MEMORANDUM

TO: Principal and Alternate Members of the Technical Committee on NFPA 96 Standard for Ventilation Control & Fire Protection of Commercial Cooking Operations (VEN-AAA)

FROM: Sandra Stanek, NFPA Staff Liaison

DATE : September 18, 2012

SUBJECT: AGENDA – NFPA 96 ROC Meeting (Annual 2013 revision cycle) for the 2014 edition

Enclosed is the agenda for the Report on Comments (ROC) meeting for NFPA 96 Standard for Ventilation Control & Fire Protection of Commercial Cooking Operations which will be held at on Monday, October 29th (8 AM EST) through Tuesday, October 30, 2012 in Baltimore, MD.

Please review the meeting notice, sent to your email address of record, for pertinent information concerning hotels, etc. Notify me immediately if you have any issues downloading the comments from the committee website, etc.

Office: (617) 984-7498
Email: sstanek@nfpa.org

For administrative questions, please contact Elena Carroll at (617) 984-7952.

Please submit requests for additional agenda items to the chair at least seven days prior to the meeting.

Please notify the chair and staff liaison as soon as possible if you plan to introduce any committee comments at the meeting.

Report on Comments Meeting (A2013) Agenda
October 29, 2012

Renaissance Baltimore Harborplace Hotel
202 East Pratt Street
Baltimore, MD 21202

8:00 A.M. – 5:00 P.M. on October 29th- October 30th

Monday, October 29, 2012

1. Call to Order – 8:00 AM

2. Introductions and Attendance

3. Committee Member Status and Update of Membership Roster

4. Review Agenda

5. Approval of Previous Meeting Minutes

6. NFPA Staff Liaison Presentation

7. Chairman Presentation

8. Report on Task Group (Mark Conroy) addressing Solid Fuel / wood flavorings and need for separate exhaust systems


10. Act on Public Comments

11. Adjourn Meeting- TBD

Tuesday, October 29, 2012

1. Call to Order – 8:00 AM
2. Complete Action on Public Comments
3. Final Comments by Chairman
4. Adjourn Meeting – TBD (No later than 5:00 pm)

Key Dates for the Annual 2013 Revision Cycle
(NFPA 502 2014 edition)

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Proposal Closing Date</td>
<td>November 25, 2011</td>
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<tr>
<td><strong>Final Date for ROP Meeting</strong></td>
<td>February 24, 2012</td>
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<tr>
<td>Final Date for Mailing TC Ballots</td>
<td>March 16, 2012</td>
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<tr>
<td><strong>Ballots Returned By</strong></td>
<td>April 20, 2012</td>
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<tr>
<td>ROP Published &amp; Posted</td>
<td>June 22, 2012</td>
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<tr>
<td>Comment Closing Date</td>
<td>August 31, 2012</td>
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<tr>
<td><strong>Final Date for ROC Meeting</strong></td>
<td>November 2, 2012</td>
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<tr>
<td>Final date for mailing TC ballots</td>
<td>November 16, 2012</td>
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<td>Closing Date for Notice of Intent to Make a Motion (NITMAM)</td>
<td>April 5, 2013</td>
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<td>Issuance of Consent Document (No NITMAMs)</td>
<td>May 28, 2013</td>
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<td>NFPA Annual Meeting</td>
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<tr>
<td>Issuance of Document with NITMAM</td>
<td>August 1, 2013</td>
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</table>

Technical Committee deadlines are in **bold**.
Meeting Preparation

Committee members are strongly encouraged to review the published comments prior to the meeting and to be prepared to act on each item.

Handout materials should be submitted to the chair at least seven days prior to the meeting.

Only one posting of the comments will be made; it will be arranged in section/order and will be pre-numbered. This will be posted to the NFPA Document information pages are located at www.nfpa.org/502. If you have trouble accessing the website please contact Elena Carroll at ecarroll@nfpa.org.

Materials to have at meeting:

- Last edition of the standard
- Meeting agenda
- Public comments & associated attachments

Regulations and Guiding Documents

All committee members are expected to behave in accordance with the Guide for the Conduct of Participants in the NFPA Standards Directory (on-line).

All actions during and following the committee meetings will be governed in accordance with the NFPA Regulations Governing Committee Projects. Failure to comply with these regulations could result in challenges to the standards-making process. A successful challenge on procedural grounds could prevent or delay publication of the document.

The style of the document must comply with the Manual of Style for NFPA Technical Committee Documents.
General Procedures for Meetings

- Use of tape recorders or other means capable of producing verbatim transcriptions of any NFPA Committee Meeting is not permitted.

- Attendance at all NFPA Committee Meetings is open. All guests must sign in and identify their affiliation.

- Participation in NFPA Committee Meetings is generally limited to committee members and NFPA staff. Participation by guests is limited to individuals, who have received prior approval from the chair to address the committee on a particular item, or who wish to speak regarding public proposals or comments that they submitted.

- The chairman reserves the right to limit the amount of time available for any presentation.

- No interviews will be allowed in the meeting room at any time, including breaks.

- All attendees are reminded that formal votes of committee members will be secured by letter ballot. Voting at this meeting is used to establish a sense of agreement, but only the results of the formal letter ballot will determine the official action of the committee.

- Note to Special Experts: Particular attention is called to Section 3.3(e) of the NFPA Guide for the Conduct of Participants in the NFPA Codes and Standards Development Process in the NFPA Directory. This section requires committee members to declare any interest they may represent, other than their official designation as shown on the committee roster. This typically occurs when a special expert is retained by and represents another interest category on a particular subject. If such a situation exists on a specific issue or issues, the committee member shall declare those interests to the committee and refrain from voting on any action relating to those issues.

- Smoking is not permitted at NFPA Committee Meetings.
Attachment #1:

Previous Meeting Minutes
February 12, 2012

• Meeting called to order at 12:00 Noon by Chairman R. T. Leicht.

