Standards Council Meeting
Final Minutes
Quincy, Massachusetts
August 23-25, 2023

Members in Attendance:

James Quiter, Chair Randy Krause
Anthony Apfelbeck Jack Poole
Michael Crowley Rodger Reiswigg
Jeffrey Foisel Dwayne Sloan
Richard Gallagher Catherine Stashak
Michael Johnston Victoria Valentine
David Klein

NFPA Staff in Attendance:

Dawn Michele Bellis, Secretary, Standards Council
Christian Dubay, Vice President, Codes and Standards and Chief Engineer
Suzanne Gallagher, Deputy General Counsel
Barry Chase, Standards Lead
Chad Duffy, Standards Lead
Laura Moreno, Standards Lead
Gregory Harrington, Staff Liaison and Acting Standards Lead
Delisa Fleming, Committee Membership Coordinator
Paige Peterson, Senior Coordinator, Standards Council

<table>
<thead>
<tr>
<th>23-8-1</th>
<th>The Council heard the Report of the Committee Membership Task Group (M. Johnston, Chair).</th>
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<tr>
<td>23-8-1-a</td>
<td>The Council voted to approve the Report of the Committee Membership Task Group with amendments as recommended by the Task Group.</td>
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<td>Changes in committee membership approved by the Council are included as Minutes Attachment 23-8-1-a.</td>
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<td>Council Member Anthony Apfelbeck recused himself from deliberations and vote on all City of Altamonte Springs applicants; Council Member Mike Crowley recused himself from deliberations and vote on all Coffman Engineers applicants; Council Member Jeffrey Foisel recused himself from deliberations and vote on all Dow, DEKRA, and the NFPA Industrial Fire Protection Section applicants; Council Member Richard Gallagher recused himself from deliberations and vote on all Zurich Services, Corp. applicants; Council Member Michael Johnston recused himself from no deliberations or vote on applicants; Council Member David Klein recused himself from deliberations and vote on all Department of Veterans Affairs applicants; Council Member Jack Poole recused himself from deliberations and vote on all Poole &amp; Associates, SFPE, and AFSA applicants; Council Chair James Quiter recused himself for deliberations and vote on his personal applications; Council Member Rodger Reiswigg recused himself from deliberations and vote on all Johnson Controls, AFSA and NEC-AAC applications; Council Member Dwayne Sloan recused himself from deliberations and vote on all UL applications; Council Member Catherine Stashak recused herself from deliberations and vote on all Illinois Office of the State Fire Marshal and Illinois Emergency Management Agency applicants; and Council Member Victoria Valentine recused herself from deliberations and vote on all</td>
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<td>23-8-1-b</td>
<td>The Council heard an update on the ongoing review of the Multi-Representative Policy.</td>
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<td>23-8-1-c</td>
<td>The Council voted to deny the request of National Association of Fire Equipment Distribution (“NAFED”), for reconsideration of NAFED applicants to the Technical Committee on Energy Storage Systems (ESS-AAA), after review and consideration.</td>
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<td>23-8-1-d</td>
<td>Council reviewed information regarding the current composition of the International Association of Electrical Inspectors (“IAEI”) and recently announced organizational changes. Following review, the Council requested NFPA staff clarify specific questions related to IAEI representation and participation on NFPA standards development committees, and to report findings back to the Council at the November 2023 meeting.</td>
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<td>23-8-1-e</td>
<td>The Council heard an update on the approach to growth of, and participation in, the NFPA 1 Committee Membership.</td>
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<td>23-8-2</td>
<td>The Council heard the Report of the Policy and Procedures Task Group (J. Foisel, Chair). No action was taken.</td>
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<td>23-8-3</td>
<td>The Council heard a report on the March 2023 Council meeting minutes (ballot approval of April 13, 2023).</td>
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### ISSUANCE OF STANDARDS
(Including Approvals and Amendments)

| 23-8-4 NFPA 1 | The Council voted to issue NFPA 1®, Fire Code®, with no amendments and 27 concurrently issuing Tentative Interim Amendments. No appeals were filed on this standard. Issuance date of August 25, 2023, and an effective date of September 14, 2023. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this standard. |
| 23-8-5 NFPA 14 | The Council voted to issue NFPA 14, Standard for the Installation of Standpipes and Hose Systems, with one amendment. No appeals were filed on this standard. Issuance date of August 25, 2023, and an effective date of September 14, 2023. |
| 23-8-5-a CAM 14-10: Reject Second Revision No.36. This motion (CAM 14-10) passed vote of the participating Membership during the NFPA Technical Meeting and passed ballot of the responsible Technical Committee. The Council voted to issue this amendment. |
| 23-8-6 NFPA 30A | The Council voted to issue NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages, with no amendments. One appeal was filed on this standard. Issuance date of August 25, 2023, and an effective date of September 14, 2023. |
| 23-8-6-a CAM 30A-30: Accept Public Comment No.34. This motion (CAM 30A-30) passed vote of the participating Membership during the NFPA Technical Meeting but failed ballot of the responsible Technical Committee. The Council voted to not issue this amendment. |
| 23-8-6-b Decision #23-7 At its meeting of August 23-25, 2023, the Standards Council considered appeal from Kevin Cheong of ChargePoint, Inc. The appeal requests that the Standards Council uphold the vote of the Association during the NFPA Tech Session to Accept Public Comment No. 34 for the 2024 Edition of NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages. Specifically, the appeal |
requests to revise multiple paragraphs throughout the standard for the purpose of shifting scope of certain requirements in NFPA 30A to NFPA 70®.

As background, the Technical Committee on Automotive and Marine Service Stations rejected Public Comment No. 34 at second draft on multiple sections throughout NFPA 30A. A Notice of Intent to Make a Motion (NITMAM) was filed by Ms. Megan Hayes, National Electrical Manufacturers Association, to accept Public Comment No. 34 and was certified by the Motions Committee, then presented for debate during the NFPA Technical Meeting as Certified Amending Motion (“CAM”) 30A-30. At the 2023 NFPA Technical Meeting, CAM 30A-30 achieved the necessary simple majority support of the membership, however failed to achieve the necessary support of the technical committee when balloted. Mr. Cheong filed an appeal with the Council based upon the unsuccessful result of balloting on CAM 30A-30.

The text subject to the appeal of CAM 30A-30 did not gain sufficient support within the standards development process for inclusion in the 2024 edition of NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages. The appeal requests that the Council overturn the results yielded by the standards development process. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The Council finds no such basis demonstrated in this matter.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that paragraph 1.2 of the 2024 edition of NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages will return to previous edition text and Sections 1.1.6, 3.3.7, 3.3.8, 3.3.9, 3.3.10, 3.3.16, 3.3.20, and Chapter 15 are deleted as no previous edition text exists.

