Dear Interested Parties:

At its meeting of 3-5 August 2010, the Standards Council considered an appeal on the above referenced matter.

Attached is the final decision of the Standards Council on this matter.

Sincerely,

Amy Beasley Cronin
Secretary, NFPA Standards Council

c: D. Berry, M. Brodoff, L. Fuller, M. Klaus, J. Moreau-Correia
Members, TC on Inspection, Testing, & Maintenance of Water-Based Fire Protection Systems (INM-AAA)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*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 Committee Projects 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.
SUMMARY ACTION: The Standards Council voted to deny the appeal to accept Comment 25-101 to modify Chapter 14. Chapter 14 will be modified as recommended with the acceptance of Comment 25-104.


As background, Proposal 25-185 recommended revisions to Chapter 14, Obstruction Investigation, and was rejected by the Technical Committee on Inspection, Testing, and Maintenance of Water-Based Systems (TC). Subsequently, Comment 25-101 was submitted that sought the acceptance of Proposal 25-185. This Comment was rejected by the TC. At the same time, another comment, Comment 25-104, was submitted. This Comment 25-104 (along with related Proposals 25-187, 25-189 and 27-191) proposed a new and significantly revised Chapter 14, and it too, was rejected by the TC.

At the 2010 Association Technical Meeting (Tech Session), Certified Amending Motions were made seeking to accept both Comment 25-101 (CAM 25-19) and Comment 25-104 (CAM 25-15). Both motions passed. Upon review of these two amendments, it was determined that the two amendments recommended text for Chapter 14 that were mutually inconsistent. The amendments, therefore, in the form they were drafted, could not both be incorporated into Chapter 14 of the proposed new edition of NFPA 25. Accordingly, a single ballot was submitted to the TC to determine if either of the successful amendments could achieve the two-thirds support of the TC necessary under NFPA rules to incorporate the amendment into the proposed new edition of NFPA 25. The result was that the amendment to accept Comment 25-101 (CAM 25-19) failed ballot while the amendment to accept Comment 25-104 (CAM 25-15) passed the ballot of the TC.

In seeking to accept failed Comment 25-101, the appellant is requesting that the Council reject the results yielded by the NFPA codes and standards development process. On appeal, the Council accords great respect and deference to the NFPA codes and standards development process. In conducting its review, the Council will overturn the result.
reached through that process only where a clear and substantial basis for doing so is demonstrated. The Council, having reviewed the entire record, has found no such basis here. Accordingly, the Council has voted to deny the appeal. The effect of this action is that Comment 25-101 is not accepted and the text of Chapter 14 will be as accepted in Comment 25-104.

Council Member Kerry Bell recused himself during the hearings, deliberations and vote on the issue.