• Chair introduced Staff Liaison, Jon Hart. Jon Hart circulated the Committee List (for corrections) & Attendance List (for completion).

• Attendees introduced themselves. There are 21 Committee members voting; three of which are Alternates. Also attending were six guests.

• Motion and second to accept Minutes of A-2011ROC meeting (Quincy, MA), succeeded.

• Jon Hart reviewed the revision cycle dates:

<table>
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<th>Event</th>
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<tbody>
<tr>
<td>Ballots mailed to TC</td>
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<tr>
<td>Ballots to be returned by</td>
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<td>November 2, 2012</td>
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<tr>
<td>ROC to be published and posted</td>
<td>February 22, 2013</td>
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<tr>
<td>NFPA Association Meeting</td>
<td>June, 2013</td>
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• Jon Hart indicated that the June 2013 NFPA Annual meeting is scheduled for Chicago.

• Chairman Leicht reminded speaking and voting on all issues is reserved to only Principals and to Alternates where the TC Principal is not in attendance. An Alternate may be permitted to speak to, and vote on a particular issue when the Principal is in attendance with approval of the Chair. In such case the Principal will defer to the Alternate and the Principal will not have voice or vote on that particular issue.

• One guest has requested written permission in advance to speak on a particular issue.

• Technical Committee members began to review and act on 76 public Proposals and 7 Committee Proposals to NFPA 96. In the course of the review, Chairman Leicht recognized Gayle Pennel (guest) of Aon Fire Protection Engineering to speak to the Committee regarding his proposal addressing solid fuel cooking and the need for separate exhaust where the amount of solid fuel is significantly limited (flavoring).

• Meeting recessed by Chair at 7:00 PM.
February 13, 2012

- Meeting reconvened at 8:00 AM. Called to order by Chairman R. T. Leicht.

- Technical Committee members continued to review and act on Proposals to NFPA 96. In the course of the review, Gayle Pennel (guest) of Aon Fire Protection Engineering was recognized so as to deliver additional information regarding his proposal as requested by the Committee.

- Meeting recessed by Chair at 12:05 PM until 1:05 PM for lunch.

- Meeting reconvened at 1:05 pm and called back to order by Chairman Leicht. Technical Committee members completed the review and actions on the remaining public proposals and Committee Proposals to NFPA 96.

- Chairman Leicht reminded the members of the Technical Committee that a segmented ballot would be sent to them and that a 2/3 majority is required on the ballot to accept each of the Technical Committee actions.

- Chairman Leicht appointed the following Task Group Leaders. The Group Leader can decide how to deliberate on the issues but Chairman suggested that e-mail may be the most cost effective way. He also indicated that the Group Leader can call on any other persons, TC members or not, to assist in pursuing the Group’s goals. Chairman Leicht also appointed the following additional Task Group members.

<table>
<thead>
<tr>
<th>Task Title / Goals</th>
<th>Group Leader</th>
<th>Group Members</th>
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<tbody>
<tr>
<td>Solid Fuel / Further study of wood flavorings and need for separate exhaust systems</td>
<td>Mark Conroy</td>
<td>Dwayne Sloan, Phil Ackland, and Gayle Pennel</td>
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<tr>
<td>IKECA-ANSI Standard C-10 / Review this cleaning standard for exhaust systems</td>
<td>Lee DeVito</td>
<td>Mark Conroy, Russell Clark, and Nelson Dilg</td>
</tr>
</tbody>
</table>

- Chairman Leicht tentatively scheduled the next meeting (ROC) of the Committee for October 22 and 23, 2012 (and 24th if necessary) probably in the Boston MA area, possibly the Marriott in Quincy.

- There being no further business, motion to adjourn at 5: 15 PM succeeded.

Respectfully submitted

Gary G. Hopson
Committee Secretary
Attachment #2:

Committee Member Information
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<thead>
<tr>
<th>Name</th>
<th>Position</th>
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<tbody>
<tr>
<td>R. T. Leicht</td>
<td>Chair</td>
<td>State of Delaware Office of State Fire Marshal, 4 Drummond Drive, Wilmington, DE 19808</td>
</tr>
<tr>
<td>Gary G. Hopson</td>
<td>Secretary</td>
<td>Global Risk Consultants Corporation, 10974 Stoney Point Drive, South Lyon, MI 48178</td>
</tr>
<tr>
<td>Phil Ackland</td>
<td>Principal</td>
<td>Phillip Ackland Holdings Ltd., 11704 Prairie Valley Road, PO Box 856, Summerland, BC V0H 1Z0 Canada</td>
</tr>
<tr>
<td>Bernard P. Besal</td>
<td>Principal</td>
<td>Besal Services, Inc., 3283 La Venture Drive, Atlanta, GA 30341</td>
</tr>
<tr>
<td>Mark A. Buchanan</td>
<td>Principal</td>
<td>City of Boston Fire Department, 60 Robert Street, Roslindale, MA 02131</td>
</tr>
<tr>
<td>Laurence W. Caraway, Jr.</td>
<td>Principal</td>
<td>Kitchen Klean Inc., AirDuct Clean, 27 Black Hall Road, PO Box 754, Epsom, NH 03234</td>
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<tr>
<td>Lisa Carr</td>
<td>Principal</td>
<td>Christiana Care Health Services, 5 Ivy Court, Wilmington, DE 19808</td>
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<tr>
<td>Russell Clark</td>
<td>Principal</td>
<td>Certified Hood &amp; Duct Cleaners Association, 110 Beverly Drive, Madison, TN 37115</td>
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<tr>
<td>Mark T. Conroy</td>
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<td>Brooks Equipment Company, 20 Hampden Drive, Suite 2, South Easton, MA 02375-1180</td>
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<td>Lee C. DeVito</td>
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<td>FIREPRO Incorporated, 1600 Osgood Street, Suite 2-82, North Andover, MA 01845</td>
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<tr>
<td>Rod Getz</td>
<td>Principal</td>
<td>Getz Fire Equipment, 1615 SW Adams Street, Peoria, IL 61602-1782</td>
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<td>Charles H. Gibbons, Jr.</td>
<td>Principal</td>
<td>Lampert-Lee &amp; Associates, 10968 State Highway 54 East, Wisconsin Rapids, WI 54494</td>
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<td>Steven F. Levin</td>
<td>I 1/15/1999</td>
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<td>John Lopes</td>
<td>U 7/23/2008</td>
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<td>Jayendra S. Parikh</td>
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<td>John W. Rudd</td>
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<td>Delaware State Fire Marshal Office</td>
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<td>William Vegso</td>
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<td>Buckeye Fire Equipment Company</td>
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<td>1 Batterymarch Park</td>
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Report on Comments – June 2013

