



Dawn Michele Bellis
Secretary, Standards Council

18 December 2020*

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#20-4
Standards Council Agenda Item:	SC#20-12-18-d
Date of Decision:	3 December 2020
TIA No. 1521 on NFPA 99, <i>Health Care Facilities Code</i> , 2021 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, reading "Dawn Michele Bellis", is positioned below the word "Sincerely,".

Dawn Michele Bellis
Secretary, NFPA Standards Council

cc: S. Everett, S. Gallagher, G. Harrington, T. Vecchiarellil
Members, TC on Piping Systems (HEA-PIP)
Members, Correlating Committee on Health Care Facilities (HEA-AAC)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*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 uphold this appeal seeking to overturn the Correlating Committee ballot results and issue TIA No. 1521 on NFPA 99, *Health Care Facilities Code*, 2021 edition.

DECISION:

At its meeting of December 2-3, 2020, the Standards Council considered an appeal from Rob Early, Compressed Gas Association. The appeal requests that the Standards Council overturn the Correlating Committee ballot results and issue TIA No. 1521 on the 2021 Edition of NFPA 99, *Health Care Facilities Code*. Specifically, the appeal requests that the Standards Council issue TIA No. 1521 which seeks to revise paragraph 5.1.3.10.2.4.

As background, TIA No. 1521 was balloted through the Technical Committee on Piping Systems (TC) and the Health Care Facilities 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 passed HEA-PIP 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. There is such a basis demonstrated in this matter.

The NFPA TC on Piping Systems extracted the entirety of Chapter 17 (Cryogenic Fluid Central Supply Systems for Health Care Facilities) from NFPA 55, *Compressed Gases and Cryogenic Fluids Code* (2020 Edition), except for making a modification to the paragraph at issue in this Appeal. Making a modification to an extract is inconsistent with NFPA’s Extract Guideline, which “is intended to apply to extraction among NFPA standards...to harmonize and/or coordinate standards.” TIA No. 1521 addresses this inconsistency by restoring the extracted text from NFPA 55.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal presents a clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to uphold the appeal. The effect of this action is that the text of TIA No. 1521 will be included in NFPA 99, *Health Care Facilities Code*, 2021 Edition.

The Council wishes to note that if the Technical Committees responsible for NFPA 99 seeks to modify the paragraph extracted from NFPA 55, it should consider submitting a TIA to NFPA 55 or developing Public Input for the next edition of NFPA 55.

Council members Chad Beebe and Michael Crowley recused themselves from the deliberations and vote on this appeal.



Tentative Interim Amendment

NFPA[®] 99

Health Care Facilities Code

2021 Edition

Reference: 5.1.3.10.2.4

TIA 99-21-1

(SC 20-12-18 / TIA Log #1521)

Pursuant to Section 5 of the NFPA *Regulations Governing the Development of NFPA Standards*, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 99, *Health Care Facilities Code*, 2021 edition. The TIA was processed by the Technical Committee on Piping Systems, the Correlating Committee on Health Care Facilities and was issued by the Standards Council on December 3, 2020, with an effective date of December 23, 2020.

1. *Revise 5.1.3.10.2.4 to read as follows:*

5.1.3.10.2.4 Cryogenic fluid central supply systems shall have a minimum work space clearance of 3 ft (1 m) around ~~three sides of the storage container, three sides of the vaporizer(s), and the cabinet opening or front side of the pressure-regulating manifold for system maintenance and operation.~~ [55:17.2.4].

Issue Date: December 3, 2020

Effective Date: December 23, 2020

(Note: For further information on NFPA Codes and Standards, please see www.nfpa.org/docinfo)

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