At its meeting of October 22-23, 2013, the Standards Council considered an appeal from Owen Stevens of Fiber Technology Corporation. The appeal requests that Tentative Interim Amendment (TIA) No. 1106 be issued on the 2013 edition of NFPA 22, Standard for Water Tanks for Private Fire Protection. Specifically, the appeal seeks to add a reference to AWWA D121, Bolted Aboveground Thermosetting Fiberglass-Reinforced Plastic Panel Type Tanks for Water Storage in Chapter 2 and Section 11.3.

As background, the proposed TIA No. 1106 was submitted for ballot and comment of the Technical Committee on Water Tanks (TC) in accordance with the Regulations Governing the Development of NFPA Standards (Regs). The ballot passed on merit but failed on emergency nature. Two public comments against the issuance of the proposed TIA, citing lack of emergency nature, were received on the appeal. Unless the ballot passes on both merit and emergency nature, the recommendation that comes to the Council 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 result recommended through 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 on 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 reference to AWWA D121 will not
be added in Chapter 2 and Section 11.3. The Council notes the appellant indicated his intent to continue working with the TC and the Council encourages the appellant to continue to advocate his position through the full standards development process.

13-10-2 The Council voted to not issue a proposed Tentative Interim Amendment (TIA) to Sections 5.6.8.1 and 5.6.8.2 of the 2012 edition and proposed 2015 edition of NFPA 54, *National Fuel Gas Code*, (TIA No. 1108). The TIA failed to achieve the necessary support of the Technical Committee on emergency nature. No comments were received and no appeals were filed.

13-10-3 The Council voted to issue a proposed Tentative Interim Amendment (TIA) to Sections 5.7.4, 11.4.1.10, 11.4.1.11, 11.4.1.15, and 11.13.2.8 of the 2014 edition of NFPA 58, *Liquefied Petroleum Gas Code*, (TIA No. 1116). The TIA achieved the necessary support of the Technical Committee on emergency nature. No comments were received and no appeals were filed.

13-10-4 The Council voted to not issue a proposed Tentative Interim Amendment (TIA) to Section 6.9.3.5 of the 2014 edition of NFPA 58, *Liquefied Petroleum Gas Code*, (TIA No. 1109). The TIA failed to achieve the necessary support of the Technical Committee on technical merit and emergency nature. No comments were received and no appeals were filed.

13-10-5 The Council voted to issue a proposed Tentative Interim Amendment (TIA) to Section 445.20 of the 2014 edition of NFPA 70®, *National Electrical Code®*, (TIA No. 1117). The TIA achieved the necessary support of the Correlating Committee on correlation and emergency nature and the CMP-13 on technical merit and emergency nature. No comments were received and no appeals were filed.

13-10-6 The Council voted to issue a proposed Tentative Interim Amendment (TIA) to Table 17.1.6.1 of the 2012 edition of NFPA 101®, *Life Safety Code®*, (TIA No. 1113). The TIA achieved the necessary support of the Correlating Committee on correlation and emergency nature and the Technical Committee on technical merit and emergency nature. No comments were received and no appeals were filed.

13-10-7 The Council voted to issue a proposed Tentative Interim Amendment (TIA) to Section 19.2.2.2.5.2 of the 2012 edition of NFPA 101®, *Life Safety Code®*, (TIA No. 1114). The TIA achieved the necessary support of the Correlating Committee on correlation and emergency nature and the Technical Committee on technical merit and emergency nature. No comments were received and no appeals were filed.

13-10-8 The Council voted to issue a proposed Tentative Interim Amendment (TIA) to Sections 7.1, 8.1, 9.1, 10.1, 16.1, 17.1.1, 18.1, and Annex A.6.1.2 of the 2013 edition of NFPA 1006, *Standard for Technical Rescuer Professional Qualifications*, (TIA No. 1103). The TIA achieved the necessary support of the Correlating Committee on correlation and emergency nature and the Technical Committee on technical merit and emergency nature. No comments were received and no appeals were filed.

13-10-9 The Council voted to issue a proposed Tentative Interim Amendment (TIA) to Section 4.16 of the 2012 edition of NFPA 1403, *Standard on Live Training*
Solutions, (TIA No. 1107). The TIA achieved the necessary support of the Technical Committee on technical merit and emergency nature. Two comments were received and no appeals were filed.

