NFPA 407-2017 and Proposed 2022 Editions
Standard for Aircraft Fuel Servicing
TIA Log No.: 1539
Reference: 5.1.12.4
Comment Closing Date: November 9, 2020
Submitter: Steve Berry, National Air Transportation Association
www.nfpa.org/407

Wording for the 2017 Edition:
1. Revise paragraph 5.1.12.4 to read as follows:

5.1.12.4 New ~~and existing~~ loading systems shall comply with 5.1.12.1 through 5.1.12.3 ~~within 5 years of the effective date of this edition~~.

Wording for the proposed 2022 Edition:
1. Revise paragraph 5.1.12.4 and delete associated Annex material to read as follows:

5.1.12.4* New ~~and existing~~ loading systems shall comply with 5.1.12.1 through 5.1.12.3 ~~by June 2, 2021~~.

~~**A.5.1.12.4** This date is consistent with the 5-year phase-in for overfill prevention systems as required in the 2017 edition of NFPA 407.~~

Substantiation: The language in sections 5.1.12.1-5.1.12.4 of the 2017 *NFPA 407* mandates automatic shutdown equipped loading racks that are compatible with refueler mounted sensor systems **including "existing equipment"**. The regular revision process failed to consider that retroactive compliance for existing loading racks and mobile refuelers may be unrealizable for hundreds of airports around the country.

The Aviation Industry is working through unprecedented times as are many industries during this worldwide pandemic. While some midsize to larger airports that are required to follow NFPA 407 (Part 139 Certificated) have already upgraded equipment to be compliant with the NFPA requirements as written, there are hundreds of others who have lost the flexibility to do so. To fulfill the requirement as written is a huge undertaking not just financially but also logistically, even within the time frame originally given in 2017.

Removing the retroactivity statement would allow the industry to progress toward meeting the requirement when **new** fuel storage systems are being designed/constructed. This type of flexibility and time frame allows the industry to procure the components as well as contractors at a reasonable pace both logistically and financially.

Emergency Nature: The standard contains an error or an omission that was overlooked during the regular revision process. The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification of the action.

The logistics required to retrofit all existing equipment across the industry are very difficult to contend with during "normal" conditions but are compounded with the current worldwide crises. While many locations own their refueling equipment many more are provided by aviation fuel distributors through lease programs or other arrangements. The leased fleet in the United States is in the thousands and mobile refuelers are moved throughout the country from airport to airport providing the resources to keep America flying. The ability to procure enough components as well as contractor resources to logistically retro fit so many airport fuel storage facilities and existing refueler trucks during these very unstable times will be extremely difficult if not impossible to do.

To conclude, while we all are working to create a safer environment for our industry, we also must weigh the financial viability of changes to keep our industry solvent. These reasons are why we are asking for a TIA removing the existing retroactive language in section 5 specifically 5.1.12.4: This would change 5.1.12.4 to read: ***New loading systems shall comply with 5.1.12.1 through 5.1.12.3.***

Anyone may submit a comment by the closing date indicated above. Please identify the TIA number and forward to the Secretary, Standards Council. SUBMIT A COMMENT