particular issue.

8           There were hence -- at some of the  
9    proceedings prior to that. I don't own any  
10   stock in any -- company or anything else. I  
11   just have an engineering company, and we get  
12   paid whether we -- so I'm financially  
13   indifferent for this.

14          So I really have just three simple  
15   points. This will take far less than ten  
16   minutes. I assume that you all did read the  
17   material that we provided, and so I won't  
18   repeat that. But I will just hit a couple  
19   of, I think, salients point.

20          The first thing that I wanted to point  
21   out, the arguments that were made by the  
22   committee in rejecting the proposals during  
23   the proposal period, during the comment

1 period and especially after they lost the  
2 vote on membership really fell into sort of  
3 two buckets. The first bucket dealt with  
4 the appropriateness of fuel cells as  
5 emergency power sources. And in that regard  
6 I believe the committee overstepped its  
7 jurisdiction. There are other NFPA  
8 committees, particularly 99 ELS and NFPA 70  
9 that have been already made the  
10 determination that fuel cells are an  
11 acceptable emergency power supply source.  
12 So arguments from the 110 committee which is  
13 charged with developing maintenance and  
14 operations standards for fuel cells are for  
15 those emergency resources. The arguments  
16 that focus on whether or not a fuel cells  
17 makes sense as an emergency power system are  
18 really outside the jurisdiction of the  
19 committee to consider. So, in my view, at  
20 any rate votes of the committee that were  
21 based on those arguments were wrong and I  
22 think should have had not be considered.

23 The second batch of comments, if I

1 sort of broadly categorize them, had to do  
2 with the need for more detail around  
3 operating and testing procedures. The -- to  
4 some degree, I think that reflects a  
5 misunderstanding of the members of the panel  
6 on how fuel cells operate, how they operate  
7 as part of the system and how they would  
8 operate in this context.

9 Fuel cells will typically be designed  
10 with inherent redundancy, and they typically  
11 run all the time. So they're essentially  
12 being tested continuously. Having said  
13 that, there are portions, as I've pointed  
14 out in my paper, I have one that referred to  
15 manufacturer's recommendations for testing  
16 and maintenance.

17 And I submit to you that if we do not  
18 accept the proposals that I've submitted, we  
19 will end up with a situation in which both  
20 NFPA 70 and NFPA 99 are permitting using  
21 fuel cells for emergency power supply  
22 systems, and we have no language that  
23 requires testing or maintenance.

1           Even if you agree with the committee  
2           that we need more testing and maintenance  
3           language, at least putting these proposals  
4           into the document provide a way to enforce  
5           needed manufacturing recommended testing and  
6           maintenance. So I think that's an extremely  
7           important point.

8           The last point that I wanted to make  
9           about the process, if you will, is that --  
10          you know, I've answered a hole bunch -- 15  
11          pages of comments, which you -- it was  
12          probably good for your insomnia, if you have  
13          it, to read my paper response. But none of  
14          those comments came out during the three  
15          years that we had to work on this.

16          I've been involved in a lot of NFPA  
17          committees. I would have been delighted to  
18          have worked with this committee to improved  
19          language, to do anything to help with this  
20          situation. And during the comment period,  
21          in particular, I requested an opportunity to  
22          interact with the committee, and I was  
23          limited to two minutes on a conference call,

1 and that was it. And so I think the  
2 committee didn't afford the opportunity to  
3 resolve these comments in a way that would  
4 have given, maybe, a better outcome.

5         So I guess I would just close by  
6 saying there is a correlation issue, and I  
7 think I've pointed that out in my paper.  
8 And I think we will better served by the  
9 committee including the language here with  
10 the recognition that you maybe it could be  
11 developed further during the TIA or in the  
12 next cycle. It will be better to do that  
13 than to leave it out.

14         And I would point out -- and I don't  
15 know what your powers are here, but I will  
16 say that prior to the NITMAM, I was able to  
17 negotiate an agreement with the chairman of  
18 the 110 Committee that would have been  
19 acceptable to him and I suspect to the rest  
20 of the committee and to me, but that was not  
21 permitted by -- rules. So it may well be  
22 that you could redirect that and put it in  
23 and solve this whole thing.

1           With that, I thank you again for the  
2 opportunity to be here.

3           CHAIRMAN BELL: Thank you, Mr.  
4 Vernon. Any questions from the council?

5           MR. GOLINVEAUX: James Golinveaux,  
6 member of council. I just -- you said  
7 something about being on the conference call  
8 and you were limited to two minutes.

9           MR. VERNON: Yes.

10          MR. GOLINVEAUX: What point in the  
11 process was that that you were limited to  
12 two minutes in the process? Was that in the  
13 first revision? Was that in the second  
14 revision, or was it as a result of this  
15 ballad?

16          MR. VERNON: This is Walt Vernon  
17 with Mazzetti. Do I have to say that?

18          CHAIRMAN BELL: Yes. State your  
19 name and affiliation.

20          MR. VERNON: Okay. Walt Vernon  
21 with Mazzetti. And, by the way, for the  
22 purposes of this, I'm just representing  
23 myself not the company. I don't know if you

1 care. Anyway, Walt Vernon wit Mazzetti. It  
2 was during the second revision process.

3 MR. GOLINVEAUX: All right. Thank  
4 you.

5 CHAIRMAN BELL: I have a question  
6 for you. Are you aware of the violations of  
7 the NFPA standard development regulation --  
8 after this -- in the process of this -- NFPA  
9 110?

10 MR. VERNON: This is Walt Vernon  
11 with Mazzetti. Other than what I have  
12 outlined, no.

13 CHAIRMAN BELL: Go ahead.

14 MR. QUITTER: Jim Quitter, member  
15 of council. You mentioned that you had a  
16 discussion with the chairman and you thought  
17 that you found a solution that you --  
18 outside of the process. Did he say anything  
19 about processing TIA to cover it, or did he  
20 just say that's part of the next cycle, or  
21 did you come up with a solution and -- I  
22 know there.

23 MR. VERNON: This is Walt Vernon

1 with Mazzetti. We talked about reaching out  
2 to NFPA staff to say we have -- NITMAM by  
3 reaching a conclusion, and NFPA staff told  
4 us we couldn't do that. The only thing we  
5 do is -- with the NITMAM or drop it.

6 CHAIRMAN BELL: Mr. Vernon, just a  
7 follow-up question I had. You said anything  
8 other than what I shared with you --

9 THE COURT REPORTER: I'm sorry. I  
10 didn't hear, anything other than --

11 CHAIRMAN BELL: Other than what I  
12 shared with you.

13 THE COURT REPORTER: Thank you.

14 CHAIRMAN BELL: Can you be more  
15 specific as to what it is that you felt may  
16 be in violation of the regulations?

17 MR. VERNON: Yes. This is Walt  
18 Vernon with Mazzetti. I felt like the fact  
19 that the 110 Committee relied on rationale  
20 having to do with whether or not fuel cells  
21 were an acceptable alternative power source  
22 overstepped their jurisdiction. Their  
23 jurisdiction had to do with maintenance and

1 operations not whether or not this was an  
2 appropriate technology for that purpose.

3 That decision has been made by other  
4 NFPA committees. And so, by using that as  
5 their rationale, I believe that overstepped  
6 their jurisdiction and made an erroneous  
7 decision. That would No. 1.

8 Number 2, they didn't give me most of  
9 the comments until after they lost the  
10 membership vote. So I had no ability to  
11 deal with any of their concerns related to  
12 particular -- issue and thins. So with no  
13 opportunity to respond, that leaves me sort  
14 of defenseless. So that's the two.

15 CHAIRMAN BELL: Thank you. Mr.  
16 Poole?

17 MR. POOLE: Jack Poole, member of  
18 council. I'm not familiar with fuel cells.  
19 Help me understand your definition of what a  
20 fuel cell is. That's part one of my  
21 question. And part 2 is, if it is a  
22 battery, why do you feel it should be  
23 covered under 110 and not 111?

1           MR. VERNON: A fuel cell is not a  
2 battery. A fuel cell is active addition  
3 that could consume a source of hydrogen and  
4 converts it using chemical processes into  
5 heat and electricity.

6           I'm not a chemist, that's why I became  
7 an electrical engineer, but it's not a  
8 battery. And that's why doesn't belong  
9 with, with 111. Sorry. That was Walt  
10 Vernon.

11           MR. GOLINVEAUX: James Golinveaux,  
12 member of council. You mentioned that NFPA  
13 70 and 99 recognize fuel cells as a supply,  
14 you know, a means of power supply. In the  
15 absence of it being 100, is it just a fall  
16 back to the manufacturer's recommendation on  
17 maintenance? Is that the current state of  
18 the industry without it be in 110?

19           MR. VERNON: Walt Vernon with  
20 Mazzetti. I think it is essentially the  
21 wild, wild west. Yes, 110 -- So 99 and 70  
22 permit their use. There is no currently no  
23 guidance anywhere, no requirements anywhere

1 for any testing and maintenance of fuel  
2 cells.

3 So, in theory, somebody could put them  
4 in and not operate them at all or maintain  
5 them at all. And I think while imperfect --  
6 and in some respects I agree with the  
7 committee on this point, it could be better  
8 -- but, absent any language, I think  
9 there's no requirement to do anything.

