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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NOTE: This is the unedited transcript of the August 14, 2018 Standards Council meeting. It has not been proofed for accuracy.
PROCEEDINGS

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

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

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

Also for those of you who are speaking if you could give your business card at the end to the steno typist or Linda Fuller here so that we make sure that we get the spelling of your name and affiliation.
correct, which is always -- in a room this
large.

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

MS. BELLIS: Dawn Michelle Bellis,
NFPA staff.

MS. FULLER: Linda Fuller, NFPA
staff.

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

MR. KEITH: Gary Keith, member of
council.

MR. POOLE: Jack Poole, member of
council.

MR. GOLINVEAUX: James Golinveaux,
member of council.

MS. GLEASON: Patricia Gleason,
member of council.

MR. REISWIG: Rodger Reiswig,
member of council.

MS. MANLEY: Bonnie Manley, member
of council.

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

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

MR. SNYDER: Michael Snyder, member of council.

MR. BUSH: Kenneth Bush, member of council.

MR. BEEBE: Chad Beebe, member of council.

MR. QUITTER: James Quitter, member of council.

MR. JOHNSTON: Michael Johnston, Member of council.

MS. GALLAGHER: Suzanne Gallagher, NFPA staff.

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

MR. FASH: Bob Fash, NFPA staff.

MR. COLIN: Ed Colin, NFPA staff.
MR. CLOUTIER: Mark Cloutier, NFPA staff.

MR. ROUX: Richard Roux, NFPA staff.

MR. TOLENTINO: Chris Tolentino, NFPA staff.

MR. DEHN: Heath Dehn, NFPA staff.

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

MS. RUBADOU: Chelsea Rubadou, NFPA staff.

MR. HOHENGASSER: Eric Hohengassser, NFPA staff.

MR. COLONNA: Guy Colonna, NFPA staff.

MR. DUBAY: Christian Dubay, NFPA staff.

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

And at this point I'm going to recuse
myself from both of these hearings, and I'm going to ask council member Jim Quitter to chair both of these hearings. Mr. Quitter, I'll turn the floor over to you.

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

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

It's important to recognize that our discussions and decisions regarding the case
will occur after this session is closed, and, in fact, after the hearings are done today. And those will be in closed session, and I will say a bit more about that at the end.

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

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

MS. TRENCH: Yes.

MR. QUITTER: All right.

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

I want to present a few credentials to
you today. First of all, I was elected to
the NFPA Board of Directors the 1989 and
served six years in that position. And at
that time appeals to the codes and
standards, the final appeal was the board of
directors. And I got to know Dennis very,
very well.

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

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

So people agreed, yes, we could do a
written test, but how would we ever do a
practical skills exam. And the very first
skills exam for firefighters was at the
Midland City Oklahoma Fire Department just
outside of Tinker Air Force Base, and I was there for that momentous event.

Then they said, Well, you can do it for paid firefighters but not volunteers.

So we repeated that exercise of certification skill exams in Amber, Oklahoma, for a volunteer fire department.

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

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

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

We have provided to you the support
from the International Association of
Firefighters in the form of a letter, from
the National Volunteer -- from the
International Fire Marshals Association, the
National Fallen Firefighter Foundation and
Underwriters Laboratory and then the
International Association of Fire Chiefs,
their fire alarm safety education section.

And those are all part of the record that
you have in front of you.

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

Furthermore, while we hear the
opposition to additional training, I would
like us to consider that many volunteer
firefighters are also EMTs. So more than
120 hours of training that they accept with
no opposition and many of those volunteer
firefighters pay for that training and their licensure out of their own pocket.

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

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

So this is our second cycle of bringing the content of community risk reduction to NFPA 1001. And, finally, I think there's a couple of objectives that we
will achieve by putting this information and this requirement in 1001.

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

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

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

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

MS. GLEASON: Patricia Gleason, member of council. Is there a concern that you've heard from the new firefighters that of liability associated with this type of training and the preventive nature of it?
Has that been an argument or a concern that's been expressed as to why this additional four hours of training would be a concern to add to the additional training required?

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

MS. GLEASON: Thank you.

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

MS. TRENCH: Gary, we never got that far, because the -- it would -- a task
force dealt with it and the technical committee, and the technical committee has been against it. And that was not presented in representations of national fire service organizations. And we never did a NITMAM mission. We never filed an appeal, so we never got to the point of seeking in writing those kinds of supports.

MR. KEITH: Thank you.

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

MS. TRENCH: I need to say my name.

MR. QUITTER: Yes.

MS. TRENCH: Got it.

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

MS. TRENCH: Yes, sir.

MR. GOLINVEAUX: And you also mentioned that there were some revisions made that you thought would be acceptable to
the task group for full committee. Would
those revisions correlate with the
definitions that you mentioned that were
existing in other standards?

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

MR. GOLINVEAUX: Okay.

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

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

MS. TRENCH: It is, yes, sir.

MR. GOLINVEAUX: And my question
was, was there, in the task group, revisions
made to it that would make it different than
the existing definition, or would it
correlate with those other definitions?

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

MR. GOLINVEAUX: Okay. Thank you.

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

MS. TRENCH: Yes, sir. Let me refer you, please, to my appeal letter that is in your record, and that is detailed on
page 2. There was an effort to add community risk reduction and fire prevention content. There were more than 100 public comments submitted, and I submitted 19 of those. The chairperson of 1001 created a task group, and we make seven recommendations to the committee for Firefighter 1 and Firefighter 2. And in my letter that is detailed.

What has happened for current standard is we have downsized that. We thought a smaller chunk of a definition and a few Firefighter 1 job performance requirements would have a better opportunity of being accepted by the 1001 technical committee.

Did I answer your question, sir?

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

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

MR. O'CONNOR: Dan O'Connor, member of council. Can you explain -- I'm trying to understand when you guys were -- you're
involved as the assistant director of fire prevention publications, publisher of the --

MS. TRENCH: Uh-huh.

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

MS. TRENCH: Yes.

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

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

I will tell you that depending on the
decision of the Standards Council and when
we receive that notification, we have book A
and book B. Book A does not include
It's written and prepared. Either one if
ready to go to print. Our customers do not
want additional content in a book that's not
part of NFPA 1001.