As a final note: during the appeals hearing, questions were raised regarding potential overlap of scope responsibilities related to electric charging at fueling stations. To address these questions, Council requests that NFPA staff create a balanced Task Group of representatives from the technical committees responsible for NFPA 30A, NFPA 70, NFPA 385, and NFPA 855 to coordinate and recommend which technical committee is responsible for which aspects of Electric Vehicle charging at motor fueling, dispensing facilities, and repair garages. Additionally, the task group should identify if Technical Committee scopes are affected by the task group’s determinations; recommend text for TIA(s) to address, if appropriate; and report back to Council during or before the April 2024 scheduled Council meeting.

<p>| 23-8-7 | <strong>NFPA 54</strong> | The Council voted to issue NFPA 54, National Fuel Gas Code, with no amendments and one concurrently issuing Tentative Interim Amendment. No appeals were filed on this standard. Issuance date of August 25, 2023, and an effective date of September 14, 2023. |
| 23-8-8 | <strong>NFPA 58</strong> | The Council voted to issue NFPA 58, Liquefied Petroleum Gas Code, with one amendment and one concurrently issuing Tentative Interim Amendment. No appeals were filed on this standard. Issuance date of August 25, 2023, and an effective date of September 14, 2023. |
| 23-8-8-a | <strong>CAM 58-5/58-6/58-7</strong>: Reject Second Revision No. 16. This motion (CAM 58-5/58-6/58-7) passed vote of the participating Membership during the NFPA Technical Meeting and passed ballot of the responsible Technical Committee. The Council voted to issue this amendment. |
| 23-8-9 | <strong>NFPA 59</strong> | The Council voted to issue NFPA 59, Utility LP-Gas Plant Code, with no amendments. No appeals were filed on this standard. Issuance date of August 25, 2023, and an effective date of September 14, 2023. |</p>
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<td>23-8-10</td>
<td>NFPA 99</td>
<td>The Council voted to issue NFPA 99, <em>Health Care Facilities Code</em>, with no amendments and two concurrently issuing Tentative Interim Amendments. No appeals were filed on this standard. Issuance date of August 25, 2023 and an effective date of September 14, 2023.</td>
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<td>23-8-11</td>
<td>NFPA 101</td>
<td>The Council voted to issue NFPA 101, <em>Life Safety Code</em>, with one amendment. Two appeals were filed on this standard (one related to actions during revision cycle and one related to concurrently processed TIA—see 23-8-62-d). Issuance date of August 25, 2023, and an effective date of September 14, 2023. Standards Council Chair James Quiter, as well as Members Anthony Apfelbeck and Catherine Stashak recused themselves from the debate, deliberations, and vote on the issuance of this standard.</td>
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<td>23-8-11-a</td>
<td>CAM 101-10</td>
<td>Accept Public Comment No.53. This motion (CAM 101-10) passed vote of the participating Membership during the NFPA Technical Meeting, failed ballot of the responsible Technical Committee, and passed ballot of the Correlating Committee. The Council voted to not issue this amendment.</td>
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<td>23-8-11-b</td>
<td>Decision #23-11</td>
<td>At its meeting of August 23-25, 2023, the Standards Council considered an appeal from Steven Sawyer, Self-Employed. The appeal requests that the Standards Council Accept Public Comment No. 53 but with additional amendment to include “only” following “Valet trash collection services shall” prior to issuance of the 2024 edition of NFPA 101*, Life Safety Code*. Specifically, the appeal requests to revise subsection 31.7.5. As background, CAM 101-10 achieved the necessary support of the voting Association Members during the NFPA Technical Meeting. This amendment achieved the necessary support of the Correlating Committee on Safety to Life (CC) when balloted but failed to achieve the necessary support of the Technical Committee on Residential Occupancies (TC). On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The appellant (who was also the submitter of the CAM) expresses lack of support for the CAM and seeks further revision of the affected text, which has not been considered or balloted by the responsible technical committee. The record reflects the lack of consensus that the process has yielded. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the 2024 edition of NFPA 101*, Life Safety Code* will not include the text of Public Comment No. 53. Council encourages the appellant to consider filing a TIA to allow the responsible technical committee to fully consider the proposed revision. Council Members Catherine Stashak, Anthony Apfelbeck and James Quiter recused themselves from the deliberations and vote on the appeal.</td>
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<td>23-8-12</td>
<td>NFPA 211</td>
<td>The Council voted to issue NFPA 211, <em>Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances</em>, with no amendments. Seven appeals were filed on this standard (six related to issuance of the standard and one related to concurrently processed TIA—see 23-8-63-d). Issuance date of August 25, 2023, and an effective date of September 14, 2023.</td>
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At its meeting of August 23-25, 2023, the Standards Council considered appeals from Vincent DeCrisci, ChimneyTek, LLC; John Ceaser, Ceaser Chimney Services, Inc.; Steven T. Scally, Fireside Sweeps LLC; Derek Hannah, Higgins Energy Alternatives; Nathan Antrim, A Good Chimney Sweep & Masonry; and Peter Beardsley, Chimney Cricket Inc. The appeals all request that the Standards Council Reject First Revision No. 17 prior to issuance of the 2024 edition of NFPA 211, Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances. Specifically, the appeal requests to delete paragraph 15.4.2.4.

As background, the Technical Committee on Chimneys, Fireplaces, and Venting Systems for Heat-Producing Appliances voted to create paragraph 15.4.2.4 as First Revision No. 17, which was included in the published First Draft Report of NFPA 211 during the revision cycle. During the Public Comment period, Public Comment No. 11 was filed which sought to delete paragraph 15.4.2.4. Public Comment No. 11 was rejected by the Technical Committee. During the publicly posted period during which to submit a Notice of Intent to Make a Motion (“NITMAM”), no NITMAMs were submitted, for certification by the Motions Committee. As a result, and in accordance with the Regulations Governing the Development of NFPA Standards (“Regs”), public announcement of NFPA 211 (proposed 2024 edition) as a consent standard was posted on the NFPA website, with 15 days to appeal issuance. During this period, the appellants filed notice of appeal seeking Standards Council’s intervention to remove paragraph 15.4.2.4 before issuance of the new edition of NFPA 211.

Additionally, a Tentative Interim Amendment (namely TIA No. 1733) was filed seeking to remove paragraph 15.4.2.4 from the proposed edition and processed through balloting of the Technical Committee as the standard awaited the Council’s August meeting to act upon appeals. TIA No. 1733 failed to achieve the necessary three-quarters support of the Technical Committee as required by the Regs when balloted and therefore recommendation was to not issue the TIA. The results of the Technical Committee’s ballot were also appealed to the Standards Council (See Related Standards Council Decision No. 23-9).

