



*Dawn Michele Bellis*  
*Secretary, Standards Council*

18 December 2020\*

To: Interested Parties

Subject:

Standards Council Decision (Final):	<b>D#20-3</b>
Standards Council Agenda Item:	<b>SC#20-12-15-d</b>
Date of Decision:	3 December 2020
TIA No. 1537 on NFPA 70 <sup>®</sup> , <i>National Electrical Code</i> <sup>®</sup> , 2020 Edition	

Dear Interested Parties:

At its meeting of December 2-3, 2020, the Standards Council considered an appeal on the above referenced matter. The Council's Final decision is now available and is attached herewith.

Sincerely,

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

Dawn Michele Bellis  
Secretary, NFPA Standards Council

cc: S. Everett, S. Gallagher, J. Sargent, C. Duffy  
Members, NEC Code-Making Panel 2 (NEC-P02)  
Members, NEC Correlating Committee (NEC-AAC)  
Members, NFPA Standards Council (AAD-AAA)  
Individuals Providing Appeal Commentary

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



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**SUMMARY OF ACTION (for convenience only; not part of official decision):** The Standards Council voted to deny this appeal seeking to overturn the Code-Making Panel 2 and Correlating Committee ballot results and issue TIA No. 1537 on NFPA 70<sup>®</sup>, *National Electrical Code*<sup>®</sup>, 2020 edition.

**DECISION:**

At its meeting of December 2-3, 2020, the Standards Council considered an appeal from Matt Williams, Association of Home Appliance Manufacturers. The appeal requests that the Standards Council overturn the Code-Making Panel 2 and Correlating Committee ballot results and issue TIA No. 1537 on the 2020 Edition of NFPA 70<sup>®</sup>, *National Electrical Code*<sup>®</sup>. Specifically, the appeal requests that the Standards Council issue TIA No. 1537 which seeks to add a new Exception to Section 210.8(A)(7).

As background, TIA No. 1537 was balloted through Code-Making Panel 2 (CMP 2) and the National Electrical Code Correlating Committee (CC) 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, correlation and emergency nature required to establish recommendation for issuance. The ballot failed to achieve the necessary support of CMP 2 on both technical merit and emergency nature, while the CC ballot passed on correlation but failed on emergency nature.

When a TIA fails to achieve the recommendation of the responsible committees, the resulting recommendation of the standards development process is to not issue the TIA.

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 text of TIA No. 1537 will not be included in NFPA 70, *National Electrical Code*<sup>®</sup>, 2020 Edition.

During the hearing, the appellant proposed amended text to narrow the scope of the TIA. The Council wishes to encourage the appellants, as new participants to the NFPA standards development process, to work with NFPA staff on options of how to proceed through the process with the amended language proposed during the hearing.

Council Members Michael Johnston and John Kovačik recused themselves on the deliberations and vote on this issue.