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

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

MS. TRENCH: Nancy Trench from
Oklahoma State University. I think that
they are partners, but if we could even get
community risk reduction, that word, that
phrase in our standards, that is a baby step forward.

MR. QUITTER: Okay. Thank you.

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

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

It is also my experience that whatever anyone else at the fire station doesn't want to do, they give it to a recruit, and that could very much be a fire station tour or demonstrating protective equipment for young children or talking to a visitor that comes into the fire station. So I believe that
Firefighter 1 is appropriate as well as Firefighter 2.

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

MR. QUITTER: Thank you.

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

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

MR. POOLE: And why do you feel that is the case?
MS. TRENCH: They've said over and over that it's not within the scope of an entry-level firefighter to know about fire prevention.

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

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

MR. POOLE: Thank you.

MR. BUSH: Kenneth Bush, member of council. You said a moment ago that you anticipated that this training would be included in several different levels of firefighter training, Firefighter 1 and Firefighter 2 and Company Officer. Would you see this training to be done as advanced
in different levels of firefighter training, or would it be something that's repeated in each one of those levels of firefighter training?

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

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

MR. BUSH: Thank you.
MR. QUITTER: Are there any final questions? Seeing none -- Mr. Poole?

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

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

MR. POOLE: Thank you.

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

MS. TRENCH: So, in summary, I'd like to say that we are going to have very little impact on firefighters accepting prevention and mitigation as part of the
fundamental job as firefighters if we don't have this content in their training. It should be a core part of the work they do. And it needs to be required in the professional qualification standards upon which we base training, accreditation and certification of firefighters. Thank you.

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

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

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

Mr. Crawford, is that -- I have not
seen anyone enter or leave the room so I'm not going to do introductions again.

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

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

Okay. Go ahead, Mr. Crawford.

MR. CRAWFORD: Thank you. Jim Crawford, project manager for Vision 20/20. I left a card out outside. I started in fire service as a volunteer firefighter in 1975, a paid firefighter in 1976. I've been involved with the NFPA since the early '80s in one capacity or another as a volunteer. I was a member of standards council some time ago. I was past president of the International Fire Marshals Association and the chair of the Fire Marshals Protocol 1037, now a member of that committee. That's my background, if that's helpful. I don't approach this from a standpoint of
being new to the concept of prevention, orientation for firefighters.

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

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

    We think that four hours is a reasonable period of time for a firefighter to understand the basics of community risk.
reduction, what it is, and some basic public
education skills including installation of
smoke alarms that go along with it. When
you don the uniform, people start asking you
questions, it would be helpful to know.

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

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

But if you start thinking in terms of
outcomes for fire protection like how would
we control this fire to the area of origin
90 percent of the time, that's when you open
the door for building compartmentalizations,
sprinkler systems, alarm systems and public
That what community risk reduction is.

That's what we are trying to get them to understand when they come into the door so that they know there's more than one way to solve a problem and then to provide them with some basics to go along with it.

That's the essence of these two proposals, and as Nancy pointed out, why we kind of whittled everything down to the basis.

I'll try to deal with some of the other issues as I go through, and I'm not being repetitive, but IFSTA -- from my perspective, not speaking for Nancy, or IFSTA -- does not have any more financial interest in this concept than anybody else.

In fact, it's evidence of their support for the importance of community risk reduction that they're providing this training for free.

So the training was developed with the assistance of firefighter grant funds. It resides on IFSTA resource 1. You have to
create an account to get this on-line training, but it's free, and it will always be free.

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

The other thing that I did want to reiterate aside from that is the definition and the Firefighter 2. The definition may change here before too long, and I may be mistaken, but I've view that as a correlation issue. For example, there is a new standard in NFPA system moving forward now, NFPA 1300, which I think is pretty much going to dictate to the other standards.
including protocol what the definition of community risk reduction is. But it's a correlation issue. And the issue of Firefighter 2 it already has some information in there about inspections.

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

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

It's kind of difficult to coordinate all of that, and I'm going to suggest something if that's not too brazen on my part when I wrap up my presentation.
But when you've got 1021 on this cycle and 1001 on this cycle and the other proposals -- trying to coordinate all of that, you know, information about the timing and whatnot, it's a little bit challenging.

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

I think that there is adequate reason for this standards council to intervene in this case. As Nancy pointed out, we very close to two-thirds, the indicator that NFPA uses for a consensus for the committee. There was overwhelming support on the floor too. So now you have, you know, a conflict, between technical committee and floor vote, which is rationale, I think, for the standards council to intervene and say what
truly is consensus here in this document.
And your opinion weighs heavily. I'll try
to make that case here before -- but the
overwhelming floor support was something
like 377 to 73 in favor. The membership
felt very strongly that it's appropriate to
have this basic information in beginning
firefighters.

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

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

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

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

MS. GLEASON: Patricia Gleason, member of council. The four hours additional training what is the amount -- what is the amount of the hours of training for the Firefighter 1?
MR. CRAWFORD: For all of Firefighter 1?

MS. GLEASON: Yes.

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

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

MS. GLEASON: Okay. Thank you.

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

MR. CRAWFORD: I'm Jim Crawford.

There's no formal studies that I --


MR. CRAWFORD: Home Safety Council?
No, that was a -- that was a gap analysis significant for what kind of programs were lacking for the fire service resources and whatnot.

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

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

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

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

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

MR. BUSH: Kenneth Bush, member of council. You earlier said that you were possibly going to change the definition of community risk reduction for Firefighter 2
training, but you did mention something about changing it to Firefighter 1. Is that correct? And, if you could, expand on why the difference for Firefighter 2 and Firefighter 1 for the same return.

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

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

MR. CRAWFORD: Correct.

MR. BUSH: Thank you.
MR. QUITTER: Mr. Poole?

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

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

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

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

MR. SNYDER: Sure.

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

MS. TRENCH: I'm Nancy Trench from Oklahoma State University. The on-line training is interactive adult education.
based on best practices of self on-line
instructions. So it's not just watching
videos. It's interactive and engages the
learner.

One of the things you deal with with
training is everyone's attention span keeps
getting shorter. So with on-line training,
you have to change regularly how you deliver
that education to reboot our attention span.

