

July 22, 2018
ATTN:
Dawn Michele Bellis
Director, Standards Administration & NFPA Standards Council
Secretary NFPA
1 Batterymarch Park
Quincy, MA 02169-7471

Appeal to Standards Council for CAM 72-6

Submitted by Richard Simpson Vector Security
5125 Campus Drive
Plymouth Meeting, PA 19462

NFPA 72 CAM 72-6
Appeal

Accept the following language as voted in support by the general membership at the annual NFPA Technical Meeting held in Las Vegas NV, June 14, 2018. This change will restore equivalency as listed in the facilities section 26.5.3.

26.5.3.1.3 Alarm, supervisory, and trouble signals shall be permitted to be received at a listed central supervising station.

Substantiation Support

Minimum Code and NRTL's

This portion of the appeal, titled "Minimum Code and NRTL's" brings needed attention to a serious issue that NFPA should carefully consider. NFPA

Intelligent security *tailored for you.*SM

allowing standards language to stay in place, which undermines the services of nationally recognized testing laboratories is a very dangerous precedent.

NFPA 72 is a minimum standard. In fact Section 1.5.1 states *“Nothing in this Code shall prevent the use of systems, methods, devices or appliances of equivalent or superior quality strength, fire resistance, effectiveness, over those prescribed by this code.”* Furthermore, Section 1.5.3 states *“The systems, methods, devices or appliances that are found equivalent shall be approved.”* These are core elements of a minimum code.

NFPA, as well as AHJ’s rely on Nationally Recognized Testing Laboratories (NRTL) to provide testing services that are crucial to the enforcement of codes and standards. NRTL is an Occupational Safety and Health Administration (OSHA) designation that identifies organizations that have the qualifications to perform safety testing and certification of products. Neither NFPA nor AHJ’s are NRTL’s. Equivalency should be certified by either a Nationally Recognized Testing Laboratory or a certified fire engineering company. With respect to this CAM, every listed Central Supervising Station has been examined by a NRTL and found compliant, and thus equivalent.

NFPA allowing standards language that disregards a core competency of the crucial NRTL function establishes a destabilizing precedent. Our research has not been able to find any other instance in NFPA 72 where a specific NRTL listing that exceeds the minimum requirement, is specifically required to gain individual AHJ approval.

AHJs routinely and by necessity determine fitness for use based on NRTL listings. It is standard procedure for an AHJ to determine fitness for use by examining the NRTL listing on a fire protection device. If an AHJ determines that there may be an issue with a NRTL listed device or service, NRTL’s have well established processes to investigate the claim. We know of no instance where any inquiry has been filed with a NRTL challenging the services provided by any listed Central Supervising Station.

That no challenges to NRTL’s with respect to Central Supervising Station listings have been uncovered undermines claims that AHJ’s use the subject language to disallow the use of an individual Central Supervising Station when in fact an entire class of service, i.e. all listed Central Supervising Stations, in entirety, are being inappropriately barred from use.

Furthermore, requiring both NRTL approval and then requiring a provider to submit to each and every AHJ for further approval would destroy a primary purpose of the code if applied to any other sections of NFPA 72, or any code or standard. Implementation of new fire

protection technology would come to a standstill if fire protection manufacturers had to achieve not only NRTL approval, but then, have to gain individual AHJ approval in every municipality nationwide.

Again, NFPA allowing standards language to stay in place, which undermines and devalues the services of Nationally Recognized Testing Laboratories is a very dangerous precedent.

Minimum Requirement – Remote Station vs. Central Station

In his required comments to his “disagree” vote the SIG-SSS chairman writes:

“Unfortunately, most central stations would prefer to follow the less restrictive Remote Supervising Station rules, and if CAM 72-6 is accepted they will be able to do so without AHJ oversight.”

Even though the context and meaning of the statement can be interpreted in many ways, the following should be considered:

- The comment concedes that Remote Supervising Station is “less restrictive” and anecdotally implies that NRTL listed Central Stations would prefer to offer the “less restrictive” service.
- UL listed Central Stations follow stringent NRTL requirements that significantly exceed the requirements for remote stations. A NRTL listing is core to their service. Implication that NRTL listed Central Stations would “prefer to follow the less restrictive” service should be accompanied by supporting data. Data can be provided to prove empirically that monitoring centers that do not monitor certificated or placarded fire systems, still maintain NRTL listings.
- The statement may be intended to reference certificated or placarded services. Even if a NRTL listed Central Supervising Station has only one certificated or placarded system, it must operate per the requirements of NFPA 72 for Central Station Service.
- When a NRTL listed Central Supervising Station monitors a non-certificated or placarded system, it is functionally providing Remote Station Service. Unarguably, statistically there are more Remote Station Service systems than there are certificated or placarded systems. That statistic in no way supports an argument that NRTL listed Supervising Stations would therefore prefer to offer Remote Station Service, if that is the intent of the statement.