10 MR. POOLE: Jack Poole, member of  
11 council. Help me understand what  
12 maintenance would be required with this fuel  
13 cell. I see that a lot different than a  
14 diesel generator. So what does have to be  
15 done and what maintenance is required if you  
16 could expand on that a little bit to help me  
17 understand kind of what would be included or  
18 should be included in 110 if that's where it  
19 ends up.

20 MR. VERNON: Yeah. Walt Vernon  
21 from Mazzetti. So I am not a fuel cell  
22 expert. So I will give you my best  
23 knowledge on this topic. First off, the

1 fuel cells are designed in a modular way,  
2 and they are designed in strains of modules,  
3 so the redundancy is built into their  
4 systems. The status of each module is  
5 continually being monitored at least by some  
6 manufacturers to insure their current state.

7 Mostly they are running continuously,  
8 so there's not a testing that has to be done  
9 as there is with a diesel generator that's  
10 idling. So the testing is really sort of a  
11 different issue. It really has to do with  
12 sort of ongoing maintenance of fuel cells  
13 too keep them clean and keep them ensuring  
14 that they're running appropriately.

15 There is a period every five-ish years  
16 is my understanding when the whole fuel cell  
17 system has to be taken down -- and, again,  
18 it can be done in phases because of the  
19 modular nature in which they're constructed  
20 in order to be rebuilt.

21 But, you know, these things have been  
22 running data centers around the country for  
23 many years with frankly higher levels of

1 reliability than what we're --

2 CHAIRMAN BELL: I have another  
3 question for you, Mr. Vernon. The chair of  
4 the technical committee provided some  
5 comments, and it appeared to be the case  
6 that he suggested that both NFPA 70 and 99  
7 allow fuel cells to be used but do not  
8 include any performance for fuel cells or  
9 mandate compliance with NFPA 110. What's  
10 your view on that?

11 MR. VERNON: Walt Vernon with  
12 Mazzetti. 110 -- sorry, 70 and 99 do  
13 include some performance requirements. So  
14 he asked about performance, and you're  
15 referencing 110.

16 In particular in the healthcare  
17 section, which I am most familiar, and  
18 that's where I serve, there is a requirement  
19 for operation within send seconds. There is  
20 a requirement for redundancy. There are  
21 requirements to ensure that reliability of  
22 the system. Those, I believe, are not  
23 repeated in 700, 701, the other application

1 that refers to fuel cells as emergency power  
2 sources. So I do think there are  
3 performance requirements for healthcare.

4 With respect to reference to 110,  
5 there are -- I pointed out in my paper every  
6 reference that I could find that refers to  
7 110. Some of them are general. They are  
8 not in the fuel cell section specifically,  
9 they are in the general section.

10 And then I guess I would repeat  
11 whether or not there is that specific  
12 requirement to conform to 110, if there's  
13 nothing in 110 that requires maintenance in  
14 accordance with the manufacturer's  
15 instructions, then there is no requirement  
16 from NFPA to operate and to maintain the  
17 test -- proposal.

18 CHAIRMAN BELL: Any further  
19 questions from council? If not, we'll go  
20 ahead and allow you to make your closing  
21 remarks.

22 MR. VERNON: Well, I guess in some  
23 respects, I think this is a correlation

1 issue. I think the world would be a better  
2 place if NFPA makes this change. I don't  
3 think the earth will stop spinning if you  
4 don't. And I am certainly willing to work  
5 with this committee either on a TIA, if you  
6 adopt it and it needs further work or for  
7 the next cycle.

8 I am separately, by the way,  
9 submitting a proposal for a new standard to  
10 NFPA to consider micro grids, because I do  
11 believe as technology advances, we're going  
12 to be facing increasing numbers of  
13 combinations of supply systems and storage  
14 intelligence and distribution they're going  
15 to need to be dealt with. So I think this  
16 is a step in this direction, and I recommend  
17 you approve the motion. Thank you.

18 CHAIRMAN BELL: Thank you. And  
19 with that, I'm going to go ahead and close  
20 this hearing. But before I do that, I want  
21 to thank you for taking time out of your  
22 valuable schedule to come here to Quincy and  
23 share this valuable information with us and

1 participate in the NFPA standards and  
2 development process.

3 I do want to remind everybody that the  
4 official decision of the Standards Council  
5 will be determined in executive session. We  
6 will be issuing in a writing by the council  
7 secretary, Dawn Michelle Bellis, and no  
8 staff or council member is authorized or  
9 permitted to convey information regarding  
10 that.

11 With that, I'm going to close this  
12 hearing and move directly to the next  
13 accident hearing. And I must ask that you  
14 -- anybody that wants to speak. And thank  
15 you again, Mr. Vernon.

16 MR. VERNON: It's an honor to be  
17 here. Thank you. So I'm going it take off.  
18 Okay?

19 CHAIRMAN BELLIS: Okay. So the  
20 next hearing we have is related to agenda  
21 item 18-8-3d-1, and I didn't not see anybody  
22 else enter the room so we have everybody on  
23 the record.

1           So at this point I'm going to recuse  
2 myself for this hearing, and I will not be  
3 participating in the deliberations of the  
4 vote -- okay only no matter. And I've asked  
5 council member Jim Quitter to chair this a  
6 hearing, and I'll turn the floor over to  
7 Jim.

8           MR. QUITTER: Thank you,  
9 Mr. Chairman. Are there any other council  
10 members with any proclamations?

11           MR. REISWIG: Rodger Reiswig,  
12 member of council. And on this issue, I  
13 will recuse myself. I will not be  
14 participating as a member of the Standards  
15 Council or in any of the debates or  
16 deliberations on this particular hearing and  
17 agenda item.

18           MR. QUITTER: Anyone else? Okay.  
19 Although we did self introductions earlier,  
20 since we're starting with the new item, I  
21 think it is worthwhile to have the  
22 appellants re-introduce themselves so that  
23 we're familiar with you. And I think,

1 Mr. Simpson, this is your appeal, so why  
2 don't you start.

3 MR. SIMPSON: Richard Simpson,  
4 Vector Security.

5 DR. CLARY: Dr. Shane M. Clary, Bay  
6 Alarm Company.

7 MR. SPECTOR: Ivan Spector, TMA.

8 MR. QUITTER: And I'm assuming you  
9 are all here to speak in favor of the  
10 appeal?

11 MR. SIMPSON: Yes.

12 MR. QUITTER: Is there anyone who  
13 intends to speak in opposition to the  
14 appeal?

15 Okay. We've had a lot of sessions, so  
16 I'm not going to go through a whole lot of  
17 detail. But we will give you as a group ten  
18 minutes to present your appeal, and we will  
19 be timing it, so you might want to pay  
20 attention to your time.

21 At that point, we'll open it up for  
22 questions from council, and at the  
23 conclusion, again, as a group, you'll have

1 five minutes to provide your summary.

2 So with that, go ahead, Mr. Simpson or  
3 whoever you wish to have start.

4 MR. SIMPSON: Good morning. I  
5 defer my initial comment to Dr. Shane Clary.

6 DR. CLARY: Thank you, Mr. Chair,  
7 Madam Secretary and Members of Council.  
8 We're here on the matter of 18-8-3-e, which  
9 I won't go back through all the written  
10 material, which you have had the opportunity  
11 to review. A couple of points that we do  
12 wish to make during this public hearing is  
13 that while the original proposal during the  
14 first draft was defeated or resolved by the  
15 technical committee CSSS as well as the  
16 public comments during the second draft  
17 meeting, a notice of intent to make a motion  
18 was filed, and it was approved by the  
19 motions committee of the council and the --  
20 certified motion No. 6 regarding to NFPA 72,  
21 72-6 and during the tech session in Las  
22 Vegas, Nevada, there was an overwhelming  
23 majority of the membership that was present

1 voted for favor of the amendment.

2 And then, of course, following the  
3 rules and regulations of the association  
4 went back to the technical committee to  
5 which then the vote was not the two-thirds  
6 it required. The vote was nine in favor and  
7 eleven against with one recusal of the  
8 membership. But it did show that obviously  
9 there is some decent amongst the committee  
10 as far as, you know, should the proposed  
11 wording proceed to the 29th edition of NFPA  
12 72 or not.

13 Now, some of the comments that were  
14 made by some of those that were voting  
15 against the CAM following through did make a  
16 statement that the tech session was  
17 basically stacked as far as membership from  
18 the Monitoring Association.

19 It is true that members of the  
20 Monitoring Association were there to  
21 exercise their rights as members of NFPA.  
22 They did follow the rules. You have to be a  
23 member of at least six months plus a day.

1 But the vote clearly indicated by the  
2 numbers that there were far more individuals  
3 that were in the room that were not part of  
4 the Monitoring Association that also voted  
5 in favor of the motion as opposed to those  
6 voting against the motion.

7 We concur that a remote station is --  
8 that if a remote station is not listed, the  
9 AHJ should have the approval to deny its  
10 use. This is -- the whole crux of this  
11 matter is that the verbiage that's within  
12 the NFPA 72 does give the authority having  
13 jurisdiction the approval of who can  
14 basically operate as a remote station, and  
15 that has been in place since the 1960s.

16 And this is primarily to prevent  
17 someone like, you know, Bernie's Auto Garage  
18 from also operating a remote station, though  
19 I have nothing against Bernie.

20 But in this case what we're asking  
21 here is that a listed central station as  
22 listed by both UL, FM or ETL should be  
23 allowed to monitor signals acting as a

1 remote station and should not always have to  
2 require the permission of the authority  
3 having jurisdiction.