One of the ways we do that is we use
different voices as the narrator and
involving the student in moving things on
the screen. Yes, there's video included,
but it's based -- but on-line learning is
more than just videos, and this -- these
four hours are designed to incorporate those
best practices for adult continuing
education and on-line learning.

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

MR. QUITTER: Go ahead.

MR. CRAWFORD: So what Nancy said
-- and she's an expert, I'm not. But in
addition to that, there's nothing to prevent somebody from the field adding more information. You asked about my experience and training. Some firefighters will follow up and want more information, and there are resources there. There are plenty of resources that the NFPA -- exists in the NFPA giving material away, you know, videos and whatnot that support public education. So there's a ton for those people who are going to follow up. So there's a bell curve of firefighters nationally. Some of them are way out here, a lot of them are in the middle, and some of them are down here -- you are going to meet the absolute minimum and that's it.

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

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

MR. CRAWFORD: Jim Crawford.

That's our opinion, yes. It's not up -- it's definitely up to the locals to decide what's acceptable and what's not. So somebody, you know, in an accrediting body is going to determine what's acceptable and what's not.

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

MR. GOLINVEAUX: James Golinveaux, member of council. I want to clarify just my own sage here an earlier question on the previous appeal of whether these two were linked together and required to go together.
We have a definition in one chapter that we have criteria in chapter 4. I'm seeing them very linked. I just -- and I want to make sure that one makes -- does this appeal make any sense without a definition, or does the definition in our opinion leave a hanging chatter that there's no criteria to a definition.

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

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

So clearly we would like to see both included in the document. And, you know --
work on this concept? Absolutely not. But if you picked one or the other and put it in there, we still think that's a message to the committee.

And I think the definition, myself, this is my bias -- is less important than the body of the proposal that says this is what you have to know, the basic understanding of CRR and the basic public education skills. Because, if nothing else, the committee is faced with the idea that we have that language in there, and they're going to have that come back at some point.

I don't know how this is done editorially and say we should that definition. Okay.

MR. GOLINVEAUX: Thank you.

MR. POOLE: Jack Poole, member of council. I have a two-part question.

Through the documentation and the testimony here today I've understood that one of the components of the CRR would be how to locate a home's smoke detector, correct, and potentially install it?
MR. CRAWFORD: Jim Crawford, correct.

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

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

I think if you look at the language in detail you'll find that it says, When required by the local authority having
jurisdiction, that they would be able to do those things. So, ultimately, it's still going to boil down to what the local AHJ says we're doing to do.

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

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

But there's no case law that they could find or anybody else, to our knowledge, that could find where a fire
department has been sued for installing smoke alarms in that regard. And the professionals that I've consulted with indicate that it's more of an issue for the manufacturer of the alarm than it is for the fire departments.

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

MS. TRENCH: Nancy Trench, Oklahoma State University. Jack, no one has said the word liability in opposing this proposal.
It has not been part of the basis for anyone to oppose it. The Volunteer Fire Council merely is about how much additional training would be required as their opposition.

MR. POOLE: Thank you.

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

MR. QUITTER: All right. Mr. Bush?

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

MR. CRAWFORD: Jim Crawford. I'm going to defer to Nancy. She oversaw the
MS. TRENCH: Nancy Trench, Oklahoma State University. The training involves a firefighter understanding the benefit of community risk reduction for the community and the fire department and the firefighter and also to be able to discern solving a fire problem with an engineering solution, an education solution, an emergency response solution, an economic incentive solution.

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

And the beauty of the NFPA professional qualification standards are
they're updated every five years. So if there is new state-of-the-art content, it should be brought into that standard.

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

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

MR. BUSH: Yeah.

MR. CRAWFORD: All right.

MR. BUSH: Thank you.

Mr. JOHNSTON: Mike Johnston, member of council. I'm reading in the record in a couple of states -- on this. And in one area it seems like the -- chairs is supporting the technical committee thing -- did not within the scope of the document.
My question is, during that task group work, was it ever talked about or submitted any proposed language so it would be clear that the scope wasn't -- hang on to what -- saying -- confined of scope. Thank you.

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

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

But I think what Bill is trying to say is if there's no collaboration committee -- if the correlating committee both reflects the fact that this does not go in and we
revert back to previous cycle language, is there a correlation issue? And the answer is, Of course not. So I hope I'm addressing that part of it.

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

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

And I think there is adequate reason for this standard council to intervene.

It's very close on two-thirds with the committee itself, overwhelming floor
support. And I think you can interpret the scope to say it is part of the firefighter's job. That's really the fundamental thing that we are trying to get at here. Everything else said and done, we're trying to say firefighters should understand there's more than one tool in the tool kit and give them some basic skills and then build on that over a period of time throughout their career.

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

MR. QUITTER: Thank you, Mr. Crawford and Ms. Trench. As I mentioned earlier, there should be no discussions outside of the room about this hearing. The decision will be issued by the secretary, and you will receive a copy and will also be hosted on the NFPA website.
With that, we will close this session
and take a ten-minute recess at which time
we will reconvene for the next hearing.
Thank you. We'll go off the record now.

(Recess)

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

But before we do that, I want to point
out that we have steno typist who is going
to be recording the session. So for those
of you who are going to be speaking, I would
just ask that you state your name and
affiliation before you make each remark so
that we can capture that for the record.
And also if you could speak up. We've got a
large room, so please speak up to make sure
that the typist can hear you. So with that,
we'll go ahead and get started with the
introductions. We'll start to my right and
go around the table. And then after the
table is finished, we'll go to the perimeter
and we'll start to right.

MS. BELLIS:  Dawn Michelle Bellis,
NFPA staff.

MS. FULLER:  Linda Fuller, NFPA
staff.

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

MR. KEITH:  Gary Keith, member of
council.

MR. POOLE:  Jack Poole, member of
council.

MR. GOLINVEAUX:  James Golinveaux,
member of council.

MS. GLEASON:  Patricia Gleason,
member of council.
MR. REISWIG: Roger Reiswig, member of council.

MS. MANLEY: Bonnie Manley, member of council.

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

MR. VERNON: Oh, sorry.

THE COURT REPORTER: That's okay.

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

MR. SNYDER: Michael Snyder, member of council.