In the submitted appeal, the appellants assert that during the revision cycle for the 2024 edition of NFPA 211, the inclusion of new paragraph 15.4.2.4 created text which allows customers to determine the scope of chimney inspections, specifically as to which flues are to be inspected, rather than inspectors and chimney professionals. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the 2024 edition of NFPA 211, Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances will include the text of First Revision No. 17.

Council noted that the appellants and other members of the chimney industry are new to NFPA’s standards development process. (See Related Standards Council Decision No. 23-9). Council encourages interested stakeholders to participate through the submission of public inputs and public comments in the next revision cycle of NFPA 211 or to consider applying for membership to the Technical Committee on Chimneys, Fireplaces, and Venting Systems for Heat-Producing Appliances which is responsible for the development of NFPA 211.

The Council voted to issue NFPA 286, Standard Methods of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth, with no amendments. Three appeals were filed on this standard. Issuance date of August 25, 2023, and effective date of September 14, 2023. Standards Council Jack Poole recused himself from the debate, deliberations, and vote on the issuance of this standard.
**Decision #23-8** At its meeting of August 23-25, 2023, the Standards Council considered appeals from Matthew Stepp, ASI Southeast, Inc., Tom Long, Exponent, Inc., and Scott Dillon, Engineering Systems, Inc. on behalf of Scranton Products. The appeals request that the Standards Council overturn the results of CAMs 286-14, 286-15, 286-16 and thereby Reject Second Revision No. 1 for the 2024 Edition of NFPA 286, *Standard Methods of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth*. Specifically, the appeal requests to reject the newly proposed Section 5.12.

As background, Certified Amending Motions (CAMs) 286-14, 286-15, 286-16 (grouped by the Motions Committee as CAM 286-14/286-15/286-16) failed to achieve the necessary support of the vote of the NFPA eligible voting members during the NFPA Tech Session. These CAMs all sought to delete the newly proposed Section 5.12, which added new requirements for mounting bathroom partition systems during fire testing within NFPA 286.

At the hearing, Council heard from two appellants representing ASI Southeast, Inc., a manufacturer of high-density polyethylene (HDPE) toilet partitions; and three representatives of Bobrick, Inc., opposed the appeal. Bobrick makes toilet partitions but does not make HDPE partitions. All parties agree that prior to 2009, all toilet partitions were historically tested to ASTM E84, *Standard Test Method for Surface Burning Characteristics of Building Materials*. In 2009, the International Building Code (IBC) began requiring HDPE toilet partitions to pass NFPA 286 fire testing. Since 2009, HDPE partitions tested to NFPA 286 were mounted in accordance with specimen mounting requirements in NFPA 286. While Council heard testimony that there was no specific incident, safety concern, or loss that motivated a need to change mounting requirements, a representative of Bobrick reported that test labs, manufacturers, and fire professionals had questions about the “right” way to mount the specimen.

In May 2020, before the NFPA 286 First Draft meeting, a representative of Bobrick suggested a review of bathroom partition mounting requirements. In response, the responsible technical committee (TC) Chair formed the Bathroom Partition Task Group (the Task Group) “to prepare a public input for NFPA 286 on mounting methods for bathroom partitions.” The seven Task Group members included K. Carpenter (chair), M. Hirschler, W. Koffel, B. Caldwell, A. Parker, P. Hough and W. Fitch. While a task group need not be balanced by interest, Council noted that there was multiple representation of a toilet partition manufacturer who does not make HDPE partitions, and no representation from the HDPE partition industry on the Task Group.

The Task Group did not develop Public Inputs (PIs) and there were no other PIs submitted to address new or different mounting requirements for bathroom partitions. However, the TC developed Committee Input (CI) No. 4, which proposed a new Section, and included a number of requirements for specimen mounting of bathroom partition systems. There was no documentation, report, or other technical or scientific information to support the input and the TC’s statement was “[p]roposed new criteria for bathroom partitions.” The First Draft meeting minutes from March 2021 only notes that the Task Group was to “continue their work for Second Draft meetings.”

Bobrick proposed Public Comment (PC) No. 2, which further revised the mounting requirements in CI No. 4. The TC accepted PC No. 2, which became Second Revision (SR) No. 1, and subsequently passed ballot of the TC. There was also a Supplemental ballot on SR No. 1 to further clarify the intent of the TC on the new mounting requirements.

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2. See page 150-151 of the Hearing Transcript for statements from Mr. Fitch.
3. See page 139 of the Hearing Transcript for statements from Mr. Koffel.
4. While the formation of this Task Group does not appear in any NFPA 286 agendas or meeting minutes, Mr. Koffel, representing Bobrick, noted that its formation was documented in NFPA 252 First Draft meeting minutes on May 20, 2020.
The Appellants point out that there was no report, or other technical or scientific data to support the particular mounting requirements proposed in SR No. 1. Additionally, appellants assert that the mounting requirements do not reflect how bathroom partition assemblies are mounted or used in the field as required in another part of the standard. Appellants contend that without understanding the technical reasons for the revision, it is difficult to apply the requirements. This reasoning is consistent with the statements from other HDPE bathroom partition manufacturers who spoke in support of the CAMs at the NFPA technical meeting. Some suggested that the new mounting criteria would cause HDPE bathroom partitions to fail NFPA 286, and effectively eliminate HDPE partitions.

Opponents of the Appeal acknowledge there is no data or reports on the record to support the new mounting requirements. The opponents assert, however, there is test data to support the requirements proposed in SR No. 1, but that the data is proprietary and therefore, no reports or data are available to the public at this time.

On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does have a clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process.

The standards development record on this topic relies heavily on reports and data that are proprietary, which gives appellants and others affected by the mounting requirements no opportunity to meaningfully understand, comment on, challenge, or agree with the basis for the change in requirements that will affect them.

Accordingly, the Council has voted to uphold the appeal. The effect of this action is that the 2024 edition of NFPA 286, *Standard Methods of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth* will not include the text of Second Revision No. 1, as recommended by the responsible Technical Committee.

The Council directs the formation of a balanced task group to review the requirements at issue in this appeal, consider whether Tentative Interim Amendment may be appropriate, and to report back to Council at its November meeting on progress being made.

Council Member Jack Poole recused himself from the deliberations and vote on the appeal.

### 23-8-14
#### NFPA 505

The Council voted to issue NFPA 505, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversations, Maintenance, and Operations*, with no amendments. One appeal was filed on this standard. Issuance date of August 25, 2023, and an effective date of September 14, 2023.

