



*Dawn Michele Bellis*  
*Secretary, Standards Council*

18 December 2020\*

To: Interested Parties

Subject:

Standards Council Decision (Final):	<b>D#20-5</b>
Standards Council Agenda Item:	<b>SC#20-12-11-d</b>
Date of Decision:	3 December 2020
TIA No. 1524 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 cursive script 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 17 (NEC-P17)  
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 uphold this appeal seeking to maintain the results yielded by the standards development process and not issue TIA No. 1524 on NFPA 70®, *National Electrical Code*®, 2020 edition.

***DECISION:***

At its meeting of December 2-3, 2020, the Standards Council considered an appeal from John Mueller, Olathe, Kansas. The appeal requests that the Standards Council maintain the results yielded by the standards development process and not issue TIA No. 1524 on the 2020 Edition of NFPA 70®, *National Electrical Code*®. Specifically, the appeal requests that the Standards Council not issue TIA No. 1524 which seeks to revise the definition of Storable Swimming, Wading, or Immersion Pools and Storable/Portable Spas and Hot Tubs included in Section 680.2.

As background, , TIA No. 1524 was balloted through Code-Making Panel 17 (CMP 17) 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 passed CMP 17 on both technical merit and emergency nature, while the CC ballot passed on correlation but failed to achieve the necessary support 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. In the present case, the action requested in the filing of the appeal by Mr. John Mueller is to uphold the results yielded by the standards development process.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. Accordingly, since the Appeal is consistent with the results of the process, the Council has voted to uphold the appeal. The effect of this action is that the text of TIA No. 1524 will not be included in NFPA 70, *National Electrical Code*, 2020 Edition.

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