4           And what is occurring here is that in  
5 certain areas of the United States a number  
6 of AHJs are now basically opting to operate  
7 their own stations, basically part of the  
8 peace app through NFPA 1221 and say that  
9 even though you are a listed central  
10 station, a supervisor station, that you --  
11 the signals still need to come to us.

12           And this does have a possibility of  
13 basically codifying a monopoly in that if I  
14 am the only game in town and you have to  
15 have your signals go to me and only to me,  
16 that over time there could be increasing  
17 plies and other stuff like this because  
18 there is no competition.

19           So this doesn't eliminate competition  
20 through the use of the standard and saying  
21 that I am the AHJ, I do not approve you  
22 unless you use this station over here, and  
23 by the way this is the only station that can

1 be used.

2 So this does also prohibit those that  
3 may operate at a proprietary station.

4 There's a number of firms in the nation that  
5 do operate proprietary stations, but if they  
6 happen to have one of their facilities in  
7 one of these jurisdictions, they are  
8 prohibited from using their proprietary  
9 station. And then it also, of course, has  
10 -- it does not give the consumer any choice  
11 as well. This goes into the economics of  
12 the pricing. And my degree -- one of my  
13 degrees is in economics, so I do know a  
14 little bit about pricing structures and how  
15 price and cost is developed.

16 But if you're the only game in town,  
17 that does -- over time you can end up with a  
18 monopoly as far as your prices -- are  
19 concerned.

20 So the consumer has no choice. They  
21 may want to use a listed supervising  
22 station, but if a jurisdiction using this  
23 allowance within NFPA 72 that they would not

1 have that choice.

2 And Mr. Warren stated in his chair  
3 comments, Communication centres, fire  
4 stations or other governmental locations --

5 THE COURT REPORTER: I'm sorry.  
6 Could you go back and start reading that  
7 again. I'm not getting all of your words.  
8 Could you go back and start reading that  
9 more slowly?

10 DR. CLARY: I'm sorry. Dr. Shane  
11 M. Clary. Mr. Warren in his chair comments  
12 stated, "Communication centers, fire  
13 stations or other governmental locations are  
14 not permitted to provide monitoring under  
15 the 26.3 rules."

16 This is for Central station service.  
17 So if a protected premise, either because of  
18 their internal protocols or because the  
19 insurance requirements require that a --  
20 that the signals do go to a central station  
21 or central station service, again, this  
22 would be prohibited by AHJ -- invoking that  
23 only certain stations can be used.

1           And in this case I am not aware of any  
2 12 -- of any -- in 1221 as Mr. Warren did  
3 state that can provide central station  
4 service either through UL, FM or ETL.

5           So, in conclusion from my comments, so  
6 I -- I purpose of attain a two-third vote  
7 they need to accept a vote of the membership  
8 is part of the rules of the NFPA. They've  
9 put, you know, a high burden that -- it's  
10 still sort of -- you know, you have the  
11 membership that takes the time and effort to  
12 come to the tech station basically to vote.  
13 And, in fact, one of the statements in the  
14 opening monologue that the presiding officer  
15 gives now embodies the monologue states that  
16 part of the purpose of this tech session is  
17 to provide, you know, advice -- not advice  
18 but more information from the Standards  
19 Council for only the Standards Council can  
20 makes the final decision in the releasing of  
21 the standard.

22           So in this case as far as this  
23 particular CAM was involved, the membership

1 did express in their opinion overwhelmingly  
2 that the proposed language should be  
3 adopted. And if it fully stands that the  
4 technical committee still has the ability to  
5 basically veto that by having this high wall  
6 of the two-third vote, then why even have  
7 the tech session? Because if the purpose is  
8 for the membership to express their opinion  
9 in the tech session, but then the technical  
10 committee can say, Well, thank you but no,  
11 then, again, why even go through the process  
12 of having the tech session?

13           And then part of the marketing of the  
14 NFPA is why should I -- why should you join  
15 the NFPA? They state that you can  
16 participate in the tech session and have a  
17 voice in the makeup of the codes. So if  
18 something comes to the floor of the tech  
19 session, you, as a member, have a voice in  
20 it. But if the voice is always going to be  
21 silenced because of this two-third majority,  
22 then does the membership truly have a true  
23 voice? And with that, I will turn it over

1 to either one of my two --

2 MR. SPECTOR: Ivan Spector, TMA.

3 For those of you who don't the Monitoring  
4 Association TMA is formerly the central  
5 station alarm association. It was formed in  
6 1950 as a not-for-profit trade association.  
7 We represent over 300 members who monitor  
8 for tens of millions of fire life safety  
9 security and other critical conditions. And  
10 I just feel that that's very important to  
11 note in your deliberations. So thank you.

12 MR. QUITTER: Okay.

13 MR. SIMPSON: Richard Simpson,  
14 Vector Security. If my comment at the  
15 general session, I indicated when I closed  
16 that NFPA 2019 --

17 THE COURT REPORTER: I'm sorry.  
18 You have to repeat that.

19 MR. SIMPSON: 2019 NFPA 72 will  
20 allow listed central supervising stations to  
21 monitor central station alarm systems;  
22 build, design, monitor proprietary  
23 supervising stations, monitor household fire

1 alarm systems but requires AHJ permission to  
2 monitor remote supervising stations. Or if  
3 it's a CAM -- confusion and place  
4 equivalency on the listed supervising  
5 station. That ends my comments. Thank you.

6 MR. QUITTER: Thank you.

7 DR. CLARY: Mr. Chair, at this, we  
8 rest.

9 MR. QUITTER: Thank you. Are there  
10 questions from council? So I will start  
11 with one. Jim Quitter. We didn't say  
12 anything about the safety. Is there a  
13 safety issue here or is this more a  
14 competitive issue?

15 DR. CLARY: Shane M. Clary, Bay  
16 Alarm Company in response to the question.  
17 If you look at some of the testimony that  
18 was made by those in opposition of the CAM,  
19 they eluded to without any specific  
20 documentation -- it was more anecdotal --  
21 that there are safety issues because of any  
22 delays in signal response of the 90 seconds.

23 I am not aware though -- and I have

1    been in this industry for 45 years -- of any  
2    issues that -- between the time the  
3    supervisor station received the signal and  
4    re-transmitted it to a fire department that  
5    it involved deaths or catastrophic loss or  
6    anything like that.  So we do not feel that  
7    there is safety issue.

8           MR. QUITTER:  Mr. O'Connor.

9           MR. O'CONNOR:  Can you comment for  
10   me on -- if I understand you, you don't know  
11   -- listed supervising stations, which seem  
12   to have that -- registration requirements  
13   versus other remote stations.  Could you  
14   give me just kind of a little bit of an  
15   overview of that and then relate it to that  
16   question what the nature of the costs  
17   differential to the customers?  Dan  
18   O'Connor, member of council.

19           DR. CLARY:  Shane M. Clary, Bay  
20   Alarm Company in response to the question  
21   from the council member.

22           First of all, we do have to follow --  
23   we do need to follow the requirements that

1 are found within NFPA 72, and that then  
2 refers to you over to NFPA 8927, which is  
3 what we're regulated by for the  
4 construction, for the staffing, for our  
5 primary power, our secondary power, how we  
6 have redundancies in our data center, our  
7 communications links into the supervising  
8 station.

9           There's also another standard, 1921,  
10 that regulations our automation systems that  
11 we use. So we -- I can only speak for Bay  
12 Alarm Company. I cannot speak for anyone  
13 else. But we recently opened up a new  
14 supervising station in Concord, California,  
15 and we spent \$7 million just in the  
16 supervising station itself.

17           Now, the peace apps, Mr. Warren is  
18 correct in his comments, they do need to  
19 follow the requirements of NFPA 1221. And  
20 they are also equally as rigid, we will not  
21 deny that, so -- to compare the -- what we  
22 have to do versus what they have to do.

23           We would comment though that it is not

1 within 1221 is that the piece app, they may  
2 get involved with other things that may  
3 occurring. There could be a fire going on  
4 someplace that there are combinations of  
5 police and fire -- a pursuit, active  
6 shooter, something like that. So, you know,  
7 if the staff is going to be dedicated fully  
8 to monitoring the signals coming in from the  
9 fire alarm system. In a listed supervising  
10 station, that's all the staff does where  
11 they're strictly more monitoring of the  
12 signals and then the proper disposition of  
13 those signals.

14 As far as the cost to the end user,  
15 it's all embedded within the cost of the  
16 monitoring service -- services. I mean, if  
17 you lay it out over the total number of  
18 counts a particular alarm company has,  
19 probably the cost is embedded in there for  
20 the system, supervising station is probably  
21 -- it's probably a dollar or so of the  
22 overall cost, maybe two. I mean, you are,  
23 of course, covering the wages and stuff like

1 this. You're covering all the marketing  
2 fees. You're covering all the insurance  
3 requirements and stuff like that. But it's  
4 not -- you know, it's not an overwhelming  
5 amount, per se.

6 MR. QUITTER: Go ahead.

7 MR. SIMPSON: Vector Security.  
8 We're based in Philadelphia, Pennsylvania.

9 Our parent company --

10 MR. QUITTER: State your name.

11 MR. SIMPSON: Richard Simpson,  
12 Vector Security. Vector Security operates  
13 two UL listed supervising stations, one in  
14 Philadelphia and one in Pittsburgh. We  
15 employ over 75 people in our central  
16 station.