Technology Meeting Results, Technical Committee Subsequent Action

Information we have is that every CAM that was passed at the Technology Meeting in June was rejected by the Technology Committee (TC) responsible for the related section of the standard. That every CAM was rejected, should provide the impetus for NFPA to examine the larger process. A TC sustaining a positive vote on a CAM essentially requires the TC to acknowledge that their original review and action was possibly in error, essentially, requires the committee to disavow their own work product. In reality, they are auditing themselves. The requirement for 2/3 of the TC to reach the conclusion that their own work-product needs to be reversed is a near insurmountable requirement. This raises a concern about process and to the real relevance of even having the Technical Meeting given the clear desire of membership is rendered irrelevant.

The comments from TC members that voted to reject the membership vote on CAM 72-6 provides needed insight into individual member thinking. NFPA requiring “no votes” to provide a corresponding comment as to why they voted to reject membership vote, is intended to provide information on why a TC member voted to reject a winning floor vote on a CAM. Unfortunately, said TC members that voted to reject the CAM are not required to actually provide any valid technical reason in their comments.

The following two comments are provided as examples of “disagree” comments being allowed that lack any actual technical explanation for said “disagree” vote. These are exact quotes, in their entirety, from TC members:

1. The text should be reverted back to the original text.
2. Swayed by comments from Art and Warren.

Additionally, given the importance of the content of each comment, a lack of accuracy and/or relevance weakens the validity of the process.

We are not alone in our concern about the high bar set for how TC's approve the floor vote. Appeals to other CAMS also question the fairness of a process where the Technical Committee has to reverse their own decision and requiring a 2/3 vote to do so. It is a common theme of that being inherently unfair. The Standards Council's documented mandate is “assuring that all NFPA rules have been followed and that due process and fairness have continued throughout the standards development process.” It is quite clear that there is an unarguable lack of fairness.

Given that this lack of fairness in the NFPA Standards Development process is getting considerable attention in multiple appeals, it is a reasonable expectation that NFPA will take this under review. The Standards Council and NFPA leadership using the likely NFPA review of the process as a reason to revert to the previous language would be equally unfair.

Technical Committee Balance and Membership

NFPA believes the recently reconstituted Chapter 26 to be balanced per ANSI guidelines. The NFPA Standards Development process with respect to balance states “Each Technical Committee is constituted so as to contain a balance of affected interests” While the committee may have the balance that is prescribed with respect to committee member classification, balance with respect to technical as well as operational expertise is absent, as the following will show.

NFPA-72, Chapter 26 (SIG-SSS) is titled “Supervising Station Fire Alarm and Signaling Systems”. NFPA’s own definition of the chapter is as follows:

“This Committee shall have primary responsibility for documents on the installation and operation of equipment for the transmission and receipt of signals from a protected premises to a supervising station, including the supervising station facilities.”

An NFPA 72 chapter TC must have sufficient technical expertise in its membership with respect to the chapter’s actual responsibility. Consider the following:

- The NFPA TC responsible for alarm signal transmission should have appropriate representation and widespread expertise in communications technologies.
 - Wide expertise in communications is absent on the committee.
 - Those that operate Central Stations have in depth knowledge and expertise in all of the alarm transmission technologies in use. There is not one Principal Member of the Technical Committee member that works for a commercial Listed Central Supervising Station. Their alarm signaling and communications knowledge is expert, and is wide-ranging. Not having that learned expertise is an obvious unexplainable omission.
 - Four TC members (two voting and two alternates) have expertise on a single signaling technology, private radio. That indicates a lack of technical balance as well as a lack of wider expertise on the TC of all the additional fire alarm signaling architectures in use.

- The chapter is also responsible for the Supervising Stations that monitor automatic fire alarm systems.
 - There is an obvious and unfair absence of members who have knowledge and learned expertise in supervising station process and operation.
 - There is not one voting TC member that works for a commercial Listed Central Supervising Station.

Given Standards Council responsibility to consider fairness and balance and to put the last two bulleted examples in perspective, the NFPA Standards Council would certainly have concern if:

- The Initiating Device chapter of NFPA 72, SIG-IDS had only one TC primary representative who was an expert in initiating devices
- The Notification Appliance chapter of NFPA 72, SIG-NAS, had only one TC representative from the notification appliance industry

Those two examples are reasonable comparisons as the Standards Council, chartered by NFPA to measure fairness in the Standards Development process, examine fairness related to CAM 72-6 and therefore understand why this CAM needed to be submitted.

Also with respect to fairness, we believe that despite a claim of balance, there is overwhelming evidence that the SIG-SSS TC consists of an unfair number of members who have a vested interest that is not related to life-safety, in defeating this CAM.

Conclusion

The Standards Council approving CAM 72-6 will eliminate precedent setting standards language that devalues and undermines the NRTL's that test life safety products.

The Standards Council approving CAM 72-6 will avoid undermining the time tested and much needed "Minimum Standard" principle that is used globally.

NFPA leadership and the Standards Council will hopefully review the Standards Development process with respect to successful CAM floor votes. In reality, the current process effectively renders useless said floor votes and unfairly disenfranchises NFPA members that are not on a TC. What is the value of NFPA membership to non-TC members if their opinions are rendered meaningless?

The Standards Council approving CAM 72-6 based on the empirical information provided herein is fair and reasonable. Reverting to the previous language while a review of process is undertaken, would be equally unfair.

