Dear Interested Parties:

At its meeting of March 6-7, 2013, the Standards Council considered an appeal from Julie Heckman representing the American Pyrotechnics Association. The appeal requests that the Standards Council not issue proposed TIA No. 1094 on NFPA 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*, 2013 edition.

The Council has voted to deny the appeal and to issue the TIA. The effect of this action is that Sections 2.2, 6.1.3, 6.5.1, 6.5.1.1, 6.5.1.2, 7.3.1.1, 7.3.1.2, 7.3.6, 7.3.7, 7.3.7.1, 7.4.4.2, 7.4.5.1, 7.5.4, A.6.5.1, A.6.5.1.1, A.7.3.6, A.7.3.7, A.7.5.1.1 and Index will be modified so that the limitations on CFRS facilities and storage are set to the thresholds below which automatic sprinkler systems are not required.

Council Members, Daniel O’Connor and Donald Bliss recused themselves during the deliberation and vote on this issue.

**Notice on Short Decisions:** This is a “Short” decision, briefly stating the action on the appeals. A full Final Decision, containing further detail, will be issued in due course, and will automatically be sent to all interested parties as soon as it becomes available. Note that any

*NOTE: Participants in NFPA’s codes and standards making 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 NFPA 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 Date of Decision noted in the subject line of this letter.*
Petition to the NFPA Board of Directors (see *NOTE, in the footer on the first page of this letter) must be filed within 15 days of the date of this Short Decision (see Date of Decision, in the subject line on the first page). Once the Notice has been filed, however, the Petition itself, should it be pursued, will not be due until 15 days following issuance of the Final Decision.

Sincerely,

Amy Beasley Cronin
Secretary, NFPA Standards Council

c: D. Berry, M. Brodoff, L. Fuller, N. Pearce, G. Colonna, R. Coté, T. Vecchiarelli, M. Klaus, R. Solomon, G. Harrington
Members, Technical Committee on Pyrotechnics (PYR-AAA)
Members, Technical Correlating Committee on Automatic Sprinkler Systems (AUT-AAC)
Members, Technical Committee on Sprinkler System Discharge Criteria (AUT-SSD)
Members, Technical Correlating Committee on Building Code (BLD-AAC)
Members, Technical Committee on Fire Code (FCC-AAA)
Members, Technical Correlating Committee on Safety to Life (SAF-AAC)
Members, Technical Committee on Smoke Management Systems (SMO-AAA)
Members, NFPA Standards Council (AAD-AAA)
FPRF Fireworks Research Panel
Individuals Providing Appeal Commentary
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 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2013 edition. The TIA was processed by the Technical Committee on Pyrotechnics, and was issued by the Standards Council on March 7, 2013, with an effective date of March 27, 2013.

A Tentative Interim Amendment is tentative because it has not been processed through the entire standards-making procedures. It is interim because it is effective only between editions of the standard. A TIA automatically becomes a public input of the proponent for the next edition of the standard; as such, it then is subject to all of the procedures of the standards-making process.


2. Revise 6.1.3 to read as follows:

6.1.3 This chapter shall not apply to buildings or facilities where the net weight of the pyrotechnic content of consumer fireworks stored does not exceed 125 lb (56.7 kg).

3. Revise 6.5.1 and delete 6.5.1.1 to read as follows:

6.5 Fire Protection.

6.5.1* Consumer fireworks storage buildings shall be limited to no greater than 12,000 ft² (1115 m²) in area.

4. Revise 6.5.1.2 to read as follows:

6.5.1.2 Waterflow alarm devices, if installed, shall be arranged to activate audible and visible alarms throughout the facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

5. Revise 7.3.1.1 and 7.3.1.2 to read as follows:

7.3.1.1 The requirements of this chapter shall not apply to permanent CFRS facilities and Class A and Class B stores where the consumer fireworks are in packages, there are no quantities of aerial devices meeting the
descriptions in C.3.1.2, and the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

7.3.1.2 The requirements of this chapter shall not apply to temporary CFRS facilities and Class C stores where the consumer fireworks are in packages and where the total quantity of consumer fireworks on hand does not exceed 125 lb (net) [56.7 kg] of pyrotechnic composition.

6. Revise 7.3.6, 7.3.7 and 7.3.7.1 to read as follows:

7.3.6 CFRS Facilities and stores shall be limited to the following sizes:

(1) New permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 3000 ft² (278.7 m²) in area.
(2) Existing permanent CFRS facilities and stores in which CFRS are conducted shall be no greater than 7500 ft² (696.8 m²) in area.

7.3.7* Storage Rooms. Storage rooms containing consumer fireworks in a new permanent CFRS facility or store shall be separated from the retail sales area by a fire barrier having a fire resistance rating of not less than 2 hours.

7.3.7.1 Door and window openings in the fire barrier wall shall be protected by self-closing fire doors or fixed fire windows having a fire protection rating of not less than 90 minutes and shall be installed in accordance with NFPA80, Standard for Fire Doors and Other Opening Protectives.

7. Delete 7.4.4.2 in its entirety.

8. Revise 7.4.5.1 as follows:

7.4.5 Fire Protection.

7.4.5.1 Automatic Sprinkler System Alarm. Waterflow alarm devices, if installed, shall be arranged to activate audible and visual alarms throughout the CFRS facility in accordance with NFPA 72, National Fire Alarm and Signaling Code.

9. Delete 7.5.4 in its entirety.

10. Revise A.6.5.1 and delete A.6.5.1.1, A.7.3.6, A.7.3.7, and A.7.5.1.1 to read as follows:

A.6.5.1 Consumer fireworks storage buildings that are subdivided with fire walls meeting the requirements of NFPA 5000, Building Construction and Safety Code, so that no area exceeds 12,000 ft² (1114 m²) are each considered a separate building.

11. Under index entry Storage of Consumer Fireworks, subhead Fire Protection, delete the following:

Automatic Sprinkler System………….6.5.1, A.6.5.1

Issue Date: March 7, 2013
Effective Date: March 27, 2013

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