17 Our parent company is Philadelphia --  
18 established by Ben Franklin in 1752. We  
19 have a long history in the fire service  
20 industry over a long period of time,  
21 obviously.

22 From the perspective of an annual  
23 budget, it's a significant amount of expense

1 for us to operate that central station.  
2 Monitoring costs on systems ranges from a  
3 low of \$11 a month to fees of over \$100 a  
4 month. The \$11 a month comes from large  
5 national brands who go out to reverse  
6 auctions for seeking monitoring -- lower  
7 monitoring. So the range is very, very low  
8 to very, very high depending on the type of  
9 services it has. Thank you.

10 MR. QUITTER: Thank you.

11 MR. BEEBE: Chad Beebe, member of  
12 council. Mr. Simpson, in your written  
13 documentation you talk a little bit about  
14 the technical committee and the lack of  
15 balance. Can you explain that for us, how  
16 that's impacted the issue.

17 MR. SIMPSON: Sure. The makeup of  
18 -- Richard Simpson, Vector Security. The  
19 makeup of the Supervising Station Committee  
20 we have one seat which represents by TMA.  
21 We have one seat on the technical committee  
22 for anything related to the supervising  
23 station. So we don't believe that that's a

1 fair representation of how that committee is  
2 made up.

3 MR. QUITTER: Mr. Poole.

4 MR. POOLE: Jack Poole, member of  
5 council. In reading Chairman Olson's  
6 comments, it leads me to believe that this  
7 process of allowing the AHJ to make the  
8 decision has been around since the '60s. A,  
9 do you agree with that? And, if you do, why  
10 is it now an issue and concern with how  
11 they're doing business?

12 MR. SIMPSON: Richard Simpson,  
13 Vector Security. In the 2009 edition of 72  
14 there was no requirement for AHJ oversight.  
15 In 2013 changes were made where that  
16 modifier was placed for work permitted by  
17 the AHJ. And in 2016 is when we submitted  
18 our public comments to seek the removal of  
19 that modifier. So in 2009 that language was  
20 not in NFPA 72. So I would dispute that  
21 it's been around since 1960.

22 DR. CLARY: Shane M. Clary, Bay  
23 Alarm Company. Also to the council member's

1 question, as I stated in my comments, the  
2 provision has been there in regards to  
3 remote stations. And, again, I use the  
4 example of Bernie's Tow Service in which  
5 Bernie or someone could be monitoring in the  
6 back.

7 I mean my first exposure to alarm  
8 systems was at the Rice Funeral Home in  
9 Hamburg, Iowa, because we were always there.  
10 And we had -- in the funeral home, we  
11 monitored the four alarms in Hamburg, Iowa,  
12 and then we also were the basically the 911  
13 center for the volunteer Fire department.  
14 Because we were there for the death call,  
15 but we were also there in case someone was  
16 calling on those lines to operate, you know  
17 --

18 THE COURT REPORTER: I'm sorry. I  
19 can't understand you.

20 DR. CLARY: To receive the signals  
21 for the volunteer fire department. So  
22 that's basically what they originally put in  
23 there so that the AHJ would have the ability

1 to say, okay, you're a remote station, you  
2 need at least some minimum standards.  
3 Because a remote station by itself is not  
4 required to meet the requirements of UL 827  
5 or have the automation requirements for  
6 stuff like that. This is also back in the  
7 '50s, 1960s, 1970s and so forth.

8 As we progressed through time and in  
9 this particular instance now, there are  
10 number of AHJs that are now kind of  
11 reversing that and saying that even a listed  
12 central station needs our approval, and  
13 we're not going to give you approval because  
14 we now, for whatever reason, wish these  
15 signals would go to our peace app. And even  
16 though you are a listed service station to  
17 -- UL 827, not here. And we feel that this  
18 can over time cause issues with the  
19 monopolistic areas or price increases that  
20 they may do and just does not basically  
21 allow a competitive fabric within those  
22 areas. It takes away all consumer choice,  
23 that, again, if you have a listed

1 supervising station, you've already met the  
2 very stringent requirements either by UL or  
3 FM or by ETL in how you operate and man and  
4 handle the signals. So there is not a  
5 safety factor either. And that is basically  
6 kind of the gist why we now have some issues  
7 with that particular clause within this  
8 paragraph.

9 MR. QUITTER: So I just have a  
10 question for you. It sounds like this is an  
11 issue that is arising across the country or  
12 in certain locations and is the monopolizing  
13 problem a hypothetical or real so far?

14 DR. CLARY: Shane M. Clary, Bay  
15 Alarm Company in response to the chair's  
16 question. It is -- right now it's in one  
17 area, but it could arise now in other places  
18 around the country, so it does have the  
19 potential of becoming an issue.

20 MR. QUITTER: And monopolizing --

21 DR. CLARY: Right now you do have  
22 -- Shane Clary, Bay Alarm Company. I caught  
23 myself. Right now you do have in these

1 areas right now where is it occurring, this  
2 -- area, it is monopolistic. Now, are there  
3 any cases yet of a price increase, I cannot  
4 directly answer to that question because Bay  
5 alarm does not operate in that market.

6 MR. SPECTOR: Ivan Spector, TMA.  
7 Just to comment and expand on Dr. Clary's  
8 response. First of all, we've seen in other  
9 segments of the security industry where  
10 there have been responses to certain  
11 dynamics such as verified response which  
12 when it's in one area, it seems to impact  
13 other areas quite significantly. That's one  
14 issue.

15 And the second issue regarding the  
16 comments about the monopoly, this also  
17 impacts both the equipment manufacturers and  
18 specifications for the receiving equipment,  
19 which -- auto only to one type of receiving  
20 equipment, which is also another factor.  
21 Thank you.

22 MR. QUITTER: Thank you.

23 MR. BUSH: Kenneth Bush, member of

1 council. And this is a follow up to a  
2 comment that was addressed earlier. It's my  
3 understanding that this change really does  
4 just remove the permission of the AHJ in  
5 order to -- I think -- have the alarms  
6 received at a central station.

7           What is your feeling about that impact  
8 with the understanding that the AHJ does  
9 maintain regulatory authority over the code  
10 anyhow and how this change would make a  
11 significant difference to the impact of the  
12 code?

13           DR. CLARY: Shane M. Clary, Bay  
14 Alarm Company in response to the council  
15 member's question. We would -- we fully  
16 understand that both within the fundamentals  
17 chapter of NFPA 72 and NFPA 1 and the  
18 international fire code and international  
19 building code that the AHJ in the end does  
20 have the right to approve, especially for  
21 fire alarm systems, submit shop drawings for  
22 approval and sprinkler systems submit the  
23 shop drawings for approval.

1           And we're not denying that the AHJ  
2           should have that approval. They need it.  
3           They need to do that. If not, we're going  
4           to have -- we're going to have chaos.

5           Our one contention is our contention  
6           is on this one matter is that a number of  
7           AHJs -- right now a small number of AHJs are  
8           using it sort of in reverse stating, you  
9           know, there's a safety issue although it's  
10          not clearly been demonstrated to bring the  
11          signals into their peace app, and that  
12          they're also charging for it.

13          If they were probably not charging for  
14          this service, we probably would not have an  
15          issue, but they are charging for this  
16          service. So they're -- you know, they're  
17          going into competitive market, but by using  
18          this clause, they're basically saying we're  
19          the only game in town.

20                 MR. QUITTER: Mr. O'Connor.

21                 MR. O'CONNOR: Dan O'Connor, member  
22                 of council. You said that your opposition  
23                 was saying they were -- you think the reason

1 -- safety issue is that -- or any data or  
2 they offered on -- I'm just trying to  
3 understand what your point was on that.

4 Thank you.

5 DR. CLARY: Shane M. Clary, Bay  
6 Alarm Company. I thank the council member  
7 for his question. If you go back and read  
8 the transcript from the hearing, several  
9 members of the fire service that were up at  
10 the microphones in opposition did raise the  
11 specter that there was a safety issue due to  
12 alleged delays. Has any empirical data been  
13 submitted? The answer to that question is  
14 no. So it's all basically anecdotal. Shane  
15 M. Clary, Bay Alarm Company.

16 MR. QUITTER: Mr. Johnston.

17 MR. JOHNSTON: Thank you,  
18 Mr. Chair. Mike Johnston, member of  
19 council. Mr. Simpson, in your comments or  
20 your written testimony you have claims  
21 related to fairness and due process. Are  
22 you implying in there that the process was  
23 not followed? That's the first part of the

1 question. The second part has to do with  
2 immediately following that is the technical  
3 committee balance of membership issue. I  
4 believe Mr. B asked about prior. Do you  
5 believe that symptom or it implied that  
6 there's an imbalance issue on the committee?

7 MR. SIMPSON: Richard Simpson,  
8 Vector Security. So the first question,  
9 obviously, general membership overwhelming  
10 supported the CAM. And when it went back to  
11 the committee, we are not -- we don't  
12 believe that the entire committee fully  
13 understood the position of the CAM. And if  
14 you went back and you looked at some of the  
15 comments, they defer to other committee  
16 members.

17 So we didn't think that some of those  
18 individual committee members supported or  
19 even reviewed the documentation to make an  
20 educated decision in support or in  
21 opposition.

22 And then the second question was  
23 related to the committee makeup. We just

1 believe that we should have more than one  
2 seat on the supervising station committee.  
3 We're relegated to one seat, one voice.