MR. BUSH: Kenneth Bush, member of council.

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

MR. QUITTER: James Quitter, member of council.

MR. JOHNSTON: Mike Johnston,
member of council, and on this issue I will be recusing myself. I will not participate as member of the Standards Council on any of the debates or deliberations on this particular hearing and agenda item.

MS. GALLAGHER: Suzanne Gallagher, NFPA staff.

MS. GERSHA: Debra Gersha, NFPA staff.

MR. SCHROEDER: Glenn Schroeder, NetOne.

MR. SPECTOR: Ivan Spector, for TMA.


MR. CLARY: Shane Clary, Bay Alarm Company.

MR. CLOUTIER: Mark Cloutier, NFPA staff.

MR. ROUX: Richard Roux, NFPA staff.

MR. TOLENTINO: Chris Tolentino, NFPA staff.
MR. O'CONNOR: Brian O'Connor, NFPA staff.

MR. DEHN: Heath Dehn, NFPA staff.

MR. HOHENGASSER: Eric Hohengasser, NFPA staff.

MR. COLONNA: Guy Colonna, NFPA staff.

CHAIRMAN BELL: All right. Thanks everyone for the introductions. And with that, we'll go ahead and get start with this hearing, which is related to agenda item 18-8-5a-1 and also 18-8-5b-1 on NFPA 110. And as I understand it, Mr. Vernon, you will be speaking in support of your appeal to overturn the technical committee's ballad result certifying motions 110-1 and 110-2 thereby asking the council to issue those amendments; is that correct?

MR. VERNON: That is correct.

CHAIRMAN BELL: All right. Thank you. And I understand Mr. Vernon is going to be speaking for this appeal. Is there anyone else going to be speaking for or
against this appeal? Seeing none, we'll go ahead and start the process.

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

MR. VERNON: Okay.

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

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

MR. VERNON: Okay. Thank you. My name is Walt Vernon. I'm with a company called Mazzetti, so I suppose I'm representing myself.
I guess the first thing I want to do is thank you for the opportunity to serve. I've been a member of NFPA for more than two decades now, and it's been a privilege to serve in many ways. I also want to state that I have no conflict of interest in this particular issue.

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

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

The first thing that I wanted to point out, the arguments that were made by the committee in rejecting the proposals during 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
24 The second batch of comments, if I
sort of broadly categorize them, had to do with the need for more detail around operating and testing procedures. The -- to some degree, I think that reflects a misunderstanding of the members of the panel on how fuel cells operate, how they operate as part of the system and how they would operate in this context.

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

And I submit to you that if we do not accept the proposals that I've submitted, we will end up with a situation in which both NFPA 70 and NFPA 99 are permitting using fuel cells for emergency power supply systems, and we have no language that requires testing or maintenance.
Even if you agree with the committee that we need more testing and maintenance language, at least putting these proposals into the document provide a way to enforce needed manufacturing recommended testing and maintenance. So I think that's an extremely important point.

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

I've been involved in a lot of NFPA committees. I would have been delighted to have worked with this committee to improved language, to do anything to help with this situation. And during the comment period, in particular, I requested an opportunity to interact with the committee, and I was limited to two minutes on a conference call,
and that was it. And so I think the committee didn't afford the opportunity to resolve these comments in a way that would have given, maybe, a better outcome.

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

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

CHAIRMANN BELL: Thank you, Mr. Vernon. Any questions from the council?

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

MR. VERNON: Yes.

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

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

CHAIRMANN BELL: Yes. State your name and affiliation.

MR. VERNON: Okay. Walt Vernon with Mazzetti. And, by the way, for the purposes of this, I'm just representing myself not the company. I don't know if you
care. Anyway, Walt Vernon wit Mazzetti. It was during the second revision process.

MR. GOLINVEAUX: All right. Thank you.

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

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

CHAIRMAN BELL: Go ahead.

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

MR. VERNON: This is Walt Vernon
with Mazzetti. We talked about reaching out to NFPA staff to say we have -- NITMAM by reaching a conclusion, and NFPA staff told us we couldn't do that. The only thing we do is -- with the NITMAM or drop it.

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

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

CHAIRMAN BELL: Other than what I shared with you.

THE COURT REPORTER: Thank you.

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

MR. VERNON: Yes. This is Walt Vernon with Mazzetti. I felt like the fact that the 110 Committee relied on rationale having to do with whether or not fuel cells were an acceptable alternative power source overstepped their jurisdiction. Their jurisdiction had to do with maintenance and
operations not whether or not this was an appropriate technology for that purpose.

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

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

CHAIRMAN BELL: Thank you. Mr. Poole?

MR. POOLE: Jack Poole, member of council. I'm not familiar with fuel cells. Help me understand your definition of what a fuel cell is. That's part one of my question. And part 2 is, if it is a battery, why do you feel it should be covered under 110 and not 111?
MR. VERNON: A fuel cell is not a battery. A fuel cell is active addition that could consume a source of hydrogen and converts it using chemical processes into heat and electricity.

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

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

MR. VERNON: Walt Vernon with Mazzetti. I think it is essentially the wild, wild west. Yes, 110 -- So 99 and 70 permit their use. There is no currently no guidance anywhere, no requirements anywhere
for any testing and maintenance of fuel cells.

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

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

MR. VERNON: Yeah. Walt Vernon from Mazzetti. So I am not a fuel cell expert. So I will give you my best knowledge on this topic. First off, the
fuel cells are designed in a modular way, and they are designed in strains of modules, so the redundancy is built into their systems. The status of each module is continually being monitored at least by some manufacturers to insure their current state.

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

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

But, you know, these things have been running data centers around the country for many years with frankly higher levels of
reliability than what we're --

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

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

In particular in the healthcare section, which I am most familiar, and that's where I serve, there is a requirement for operation within send seconds. There is a requirement for redundancy. There are requirements to ensure that reliability of the system. Those, I believe, are not repeated in 700, 701, the other application...
that refers to fuel cells as emergency power sources. So I do think there are performance requirements for healthcare.

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

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

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

MR. VERNON: Well, I guess in some respects, I think this is a correlation
issue. I think the world would be a better place if NFPA makes this change. I don't think the earth will stop spinning if you don't. And I am certainly willing to work with this committee either on a TIA, if you adopt it and it needs further work or for the next cycle.