96- Log #21 (2.3.x (New))

Final Action:

Submitter: David A. de Vries, Firetech Engineering Inc.
Comment on Proposal No: 96-66
Recommendation: Add new text to read as follows:
Substantiation: Standards referenced in the text of this standard should be fully identified as to designation, title and source. If Proposal 96-66 remains substantially unchanged through the ROC, the full reference in Section 2.3 is needed.

This is not original material; its reference/source is as follows:
www.ikeca.org

96- Log #9 (2.3.1 and B.1.2.2)

Final Action:

Submitter: Marcelo M. Hirschler, GBH International
Comment on Proposal No: 96-3
Recommendation: Revise the edition dates for the following ASTM Standards (no change proposed for any other referenced publication).
ASTM E84 2012
ASTM E136 2012
Standards date update.

96- Log #2 (2.3.3)

Final Action:

Submitter: John F. Bender, UL LLC
Comment on Proposal No: 96-4
Recommendation: Revise text to read as follows:
Substantiation: Update title of ANSI/UL 710C in accordance with the most recent edition, as indicated. Add ANSI/UL 263 as a referenced publication as a result of TC action to accept ROP Log #22.
Any material that will burn regardless of its autoignition temperature.

3.3.38.2* Limited-Combustible (Material). (See 4.8.2) Refers to a building construction material not complying with the definition of noncombustible material that, in the form in which it is used, has a potential heat value not exceeding 9500 Btu/lb (8141 kJ/kg), where tested in accordance with NFPA 259, Standard Test Method for Potential Heat of Building Materials, and includes either of the following: (1) materials having a structural base of noncombustible material, with a surfacing not exceeding a thickness of 1/8 in. (3.2 mm) that has a flame spread index not greater than 50; and (2) materials, in the form and thickness used, having neither a flame spread index greater than 25 nor evidence of continued progressive combustion, and of such composition that surfaces that would be exposed by cutting through the material on any plane would have neither a flame spread index greater than 25 nor evidence of continued progressive combustion, when tested in accordance with ASTM E 84, Standard Test for Surface Burning Characteristics of Building Materials; or UL 723, Standard Test for Surface Burning Characteristics of Building Materials. [5000: 2009]

3.3.38.3* Noncombustible Material. (See Section 4.8.1) A substance that will not ignite and burn when subjected to a fire.

4.8 Materials.  

4.8.1 Noncombustible Material.  

4.8.1.1* A material that complies with any of the following shall be considered a noncombustible material:  

(1) A material that, in the form in which it is used and under the conditions anticipated, will not ignite, burn, support combustion, or release flammable vapors, when subjected to fire or heat.  

(2) A material that is reported as passing ASTM E136, Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750 Degrees C.  

(3) A material that is reported as complying with the pass/ fail criteria of ASTM E 136 when tested in accordance with the test method and procedure in ASTM E2652, Standard Test Method for Behavior of Materials in a Tube Furnace with a Cone-shaped Airflow Stabilizer, at 750 Degrees C. [5000:7.1.4.1.1].

4.8.1.2 Where the term limited-combustible is used in this Code, it shall also include the term noncombustible.  

4.8.2 Limited-Combustible Material.  

4.8.2.1 The material does not comply with the requirements for a noncombustible material, in accordance with Section 4.8.1.1. [5000:7.1.4.2.1]

4.8.2.2 The material, in the form in which it is used, exhibits a potential heat value not exceeding 3500 Btu/lb (8141 kJ/kg), when tested in accordance with NFPA 259, Standard Test Method for Potential Heat of Building Materials. [5000:7.1.4.2.2]

4.8.2.3 The material has a structural base of a noncombustible material with a surfacing not exceeding a thickness of 1/8 in. (3.2 mm) where the surfacing exhibits a flame spread index not greater than 50 when tested in accordance with ASTM E84, Standard Test Method for Surface Burning Characteristics of Building Materials or ANSI/UL 723, Standard for Test for Surface Burning Characteristics of Building Materials. [5000:7.1.4.2.3]
4.8.2.4 The material is composed of materials which, in the form and thickness used, neither exhibit a flame spread index greater than 25 nor evidence of continued progressive combustion when tested in accordance with ASTM E84 or ANSI/UL 723, and are of such composition that all surfaces that would be exposed by cutting through the material on any plane would neither exhibit a flame spread index greater than 25 nor exhibit evidence of continued progressive combustion when tested in accordance with ASTM E84 or ANSI/UL 723. [5000:7.1.4.2.4]

4.8.2.5 Where the term limited-combustible is used in this Code, it shall also include the term noncombustible. [5000:7.1.4.2.5]


Substantiation: Please reconsider and accept the proposal (and comment). This change does not change the actual information needed for understanding what is a noncombustible material or a limited combustible material but simply changes the location where the information is found. The problem is that definitions are not enforceable in NFPA standards and, therefore, cannot contain requirements. The way the definitions read in NFPA 96 they contain requirements.

ASTM E136 and ASTM E2652 are different test methods (with different apparatuses) to assess whether a material is noncombustible. ASTM E2652 was developed to make it easier for people having difficulty finding equipment and spare parts for using ASTM E136.