4 MR. JOHNSTON: Thank you.

5 MR. QUITTER: Any further questions  
6 from the council? Seeing none, we'll give  
7 you five minutes to close out.

8 DR. CLARY: Thank you, Mr. Chair.  
9 I'm Shane M. Clary, Bay Alarm Company. I  
10 guess my final comments would be is that I  
11 do know you have what's referred to as the  
12 default decision. And I would urge that  
13 once you go into executive session this  
14 afternoon, that you are automatically going  
15 to go to the default decision but that you  
16 do look at everything in totality on this  
17 particular item. Thank you.

18 MR. SIMPSON: I would just ask that  
19 you take a look at what the proposal was  
20 that a listed supervising station -- other  
21 public facilities and government agencies.  
22 That's all we're asking to remove that  
23 modifier and give us the equivalent chance

1 that we believe we deserve based on the  
2 listing services in NFPA 72. Thank you.

3 MR. SPECTOR: Ivan Spector, TMA. I  
4 have nothing to add. Thank you.

5 MR. QUITTER: Okay. All right.  
6 Thank you very much for your time and your  
7 participation in this process. For the  
8 record, we do look at all of the information  
9 submitted to us and discuss it accordingly.  
10 So we will be doing that with this issue as  
11 well.

12 With that, we will go into executive  
13 session this afternoon and discuss it. The  
14 only record that will come out of it is the  
15 official -- by Dawn Michelle Bellis and not  
16 any other conversations taking place. And  
17 with that, I will go off the record, and we  
18 will adjourn for 15 minutes.

19 (Recess)

20 CHAIRMAN BELL: Good morning,  
21 everyone. I will call this hearing to  
22 order. My name is Kerry Bell, and I have  
23 the pleasure to serve as chair for the NFPA

1 Standards Council. In a moment here we're  
2 going to go around the room and have  
3 everybody introduce themselves.

4 Before we do that, I do want to point  
5 out that we have a steno typist in the room  
6 with us today who will be recording this  
7 session.

8 So it is important for those of you  
9 who are speaking that you clearly state your  
10 name and affiliation before you make each  
11 remark so we can capture that for the  
12 record.

13 Okay. Let's go ahead with the  
14 introductions. We'll start to my right, and  
15 then we'll go around the table here, and  
16 then we'll go around the perimeter of the  
17 room.

18 MS. BELLIS: Dawn Michelle Bellis,  
19 NFPA staff.

20 MS. FULLER: Linda Fuller, NFPA  
21 staff.

22 MR. O'CONNOR: Daniel O'Connor,  
23 member of council.

1           MR. KEITH: Gary Keith, member of  
2 council.

3           MR POOLE: Jack Poole, member of  
4 council.

5           MR. GOLINVEAUX: James Golinveaux,  
6 member of council.

7           MS. GLEASON: Patricia Gleason,  
8 member of council.

9           MR. REISWIG: Rodger Reiswig,  
10 member of council.

11          MS. MANLEY: Bonnie Manley, member  
12 of council.

13          MR. MCSHEFFREY: John McSheffrey,  
14 President of en-Gauge.

15          MR. ROSE: Jim Rose, Vice-President  
16 of en-Gauge.

17          MR. LARSON: Mark Larson here  
18 speaking on behalf of en-Gauge.

19          MR. SNYDER: Michael Snyder, member  
20 of council.

21          MR. BUSH: Kenneth Bush, member of  
22 council.

23          MR. BEEBE: Chad Beebe, member of

1 council.

2 MR. QUITTER: James Quitter, member  
3 of council.

4 MR. JOHNSTON: Michael Johnston,  
5 member of council.

6 MS. GALLAGHER: Suzanne Gallagher,  
7 NFPA staff.

8 MS. GERSHA: Debra Gersha, NFPA  
9 staff.

10 MR. CLOUTIER: Mark Cloutier, NFPA  
11 staff.

12 MR. ROUX: Richard Roux, NFPA  
13 staff.

14 MR. TOLENTINO: Chris Tolentino,  
15 NFPA staff.

16 MR. O'CONNOR: Brian O'Connor, NFPA  
17 staff.

18 MR. DEHN: Heath Dehn, NFPA staff.

19 MR. HOHENGASSER: Eric Hohengasser,  
20 NFPA staff.

21 MR. COLONNA: Guy Colonna, NFPA  
22 staff.

23 MR. DUBAY: Christian Dubay, NFPA

1 staff.

2 CHAIRMAN BELL: Thanks everyone for  
3 those introductions. We'll go ahead and get  
4 started with this hearing, which is related  
5 to the agenda item 18-8-14d for NFPA 10.

6 As I understand it, Mr. McSheffrey,  
7 you'll be speaking in support of the appeal  
8 to overturn the technical committee's ballad  
9 results of TIA 1378 and the issues with TIA;  
10 is that correct?

11 MR. MCSHEFFREY: I'm going to yield  
12 the floor to Mark Larson for the first  
13 period.

14 CHAIRMAN BELL: Okay.

15 MR. MCSHEFFREY: But the answer to  
16 your question is yes. Correct, yes.

17 CHAIRMAN BELL: So is there anyone  
18 else going to be speaking in favor of this  
19 besides you and Mr. Larson?

20 MR. MCSHEFFREY: Mr. Rose and I are  
21 here basically to answer questions. Mark is  
22 going to mainly do the presentation.

23 CHAIRMAN BELL: Will anybody be

1 speaking against the appeal? Seeing none --  
2 okay. So from a process standpoint, what  
3 we're going to do here is allow you a total  
4 of ten minutes to make any opening remarks  
5 you'd like to share with us.

6 And then after that we're going to  
7 open it up for questions from the council,  
8 and then we'll close out the hearing and  
9 allow you as a group five minutes to make  
10 any closing remarks.

11 Okay. I want to make sure you  
12 understand we have all the written material  
13 you've provided to us. There's no need to  
14 be repetitive of that in the interest of  
15 time. But with that, do you have any  
16 questions?

17 MR. MCSHEFFREY: No.

18 CHAIRMAN BELL: Again, I'll remind  
19 you to state your name and affiliation  
20 before making any remarks. So with that,  
21 I'll turn the floor over to you for opening  
22 remarks.

23 MR. LARSON: Thank you very much.

1 My name is Mark Larson, and I am here today  
2 to speak on behalf on en-Gauge to this  
3 matter that you have before us. And should  
4 you have any questions, we've got John and  
5 Jim here to answer any technical stuff.

6 For the sake of full disclosure, I  
7 have known John since 2002, and they are  
8 covering my travel expenses to be here at  
9 this meeting today.

10 Each of you have a handout of the  
11 presentation, and I'm not going to read  
12 through it for you. I just thought I would  
13 summarize my background and experience.

14 I'm a fire code and safety consultant.  
15 I've been doing that since 2015. Prior to  
16 that, I spent 20 years in fire service as a  
17 volunteer emergency responder followed by 25  
18 years as an enforcer on both the local and  
19 state level and culminated that with 13-1/2  
20 years as the fire marshall for the State of  
21 Idaho.

22 When I left that position, I was  
23 serving on the board of directors for the

1 National Association of State Fire Marshals  
2 and have been active in their model codes  
3 development for over a decade.

4 And I'm here primarily to speak about  
5 policies and procedures. And the background  
6 I've got, I know the importance of having  
7 policies and procedures, because without it,  
8 as an emergency responder or in code  
9 development, whatever we do, there's the  
10 opportunity for chaos.

11 And you guys have good policies and  
12 procedures. You've worked hard to develop  
13 these. And you also tell us about the  
14 standards governing the development of the  
15 regulations where you develop the standards  
16 that for updates throughout the year, please  
17 visit the directory on line to see if there  
18 are any changes.

19 And, as we all have learned, no matter  
20 how good the policies and procedures are,  
21 you're only as good as the people carrying  
22 them out. If everything just relied on  
23 procedures to have a good outcome, we would

1 never have to change anything.

2 And you've read the information about  
3 the TIA. And our position is that the NFPA  
4 10 Committee did things that were harmful  
5 not only to the business but to public  
6 safety.

7 And how did this happen? And there's  
8 two things in your documents. One, we  
9 created a spreadsheet showing the  
10 relationship of NFPA 10 members, and the  
11 other is a timeline. And on paper the NFPA  
12 10 Committee met the guidelines that you  
13 guys have created for categories of  
14 membership.

15 You know, you've tried hard to make  
16 sure that everybody is represented,  
17 everybody is equal, and nobody has an  
18 overwhelming influence. But our sheets show  
19 that because of the uniqueness of the fire  
20 extinguisher industry, the links, there's  
21 close economic ties between a large number  
22 of them. And one of the documents that  
23 you've also got shows the percentage of

1 members present when these critical changes  
2 were voted on in NFPA 10. And we'd like you  
3 to please pay attention to that.

4 And the other key factor that seems to  
5 have initiated this extraordinary chain of  
6 events was it appears the actions on the  
7 state -- on the part of the State of New  
8 Hampshire in 2012.

9 They were the first state to require  
10 electronic monitoring of fire extinguishers.  
11 Prior to 2012, the electronic monitoring of  
12 fire extinguishers became part -- accepted  
13 in NFPA and IFCC and Joint Accreditation.

14 And after 2012 when New Hampshire  
15 adopted that, changes were made to negate  
16 the positive impact of electronic  
17 monitoring. And throughout your studies,  
18 please pay attention to that.