### 23-8-14-b
#### APPEAL DECISION

**Decision #23-12** At its meeting of August 23-25, 2023, the Standards Council considered an appeal from Bruce Swiecicki, of National Propane Gas Association. The appeal requests that the Standards Council Reject Second Revision No. 4 prior to issuance of the 2024 edition of NFPA 505, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversations, Maintenance, and Operations*. Specifically, the appeal requests to revise paragraph 9.1.2.10 and delete paragraph 9.1.2.11.

As background, Second Revision No. 4 achieved the necessary support of the Technical Committee on paragraphs 9.1.2.10 and new paragraph 9.1.2.11. The resulting proposed text was published in the Second Draft of NFPA 505. A Notice of Intent to Make a Motion (NITMAM) was filed by Mr. Swiecicki to Reject Public Comment No. 4 and was certified by the Motions Committee, then presented for debate.
during the NFPA Technical Meeting as Certified Amending Motion (“CAM”) 505-1. At the 2023 NFPA Technical Meeting, CAM 505-1 achieved the necessary simple majority support of the membership. The CAM, however, failed to achieve the necessary support when balloted by the Technical Committee in accordance with Table 1 of the Regulations Governing the Development of NFPA Standards. Mr. Swiecicki filed an appeal with the Council based upon the unsuccessful ballot results of CAM 505-1.

The text subject to the appeal of CAM 505-1 did not gain sufficient support within the standards development process for inclusion in the 2024 edition of NFPA 505, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations*. The appeal requests that the Council overturn the results yielded by the standards development process. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that paragraph 9.1.2.10 of the 2024 edition of NFPA 505, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations* will return to previous edition text.5

| 23-8-15-a | **Decision #23-13** At its meeting of August 23-25, 2023, the Standards Council considered an appeal from Marcelo Hirschler, GBH International. The appeal requests that the Standards Council overturn the results of CAM 5000-1 and Accept Public Comment No. 32 for the 2024 edition of NFPA 5000, *Building Construction and Safety Code*. Specifically, the appeal requests to revise paragraph 8.2.1.1. As background, the Technical Committee rejected Public Comment No. 32 at second draft on section 8.2.1.1 of NFPA 5000. A Notice of Intent to Make a Motion (NITMAM) was filed by Mr. Hirschler to Accept Public Comment No. 32 and was certified by the Motions Committee, then presented for debate during the NFPA Technical Meeting as Certified Amending Motion (“CAM”) 5000-1. At the 2023 NFPA Technical Meeting, CAM 5000-1 failed to achieve the necessary simple majority support of the membership. Mr. Hirschler filed an appeal with the Council based upon the unsuccessful result of CAM 5000-1. The text subject to the appeal of CAM 5000-1 did not gain sufficient support within the standards development process for inclusion in the 2024 edition of NFPA 5000, *Building Construction and Safety Code*. The appeal requests that the Council overturn the results yielded by the standards development process. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The Council finds no such basis demonstrated in this matter. |

5 Note: Proposed paragraph 9.1.2.11 which was included in Second Revision No. 4 failed to achieve the necessary support during the revision cycle. Therefore, in accordance with the results yielded, paragraph 9.1.2.11 will not be included in the 2024 edition of NFPA 505.
The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the 2024 edition of NFPA 5000, *Building Construction and Safety Code* will not include the text as proposed in Public Comment No. 32.

### TENTATIVE INTERIM AMENDMENTS

**23-8-16 NFPA 1**
The Council voted to issue proposed Tentative Interim Amendment No. 1705 to revise paragraphs 2.4 and 11.1.7.3.1 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

**23-8-17 NFPA 1**
The Council voted to issue proposed Tentative Interim Amendment No. 1706 to revise paragraphs 11.1.5.2 and F.3 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Members Anthony Apfelbeck and Dwayne Sloan recused themselves from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

**23-8-18 NFPA 1**
The Council voted to issue proposed Tentative Interim Amendment No. 1707 to revise paragraphs 2.4, 50.4.6.1, 50.4.6.3, 50.4.9.2, and 50.5.3.1 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

**23-8-19 NFPA 1**
The Council voted to issue proposed Tentative Interim Amendment No. 1708 to revise paragraphs 2.4 (NFPA 55 Extracts, various paragraphs in 3.3 and Chapter 63 of the 2024 edition of NFPA 1®, *Fire Code®*). The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

**23-8-20 NFPA 1**
The Council voted to issue proposed Tentative Interim Amendment No. 1709 to revise (NFPA 58 extracts) 2.4, various paragraphs in 3.3, and Chapters 42, 50 and 69 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

**23-8-21 NFPA 1**
The Council voted to issue proposed Tentative Interim Amendment No. 1710 to revise paragraphs 43.1.4.1.4 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the
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<td>23-8-22</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1711 to revise paragraphs (NFPA 855 extracts) 2.4, 3.3.104, various paragraphs in Chapter 52, and F.3 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-23</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1712 to revise paragraphs (NFPA 25 extracts) 3.3 and Various paragraphs in Chapter 13 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-24</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1713 to revise paragraphs (NFPA 45 extracts) 2.4, 3.3.35, and Various paragraphs in Chapter 26 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Members Anthony Apfelbeck and Dwayne Sloan recused themselves from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-25</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1714 to revise paragraphs (NFPA 88A extracts) 2.4, 3.3.199.26 and A.3.3.199.26 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-26</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1715 to revise paragraphs (NFPA 90A extracts) 2.4, 13.7.4.1.5.1, 13.7.4.1.5.2, 13.7.4.1.5.2.1, 13.7.4.1.5.3 and 13.7.4.1.5.4 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-27</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1716 to revise paragraphs (NFPA 140 extracts) 2.4, and Various paragraphs in Chapter 32 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.</td>
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<td>Date</td>
<td>NFPA</td>
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<td>23-8-28</td>
<td>NFPA 1</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1717 to revise paragraphs (NFPA 211 extracts) 2.4 and 3.3.55 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Members Anthony Apfelbeck and Dwayne Sloan recused themselves from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-29</td>
<td>NFPA 1</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1718 to revise paragraphs (NFPA 220 extracts) Tables 1.12.2, A.12.2.1 and F3 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-30</td>
<td>NFPA 1</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1719 to revise paragraphs (NFPA 45 extracts) 2.4, 3.3, and Various paragraphs in Chapter 21 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-31</td>
<td>NFPA 1</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1720 to revise paragraphs (NFPA 440 extracts) 2.4 and 3.3.6 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-32</td>
<td>NFPA 1</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1721 to revise paragraphs (NFPA 1030 extracts) 2.4 and 3.3.250 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Members Anthony Apfelbeck and Dwayne Sloan recused themselves from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-33</td>
<td>NFPA 1</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1736 to revise paragraphs (NFPA 101 extracts) Various in Chapters 2, 3, 4, 6, 10 and 11 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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<td>23-8-34</td>
<td>NFPA 1</td>
<td>The Council voted to issue proposed Tentative Interim Amendment No. 1737 to revise paragraphs (NFPA 5000 extracts) Various in Chapters 1, 2, 3, 4, and 18 of the 2024 edition of NFPA 1®, <em>Fire Code®</em>. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.</td>
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The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