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

CHAIRMAN BELL: Thank you. And with that, I'm going to go ahead and close this hearing. But before I do that, I want to thank you for taking time out of your valuable schedule to come here to Quincy and share this valuable information with us and
participate in the NFPA standards and development process.

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

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

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

CHAIRMAN BELLIS: Okay. So the next hearing we have is related to agenda item 18-8-3d-1, and I didn't not see anybody else enter the room so we have everybody on the record.
So at this point I'm going to recuse myself for this hearing, and I will not be participating in the deliberations of the vote -- okay only no matter. And I've asked council member Jim Quitter to chair this a hearing, and I'll turn the floor over to Jim.

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

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

MR. QUITTER: Anyone else? Okay. Although we did self introductions earlier, since we're starting with the new item, I think it is worthwhile to have the appellants re-introduce themselves so that we're familiar with you. And I think,
Mr. Simpson, this is your appeal, so why don't you start.


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

MR. SPECTOR: Ivan Spector, TMA.

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

MR. SIMPSON: Yes.

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

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

At that point, we'll open it up for questions from council, and at the conclusion, again, as a group, you'll have
five minutes to provide your summary.

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

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

DR. CLARY: Thank you, Mr. Chair, Madam Secretary and Members of Council.

We're here on the matter of 18-8-3-e, which I won't go back through all the written material, which you have had the opportunity to review. A couple of points that we do wish to make during this public hearing is that while the original proposal during the first draft was defeated or resolved by the technical committee CSSS as well as the public comments during the second draft meeting, a notice of intent to make a motion was filed, and it was approved by the motions committee of the council and the certified motion No. 6 regarding to NFPA 72, 72-6 and during the tech session in Las Vegas, Nevada, there was an overwhelming 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.
But the vote clearly indicated by the numbers that there were far more individuals that were in the room that were not part of the Monitoring Association that also voted in favor of the motion as opposed to those voting against the motion.

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

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

But in this case what we're asking here is that a listed central station as listed by both UL, FM or ETL should be allowed to monitor signals acting as a
remote station and should not always have to require the permission of the authority having jurisdiction.

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

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

So this doesn't eliminate competition through the use of the standard and saying that I am the AHJ, I do not approve you unless you use this station over here, and by the way this is the only station that can
So this does also prohibit those that may operate at a proprietary station. There's a number of firms in the nation that do operate proprietary stations, but if they happen to have one of their facilities in one of these jurisdictions, they are prohibited from using their proprietary station. And then it also, of course, has -- it does not give the consumer any choice as well. This goes into the economics of the pricing. And my degree -- one of my degrees is in economics, so I do know a little bit about pricing structures and how price and cost is developed.

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

So the consumer has no choice. They may want to use a listed supervising station, but if a jurisdiction using this allowance within NFPA 72 that they would not
And Mr. Warren stated in his chair comments, Communication centres, fire stations or other governmental locations --

THE COURT REPORTER: I'm sorry.

Could you go back and start reading that again. I'm not getting all of your words. Could you go back and start reading that more slowly?

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

This is for Central station service. So if a protected premise, either because of their internal protocols or because the insurance requirements require that a -- that the signals do go to a central station or central station service, again, this would be prohibited by AHJ -- invoking that only certain stations can be used.
And in this case I am not aware of any
12 -- of any -- in 1221 as Mr. Warren did
state that can provide central station
service either through UL, FM or ETL.

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

So in this case as far as this
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
MR. SPECTOR: Ivan Spector, TMA.

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

MR. QUITTER: Okay.

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

THE COURT REPORTER: I'm sorry.

You have to repeat that.

MR. SIMPSON: 2019 NFPA 72 will allow listed central supervising stations to monitor central station alarm systems; build, design, monitor proprietary supervising stations, monitor household fire
alarm systems but requires AHJ permission to monitor remote supervising stations. Or if it's a CAM -- confusion and place equivalency on the listed supervising station. That ends my comments. Thank you.

MR. QUITTER: Thank you.

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

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

DR. CLARY: Shane M. Clary, Bay Alarm Company in response to the question. If you look at some of the testimony that was made by those in opposition of the CAM, they eluded to without any specific documentation -- it was more anecdotal -- that there are safety issues because of any delays in signal response of the 90 seconds. I am not aware though -- and I have
been in this industry for 45 years -- of any
issues that -- between the time the
supervisor station received the signal and
re-transmitted it to a fire department that
it involved deaths or catastrophic loss or
anything like that. So we do not feel that
there is safety issue.

MR. QUITTER: Mr. O'Connor.

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

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

First of all, we do have to follow --
we do need to follow the requirements that
are found within NFPA 72, and that then
refers to you over to NFPA 8927, which is
what we're regulated by for the
construction, for the staffing, for our
primary power, our secondary power, how we
have redundancies in our data center, our
communications links into the supervising
station.

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

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

We would comment though that it is not
within 1221 is that the piece app, they may get involved with other things that may occurring. There could be a fire going on someplace that there are combinations of police and fire -- a pursuit, active shooter, something like that. So, you know, if the staff is going to be dedicated fully to monitoring the signals coming in from the fire alarm system. In a listed supervising station, that's all the staff does where they're strictly more monitoring of the signals and then the proper disposition of those signals.

As far as the cost to the end user, it's all embedded within the cost of the monitoring service -- services. I mean, if you lay it out over the total number of counts a particular alarm company has, probably the cost is embedded in there for the system, supervising station is probably -- it's probably a dollar or so of the overall cost, maybe two. I mean, you are, of course, covering the wages and stuff like
this. You're covering all the marketing fees. You're covering all the insurance requirements and stuff like that. But it's not -- you know, it's not an overwhelming amount, per se.

MR. QUITTER: Go ahead.

MR. SIMPSON: Vector Security. We're based in Philadelphia, Pennsylvania. Our parent company --

MR. QUITTER: State your name.

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

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

From the perspective of an annual budget, it's a significant amount of expense
for us to operate that central station.