19 And a question that could be argued,  
20 My goodness, these guys should have caught  
21 this, why did they wait this long? If you  
22 follow procedures, you had ample time to do  
23 this, and you didn't, so why should we be

1 concerned?

2 Well, to be honest, nobody noticed.

3 As an authority having jurisdiction, I  
4 didn't notice the subtle changes in NFPA 10.

5 As a business, they should have noticed.

6 And I think a thorough analysis of what  
7 happened, again, following on the concept of  
8 policies and procedures are only as good as  
9 the people carrying them out, there's a  
10 number of cases where someone could have or  
11 should have done something different. The  
12 other question according to this is, is this  
13 too late? Is there something -- we can't do  
14 anything.

15 But your regulations spell out that  
16 you, as the Standards Council -- it's almost  
17 like they anticipated something like this.  
18 You have a number of options in which you  
19 can address these unusual circumstances.

20 And as a former authority having  
21 jurisdiction, one of the subtle changes that  
22 were affected by the 10 Committee was  
23 stating that the owner or his agents gets to

1     decide if this is a requirement. And that  
2     change was used to reverse the actions of  
3     the State of New Hampshire and throw out the  
4     requirements of electronic monitoring.

5             And as an authority having  
6     jurisdiction, trying to enforce codes is a  
7     hard task on a good day. But creating this  
8     level of ambiguity as to who can do what and  
9     allowing another tool for political purposes  
10    is tragic.

11            The other thing that really concerns  
12    me as a firm believer in policies and  
13    procedures is, unfortunately, it appears  
14    that a particular interest was able to  
15    manipulate the process for a specific good,  
16    theirs, to the detriment of others.

17            And I fear that this will be used as a  
18    blueprint for other similar interests to go,  
19    Well, my goodness, if that worked for them,  
20    how might I be able to make this work for  
21    us? But you've got an opportunity, by your  
22    regulations, to take corrective actions.

23            And one of the things that was

1 submitted to you was a letter from Bill  
2 Degnan, a former -- now a former fire  
3 marshal for the State of New Hampshire. He  
4 wrote this, and I want to read just a couple  
5 of paragraphs from it, and it's part of your  
6 documentation.

7           And I can tell you I've known Bill  
8 Degnan for years, and it's hard to find  
9 somebody with more class and integrity than  
10 the fire marshal from New Hampshire. And he  
11 wrote to NFPA president Bill Pauley back in  
12 March of this year. "The perception by some  
13 in the fire extinguisher industry is that  
14 electronic monitoring is a threat to their  
15 industry as they preferred to have  
16 extinguishers remain stand-alone and  
17 unaccountable.

18           The actions of some in the NFPA 10  
19 Committee are clearly not in the best  
20 interest of public safety and serve to  
21 undermine the many years of good work to  
22 review the process of electronic monitoring  
23 and implementing it as a means in New

1 Hampshire to increase the reliability of  
2 fire extinguishers."

3 And he goes on to say, "This type of  
4 action is both bad for fire safety and  
5 insulting to the fine people who work hard  
6 to develop smart and dependable codes. As  
7 you know, enforcing codes to ensure the best  
8 possible fire life safety outcome is a  
9 daunting task, and to face attacks from the  
10 very base of the code is wrong and  
11 disheartening."

12 And, with that, I think it's  
13 appropriate -- again, you've got all of the  
14 stuff, you can read it. Do members of the  
15 council have any questions at this time?

16 CHAIRMAN BELL: Thank you, Mr.  
17 Larson. I will open it up to questions from  
18 the council at this point.

19 And I have a question here for you,  
20 did you submit any proposed revisions during  
21 any of the revision cycles since 2010 which  
22 is the one as I understand it had the  
23 electronic monitoring in there? Were there

1 any revisions that you submitted beyond  
2 that, that standard issue?

3 MR. LARSON: From what I understand  
4 no.

5 MR. MCSHEFFREY: We worked with the  
6 NFPA Council --

7 CHAIRMAN BELL: Please state your  
8 --

9 MR. MCSHEFFREY: John McSheffrey  
10 speaking. John McSheffrey speaking. Sorry,  
11 first time doing this.

12 En-Gauge worked with the NFPA 10  
13 Council in 2006 and 2007 to establish the  
14 codes -- you know, the language in the code.  
15 It was following what was established in the  
16 IFCC codes and other state codes prior.

17 We worked with the members of the  
18 committee both in Chicago as well as in  
19 Baltimore and then never worked with it  
20 again. Followed it, there was never a  
21 proposal pro or con pertaining to technology  
22 from 10 -- onward 10 and 13 as we observed  
23 it. And then it -- just hadn't paid

1 attention. By that point, it was in the  
2 code and ingrained and didn't pay attention  
3 beyond that.

4 But the answer is, no, nothing ever  
5 got put into the NFPA codes beyond the  
6 initial work done for the 2007 edition.

7 CHAIRMAN BELL: Thank you. Did you  
8 participate or attend any of the committee  
9 meetings at all?

10 MR. MCSHEFFREY: We did not. We  
11 did not have the money to travel and do all  
12 that.

13 CHAIRMAN BELL: Okay.

14 MR. GOLINVEAUX: James Golinveaux,  
15 member of council. I have your handout here  
16 with some new information, for me anyway.  
17 In your statement and also in the writing,  
18 you're making some claim that the process  
19 was corrupted due to a single entity, and I  
20 believe your statement was there was  
21 particular interest. In looking at both of  
22 21 against and 3 in favor of the vote, is  
23 your claim that that particular interest

1 influenced 21 members to throw the committee  
2 off balance of some sort? I'm just trying  
3 to understand your claim that --

4 MR. LARSON: Sure.

5 MR. GOLINVEAUX: -- a particular  
6 interest can sway the process with a 21 to 3  
7 vote.

8 MR. LARSON: Well, how it affects a  
9 21 to 3 vote, I'm not certain. But there's  
10 one interest that is the largest purchaser  
11 of fire extinguishers in the United States.  
12 They're also the largest distributor of fire  
13 extinguishers in the United States, and  
14 they're the largest financial backer of fire  
15 extinguisher organizations in the United  
16 States. But I think the critical votes we  
17 were speaking to were those of the members  
18 present at the meeting on the days where  
19 these changes were voted at the technical  
20 committee level, and the percentages are  
21 quite large.

22 And, to be honest, yeah, I think that  
23 there was an influence. Now, could that

1 have affected all 21? I don't know. I'm  
2 not privy to what people are thinking. But  
3 I do know as a participant in many  
4 committees oftentimes those that are the  
5 most vocal, the strongest proponents of  
6 something will get others to go along,  
7 whether it's a direct influence or indirect.  
8 I can't speak to why those people voted, but  
9 I can offer our observations.

10 MR. O'CONNOR: Dan O'Connor, member  
11 of council. Gentlemen, because this lists a  
12 TIA that were -- I'd like to see if you  
13 could expound a little bit on the -- and try  
14 to relay your understanding on your thoughts  
15 on why -- a background --

16 THE COURT REPORTER: I'm sorry, a  
17 background of what?

18 MR. O'CONNOR: A background on why  
19 this is of an emergency nature.

20 MR. LARSON: And we spell it out  
21 that there's -- on part of the forms that  
22 NFPA -- that we submitted to NFPA was  
23 explaining why it's an emergency nature.

1 And on one of the pages of my -- the handout  
2 today, we spell out five others or four  
3 others that we feel demonstrated that this  
4 is an emergency. The various technical  
5 aspects that if left unchecked could have a  
6 significant negative impact on other NFPA  
7 standards.

8 One of the things in explaining the  
9 need for the TIA was the impact that this  
10 action had on other NFPA standards. And we  
11 think a big one is that it creates unique  
12 circumstances that could conflict other NFPA  
13 standards. For example, obstruction, how  
14 they dealt with fire hydrants shall not be  
15 -- or fire extinguishers shall not be  
16 obstructed. It makes the dealing of fire  
17 extinguishers totally unique from any other  
18 thing in the NFPA standards that requires no  
19 obstructions.

20 Those were some of the examples we  
21 highlighted in the TIA application and that  
22 I restated here in the handout you just got  
23 today.

1           MR. MCSHEFFREY: John McSheffrey  
2 speaking. Back in March of this year, we  
3 started getting phone calls from some of the  
4 end-users that had this technology deployed  
5 in different parts of the United States.  
6 And they were being harassed by their fire  
7 extinguisher distributors saying that this  
8 technology that they invested in for better  
9 life safety and continual accountability was  
10 no longer good, was no longer valuable.

11           And these folks were now scared for  
12 their jobs because they're being challenged  
13 because the technology that they invested  
14 in, which was part of the code for many  
15 years, was now changed.

16           The electronic monitoring was in the  
17 joint commission and recognized by joint  
18 commission for the last eight years as an  
19 equivalent to the 30 day physical  
20 inspection. The change that's been put  
21 forth now puts in an accreditation question  
22 to hospitals around the United States that  
23 have this technology installed.

1           The New Hampshire state fire marshal  
2   asked for assistance on this back in March  
3   because he was under attack in his state  
4   using language from the changes that were  
5   put forth. He is now the retired New  
6   Hampshire state fire marshal, and the fire  
7   code in New Hampshire has now changed  
8   specifically stating language that was put  
9   forth in the last process saying that the  
10  AHJ has to yield to the end user or the end  
11  user's agent.

12           There have been millions of dollars of  
13  business already lost because of this.  
14  There is fire safety being questioned and  
15  fire safety being diminished by this not  
16  being put into place.