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<tr>
<th>Date</th>
<th>NFPA 1</th>
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| 23-8-35 | The Council voted to issue proposed Tentative Interim Amendment No. 1738 to revise paragraphs (NFPA 30 extracts) 3.3, Various paragraphs in Chapters 42, 63 and 66 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment. |
| 23-8-36 | The Council voted to issue proposed Tentative Interim Amendment No. 1739 to revise paragraphs (NFPA 30A extracts) 3.3.279.1 and Various paragraphs in Chapter 42 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment. |
| 23-8-37 | The Council voted to issue proposed Tentative Interim Amendment No. 1740 to revise paragraphs (NFPA 51B extracts) 2.4, 3.3, and Various paragraphs in Chapter 41 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment. |
| 23-8-38 | The Council voted to issue proposed Tentative Interim Amendment No. 1741 to revise paragraphs (NFPA 96 extracts) 2.4, and Various paragraphs in Chapter 50 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment. |
| 23-8-39 | The Council voted to issue proposed Tentative Interim Amendment No. 1742 to revise paragraphs (NFPA 5000 extracts) 2.4, 3.3, and Various paragraphs in Chapter 60 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment. |
| 23-8-40 | The Council voted to issue proposed Tentative Interim Amendment No. 1743 to revise paragraphs (NFPA 30A extracts) 3.3.199.22 and Various paragraphs in Chapter 30 of the 2024 edition of NFPA 1®, *Fire Code®*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment. |
emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

| 23-8-41 | NFPA 1 | The Council voted to issue proposed Tentative Interim Amendment No. 1744 to revise paragraphs (NFPA 101 extracts) Various definitions in 3.3 and paragraphs in Chapters 12-14, 16, 20, 21, and 25 of the 2024 edition of NFPA 1®, Fire Code®. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on this Tentative Interim Amendment.

| 23-8-42 | NFPA 1 | The Council voted to issue proposed Tentative Interim Amendment No. 1745 to revise paragraphs (NFPA 5000 extracts) Various definitions in 3.3 and paragraphs in Chapters 12, 13, and 25 of the 2024 edition of NFPA 1®, Fire Code®. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Anthony Apfelbeck recused himself from the debate, deliberations, and vote on this Tentative Interim Amendment.

| 23-8-43 | NFPA 2 | The Council voted to issue proposed Tentative Interim Amendment No. 1700 to revise paragraph 7.1.21 of the 2023 edition of NFPA 2, Hydrogen Technologies Code. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

| 23-8-44 | NFPA 2 | The Council voted to issue proposed Tentative Interim Amendment No. 1701 to revise paragraph 6.11.1 of the 2023 edition of NFPA 2, Hydrogen Technologies Code. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

| 23-8-45 | NFPA 2 | The Council voted to issue proposed Tentative Interim Amendment No. 1725 to revise paragraph 8.3.1.2.6.1 of the 2023 edition of NFPA 2, Hydrogen Technologies Code. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

| 23-8-46 | NFPA 2 | The Council voted to not issue proposed Tentative Interim Amendment No. 1730 to revise Table 8.3.2.3.1.6(c) of the 2023 edition of NFPA 2, Hydrogen Technologies Code. The TIA failed to achieve the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

| 23-8-47 | NFPA 14 | The Council voted to issue proposed Tentative Interim Amendment No. 1704 to revise paragraphs 7.8.3.2, A.7.8.3.2(1), A.7.8.3.2(3) of the 2024 edition of NFPA 14, Standard for the Installation of Standpipe and Hose Systems. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

Standards Council Member Rodger Reiswig recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

| 23-8-48 | NFPA 25 | The Council voted to not issue proposed Tentative Interim Amendment No. 1698 to revise paragraphs 8.3.5.8 and 8.3.5.8.1 of the 2023 edition of NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems. The TIA failed to achieve the necessary support
of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

23-8-49
NFPA 30B
The Council voted to issue proposed Tentative Interim Amendment No. 1729 to revise paragraphs 4.3.5(1) and 4.3.5(2) of the 2023 edition of NFPA 30B, Code for the Manufacture and Storage of Aerosol Products. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

23-8-50
NFPA 31
The Council voted to issue proposed Tentative Interim Amendment No. 1702 to revise paragraphs 2.3.4, and 7.2.8.1 of the 2020 edition of NFPA 31 and A.7.2.8.1, and F.1.2.5 of the 2024 edition of NFPA 31, Standard for the Installation of Oil-Burning Equipment. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

23-8-51
NFPA 54
The Council voted to issue proposed Tentative Interim Amendment No. 1726 to revise various paragraphs of the 2024 edition of NFPA 54, National Fuel Gas Code. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

23-8-52
NFPA 55
The Council voted to issue proposed Tentative Interim Amendment No. 1697 to revise paragraph 8.12.2.6.3 of the 2023 edition of NFPA 55, Compressed Gases and Cryogenic Fluids Code. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

23-8-53
NFPA 58
The Council voted to issue proposed Tentative Interim Amendment No. 1703 to revise paragraphs 6.31.5.2 and 6.31.5.2(E) of the 2024 edition of NFPA 58, Liquefied Petroleum Gas Code. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

23-8-54
NFPA 70
The Council voted to issue proposed Tentative Interim Amendment No. 1692 to revise paragraphs 700.32 (C), 701.32(C), and 708.54(C) of the 2023 edition of NFPA 70®, National Electrical Code®. The TIA achieved the necessary support of the Code-Making Panel on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Michael Johnston recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

23-8-55
NFPA 70
The Council voted to not issue proposed Tentative Interim Amendment No. 1695 to revise paragraph 110.14 of the 2023 edition of NFPA 70, National Electrical Code®. The TIA failed to achieve the necessary support of the Code-Making Panel on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Michael Johnston recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.

23-8-56
NFPA 70
The Council voted to issue proposed Tentative Interim Amendment No. 1699 to revise paragraph 408.6 of the 2023 edition of NFPA 70, National Electrical Code®. The TIA achieved the necessary support of the Code-Making Panel on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council.