Making the change will also help with the recommendation by Standards Council that NFPA definitions be uniform throughout the NFPA system. The proposed change the committee made in NFPA 96-12 moves away from this concept.
96- Log #12 (3.3.41 Qualified)

Submitter: Marcelo M. Hirschler, GBH International
Comment on Proposal No: 96-13
Recommendation: Reject this proposal.
Substantiation: Please reconsider and reject the Proposal NFPA 96-13. The action by Proposal 96-13 would introduce a new definition for “qualified” and would oppose the recommendation by Standards Council that NFPA definitions be uniform throughout the NFPA system.

The definition for “qualified” reading: “A competent and capable person or company that has met the requirements and training for a given field acceptable to the AHJ.” is now contained in several documents.

If the committee wants to move towards defining a “qualified person”, the preferred definition in the NFPA system is: “qualified person - A person who, by possession of a recognized degree, certificate, professional standing, or skill, and who, by knowledge, training, and experience, has demonstrated the ability to deal with problems relating to a particular subject matter, work, or project.”, which comes from NFPA 45.

I urge the technical committee to use an existing NFPA definition and not make up a new one.
96- Log #8  

(4.2.3)  

Submitter: Tony Crimi, A.C. Consulting Solutions, Inc.  
Comment on Proposal No: 96-15  
Recommendation: Revise text to read as follows:  
4.2.3 Clearance Reduction.  
4.2.3.1 Where a clearance reduction system consisting of 0.33 mm (0.013 in.) (28 gauge) sheet metal spaced out 25 mm (1 in.) on noncombustible spacers is provided, there shall be a minimum of 229 mm (9 in.) clearance to combustible material.  
4.2.3.2 Where a clearance reduction system consisting of a listed and labeled field-applied grease duct enclosure material, system, product or method of construction specifically evaluated for such purpose in accordance with ASTM E2336, the required clearance shall be in accordance with the listing. Where a clearance reduction system consisting of 0.69 mm (0.027 in.) (22 gauge) sheet metal on 25 mm (1 in.) mineral wool batts or ceramic fiber blanket reinforced with wire mesh or equivalent spaced 25 mm (1 in.) on noncombustible spacers is provided, there shall be a minimum of 76 mm (3 in.) clearance to combustible material.  
4.2.3.3 Zero clearance to limited-combustible materials shall be permitted where protected by metal lath and plaster, ceramic tile, quarry tile, other noncombustible materials or assembly of noncombustible materials, or materials and products that are listed for the purpose of reducing clearance.  
DELETE: Figure A 4.2(f) and Figure A 4.2(g) as follows -  

****Insert Artwork Here****

Substantiation: Purpose: The generic language describing clearance reduction systems incorporating mineral wool or ceramic fiber insulation are outdated. The purpose of the proposed code is to improve the Standard by adding an alternate tested exception to the grease duct clearance requirements in 4.2.3.2.  
Reason: This item was “Accepted in Principle” by the TC during the ROP Phase. The original proposal effectively had two segments: 1. The addition of ASTM E2336 for determination of clearance, and 2. Deletion of the existing generic method in NFPA 96. The Technical Committee supported the first item above, but not the second. Obviously, it is our view that the addition of ASTM E2336 is completely logical and necessary, and we appreciate the Technical Committee’s concurrence.  
On the issue of deletion of the existing generic option to use the untested method described in the Standard, we would offer some additional technical justification to support its deletion. The prescribed solution has the following deficiencies, which are resolved by reference to an accepted test method, ASTM E2336:  
1) Construction protected as prescribed does not account for all modern construction assemblies and materials – for example some plastic foam insulations used as insulation in roof assemblies today may not have been envisioned when this prescribed method was first adopted.  
2) The prescribed method does not account for deflection of the duct when subjected to an internal fire, in which case the duct could deflect to a position less than the intended 3 inches minimum clearance to combustibles. The method of duct support is not included in this section. Consequently, there is no reason to believe deflection could not be towards the prescribed heat shield. Assemblies tested to ASTM E2336 see this deflection, and the acceptance criteria ensure that the system can accommodate such deflection.  
3) The prescribed method as written assumes that the insulating value of the mineral wool or ceramic fiber blanket will provide protection against the radiant temperatures of the internal grease duct fire. The insulating value of both mineral wool and ceramic fiber are both dependent on the density of the fibers as well as the thickness and other factors related to manufacturing techniques. However, this section of the NFPA 96 Standard makes no reference to any of these, including density. 
4) When density and/or fiber chemistry or fiber size are varied, the level of insulation, and thus fire protection provided, will vary proportionally. Lower K-Values can provide greater insulation and, therefore, improved fire protection
performance. Again, the duct can be assumed to radiate at or near 2000°F during an internal fire; however, the actual temperature on the surface of the heat shield is unknown, and the combustion characteristics of the underlying construction can vary. Consequently, the current provisions of the NFPA 96 standard do not address the basic design requirements to build a functional heat shield adapted to every construction means and method. Requiring performance testing in accordance with ASTM E2336 rectifies many of the deficiencies associated with under-specifying generic methods.

96-  Log #18  
(4.2.3.3)  
Final Action:  

Submitter: David A. de Vries, Firetech Engineering Inc.  
Comment on Proposal No:  96-17  
Recommendation:  Reject the proposal and revert to the 2011 text.  
Substantiation:  The substantiation does not address the issue. A wood stud framed wall, even when covered with a limited combustible material such as gypsum wall board, still requires appropriate clearance between the exhaust system and the combustible wood studs even if the gypsum wall board can be covered with a non-combustible material, such as those listed in the 2011 text, and reduce the clearance to zero with minimal risk of fire. A sheet metal backsplash over gypsum wall board on a steel stud framed wall does not need to be a "listed assembly".