17           Obviously, we would have acted on this  
18  sooner had we known, but we did not know.  
19  And we did not know because NFPA 10 never  
20  asked us our opinion. They never came to us  
21  about our opinion on electronic monitoring.  
22  They never came to any of the customers who  
23  had this technology and asked their opinion

1 about this technology before they adopted  
2 ten different changes pertaining to  
3 electronic monitoring.

4           There were zero proposals about  
5 electronic monitoring put forth ever until  
6 after New Hampshire changed. And once New  
7 Hampshire changed, the flood gates opened,  
8 and this all came from one single source, an  
9 NFPA member whose NFPA 10 representative was  
10 the 10 liaison for four cycles, and you have  
11 a manipulated process. They never asked us.

12           But you know what they did do? The  
13 second it was over they went to our  
14 customers and told them that you are now  
15 dealing with obsolete technology. So the  
16 behavior and threat is out there both on  
17 life safety, a precedent set on a business  
18 manipulating codes and the well being of our  
19 technology.

20           MR. QUITTER: Jim Quitter, member  
21 of council. I'm just trying to get in my  
22 own head what's going on here. I think NFPA  
23 10 used to see electronic monitoring as an

1 equivalent to periodic inspections, and  
2 they've taken that out that as an  
3 equivalent.

4 MR. MCSHEFFREY: Correct.

5 MR. QUITTER: They have not  
6 prohibited your product, they just have not  
7 addressed it as equivalent to.

8 MR. MCSHEFFREY: They added -- they  
9 added enough changes to the code to make the  
10 technology as it is accepted both by NFPA,  
11 IPC states and Joint Commission moot. They  
12 added in wording. They added in processes  
13 to make the technology moot. So, yes, you  
14 can have it, but it doesn't do any good.

15 So instead of saying, yes, you have  
16 technology, technology solves the problem.  
17 They're saying you now have to go back to a  
18 process, which they, themselves, know is 90  
19 percent failing.

20 If you look at the exhibit that we've  
21 shared, which is the NAFED document, it  
22 shows that 90 percent -- and this is their  
23 numbers -- of fire extinguishers don't get

1 inspected on a monthly basis. Fire  
2 extinguishers that are electronically  
3 monitored are inspected 24/7, and they did  
4 not like the accountability of the  
5 technology. So they added stuff in there to  
6 make the technology moot.

7 CHAIRMAN BELL: I just want to  
8 remind you to please state your name and  
9 affiliation before making a comment.

10 As a part of being -- as part of the  
11 appeal, you expressed concern that several  
12 of the committee members were economically  
13 tied to Brooks Equipment. In this regard, I  
14 have a couple of questions.

15 You indicated that the representative  
16 from NAFED was funded by Brooks. Can you  
17 explain what you meant by the use of the  
18 term funded?

19 MR. MCSHEFFREY: John McSheffrey  
20 speaking. Brooks Equipment is a member of  
21 NAFED and a member of FEMA, the Fire  
22 Equipment Manufacturers Association. They  
23 are some of the largest financial

1 participants in both those organizations.

2 The member of NAFED that's on there is  
3 beholden to Brooks Equipment. The code  
4 consultant on FEMA is beholden to Brooks  
5 Equipment. The manufacturers of fire  
6 extinguishers know that Brooks Equipment is  
7 the No. 1 purchaser of fire extinguishers.

8 The distributors know that Brooks  
9 Equipment is 85 percent or 90 percent -- I'm  
10 roughing on that -- of the place -- the only  
11 place you can go in this country to get your  
12 fire extinguisher supplies.

13 They have a unique stranglehold on the  
14 fire extinguisher industry. So if you look  
15 at the color coordinated graph, you will see  
16 that NAFED gets their money -- or a good  
17 chunk of their money from Brooks Equipment.  
18 FEMA gets a good chunk of their money from  
19 Brooks Equipment. FEMA members sell to  
20 Brooks Equipment, and NAFED distributors buy  
21 from Brooks Equipment.

22 It's no coincidence that Brooks  
23 Equipment made these proposals, and the

1 people who are attending those meetings were  
2 in the 50 to 60 percentile of the committee  
3 and economically tied to Brooks Equipment.  
4 We're talking purchase orders. We're  
5 talking invoices. We're talking financial  
6 transactions on a regular basis with Brooks  
7 Equipment.

8 The secretary of the committee is  
9 Brooks Equipment. And, as I mentioned,  
10 their liaison was an NFPA -- their board  
11 member -- committee member was the NFPA 10  
12 liaison for four cycles. Brooks Equipment  
13 knew what they were doing.

14 CHAIRMAN BELL: Just a follow-up  
15 question. I'm just trying to understand the  
16 term funded. You say beholden to Brooks  
17 Equipment, but from a funding standpoint,  
18 are you suggesting that they're funded by  
19 the dues through NAFED or -- I'm just trying  
20 to understand what you mean by --

21 MR. MCSHEFFREY: Sure, sure, sure,  
22 sure. As a former member of NAFED and a  
23 former member of FEMA, I was familiar more

1 so on the FEMA side on how much each  
2 committee was funded by what members. I  
3 mean, we're all familiar with the trade  
4 associations that we're members with, and  
5 some people put in more money, and some  
6 people put in less money.

7           The governmental relations and code  
8 relations on FEMA's side is heavily funded  
9 by Brooks Equipment. Brooks is the largest  
10 distributor in the United States for NAFED.  
11 They distribute to the distributors. So  
12 subsequently their funds and their fees are  
13 higher than everybody else's, but then they  
14 go above and beyond.

15           So they're -- again, they're  
16 absolutely 100 percent the strongest  
17 economic influencer of this entire industry.

18           CHAIRMAN BELL: Just another  
19 follow-up.

20           MR. MCSHEFFREY: Certainly.

21           CHAIRMAN BELL: Are you saying that  
22 Brooks -- the NAFED representative, they  
23 received funds directly from Brooks to

1 attend committee meetings?

2 MR. MCSHEFFREY: I am not saying  
3 that. I do not have that inside  
4 information. It will be interesting though  
5 to take a look, if you look at folks who  
6 opposed the TIA, if you look at the TIA --  
7 the 21 to 3 you mentioned earlier and the  
8 ones who wrote an extended opposition to  
9 this were Brooks, NAFED and a NAFED member.

10 If you look at who led the whole push  
11 in the State of New Hampshire, it was the  
12 NAFED member. If you look at the only  
13 person in the United States who opposed the  
14 public opinion about this TIA, it's the  
15 exact same NAFED member in New Hampshire  
16 that went after the code up there. It's not  
17 a coincidence.

18 CHAIRMAN BELL: You also indicate  
19 that a representative from FEMA, which is  
20 the Fire Equipment Manufacturers  
21 Association, I believe -- is that right?

22 MR. MCSHEFFREY: Yes.

23 CHAIRMAN BELL: Is a paid

1 consultant for --

2 MR. MCSHEFFREY: Yes.

3 CHAIRMAN BELL: Can you explain  
4 what you mean by paid consultant?

5 MR. MCSHEFFREY: Yeah, to be  
6 heavily involved in that. Paid consultant,  
7 there's code consultants on FEMA. There's a  
8 government relations program on FEMA. I set  
9 it up. I set that up back in the day.

10 Only a certain number of members of  
11 FEMA participate in those programs. And so  
12 each member organization -- you know,  
13 there's a fee to pay a consultant -- has to  
14 divvy that up. So I'm making this number  
15 up. It's just a round number. So say it's  
16 \$100,000, that \$100,000 is split four ways,  
17 three ways, whatever it may be.

18 Well, Brooks is one of the members  
19 that paid for those organizations, paid for  
20 that consultant to be on board. Not every  
21 member of FEMA -- and I think, Kerry, you  
22 might have mentioned years ago FEMA --  
23 there's 30 members of FEMA or 20 members of

1 FEMA, but there's only four members that are  
2 participating in the government relations  
3 program. There's only five or six that are  
4 participating in the code relations program.  
5 Brooks is participating in both, so,  
6 therefore, they're helping pay these  
7 people's salaries.

8 CHAIRMAN BELL: Thank you.

9 MS. GALLAGHER: Suzanne Gallagher,  
10 NFPA staff. Are you suggesting that by  
11 paying this code consultant through FEMA  
12 that the payments are made to represent the  
13 interests -- Brooks interests on the  
14 committee?

15 MR. MCSHEFFREY: Connect the dots.  
16 Yes, absolutely. The -- when you have a  
17 code consultant working for your trade  
18 association, that code consultant represents  
19 the interests of that trade association.  
20 They sure as heck don't not represent the  
21 interests of that trade association. And  
22 Brooks is the most powerful in FEMA, because  
23 they all want to sell to them. And Brooks

1 is the most powerful person in NAFED,  
2 because they all want to buy from them.

3 MS. GLEASON: Patricia Gleason,  
4 member of council. In your comments you  
5 talked about the new language significantly  
6 reducing life safety standards. And, in  
7 particular, you also mentioned that this  
8 language will now allow non-listed,  
9 non-supervised devices. I'm wondering if  
10 you could just comment on that.

11 MR. ROSE: Jim Rose. I can comment  
12 on that one. The 10 Committee has added  
13 theft deterrent technologies into the  
14 category of electronic monitoring. The only  
15 theft deterrent that's been out there for a  
16 long, long time. A, I'm curious as to why  
17 it's -- you know, all of a sudden it needs  
18 to be added.