Monitoring costs on systems ranges from a low of $11 a month to fees of over $100 a month. The $11 a month comes from large national brands who go out to reverse auctions for seeking monitoring -- lower monitoring. So the range is very, very low to very, very high depending on the type of services it has. Thank you.

MR. QUITTER: Thank you.

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

MR. SIMPSON: Sure. The makeup of -- Richard Simpson, Vector Security. The makeup of the Supervising Station Committee we have one seat which represents by TMA. We have one seat on the technical committee for anything related to the supervising station. So we don't believe that that's a
fair representation of how that committee is made up.

MR. QUITTER: Mr. Poole.

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

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

DR. CLARY: Shane M. Clary, Bay Alarm Company. Also to the council member's
question, as I stated in my comments, the
provision has been there in regards to
remote stations. And, again, I use the
example of Bernie's Tow Service in which
Bernie or someone could be monitoring in the
back.

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

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

DR. CLARY: To receive the signals
for the volunteer fire department. So
that's basically what they originally put in
there so that the AHJ would have the ability
to say, okay, you're a remote station, you need at least some minimum standards. Because a remote station by itself is not required to meet the requirements of UL 827 or have the automation requirements for stuff like that. This is also back in the '50s, 1960s, 1970s and so forth.

As we progressed through time and in this particular instance now, there are number of AHJs that are now kind of reversing that and saying that even a listed central station needs our approval, and we're not going to give you approval because we now, for whatever reason, wish these signals would go to our peace app. And even though you are a listed service station to -- UL 827, not here. And we feel that this can over time cause issues with the monopolistic areas or price increases that they may do and just does not basically allow a competitive fabric within those areas. It takes away all consumer choice, that, again, if you have a listed
supervising station, you've already met the
very stringent requirements either by UL or
FM or by ETL in how you operate and man and
handle the signals. So there is not a
safety factor either. And that is basically
kind of the gist why we now have some issues
with that particular clause within this
paragraph.

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

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

MR. QUITTER: And monopolizing --

DR. CLARY: Right now you do have
-- Shane Clary, Bay Alarm Company. I caught
myself. Right now you do have in these
areas right now where is it occurring, this -- area, it is monopolistic. Now, are there any cases yet of a price increase, I cannot directly answer to that question because Bay alarm does not operate in that market.

MR. SPECTOR: Ivan Spector, TMA.

Just to comment and expand on Dr. Clary's response. First of all, we've seen in other segments of the security industry where there have been responses to certain dynamics such as verified response which when it's in one area, it seems to impact other areas quite significantly. That's one issue.

And the second issue regarding the comments about the monopoly, this also impacts both the equipment manufacturers and specifications for the receiving equipment, which -- auto only to one type of receiving equipment, which is also another factor.

Thank you.

MR. QUITTER: Thank you.

MR. BUSH: Kenneth Bush, member of
council. And this is a follow up to a comment that was addressed earlier. It's my understanding that this change really does just remove the permission of the AHJ in order to -- I think -- have the alarms received at a central station.

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

DR. CLARY: Shane M. Clary, Bay Alarm Company in response to the council member's question. We would -- we fully understand that both within the fundamentals chapter of NFPA 72 and NFPA 1 and the international fire code and international building code that the AHJ in the end does have the right to approve, especially for fire alarm systems, submit shop drawings for approval and sprinkler systems submit the shop drawings for approval.
And we're not denying that the AHJ should have that approval. They need it. They need to do that. If not, we're going to have -- we're going to have chaos.

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

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

MR. QUITTER: Mr. O'Connor.

MR. O'CONNOR: Dan O'Connor, member of council. You said that your opposition was saying they were -- you think the reason
-- safety issue is that -- or any data or
they offered on -- I'm just trying to
understand what your point was on that.
Thank you.

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

MR. QUITTER: Mr. Johnston.

MR. JOHNSTON: Thank you,
Mr. Chair. Mike Johnston, member of
council. Mr. Simpson, in your comments or
your written testimony you have claims
related to fairness and due process. Are
you implying in there that the process was
not followed? That's the first part of the
question. The second part has to do with immediately following that is the technical committee balance of membership issue. I believe Mr. B asked about prior. Do you believe that symptom or it implied that there's an imbalance issue on the committee?

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

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

And then the second question was related to the committee makeup. We just
believe that we should have more than one
seat on the supervising station committee.
We're relegated to one seat, one voice.

MR. JOHNSTON: Thank you.

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

DR. CLARY: Thank you, Mr. Chair.

I'm Shane M. Clary, Bay Alarm Company. I
guess my final comments would be is that I
do know you have what's referred to as the
default decision. And I would urge that
once you go into executive session this
afternoon, that you are automatically going
to go to the default decision but that you
do look at everything in totality on this
particular item. Thank you.

MR. SIMPSON: I would just ask that
you take a look at what the proposal was
that a listed supervising station -- other
public facilities and government agencies.
That's all we're asking to remove that
modifier and give us the equivalent chance
that we believe we deserve based on the
listing services in NFPA 72. Thank you.

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

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

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

(Recess)

CHAIRMAN BELL: Good morning,
everyone. I will call this hearing to
order. My name is Kerry Bell, and I have
the pleasure to serve as chair for the NFPA
Standards Council. In a moment here we're going to go around the room and have everybody introduce themselves.

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

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

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

MS. BELLIS: Dawn Michelle Bellis, NFPA staff.

MS. FULLER: Linda Fuller, NFPA staff.

MR. O'CONNOR: Daniel O'Connor, member of council.
MR. KEITH: Gary Keith, member of council.

MR. POOLE: Jack Poole, member of council.

MR. GOLINVEAUX: James Golinveaux, member of council.

MS. GLEASON: Patricia Gleason, member of council.

MR. REISWIG: Rodger Reiswig, member of council.

MS. MANLEY: Bonnie Manley, member of council.

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

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

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

MR. SNYDER: Michael Snyder, member of council.

MR. BUSH: Kenneth Bush, member of council.

MR. BEEBE: Chad Beebe, member of council.

NOTE: This is the unedited transcript of the August 14, 2018 Standards Council meeting. It has not been proofed for accuracy.
MR. QUITTER: James Quitter, member of council.

MR. JOHNSTON: Michael Johnston, member of council.

MS. GALLAGHER: Suzanne Gallagher, NFPA staff.