96-  Log #1  
(6.1.3, 6.2.3.1, and 6.2.3.2)  
Final Action:  

Submitter: Edward Prystals. Hoodpro’s Inc.  
Comment on Proposal No:  N/A  
Recommendation:  This code in its wording, to me, indicates that aluminum filters are not code. Yet aluminum filters are sold and used by many vendors, using only (referring to) Section 6.1.3. A UL listing that is only that the filters can cause airborne grease to condense.  
Substantiation:  Aluminum filters, degrade every cleaning, they get thinner and thinner. They don't distort and come apart. The melting temperature is much lower than steel and when melting emit toxic fumes which mostly the firemen will be exposed to.

96-  Log #33  
(6.1.3.1)  
Final Action:  

Submitter: Jayendra S. Parikh, Compliance Solutions International Inc.  
Comment on Proposal No:  96-25  
Recommendation:  Delete the following text:  

Mesh filters shall not be used as the primary grease removal device whether listed or not.  
Substantiation:  In addition to supporting the NFPA-96 technical committee’s action to reject this proposal on the basis (per the committee statement in the ROP) that the proposed language is contradictory to the current (requirement in) section 6.1.3, I would like to address the negative ballot explanation for this proposal. The comments in that explanation seem to refer to the steel mesh filters (air filter-type) that were used in the past in exhaust hoods as primary filters (by themselves) and were not tested & listed per UL 1046. The mesh filters section 6.1.3 refers to, include those that are tested & listed per UL 1046 for use upstream of, and in conjunction with, UL 1046 listed baffle-type (primary) grease filters used in exhaust hoods, which are being increasingly used. Such mesh filters are not primary filters, and the listed (primary) grease filters behind them provide fire barrier in case of a fire. Some such mesh filters have also undergone UL 300 fire tests successfully, and based on these tests, these filters do not adversely affect the function, operation, or performance of the listed fire extinguishing system in the hood.
FIGURE A.4.2(f) Example of Clearance Reduction System: 229 mm (9 in.) Clearance to Combustible Material.

FIGURE A.4.2(g) Example of Clearance Reduction System: 76 mm (3 in.) Clearance to Combustible Material.
96- Log #5
(6.2.3.1)

Submitter: John Chartier, Northeastern Regional Fire Code Development
Comment on Proposal No: 96-27
Recommendation: Revise to read:
6.2.3.1 Grease filters shall be listed.

Substantiation: The intent was to require grease filters to be constructed of steel or other non-combustible material. In either case, the grease filter has to be listed. In the re-write, it sounds like the filter can be constructed of another non-combustible material without being listed. That is, the word "listed" can be construed as only applying to the steel option. This modification makes it clear that the filters must be listed regardless of what they are made of.

96- Log #32
(6.2.3.1)

Submitter: J. Craig Voelkert, Amerex Corporation
Comment on Proposal No: 96-50
Recommendation: Reinstate paragraph 6.2.3.1 Grease filters shall be listed and constructed of steel or listed equivalent other non-combustible material

Substantiation: While the committee statement that 6.1.1 and 6.1.2 addresses the problem is correct in part, it does address the listing requirement -however, 6.1.1 and 6.1.2 does not address other concerns regarding construction. We have history on steel baffle filters regarding their performance. Any other filter that is not rigid - like steel - even if it is supposed to be replaced on a regular basis, does not, in my opinion have any history with fire incidents, fire testing with suppression systems or actual replacement.

We know that baffle filters will at the very least, capture and drain some grease even when they are not cleaned according to this standard. We also know the behavior of the steel baffle filters in a fire situation. Such experience is not known with other non-rigid, replaceable materials. What is the effect on the fire system performance? If this should not be a concern because they are replaced on a regular basis, should we realistically assume, given our experience with cleaning intervals, that the replacement will be performed?

How will these devices affect air handling? If they are not replaced, will the grease drain to a collector, as with baffle filters or possible fall out of the filter onto the appliance as with mesh filters?

Is there any testing with NSF performed with filters using "other non-combustible equivalent" materials?

Deleting the paragraph 6.2.3.1, in my opinion, lessens fire protection as a trade-off to using alternative, less expensive, environmentally questionable and unproven materials. NFPA requirements should change based on better protection using proven data.

96- Log #13
(7.1.4)

Submitter: Bill Galloway, Southern Regional Fire Code Development Committee
Comment on Proposal No: 96-30
Recommendation: Revise text to read as follows:
7.1.4 All ducts shall be installed without forming dips or traps areas that might collect residues, unless provided with access in accordance with 7.4.1 and drains at the lowest points.

Substantiation: The proposed wording would permit dips and traps increasing the hazard of the ducts. As currently wording in the standard dips and traps are prohibited. The proposed text would make traps and dips a common practice where they are a rare occurrence. No justification has been provided to permit dips and traps.
Submitter: Marc Sampson, Longmont Fire Dept.
Comment on Proposal No: 96-30
Recommendation: Delete without substitution.
Substantiation: As stated by Mr. Voelkert, this will generate significantly greater risks for cooking operations. The proponent has not substantiated the affect this new allowance would have on pre-engineered suppression systems. Current language as proposed, places an exception in the standard requirement.

Submitter: J. Craig Voelkert, Amerex Corporation
Comment on Proposal No: 96-30
Recommendation: Delete the following text:
7.1.4 All Ducts shall be installed without forming dips or traps that might collect residues unless provided with access in accordance with 7.4.1 and drains at the lowest point to support exhaust duct cleaning process.
Substantiation: I understand that requiring drains and access in accordance with 7.1.4 increases the ability to effectively clean ducts where dips or traps are present – but dips or traps should not be allowed at all. This document has always been intended to be used as a whole (see 1.3.1*) instead of choosing parts and pieces to assure reasonable fire protection. As exceptions are made, without any historical data to provide validation, the result is the same as only using part of the standard for safe operations.
The value of this change in reducing labor costs for cleaning is noted – however – for those circumstances where enforcement of cleaning requirements is lacking, due to budget restraints or other factors, this change will only increase the fuel load, and consequently the risk for fire and for first responders.

