
From: Woestman, John
Sent: Monday, April 15, 2019 4:22 PM
To: TIAs_Errata_Fls@nfpa.org
Cc: Heppes, Jerry @ DHI
Subject: Comment on Proposed TIA 1436 on NFPA 101

Members of the NFPA Standards Committee,

We thank you in advance for your valuable time to review our communication.

We do not see TIA 1436 as an emergency nature, per NFPA's process. Here's why:

NFPA REGULATIONS GOVERNING THE DEVELOPMENT OF NFPA STANDARDS section 5.4 is the relevant section in determining the validity of a TIA.

5.4 Evaluation of Emergency Nature.

Determination of an emergency nature shall include but not be limited to one or more of the following factors:

- (a) The NFPA Standard contains an error or an omission that was overlooked during a regular revision process.
- (b) The NFPA Standard contains a conflict within the NFPA Standard or with another NFPA Standard. www.nfpa.org • NFPA Standards Directory 2018 30REGULATIONS GOVERNING THE DEVELOPMENT OF NFPA STANDARDS
- (c) The proposed TIA intends to correct a previously unknown existing hazard.
- (d) The proposed TIA intends to offer to the public a benefit that would lessen a recognized (known) hazard or ameliorate a continuing dangerous condition or situation.
- (e) The proposed TIA intends to accomplish a recognition of an advance in the art of safeguarding property or life where an alternative method is not in current use or is unavailable to the public.
- (f) 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 for the action.

The essence of TIA 1436 relates to the subject of Approved Certified Amending Motion 101-3 (CAM 101-3) which deleted the phrase: "The releasing mechanism shall open the door leaf with not more than two releasing operations." This CAM was approved by a vote of 233-41 during the June 7, 2017 Technical Meeting (Tech Session) in Boston. That is an 85% approval rate.

TIA 1436 seeks to overturn that approval. The conditions for issuing the TIA must therefore be evaluated as seeking to overturn a decision of 85% of those voting at the Technical Meeting.

Now let's look at each of the 6 clauses of 5.4

- a. Error or omission: As this issue was discussed and voted on, it cannot be either.
- b. Conflict with another standard: None has been identified
- c. Corrects a previously unknown existing hazard: It cannot be unknown as this was voted on and rejected
- d. Lessen a known hazard or ameliorate a continuing dangerous condition: The TIA is the opposite – it would subvert an existing standard to the detriment of public safety
- e. Advance of the art or (allow) an alternative method . . . not in current use: The TIA seeks to allow a known method which has been rejected
- f. Correct . . . an adverse impact on a product that was inadvertently overlooked: This was voted on and rejected.

This TIA is not the first attempt to weaken a bedrock of NFPA 101. CAM 101-3 was appealed and denied by the Standards Council. So this is an attempt to not only subvert the Technical Meeting vote but also the Standards Council vote.