MS. GERSHA: Debra Gersha, NFPA staff.

MR. CLOUTIER: Mark Cloutier, NFPA staff.

MR. ROUX: Richard Roux, NFPA staff.

MR. TOLENTINO: Chris Tolentino, NFPA staff.

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

MR. DEHN: Heath Dehn, NFPA staff.

MR. HOHENGASSER: Eric Hohengasser, NFPA staff.

MR. COLONNA: Guy Colonna, NFPA staff.

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

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

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

CHAIRMAN BELL: Okay.

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

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

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

CHAIRMAN BELL: Will anybody be
speaking against the appeal? Seeing none --

okay. So from a process standpoint, what

we're going to do here is allow you a total

of ten minutes to make any opening remarks

you'd like to share with us.

And then after that we're going to

open it up for questions from the council,

and then we'll close out the hearing and

allow you as a group five minutes to make

any closing remarks.

Okay. I want to make sure you

understand we have all the written material

you've provided to us. There's no need to

be repetitive of that in the interest of

time. But with that, do you have any

questions?

MR. MCSHEFFREY: No.

CHAIRMAN BELL: Again, I'll remind

you to state your name and affiliation

before making any remarks. So with that,

I'll turn the floor over to you for opening

remarks.

MR. LARSON: Thank you very much.
My name is Mark Larson, and I am here today to speak on behalf on en-Gauge to this matter that you have before us. And should you have any questions, we've got John and Jim here to answer any technical stuff.

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

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

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

When I left that position, I was serving on the board of directors for the
National Association of State Fire Marshals and have been active in their model codes development for over a decade.

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

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

And, as we all have learned, no matter how good the policies and procedures are, you're only as good as the people carrying them out. If everything just relied on procedures to have a good outcome, we would
never have to change anything.

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

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

You know, you've tried hard to make sure that everybody is represented, everybody is equal, and nobody has an overwhelming influence. But our sheets show that because of the uniqueness of the fire extinguisher industry, the links, there's close economic ties between a large number of them. And one of the documents that you've also got shows the percentage of
members present when these critical changes were voted on in NFPA 10. And we'd like you to please pay attention to that.

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

They were the first state to require electronic monitoring of fire extinguishers. Prior to 2012, the electronic monitoring of fire extinguishers became part -- accepted in NFPA and IFCC and Joint Accreditation. And after 2012 when New Hampshire adopted that, changes were made to negate the positive impact of electronic monitoring. And throughout your studies, please pay attention to that.

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

Well, to be honest, nobody noticed.

As an authority having jurisdiction, I didn't notice the subtle changes in NFPA 10. As a business, they should have noticed.

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

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

And as a former authority having jurisdiction, one of the subtle changes that were affected by the 10 Committee was stating that the owner or his agents gets to
decide if this is a requirement. And that change was used to reverse the actions of the State of New Hampshire and throw out the requirements of electronic monitoring.

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

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

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

And one of the things that was
submitted to you was a letter from Bill Degnan, a former -- now a former fire marshal for the State of New Hampshire. He wrote this, and I want to read just a couple of paragraphs from it, and it's part of your documentation.

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

The actions of some in the NFPA 10 Committee are clearly not in the best interest of public safety and serve to undermine the many years of good work to review the process of electronic monitoring and implementing it as a means in New
Hampshire to increase the reliability of fire extinguishers."

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

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

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

And I have a question here for you, did you submit any proposed revisions during any of the revision cycles since 2010 which is the one as I understand it had the electronic monitoring in there? Were there
any revisions that you submitted beyond
that, that standard issue?

MR. LARSON: From what I understand
no.

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

CHAIRMAN BELL: Please state your
--

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

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

We worked with the members of the
committee both in Chicago as well as in
Baltimore and then never worked with it
again. Followed it, there was never a
proposal pro or con pertaining to technology
from 10 -- onward 10 and 13 as we observed
it. And then it -- just hadn't paid
attention. By that point, it was in the code and ingrained and didn't pay attention beyond that.

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

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

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

CHAIRMAN BELL: Okay.

MR. GOLINVEAUX: James Golinveaux, member of council. I have your handout here with some new information, for me anyway. In your statement and also in the writing, you're making some claim that the process was corrupted due to a single entity, and I believe your statement was there was particular interest. In looking at both of 21 against and 3 in favor of the vote, is your claim that that particular interest
influenced 21 members to throw the committee 
off balance of some sort? I'm just trying 
to understand your claim that --

MR. LARSON: Sure.

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

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

And, to be honest, yeah, I think that
there was an influence. Now, could that
have affected all 21? I don't know. I'm not privy to what people are thinking. But I do know as a participant in many committees oftentimes those that are the most vocal, the strongest proponents of something will get others to go along, whether it's a direct influence or indirect. I can't speak to why those people voted, but I can offer our observations.

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

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

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

MR. LARSON: And we spell it out that there's -- on part of the forms that NFPA -- that we submitted to NFPA was explaining why it's an emergency nature.
And on one of the pages of my -- the handout today, we spell out five others or four others that we feel demonstrated that this is an emergency. The various technical aspects that if left unchecked could have a significant negative impact on other NFPA standards.

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

Those were some of the examples we highlighted in the TIA application and that I restated here in the handout you just got today.
MR. MCSHEFFREY: John McSheffrey speaking. Back in March of this year, we started getting phone calls from some of the end-users that had this technology deployed in different parts of the United States. And they were being harassed by their fire extinguisher distributors saying that this technology that they invested in for better life safety and continual accountability was no longer good, was no longer valuable.

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

The electronic monitoring was in the joint commission and recognized by joint commission for the last eight years as an equivalent to the 30 day physical inspection. The change that's been put forth now puts in an accreditation question to hospitals around the United States that have this technology installed.
The New Hampshire state fire marshal asked for assistance on this back in March because he was under attack in his state using language from the changes that were put forth. He is now the retired New Hampshire state fire marshal, and the fire code in New Hampshire has now changed specifically stating language that was put forth in the last process saying that the AHJ has to yield to the end user or the end user's agent.