Submitter: Mark T. Conroy, Brooks Equipment Company
Comment on Proposal No: 96-30
Recommendation: 1. Delete and replace Section 7.1.4 as follows:
7.1.4 All ducts shall be installed without forming areas that might collect residues, unless provided with access in accordance with 7.4.1 and drains at the lowest points.
7.1.4 All ducts shall be installed with a slope.
7.1.4.1 All horizontal ducts shall be provided with access in accordance with Section 7.4.1.
7.1.4.2 Drains shall be provided at low points in long horizontal ducts.
A7.1.4.2 Typically, ducts that are sloped in accordance with Section 7.1.4 prevent collection points for residue and eliminate the need for drains. For very long horizontal ducts, low points are difficult to avoid. Where the low points cannot be avoided, drains are needed.
2. Renumber existing Sections 7.1.4.1 and 7.1.4.2.
Substantiation: Sloping of exhaust ductwork is necessary to avoid areas in ductwork where residues could collect. It also supports the cleaning process since it allows the water and detergent to flow naturally down the sloped ductwork to a collection area. For very long horizontal ducts, low points are difficult to avoid during installation and drains should be provided.
96- Log #17
(7.5.2.1.2 (New) )

Final Action:

Submitter: Christopher R. Schulz, Van-Packer Co.
Comment on Proposal No:  96-34
Recommendation:  Insert "field-made" between "all" and "welded", to read: "Prior to the use of............to determine that all field-made welded joints and seams are liquid tight.
Substantiation:  The welded joints for grease ducts made in a factory are tested for leakage to ensure that they are liquid tight. Hence, the welded joints in factory-built grease ducts should not be tested (again) in the field for leakage.

96- Log #19
(7.5.2.1.2 and A.7.5.2.1.2)

Final Action:

Submitter: David A. de Vries, Firetech Engineering Inc.
Comment on Proposal No:  96-34
Recommendation:  7.5.2.1.2 (text unchanged)
A.7.5.2.1.2 The leakage test should consist of a light test, water air pressure test, or an approved equivalent test The ...(balance of text unchanged).
Substantiation:  Grease ducts are typically not rigid enough, nor sufficiently supported, to be filled with water under static or other pressure without damage to the duct or structure. Grease ducts can be capped off and pressurized with air to a few inches of water column, which will suffice to identify leakage. Including a reference to a "water pressure test", even in the Annex, suggests that this can be done safely, when it likely cannot.

96- Log #27
(8.2.3.1 and A.8.2.3.1)

Final Action:

Submitter: Mark T. Conroy, Brooks Equipment Company
Comment on Proposal No:  96-46
Recommendation:  Renumber Sections 8.2.3.1 to 8.2.3.2 and 8.2.3.2 to 8.2.3.3.
Add new text to read as follows:
8.2.3.1* Exhaust fan shall be interlocked so that it is activated when any appliance under the hood is turned on.
8.2.3.1.1 If energy sensors are used, the exhaust fan shall be activated within 15 minutes of the appliance being turned on.
8.2.3.1.2 The method of interlock shall not cause standing pilot burners to be extinguished.
8.2.3.1.3 The method of interlock shall not utilize any component of the fire extinguishing system.
A.8.2.3.1 The exhaust fan should be interlocked with the appliance to prevent cooking without exhaust. Interlock can be accomplished through any method, including but not limited to, direct wiring or energy sensors such as heat or temperature.
Substantiation:  As stated in Mr Kohout's negative vote: "The requirement of interlock reduces the human factor by ensuring there is airflow when the appliance is activated. It makes the system safer and reduces the likelihood of nuisance fire suppression discharges. Additionally, this language is already being included in ASHRAE Standard 154".
This is not original material; its reference/source is as follows:
This text is identical to the text provided in proposal 96-46.
In existing...the fire extinguishing system should shall be made to comply with 10.2.3. (Balance of TC language unchanged.)

The use of the word "should" means that compliance is optional and thus it is unenforceable. Dry chemical systems and non-UL 300 wet chemical systems have been found to be substantially ineffective against many commercial cooking fire scenarios. When changes are made to the cooking media or equipment, it is appropriate to require changing the extinguishing system to a UL 300 compliant system. if that was not the committee's intent, then the text should be placed in the Annex as advisory language. Refer also to the NFPA definitions for the difference between "should' and "shall".

In existing dry chemical systems and non UL 300 wet chemical systems not compliant with UL 300 or equivalent standard, when changes in the cooking media from animal oils and fats to vegetable oils occur, changes in positioning of cooking equipment occur, replacement of cooking equipment occurs, or the equipment is no longer supported by the manufacturer, the fire-extinguishing system should shall be made to comply with Section 10.2.3.

This clause applies to all existing non compliant systems, regardless of type. Specifying dry chemical systems adds unnecessary detail. Specifically noting "non UL 300" wet chemical systems implies that systems approved to other equivalent standards, as allowed by Section 10.2.3, somehow warrant special consideration. The proposed revision clearly and completely identifies the systems at issue, i.e. any non compliant system.

The newly proposed language substitutes "should" from the current "shall", which weakens the argument for enforcement. By the committee’s own argument (committee statement on this log), "systems not meeting this [UL 300] testing protocol" are cause for "fire safety concerns in the field." Appendix A.10.2.3.1 states that some of the changes included in this clause "likely will result in difficulties sustaining extinguishment with systems not complying with UL 300 or equivalent standards". Recommending, but not requiring, replacement of non UL 300 systems potentially allows inadequate protection to remain in place and, therefore, does not appear to meet the standard’s intent (as defined in the scope, Section 1.1) i.e., to “provide the minimum {emphasis mine} fire safety requirements”.
In existing dry chemical systems and non-UL 300 wet chemical systems not in compliance with ANSI/UL 300, when changes in the cooking media from animal oils and fats to vegetable oils occur, positioning of cooking equipment occur, replacement of cooking equipment occur, or the equipment is no longer supported by the manufacturer, the fire-extinguishing system shall be made to comply with Section 10.2.3.