Standards Council Member Michael Johnston recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment.
| 23-8-57 | **NFPA 70** | The Council voted to issue proposed Tentative Interim Amendment No. 1731 to revise paragraph 400.47 of the 2023 edition of NFPA 70®, *National Electrical Code*®. The TIA achieved the necessary support of the Code-Making Panel on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member Michael Johnston recused himself from the debate, deliberations, and vote on the issuance of this Tentative Interim Amendment. |
| 23-8-58 | **NFPA 99** | The Council voted to issue proposed Tentative Interim Amendment No. 1696 to revise paragraphs A.3.3.145.1, A.3.3.145.2, A.3.3.145.3, and A.3.3.145.4 of the 2024 edition of NFPA 99, *Health Care Facilities Code*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. |
| 23-8-59 | **NFPA 99** | The Council voted to not issue proposed Tentative Interim Amendment No. 1722 to revise paragraph 5.1.3.7.4(4) of the 2024 edition of NFPA 99, *Health Care Facilities Code*. The TIA failed to achieve the necessary support of the Technical Committee on technical merit and emergency nature, but achieved necessary support of the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Member David Klein recused himself from the debate, deliberations, and vote on this Tentative Interim Amendment. |
| 23-8-60 | **NFPA 99** | The Council voted to issue proposed Tentative Interim Amendment No. 1723 to revise paragraphs 9.3.8 and 9.3.8.1 of the 2024 edition of NFPA 99, *Health Care Facilities Code*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature and the Correlating Committee on correlation when balloted prior to submission to the Standards Council. |
| 23-8-61 | **NFPA 99** | The Council voted to not issue proposed Tentative Interim Amendment No. 1735 to revise paragraphs 14.1.3.4, 14.1.4, and 14.4 of the 2024 edition of NFPA 99, *Health Care Facilities Code*. The TIA failed to achieve the necessary support of the Technical Committee on technical merit and emergency nature, as well as the Correlating Committee on correlation when balloted prior to submission to the Standards Council. |
| 23-8-62 | **NFPA 101** | The Council voted to not issue proposed Tentative Interim Amendment No. 1728 to revise paragraph 10.7.1.3 of the 2024 edition of NFPA 101®, *Life Safety Code*®. The TIA failed to achieve the necessary support of the Technical Committee on technical merit and emergency nature, but achieved necessary support of the Correlating Committee on correlation when balloted prior to submission to the Standards Council. Standards Council Chair James Quiter recused himself from the debate, deliberations, and vote on this Tentative Interim Amendment. |
| 23-8-62-d | **APPEAL DECISION** | **Decision #23-5** At its meeting of August 23-25, 2023, the Standards Council considered appeal from Stanley Harbuck of School of Building Inspection, representing the American Public Health Association (APHA). The appeal requests that the Standards Council overturn the Technical Committee on Interior Finish and Contents (TC) ballot results and issue TIA No. 1728 for the 2024 Edition of NFPA 101®, *Life Safety Code*®. Specifically, the appeal requests to add a new paragraph 10.7.1.3. As background, TIA No. 1728 was processed concurrently with the 2024 revision cycle. When balloted, the TIA failed to achieve the necessary ¾ support of the TC, both on technical merit and on emergency nature. The TIA did, however, achieve the necessary support of the Correlating Committee on Safety to Life (CC) on correlation when balloted. |
This TIA sought to amend the requirements in Section 10.7 related to modular rooms and sleep pods which were added during the 2024 revision cycle. The responsible TC created First Revision (FR) No. 6583 in response to Public Input (PI) Nos. 299 and 300 submitted on behalf of UL, LLC regarding modular rooms and sleep pods. The statement from the PI submitter discussed a UL listing for fabrication and safety of the modular room and proposed a change “as a means for AHJs to approve these installations.” The TC substantiation statement largely referenced the submitter’s statement and noted that “[t]he new text provides a means for AHJs to approve these installations and allow the use of these prefabricated structures.” There was only one Public Comment (PC) (specifically, No. 10) on this revised section, which was from the Correlating Committee and described as an “[e]ditorial revision…”

At the First Draft meeting of the Correlating Committee, a task group was formed. The Task Group was chaired by Howard Hopper and charged with reviewing the proposed modular room and sleep pod requirements for their applicability and consistency across the Code. The Task Group convened and provided recommendations. At the Second Draft meeting, the CC created Second Correlating Revision (SCR) No. 8, which limited the application of the new Section 10.7 on modular rooms and sleep pods to “newly installed modular rooms and sleep pods lacking sufficient justification for its application to existing conditions.”

The appellant makes several arguments. The first argument is that revised Section 10.7, as proposed through the revision cycle, is inconsistent with the applicable UL standard. The standards development record shows that UL participated in the development of this revision and, notably, proposed the text with reference to the applicable UL standard. UL did not raise any concern regarding inconsistencies with its standard, and in fact, the TC’s statement in developing FR No. 6583 showed reliance on UL’s PIs on modular rooms and sleeping pods.

The appellant also contends that the TC did not fully consider all information presented during the revision cycle. However, the standards development record shows considerable attention to this topic, including the formation of a Correlating Committee task group. Council notes the record shows no Notice of Intent to Make a Motion (NITMAM) on this section following the publication of the Second Draft.

Appellant also asserts that it was improper for a proponent of a proposal to vote on such proposal (e.g., a submitter of a PI, who is also a member of the TC, to vote on the PI). Council wishes to note the Regulations Governing the Development of NFPA Standards (Regs) generally allows for a proponent of a proposal to vote in instances where the submitter is a member of the responsible TC (subject to the Guide for Conduct of Participants in the NFPA Standards Development Process). Section 3.3.3 of the Regs describes that development of NFPA standards is governed, in order of precedence by the Regs, supplemental operating procedures, and finally by Robert’s Rules of Order. In this case, UL was the only submitter of any proposals, and there was no information on the record to demonstrate a reason why UL should have abstained from any vote. No further specifics are reflected in the record as to why the appellant believed it was improper for a proponent to vote on a proposal.

On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The record does not reflect a reason for Council to substitute its technical judgment for the TC’s position.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process.

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6 This is not absolute. For example, if a TC member is classified as a Special Expert and is hired by an outside organization to represent such organization’s interests on the TC, the Special Expert is required under the Guide for Conduct to abstain from voting on any matter pertaining to such representation.
Accordingly, the Council has voted to deny the appeal. The effect of this action is that the 2024 edition of NFPA 101, *Life Safety Code* will not include the text proposed by TIA No. 1728. Council Members James Quiter and Dwayne Sloan recused themselves from the deliberations and vote on this appeal.