19 But if you're adding it into the  
20 standard, none of the theft deterrent  
21 technologies that's out there is listed.  
22 None of it is listed. And they've also  
23 taken any reference -- there was reference

1 in the standard to non-fire alarm systems  
2 that if this technology was attached to a  
3 non-fire alarm system that it had to be  
4 listed, that has since been taken out.

5 I believe that's been taken out  
6 because the word listed was there. And  
7 then, again, they added the theft deterrent  
8 technology because Brooks Equipment sells  
9 that theft deterrent equipment. And they  
10 have both the hard one -- it's really just a  
11 device that sits on the fire extinguishers,  
12 and if you pull it off the wall, it makes a  
13 noise.

14 It's not what we do. We do a number  
15 of different feature functions. You know,  
16 we can tell the position of the device. We  
17 can tell if the device has been removed. We  
18 can tell the pressure of that device. We  
19 can tell if that device is being obstructed  
20 by something. The theft deterrent just  
21 makes a noise when it gets pulled off.

22 They also have a wireless version of  
23 that that goes back to a central receiver

1 that, again, is not listed. We had to go  
2 through all sorts of gyrations to get our  
3 new concept device listed by UL. We spent a  
4 lot of money on it. And then, you know,  
5 when they added that theft deterrent, just  
6 the verbiage itself, into the standard --  
7 they talk about an alarm device. I mean,  
8 that alone is -- alarm device to me means  
9 that you're evacuating the building or it's  
10 an initiation device. It's not a sounder on  
11 the fire extinguisher.

12 But, yeah. So I mean just to recap,  
13 they also added terminology in there that  
14 says -- it used to say that any electronic  
15 monitoring of fire extinguishers, there  
16 needed to be a supervisor device also,  
17 which, you know, we couldn't get -- we  
18 couldn't have gotten a UL listing without  
19 having that capability. They've taken that  
20 verbiage and said only if this device is  
21 attached to the fire alarm system does it  
22 need to be supervised.

23 So they've added a theft deterrent,

1 but they've also taken out any supervision  
2 to that device, which is unheard of in the  
3 fire world. I mean, if it's a  
4 battery-operated device, you need to give  
5 your end users some sort of indication when  
6 that device is low. You know, they've taken  
7 that out of the code. I hope that answers  
8 your question.

9 MS. GLEASON: Thank you.

10 MR. BUSH: Kenneth Bush, member of  
11 council. You indicated in your testimony  
12 that some of the problems taken up by the 10  
13 Committee were a result of a vote taken at  
14 the meetings of the technical committee. Do  
15 you see this also as a -- to the same type  
16 of problem in votes that are taken by  
17 written ballot of all committee members  
18 based upon maybe some of their biases in  
19 representation of that committee, or do you  
20 see it as more of a problem as just votes in  
21 meetings?

22 MR. LARSON: Mark Larson. You  
23 know, I can't speak to what's in the hearts

1 and minds of people as to how they might  
2 cast a vote. But I do know -- and I  
3 mentioned this earlier in a response -- that  
4 in meetings -- in any members of any  
5 committee, you've got those that are  
6 enthusiastic about their effort, and they  
7 give it a great deal of diligence and  
8 attention. And you've got other members of  
9 committees that are there because they got  
10 stuck with it or it looks good on a resume.  
11 They aren't as enthusiastic a participant as  
12 others might be.

13           And I do know from past experience,  
14 people are able to influence others, not you  
15 will vote this way or you will vote that  
16 way. Some people are just more effective  
17 than other people.

18           And, again, I can't speak to why other  
19 committee members voted the way that they  
20 did, but I think we've certainly pointed out  
21 that there's an interconnection between a  
22 large number of them, and it's -- I was  
23 cautioned not to use an Idaho phrase, but I

1 think I'm going to because of the nature of  
2 the questions here. You know, if it looks  
3 like a duck and it sounds like a duck and it  
4 walks like a duck, there's a pretty good  
5 chance it's a duck.

6 CHAIRMAN BELL: I have another  
7 follow-up question here. First off, I want  
8 to compliment you for bringing the  
9 regulations with you. It's very nice.  
10 Speaking of the regulations --

11 MR. LARSON: Well tabbed I might  
12 add.

13 CHAIRMAN BELL: Are you aware of  
14 any specific area that you believe was  
15 violated during this process other than, you  
16 know, what you've talked about this morning.

17 MR. LARSON: Mark Larson. Well, I  
18 would think that I could -- if I was on the  
19 other side of the argument, I could stand  
20 here and say legitimately we have checked  
21 all of the boxes, we did everything.  
22 Absolutely. We had our copy of the rules  
23 out, we checked boxes, we did this, we did

1 this.

2 And like I stated in my opening  
3 remarks, you know, policies and procedures  
4 are only as good as the people carrying them  
5 out. I've been able to witness on the state  
6 and local level, you know, he who knows the  
7 rules best wins in any number of  
8 circumstances, you know, through  
9 manipulation of process. I mean, did they  
10 check the boxes, in 100 percent answer to  
11 your question, I believe that, yes, the  
12 boxes were checked. Yes.

13 CHAIRMAN BELL: Just another  
14 follow-up question. On page four of the --  
15 you indicate there should be some changes to  
16 the NFPA regulations.

17 MR. LARSON: Uh-huh.

18 CHAIRMAN BELL: And I just open it  
19 up for any suggestions that you have in that  
20 regard. Do you have any suggestions for  
21 changes to the regulations?

22 MR. LARSON: I do, I do. I suggest  
23 that NFPA Standards Council follow the

1 regulations pointed out in 5.7, and it gives  
2 you a number of opportunities to take  
3 different approaches, and the last one is  
4 you can pretty much do whatever you want.

5 Far be it for me to sit here and  
6 suggest to you guys I know better how you  
7 should act than you will, and I'm not going  
8 to offer specific suggestions, but I would  
9 certainly be willing to trust your judgment.

10 CHAIRMAN BELL: Any additional  
11 questions? Okay. I think we're ready to  
12 move into closing remarks. I'll give you a  
13 total of five minutes for that.

14 MR. LARSON: Well, the closing  
15 remarks I have were spelled out in the last  
16 couple of sentences of this -- of this  
17 document, and I think Mr. McSheffrey or Mr.  
18 Rose --

19 MR. ROSE: Jim Rose. I would just  
20 like to say that the actions of the  
21 committee have basically taken an inspection  
22 requirement that monitors the device, a  
23 life-saving device, 24/7 seven days a week,

1 365 days a year, and basically they have  
2 said that going back to a 10 minute once a  
3 month manual inspection is better than  
4 electronic monitoring of that device, which  
5 is unheard of in this day and age of -- you  
6 know, with Cloud-based technology and  
7 internet and things, we're providing data,  
8 we're monitoring that device 24/7. We're  
9 making that device accountable.

10 NAFED's own data shows that those  
11 monthly once a month inspections, they don't  
12 get done very often. And even when they do  
13 get done, they're not very thorough. So at  
14 the end of the day the committee has taken  
15 electronic monitoring and said, you know  
16 what, a one a month manual inspection is  
17 better than that.

18 MR. MCSHEFFREY: A vindictive  
19 business move following something that  
20 happened in the State of New Hampshire in  
21 2012 has lessened life safety, has lessened  
22 the impact of technology, has taken the NFPA  
23 process and said it can be manipulated if

1 you have the right people in the process,  
2 and it has said we can turn the clock  
3 backwards.

4 We are a small company. We do not  
5 have expensive code consultants. We're  
6 very, very proud of being part of this  
7 industry and part of this team. And we are  
8 disheartened that people have taken and  
9 undercut what we thought was a proven,  
10 correlated established part of the process  
11 and done so in a manner to try to take us  
12 out of the equation and in the process hurt  
13 end users who have this technology, some of  
14 them who are worried for their jobs.

15 So we are hoping that the standards  
16 council will look at the evidence and look  
17 at the connections and look at what's there  
18 in front of you and when it happened and why  
19 it happened and how it happened and correct  
20 a wrong and don't allow this precedent to be  
21 established all the way across the board.  
22 And we thank you very much for listening to  
23 us.

1                   CHAIRMAN BELL: With that, I'm  
2 going to conclude this hearing. And before  
3 I do I want to thank each of you for taking  
4 the time out of your day or your schedules  
5 to come here and share this information with  
6 us and also actively participate in the NFPA  
7 standards process.

8                   I do want to remind everybody that the  
9 official decision of the standard council  
10 will be made during the executive session  
11 and will be issued in writing by the council  
12 secretary, Dawn Michelle Bellis, and no  
13 staff member or council member is authorized  
14 or permitted to convey any information  
15 regarding that. With that, I close this  
16 hearing.

17                   MR. LARSON: Mr. Chairman, may I  
18 ask when you anticipate making that  
19 decision?

20                   CHAIRMAN BELL: It will be in the  
21 near future.

22                   MR. LARSON: Fair enough.

23                   CHAIRMAN BELL: Within 10 days of

1 the --

2 MR. LARSON: Thank you.

3 CHAIRMAN BELL: Okay. With that,  
4 we'll go off the record.

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF BRISTOL, ss.

I, Janet Chase, a Certified Shorthand Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing transcript of hearing of the National Fire Protection Standards Council held on Tuesday, August 14, 2018, is true and accurate to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27th day of August, 2018.

Janet Chase  
Notary Public

My commission expires: June 30, 2019