Effective January 1, 2014, all existing fire-extinguishing systems shall meet the requirements of Section 10.2.3.

Substantiation: Editorially corrected Section 10.2.3.1.

The proposed paragraph 10.2.3.2 could be interpreted to mean that existing dry chemical systems and wet chemical systems not in compliance with ANSI/UL 300 can remain in place until January 1, 2016. This is too long.

From an enforcement standpoint, many people can’t tell what type of cooking oil is being used by just looking at it in the fryer. Also, many people can’t tell whether the appliances have been moved from their original positions or whether the appliances would mandate an updated system.

From a safety standpoint, it only makes sense to mandate all commercial cooking operations to have fire protection systems in compliance with ANSI/UL 300 or equivalent standards by a deadline that is agreeable to the technical committee and NFPA membership. A reasonable date seems to be January 1, 2014.

Substantiation: We strongly disagree with the reasoning provided by the negative ballots regarding the applicability of section 1.4.1 of the Standard to the final sentence (10.2.3.2) of this proposal. Section 1.4.1 clearly states; “Unless otherwise specified”. The inclusion of an effective date in section 10.2.3.2 is providing exactly that, a specification, as such the remaining language of section 1.4.1 becomes inapplicable. Clearly defined effective dates can be found in many other NFPA Standards and provide valuable, enforceable language when considered necessary, which was the committee’s intent in this case.

Moreover, the assertion that the inclusion of this sentence (10.2.3.2), “usurps the assessment by the AHJ” is not correct, the standard always yields to the AHJ as final authority. By including a deadline for meeting this requirement the committee has given AHJ’s enforceable language that is clearly in the best interest of fire and life safety. The Committee Statement correctly points out that “UL 300 (has) been in effect since 1994 and systems not meeting this testing protocol should be removed from service due to fire safety concerns in the field.” If section 10.2.3.1 was being actively enforced there would be no pre-UL 300 systems in service, yet this is not the case.
**96- Log #6**

10.2.3.2

**Final Action:**

**Submitter:** John Chartier, Northeastern Regional Fire Code Development

**Comment on Proposal No:** 96-50

**Recommendation:** Reject the new section that was added by the Committee Action.

10.2.3.2 Effective January 1, 2016, all existing fire extinguishing systems shall meet the requirements of 10.2.3.

**Substantiation:** The final sentence (proposed 10.2.3.2), was not part of the original proposal and is contradictory to 1.4.1 of the Standard where it clearly states that the provisions of the Standard does not apply to existing facilities, equipment, or installations.

If a facility installs equipment in compliance with a Standard and then has to revise the installation every time the Standard is updated, the facility will constantly be revising the installation as long as the Standard continues to be subject to future proposals. This is why the Standard applies to new installations. Otherwise the user will be subject to continuous burden in order to stay in compliance with the latest installation Standard. The AHJ already has the right to protect against an imminent hazard through the provisions of 1.4.2 where he has the ability to apply whatever protection he deems necessary. By inserting a deadline, the Standard rescinds the authority of the AHJ to make an appropriate assessment by assuming that existing installations automatically presents a degree of hazard so unacceptable that it requires upgrade regardless of the determination of the AHJ.

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**96- Log #24**

10.2.3.2

**Final Action:**

**Submitter:** Kevin Richards, Kidde-Fenwal Inc.

**Comment on Proposal No:** 96-50

**Recommendation:** Revise text to read as follows:

*Effective January 1, 2016, all existing fire-extinguishing systems shall meet the requirements of 10.2.3.* Where the fire extinguishing system is non compliant to UL 300 or equivalent standard, the system shall be tagged as non compliant, the owner or owner’s representative shall be notified in writing and, where required, the authority having jurisdiction shall be notified in writing.

**Substantiation:** By the committee’s own argument (committee statement on this log), “systems not meeting this [UL 300] testing protocol” are cause for “fire safety concerns in the field.” Non compliant systems, which may decrease the likelihood of extinguishment (as noted in Appendix A.10.2.3.1), should be treated as any other “impaired” system and tagged accordingly, as required in Section 11.1.6. Delaying replacement of these systems until the stated date potentially allows inadequate protection to remain in place up to 22 years after the standard was first introduced and, therefore, does not appear to meet the standard’s intent (as defined in the scope, Section 1.1) i.e., to “provide the minimum (emphasis mine) fire safety requirements”.

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**96- Log #4**

(10.4.1)

**Final Action:**

**Submitter:** Kelly Nicolello, Western Regional Fire Code Development Committee

**Comment on Proposal No:** 96-57

**Recommendation:** Revise text to read as follows:

Upon activation of any fire-extinguishing system for a cooking operation, all sources of fuel and electrical power that produce heat to all equipment requiring protection by that system and all electrical outlets located under the exhaust hood shall automatically shut off.

**Substantiation:** The committee states “The original purpose of this section is to shutoff equipment that can produce heat that can feed the fire. The substantiation that is provided does not provide justification for the recommended change to the standard.” Yes, the “original” purpose was to shutoff equipment that can produce heat that can feed the fire: and these additional appliances do produce additional heat and do feed the fire and need to be shut down automatically. We agree with the negative of J. Munger.
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**Submitter:** John Chartier, Northeastern Regional Fire Code Development

**Comment on Proposal No.:** 96-66

**Recommendation:** Reject the text added by the proposal and return to current language.

11.6.1 Upon inspection, if the exhaust system is found to be contaminated with deposits from grease laden vapor, contaminated portions of the exhaust system shall be cleaned by a properly trained, qualified, and certified person(s) acceptable to the Authority Having Jurisdiction in accordance with IKECA/ANSI C 10.

