

NFPA® 1124-2006 and Proposed 2013 Edition

Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles

TIA Log No. 1047

Reference: 7.3.18 and 7.4.9.2

Comment Closing Date: July 2, 2012

Submitter: Julie Heckman, American Pyrotechnics Association and Jerald Farley, American Promotional Events, Inc.

1. *Revise 7.3.18.1 to read as follows:*

~~7.3.18.2~~ **7.3.19 Portable Generators.** Fuel for generators shall be permitted to be Class I, Class II, and or Class III combustible liquids as fuel and shall be limited to not more than 5 gallons (18.9 L).

~~7.3.18.2~~ Portable generators shall be permitted to use Class I flammable liquids as fuel, provided the quantity of such fuel is limited to 2 gal (7.6L).

2. *Revise 7.4.9.2 to read as follows:*

7.4.9.2 Portable Generators.

~~7.4.9.2.1~~ Portable generators supplying power to CFRS facilities shall use only Class II or Class III combustible liquid fuels.

~~7.4.9.2.2~~ Portable generators shall be located not less than 20 ft (6.1 m) from the CFRS facility.

~~7.4.9.2.3~~ Generator fuels shall be stored not less than 20 ft (6.1 m) from the CFRS facility.

~~7.4.9.2.4~~* Where the generator fuel storage is located not less than 50 ft (15.2 m) from the CFRS facility, the quantity of such fuel shall not be limited by ~~7.3.17~~ 7.3.19.

Submitter's Substantiation: There is a contradiction found in the current code. Section 7.3 applies to all Consumer fireworks retail sales (CFRS) facilities and stores. Section 7.4 adds requirements that apply only to CFRS facilities. Section 7.5 adds requirements that apply only to stores. Existing paragraph 7.3.18.2 allows the use of portable generators that use Class I liquids in all CFRS facilities and stores. But, paragraph 7.4.9.2.1 effectively prohibits the use of portable generators that use Class I liquids at CFRS facilities. In essence, paragraph 7.4.9.2.1 prohibits what paragraph 7.3.18.2 allows. Paragraphs 7.3.18.2 and 7.4.9.2.1 are in conflict. This was not the intent of the Committee.

This proposed TIA corrects this conflict by modifying paragraph 7.3.18.1 and eliminating paragraph 7.3.18.2 and paragraph 7.4.9.2.1 and renumbering the subsequent paragraphs accordingly.

In addition, this TIA increases the limits of Class I fuel from 2 gallons to 5 gallons for the following reasons:

Consumer fireworks retailers need lights in order to operate at night and to use any other equipment requiring electrical supply at all times. Examples of equipment that retailers currently use that require electricity are lights inside the CFRS facility, emergency exit lights, fans, credit card machines, cash registers, sales promotion equipment and computers. So, electrical power is used during all hours of operation. Portable generators are needed for day time operations as well as for night time operations.

AHJ's have indicated that they would prefer retailers of consumer fireworks use portable generators with the larger tank capacity because the retailer will have to refill it less frequently and, consequently, the refilling will be less likely to occur in the dark and with a hot generator. Fewer refills mean fewer chances for the person who is refilling to get burned and less likelihood of fuel being spilled on the hot generator resulting in a fire or other accidents. Some AHJ's have specifically told retailers to use the larger capacity generators even though such use is not in compliance with NFPA 1124 and any other code provisions.

Furthermore, AHJ's have said that if the tank capacity of the generator is larger, the quantity of fuel stored nearby for refill purposes is likely to be less; therefore the overall risks are lowered.

Emergency Nature: The proposed revision is necessary to correct a conflict that currently exists in the document as paragraph 7.3.18 currently permits the use of Class I liquids as fuel for portable generators within a capacity limitation specified, while paragraph 7.4.9.2 only permits the use of Class II or III fuels. The requirement in 7.3.18 is applicable to all retail sales venues, while the requirement in 7.4.9.2 with its limitation is applicable to consumer fireworks retail sales (CFRS) facilities, which would have been included in the all facility provision of 7.3.18. Thus, the conflict exists and would be corrected by this TIA.

Anyone may submit a comment by the closing date indicated above. To submit a comment, please identify the number of the TIA and forward to the [Secretary, Standards Council](#), 1 Batterymarch Park, Quincy, MA 02169-7471.