| Decision #23-9 | At its meeting of August 23-25, 2023, the Standards Council considered an appeal from Jessica and Benjamin Marking of Pinkletink Chimney Service LLC. The appeal requests that the Standards Council overturn the Technical Committee on Chimneys, Fireplaces, and Venting Systems for Heat-Producing Appliances ballot results and issue TIA No. 1733 for the 2024 Edition of NFPA 211, *Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances*. Specifically, the appeal requests to delete paragraph 15.4.2.4. As background, the TIA was balloted through the Technical Committee on Chimneys, Fireplaces, and Venting Systems for Heat-Producing Appliances in accordance with the *Regulations Governing the Development of NFPA Standards* (Regs) to determine whether the necessary three-fourths majority support was achieved on technical merit and emergency nature for recommendation of issuance. TIA No. 1733 failed to achieve the necessary support of the Technical Committee on both technical merit and emergency nature. The appellants filed an appeal with the Council based upon the unsuccessful result of balloting TIA No. 1733. In the submitted appeal, the appellants assert that during the revision cycle for the 2024 edition of NFPA 211, the inclusion of new paragraph 15.4.2.4 created text which allows customers to determine the scope of chimney inspections, specifically as to which flues are to be inspected, rather than inspectors and chimney professionals. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the 2024 edition of NFPA 211, *Standard for Chimneys, Fireplaces, Vents and Solid Fuel-Burning Appliances* will include the text of paragraph 15.4.2.4 as supported by the results of the NFPA standards development process. Council noted that the appellants and other members of the chimney industry are new to NFPA’s standards development process. (See Related Standards Council Decision No. 23-10). Council encourages interested stakeholders to participate through the submission of public inputs and public comments in the next revision cycle of NFPA 211 or to consider applying for membership to the Technical Committee on Chimneys, Fireplaces, and Venting Systems for Heat-Producing Appliances which is responsible for the development of NFPA 211.

| 23-8-63 NFPA 211 | The Council voted to not issue proposed Tentative Interim Amendment No. 1733 to revise paragraph 15.4.2.4 of the 2024 edition of NFPA 211, *Standard for Chimneys, Fireplaces, Vents, and Solid-Fuel-Burning Appliances*. The TIA failed to achieve the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

| 23-8-64 NFPA 855 | The Council voted to issue proposed Tentative Interim Amendment No. 1727 to revise paragraph 15.3.1, 15.12, and 15.13 of the 2023 edition of NFPA 855, *Standard for the Installation of Stationary Energy Storage Systems*. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

| 23-8-65 | The Council voted to issue proposed Tentative Interim Amendment No. 1746 to revise paragraphs 9.5.3.1.1.2, 9.5.3.1.1.3, and A.9.5.3.1.1.3(3) of the 2023 edition of NFPA 855, *Standard for the*
The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

The Council voted to issue proposed Tentative Interim Amendment No. 1724 to revise paragraph 8.2.8.1 of the 2023 edition of NFPA 2112, Standard on Flame-Resistant Clothing for Protection of Industrial Personnel Against Short-Duration Thermal Exposures from Fire. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

The Council voted to not issue proposed Tentative Interim Amendment No. 1732 to revise paragraph 6.3.1.1 of the 2023 edition of NFPA 2112, Standard on Flame-Resistant Clothing for Protection of Industrial Personnel Against Short-Duration Thermal Exposures from Fire. The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature when balloted prior to submission to the Standards Council.

Decision #23-6 At its meeting of August 23-25, 2023, the Standards Council considered appeal from Sheida Sabetian and Mark Kaviani of Summit International. The appeal requests that the Standards Council overturn the Technical Committee on Flash Fire Protective Garments (TC) ballot results and not issue TIA No. 1732 for the 2023 Edition of NFPA 2112, Standard on Flame-Resistant Clothing for Protection of Industrial Personnel Against Short-Duration Thermal Exposures from Fire. Specifically, the appeal requests to retain paragraph 6.3.1.1.

As background, Section 6.3 on “Venting Materials” used in flame resistant garments was newly added to NFPA 2112 during the 2023 revision cycle and contains requirements for venting materials that are covered by fabric and also venting materials not covered by fabric. TIA No. 1732 was submitted by Amanda Newsom, whose substantiation described a “conflict” in this new section 6.3 and proposed a change that requires all venting materials to be covered. TIA No. 1732 achieved the necessary ¾ support of the TC on technical merit and emergency nature when balloted by the responsible committee.

The appellant asserts that TIA No. 1732 prohibits the use of uncovered venting materials without any data, tests results, field incidents or other information to support making this change. The substantiation for the TIA states that “uncovered fabric panels can be made of a potentially less protective flame resistance fabric…” and “could leave wearers vulnerable to increased burn injury,” but no documentation, incidents, or other safety, technical or scientific information was submitted to support the TIA.

The foundational premise for the TIA was that there was a “conflict” in Section 6.3 because the submitter believed that “[v]enting materials...were intended to be covered.” However, the standards development record on this section shows there was intention to allow a limited amount of uncovered venting materials in flame resistant garments. In fact, the current Section 6.3 was added to NFPA 2112 in response to Public Input No. 7 (“PI No.7”) from Amanda Newsom, who also submitted this TIA. PI No. 7 specifically included an allowance for venting materials not covered by fabric as long as such uncovered vents did not exceed 72 in² of the flame-resistant garment. The TC accepted PI No. 7 (successfully balloting First Revision No. 45 to reflect this text) to allow for a certain amount of uncovered venting materials with committee statement confirming that the revision was “adding design requirements to limit the use of venting materials…” The record did not reflect the TC’s intent to eliminate uncovered venting materials; rather, it appears to be an intended exception.

On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does present a clear and substantial basis
upon which to overturn the results yielded by the NFPA standards development process. The TC Chair submitted a written statement in response to the instant appeal and requested this TIA return for further consideration by the TC in light of the issues raised by the appellant. The Council agrees that this matter warrants full discussion and review. Accordingly, the Council has voted to uphold the appeal. The effect of this action is that the 2023 edition of NFPA 2112, *Standard on Flame-Resistant Clothing for Protection of Industrial Personnel Against Short-Duration Thermal Exposures from Fire* will not include the text of TIA No. 1732.

As a final note and Council action, based upon the information presented during the course of the hearing, the Council directs NFPA staff to form a balanced Task Group that includes the appellant to review the changes proposed by the TIA and report back to Council at its April 2024 meeting.

Council Member Dwayne Sloan recused from the deliberations and vote on the appeal.

**GENERAL BUSINESS**

**23-8-68**
**NFPA 1990**

**23-8-69**
**NFPA 850**
The Council voted to approve the request to change the revision cycle of NFPA 850, *Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations*, and to reopen for Public Input with a closing date of January 4, 2024. This approval is to allow the technical committee sufficient time for task group work to continue towards plan to amend NFPA 850 from a recommended practice to a standard during the upcoming revision cycle. Additionally, Council directs that notice of this proposed change be published and for staff to report back to Council with results at the final Council meeting of 2023 scheduled for November 29th-30th.