**Substantiation:** This is not in accordance to the NFPA Standards Process. Antitrust protections assure that the NFPA is not used to promote one organization over another. Additionally, this may prejudice future AHJ decisions regarding types of certification allowed in their jurisdictions. The NFPA should not be used for the betterment of one certification organization over another. There are other certification organizations besides IKECA. Bottom-line, the Standard should be requiring that systems are cleaned and not defining how that cleaning should take place. If the committee wishes they could add documents to the annex to assist the AHJ in determining some of the cleaning standards that could be used.

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**Submitter:** Kevin Richards, Kidde-Fenwal Inc.

**Comment on Proposal No.:** 96-68

**Recommendation:** Revise text to read as follows:

Except as permitted in 14.3.4, exhaust systems...

**Substantiation:** Even if a suppression system is tested and listed for protection of the specific appliance utilizing the solid fuel, that would not address the possibility of embers contributing to re-ignition of fire in a nearby oil fuel load (e.g. fryer). Lack of a dedicated exhaust system where the fuel cannot be “shut off” increases the risk of that possibility.

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**Submitter:** Marc Sampson, Longmont Fire Dept.

**Comment on Proposal No.:** 96-68

**Recommendation:** Delete proposal, leaving current requirements as-is.

**Substantiation:** We agree with the negative comments of Messrs Reisman and Voelkert. It appears that the standard would require a significantly higher educational component for restaurant employees. Expecting the employees to calculate the amount of wood to burn and keep track for the night is absurd. Enforcement both with the restaurant and fire departments could be virtually non-existent due to the already strained resources.

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**Submitter:** David A. de Vries, Firetech Engineering Inc.

**Comment on Proposal No.:** 96-68

**Recommendation:** Reject Proposal 96-68.

**Substantiation:** Solid fuels create unique fire hazards that are difficult to control and enforce. The proposal, as revised by the TC, still lacks enforceable provisions, particularly the amount of solid fuel being used per hour. Eliminating the need for a separate exhaust system for this type of operation has not been thoroughly substantiated.

Further, it is unclear from Proposal 96-68 as published whether A.14.3.4 is to be included.
Revise text to read as follows:

14.3.3 Except as permitted in 14.3.4 Exhaust systems serving solid fuel cooking equipment, including gas or electrically operated equipment shall be separate from all other exhaust systems.

14.3.4 – delete entire paragraph

Substantiation: The requirements set forth to allow “flavoring” in 14.3.4 are both unrealistic and nearly impossible for AHJ’s and Fire Code Officials to enforce. There is no current fire test for a “smoker box” incorporated with a gas or electric appliance under ANSI/UL 300. Even if a test was available, the nozzles would require placement in the way of the operators – encouraging measures to defeat the system by moving the nozzles out of their way in between maintenance intervals.

It is unrealistic to assume that the amount of solid fuel at any given time will “not exceed 4.5 lbs. per hour per 100,000 BTU of gas burner capacity”. Who will calculate and monitor this limitation. Who is responsible for monitoring this requirement during operations? Does the average cook or assistant know the “BTU of gas burner capacity”? Is that measured with the appliance new or does it have to be measured periodically and adjusted over time? Does the measurement include charred pieces of solid fuel? Only new pieces? A combination of both? How is the weight determined? After charring or before? How is the “per hour gas burner capacity” going to be explained and documented to the enforcement official so they may assure compliance? It is unrealistic to expect AHJ’s and Fire Code Officials to enforce this requirement with undefined calculations, given dwindling resources, manpower and training funds.

Products of decomposition, such as creosote will still form in the ductwork, creating the dangerous situation that was intended to be avoided by requiring a separate hood for any solid fuel cooking.

Any jurisdiction using the IMC (International Mechanical Code) will still require a separate hood and exhaust system – (see IMC definition for “extra heavy duty appliance” and paragraph 507.2.4 of the IMC).

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Revise text to read as follows:

14.3.4 Gas and electrically operated equipment utilizing solid fuel for flavoring, that meet all of the following conditions shall comply with Section 14.8 but shall not be required to have a separate exhaust system.

1. The gas operated equipment shall be listed for use with the solid fuel holder.
2. The solid fuel holder shall be located underneath the gas burners.
3. Spark arresters conforming with Section 14.1.6 shall be provided.
4. The maximum quantity of solid fuel consumed shall not exceed 4.5 pounds per hour per 100,000 BTU of gas burner capacity.
5. The gas operated equipment shall be protected by a fire suppression system listed for the equipment including the smoker box.
6. The solid fuel holder shall be designed and listed to limit the maximum quantity of the solid fuel permitted in 4.

Substantiation: Our concern is how the use of solid flues is policed and enforced. The additional wording will assist some in the enforcement of solid fuel within gas and electric burning stoves.
Personal protective equipment (PPE) and height access equipment should be provided and used during the cleaning operations. The following items should be considered as a minimum:

- Eye protection – safety glasses or face shields
- Hand protection – gloves
- Head protection – hard hats
- Foot protection – work shoes
- Respiratory protection – masks and respirators
- Fall protection – harnesses and lanyards
- Height access – ladders with 225 lb ratings

**Preparation.** The fan should be turned off and locked out, or if not capable of being locked out, tagged out. Open flames should be extinguished and switches/breakers serving the appliances cooking area outlets should be locked out, or if not capable of being locked out, tagged out. Any solid fuel cooking appliances should be extinguished and the solid fuel removed.

**Removal or Covering of Equipment.** Any food products, cookware, and cooking support equipment that can be removed, should be removed from the cleaning area. Any equipment that can’t be removed should be covered in plastic.

**Cleaning Methods.** The following methods for clean surfaces of grease and contaminants have been proven to be effective:

- Manual cleaning by scraping, grinding, or rubbing
- Chemical cleaning with detergents and water
- Pressure washing with pressurized water or pressurized water and detergents
- Steam cleaning with pressurized steam

**Waste Water and Solid Waste.** Water and detergents used in the cleaning process and solid waste should be collected for disposal.

**Substantiation:**