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

Obviously, we would have acted on this sooner had we known, but we did not know. And we did not know because NFPA 10 never asked us our opinion. They never came to us about our opinion on electronic monitoring. They never came to any of the customers who had this technology and asked their opinion
about this technology before they adopted
ten different changes pertaining to
electronic monitoring.

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

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

MR. QUITTER: Jim Quitter, member
of council. I'm just trying to get in my
own head what's going on here. I think NFPA
10 used to see electronic monitoring as an
equivalent to periodic inspections, and
they've taken that out that as an
equivalent.

MR. MCSHEFFREY: Correct.

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

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

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

If you look at the exhibit that we've
shared, which is the NAFED document, it
shows that 90 percent -- and this is their
numbers -- of fire extinguishers don't get
inspected on a monthly basis. Fire extinguishers that are electronically monitored are inspected 24/7, and they did not like the accountability of the technology. So they added stuff in there to make the technology moot.

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

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

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

MR. MCSHEFFREY: John McSheffrey speaking. Brooks Equipment is a member of NAFED and a member of FEMA, the Fire Equipment Manufacturers Association. They are some of the largest financial
participants in both those organizations.

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

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

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

It's no coincidence that Brooks Equipment made these proposals, and the
people who are attending those meetings were in the 50 to 60 percentile of the committee and economically tied to Brooks Equipment. We're talking purchase orders. We're talking invoices. We're talking financial transactions on a regular basis with Brooks Equipment.

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

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

MR. MCSHEFFREY: Sure, sure, sure. As a former member of NAFED and a former member of FEMA, I was familiar more
so on the FEMA side on how much each committee was funded by what members. I mean, we're all familiar with the trade associations that we're members with, and some people put in more money, and some people put in less money.

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

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

CHAIRMAN BELL: Just another follow-up.

MR. MCSHEFFREY: Certainly.

CHAIRMAN BELL: Are you saying that Brooks -- the NAFED representative, they received funds directly from Brooks to
attend committee meetings?

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

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

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

MR. MCSHEFFREY: Yes.

CHAIRMAN BELL: Is a paid
MR. MCSHEFFREY: Yes.

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

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

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

Well, Brooks is one of the members that paid for those organizations, paid for that consultant to be on board. Not every member of FEMA -- and I think, Kerry, you might have mentioned years ago FEMA --

there's 30 members of FEMA or 20 members of
FEMA, but there's only four members that are participating in the government relations program. There's only five or six that are participating in the code relations program. Brooks is participating in both, so, therefore, they're helping pay these people's salaries.

CHAIRMAN BELL: Thank you.

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

MR. MCSHEFFREY: Connect the dots. Yes, absolutely. The -- when you have a code consultant working for your trade association, that code consultant represents the interests of that trade association. They sure as heck don't not represent the interests of that trade association. And Brooks is the most powerful in FEMA, because they all want to sell to them. And Brooks
is the most powerful person in NAFED,
because they all want to buy from them.

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

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

But if you're adding it into the standard, none of the theft deterrent technologies that's out there is listed. None of it is listed. And they've also taken any reference -- there was reference
in the standard to non-fire alarm systems that if this technology was attached to a non-fire alarm system that it had to be listed, that has since been taken out.

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

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

They also have a wireless version of that that goes back to a central receiver
that, again, is not listed. We had to go through all sorts of gyrations to get our new concept device listed by UL. We spent a lot of money on it. And then, you know, when they added that theft deterrent, just the verbiage itself, into the standard -- they talk about an alarm device. I mean, that alone is -- alarm device to me means that you're evacuating the building or it's an initiation device. It's not a sounder on the fire extinguisher.

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

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

MS. GLEASON: Thank you.

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

MR. LARSON: Mark Larson. You
know, I can't speak to what's in the hearts
and minds of people as to how they might cast a vote. But I do know -- and I mentioned this earlier in a response -- that in meetings -- in any members of any committee, you've got those that are enthusiastic about their effort, and they give it a great deal of diligence and attention. And you've got other members of committees that are there because they got stuck with it or it looks good on a resume. They aren't as enthusiastic a participant as others might be.

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

And, again, I can't speak to why other committee members voted the way that they did, but I think we've certainly pointed out that there's an interconnection between a large number of them, and it's -- I was cautioned not to use an Idaho phrase, but I
I think I'm going to because of the nature of the questions here. You know, if it looks like a duck and it sounds like a duck and it walks like a duck, there's a pretty good chance it's a duck.

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

MR. LARSON: Well tabbed I might add.

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

MR. LARSON: Mark Larson. Well, I would think that I could -- if I was on the other side of the argument, I could stand here and say legitimately we have checked all of the boxes, we did everything.

Absolutely. We had our copy of the rules out, we checked boxes, we did this, we did
this.

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

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

MR. LARSON: Uh-huh.

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

MR. LARSON: I do, I do. I suggest that NFPA Standards Council follow the
regulations pointed out in 5.7, and it gives you a number of opportunities to take different approaches, and the last one is you can pretty much do whatever you want.

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

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

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

MR. ROSE: Jim Rose. I would just like to say that the actions of the committee have basically taken an inspection requirement that monitors the device, a life-saving device, 24/7 seven days a week,
365 days a year, and basically they have said that going back to a 10 minute once a month manual inspection is better than electronic monitoring of that device, which is unheard of in this day and age of -- you know, with Cloud-based technology and internet and things, we're providing data, we're monitoring that device 24/7. We're making that device accountable.

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

MR. MCSHEFFREY: A vindictive business move following something that happened in the State of New Hampshire in 2012 has lessened life safety, has lessened the impact of technology, has taken the NFPA process and said it can be manipulated if
you have the right people in the process, and it has said we can turn the clock backwards.

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

So we are hoping that the standards council will look at the evidence and look at the connections and look at what's there in front of you and when it happened and why it happened and how it happened and correct a wrong and don't allow this precedent to be established all the way across the board. And we thank you very much for listening to us.
CHAIRMAN BELL: With that, I'm going to conclude this hearing. And before I do I want to thank each of you for taking the time out of your day or your schedules to come here and share this information with us and also actively participate in the NFPA standards process.

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

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

CHAIRMAN BELL: It will be in the near future.

MR. LARSON: Fair enough.

CHAIRMAN BELL: Within 10 days of
MR. LARSON: Thank you.

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