**23-8-70**
**NFPA 418**
The Council voted to approve the request of the Technical Committee on Helicopter Facilities (HHH-AAA) to revise its committee scope as follows:

This Committee shall have primary responsibility for documents on the fire protection criteria for the design and construction of elevated and ground level heliports, helistops, vertiports and vertistops and helipads; fire protection requirements for heliports, helistops, vertiports and vertistops and helipads; and requirements for rescue and firefighting operations at heliports, helistops, vertiports and vertistops and helipads.

**23-8-71**
**NFPA 70**
The Council voted to approve the request of the National Electrical Code Correlation Committee for reassignment of Code-Making Panel responsibilities for identified articles of NFPA 70 as follows:

<table>
<thead>
<tr>
<th>CMP</th>
<th>Articles/Parts of Articles</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>305 - General Requirements for Wiring Methods and Materials for Systems Rated Over 1000 Volts ac, 1500 Volts dc, Nominal</td>
</tr>
</tbody>
</table>

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| 6 | 615 - Medium Voltage Conductors, Cable, Cable Joints, and Cable Terminations  
    | 395 - Outdoor Overhead Conductors over 1000 Volts |
| 7 | 682 - Natural and Artificially Made Bodies of Water |
| 8 | 669 - Busways, Part IV Requirements for Over 1000 Volts, Nominal  
    | 312 - Cabinets, Cutout Boxes, and Meter Socket Enclosures  
    | 314 - Parts I, II and IV Outlet, Device, Pull, and Junction Boxes; Conduit Bodies; Fittings; and Handhole Enclosures |
| 9 | 312 - Cabinets, Cutout Boxes, and Meter Socket Enclosures  
    | 314 - Parts I, II and IV Outlet, Device, Pull, and Junction Boxes; Conduit Bodies; Fittings; and Handhole Enclosures  
    | 408 - Switchboards, Switchgear and Panelboards  
    | 235 - Branch Circuits, Feeders, and Services over 1000 Volts ac, 1500 Volts dc, Nominal  
    | 245 - Overcurrent Protection for Systems Rated Over 1000 Volts ac, 1500 Volts dc  
    | 305 - General Requirements for Wiring Methods and Materials for Systems Rated Over 1000 Volts ac, 1500 Volts dc, Nominal  
    | 315 - Medium Voltage Conductors, Cable, Cable Joints, and Cable Terminations  
    | 368 - Busways, Part IV Requirements for Over 1000 Volts, Nominal  
    | 395 - Outdoor Overhead Conductors over 1000 Volts  
    | 460 - Capacitors, Part III Over 1000 Volts, Nominal  
    | 470 - Resistors and Reactors, Part III Over 1000 Volts, Nominal |
| 10 | 235 - Branch Circuits, Feeders, and Services over 1000 Volts ac, 1500 Volts dc, Nominal  
    | 245 - Overcurrent Protection for Systems Rated Over 1000 Volts ac, 1500 Volts dc  
    | 408 - Switchboards, Switchgear and Panelboards |
| 11 | 460 - Capacitors, Part III Over 1000 Volts, Nominal  
    | 470 - Resistors and Reactors, Part III Over 1000 Volts, Nominal |
| 17 | 682 - Natural and Artificially Made Bodies of Water |
Standards Council Member Michael Johnston recused himself from the debate, deliberations, and vote on the reassignment of Code-Making Panel responsibilities.

23-8-72

After much deliberation and thoughtful discussion, the Council voted to disband the High Rise Buildings Safety Advisory Committee at this time, recognizing that the Advisory Committee has accomplished all that was envisioned when established. The Standards Council would like to extend sincerest thanks, appreciation, and gratitude for the participation and contributions made by all members serving on HRBSAC through the years.

23-8-73

In response to the request from staff, the Council provided the following guidance regarding Standards Council Decision No. 23-2 (D#23-2) to support ongoing work of the Technical Committee on Emergency Responders Occupational Health:

The Technical Committee on Emergency Responders Occupational Health is responsible for developing minimum standards within its scope. Council’s guidance to the Technical Committee is that it must comply with applicable non-discrimination and employment laws if it is writing any requirements that affect the complex legal obligations and protections for fire departments, fire fighters and candidates. Any changes to the standard that come to Council for action will be reviewed for alignment with this direction. If the Technical Committee is unable to develop requirements that meet this expectation, Council will determine whether standards development should continue for all or part of the standard.

Standards Council Member Randy Krause recused himself from the consideration, deliberations, and vote on this matter.

REVISION CYCLES

23-8-74

The Council voted to approve requests to change the respective revision schedules as follows:

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>NFPA 915</td>
<td>2024</td>
<td>PI Closing: January 7, 2025</td>
</tr>
<tr>
<td>NFPA 58</td>
<td>2024</td>
<td>PI Closing: June 4, 2025</td>
</tr>
<tr>
<td>NFPA 550</td>
<td>2022</td>
<td>PI Closing: January 7, 2025</td>
</tr>
<tr>
<td>NFPA 551</td>
<td>2022</td>
<td>PI Closing: January 7, 2025</td>
</tr>
</tbody>
</table>

REPORTS BACK TO COUNCIL

23-8-75

The Council voted to approve an initial, balanced roster for the Cybersecurity Standing Advisory Committee. The Council additionally requested that staff follow-up with all individuals and organizations who expressed interest in participation with goal of adding further expertise and knowledge related to cybersecurity to the roster. Staff is to report back findings, or update on efforts, during the scheduled November 2023 Council meeting, as well as to work with the appointed members to draft a proposed scope for the advisory committee for Council consideration.
<table>
<thead>
<tr>
<th>23-8-76</th>
<th>The Council voted to approve the request to update the National Electrical Code Style Manual. The revised NEC Style Manual shall be effective for use beginning with the coming revision cycle of NFPA 70®, <em>National Electrical Code</em>® (2026 edition).</th>
</tr>
</thead>
<tbody>
<tr>
<td>23-8-77</td>
<td>Upcoming Council meetings:</td>
</tr>
<tr>
<td></td>
<td><strong>November 29-30, 2023</strong></td>
</tr>
<tr>
<td></td>
<td>Location to be determined</td>
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<td></td>
<td><strong>April 17-18, 2024</strong></td>
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<tr>
<td></td>
<td>Location to be determined</td>
</tr>
<tr>
<td></td>
<td><strong>August 27-29, 2024</strong></td>
</tr>
<tr>
<td></td>
<td>Quincy, Massachusetts</td>
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<td></td>
<td><strong>December 4-5, 2024</strong></td>
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<tr>
<td></td>
<td>Location to be determined</td>
</tr>
<tr>
<td>23-8-78</td>
<td>The Standards Council heard updates from the Council Secretary</td>
</tr>
</tbody>
</table>

Respectfully Submitted,

*Dawn Michele Bellis*

Dawn Michele Bellis,
Secretary, Standards Council