13-10-10 The Council reviewed the request of D. Pacileo of Peaceful Lion, LLC requesting that NFPA establish a new document for structure dependent extraction tools using reverse hydraulics, vegetable oil-based hydraulic fluid, portable power units and battery powered units. After review of all the material before it, the Council voted to deny the request. The Council noted that the proposed subject matter is within the current scope of the Technical Committee on Fire Department Rescue Tools (Technical Committee or TC). If Mr. Pacileo wishes to have the Technical Committee consider the specific subject matter of his request, he should submit his proposed revisions to the Technical Committee for its review and consideration in connection with NFPA 1936, Standard on Powered Rescue Tools.

13-10-11 The Council voted to approve the request of the Common Mass Evacuation Planning Committee to revise the title and scope of the Committee to include mass sheltering to read as follows:

APPROVED TITLE: Committee on Mass Evacuation and Sheltering

APPROVED SCOPE: This Committee shall establish a common set of criteria for mass evacuation and mass sheltering programs, plans hereinafter referred to as the program plan.

13-10-12 The Council voted to approve the request of the Non-Structural Fire Fighting SCBA Committee to revise the title of the Committee and provide a scope for the Committee to read as follows:

APPROVED TITLE: Committee on Non-Structural Fire Fighting SCBA Tactical and Technical Operations Respiratory Protection Equipment

APPROVED SCOPE: This Committee shall have primary responsibility for documents on respiratory protection equipment and selection, care and maintenance of respiratory protection equipment for non-fire fighting emergency services operations including, but not limited to, tactical law enforcement, confined space, and hazardous materials operations, during incidents involving hazardous or oxygen-deficient atmospheres. This committee does not cover respiratory protection equipment for firefighting operations addressed by the Technical Committee on Respiratory Protection Equipment.

13-10-13 The Council reviewed the request of the Commissioning and Integrated Testing Committee to approve an accelerated revision cycle schedule for NFPA 3, Recommended Practice for Commissioning of Fire Protection and Life Safety Systems to enter the Annual 2015 revision cycle. After review of the entire record before it, the Standards Council voted to not approve the request to enter NFPA 3 into the Annual 2015 revision cycle. In making this decision, the Council determined that entering NFPA 3 into the Annual 2015 revision cycle
would not provide adequate time to revise the NFPA Standard in accordance with the NFPA Standards Development Process. The Council did note that NFPA 3 could enter an accelerated revision schedule as early as the Fall 2016 revision cycle or NFPA 3 can stay in the scheduled Annual 2017 revision cycle. If the Committee desires to enter the Fall 2016 cycle on an expedited basis, it should submit a request to the Standards Council and can do so immediately for consideration at the March, 2014 meeting.

13-10-14

The Council reviewed the request of the Forest and Rural Fire Protection Committee to reorganize the Project into two committees, Wildland Fire Management and Wildland and Rural Fire Protection. After review of all the material before it, the Council voted to publish a notice to solicit comments from the public regarding restructuring the Forest and Rural Fire Protection Committee into two committees. The input received will then be reviewed by the Council at the March 2014 meeting of the Council.

13-10-15

The Council approved the request of the Forest and Rural Fire Protection Committee to transfer responsibility of NFPA 1150, *Standard on Foam Chemicals for Fires in Class A Fuels* to the Water Additives for Fire Control and Vapor Mitigation Committee.

13-10-16

The Council approved the request of the Hydrogen Technology Committee to change the revision cycle of NFPA 2, *Hydrogen Technologies Code* from Fall 2014 to Annual 2015 to coincide with NFPA 55, *Compressed Gases and Cryogenic Fluids Code*. NFPA 2 will not reopen for public input.

13-10-17

The Council approved the request of the Industrial and Medical Gases Committee to revise the scope of the committee to read as follows:

APPROVED SCOPE: This Committee shall have primary responsibility for documents on the storage, transfer, and use of industrial gases. Included are the storage and handling of such gases in their gaseous or liquid phases; the installation of associated storage, piping, and distribution equipment; and operating practices. The Committee also has a technical responsibility for contributions in the same areas for medical gases and clean rooms. The Committee shall coordinate the material on gaseous and liquid hydrogen storage and use with the Hydrogen Technology Committee.

13-10-18

The Council approved the transfer of NFPA 408, *Standard for Aircraft Hand Portable Fire Extinguishers* to the Portable Fire Extinguishers Committee from the Aircraft Rescue and Fire Fighting Committee. The transfer of responsibility was based on a successful letter ballot of both committees. As a result, NFPA 408 will slip from the Fall 2014 revision cycle and will enter into the Fall 2016 revision cycle to be processed with NFPA 10.

13-10-19

The Council approved the requests from NFPA Committees to change revision cycles for the following documents:

|---------|----------------|----------------|--------------|----------------------------|----------------------------------|
13-10-20-a The Council considered the Membership Task Group’s recommendations on pending applications for committee membership and took appropriate action on each. Changes in committee membership approved by the Council can be found in Minutes Attachment 13-10-20-a.

13-10-20-b The Council considered recommendations for the annual reappointment of committee members and took appropriate action on those individuals who were not recommended for reappointment.

13-10-20-c The Council voted not to approve the request of J. Dudley, National Aeronautics & Space Administration to change his interest category on various committees.

13-10-21 The Council considered the Report of the Policy and Procedures Task Group, which included changes to the Regulations and directed that these recommendations be forwarded to the Board of Directors for approval at its November 2013 meeting. Changes approved by the Council are contained in Attachment 13-10-21.

13-10-22 The Council received the yearly report of the High Rise Building Safety Advisory Committee and has determined there is no specific action required from the Council at this time.

13-10-23 The Council received the yearly report of the Glossary of Terms Advisory Committee and has determined there is no specific action required from the Council at this time.

13-10-24 The Council heard a report from the Recording Secretary regarding the TIAs that were issued by a letter ballot of the Council. The TIAs on NFPA 1982 (TIA No. 1112) and NFPA 1981 (TIA No. 1111) were issued by the Council on August 26, 2013 with an effective date of September 15, 2013.

13-10-25 The Council approved the dates and locations of upcoming Council Meetings, as follows:

March 3-4, 2014 (REVISED)
San Juan, Puerto Rico

August 11-14, 2014
Quincy, MA

October 28-29, 2014
TBD

13-10-26 D#13-22 At its meeting of October 22-23, 2013, the Standards Council considered an appeal from Christos Sideropoulos of FoamFatale Greece Ltd. The appeal requests, for numerous reasons, that the Standards Council reverse the actions taken by the Technical Committee on Foam (TC) on Public Inputs.

As background, Mr. Sideropoulos submitted the PIs on the topic of self expanding foam, its associated characteristics and other related technologies. Subsequently, the chair of the TC directed the formation of a Task Group to review the PIs and develop recommendations for the TC’s consideration. The TC took various actions on the PIs as noted in the First Draft Report.

It appears the appeal is based primarily on the TCs handling of the recommendation of the Task Group and the processing of the PIs. In this regard, the Council notes that the TC is not required to formally accept or reject each PI [See, Section 4.3.7.3 of the *Regulations Governing the Development of NFPA Standards* (Regs)] and that the TC is entitled to create a Task Group to make recommendations for the TC’s action. (See Section 3.1.3.4 of the Regs.)

In any event, this is an appeal that seeks to have the Council intervene mid-way through the standards development process and change the TC’s actions during the Input Stage of the process. The Council would rarely intervene in the TC’s work in this manner and after a review of the entire record, has found no basis to do so in this instance. The Council, as a matter of practice, does not generally consider and act on complaints relating to the development and processing of an NFPA Standard until that processing has been completed and the standard has been forwarded to the Council for consideration together with any appeals. This is because issues which arise during the standards development process may, by the end of the process, be resolved or superseded by later events. More importantly, by waiting until the end of the process to consider appeals, all issues related to the issuance of an NFPA Standard can be considered at once, in context, and with the benefit of a complete record (including the Second Draft Report and the proceedings at the NFPA Technical Meeting), as well as the maximum interest in input of all interested participants in the appeals process.

If the appellant wishes to preserve the opportunity to appeal at the end of the process, it is imperative that he continue to participate through the entire standards development process including through the submission of relevant Public Comments. Anyone dissatisfied with the outcome may file an appeal with the Council at the conclusion of the process when the document is presented to the Council for consideration of appeals and issuance. Should appeals be filed at that time, the Council’s review will be greatly aided by the full standards development record and the input of any interested parties.

Respectfully submitted,

[Signature]