MEMORANDUM

TO: NEC® Code-Making Panel 6

FROM: Sarah Caldwell, Technical Committee Administrator

DATE: July 8, 2020

SUBJECT: NEC® Proposed Tentative Interim Amendment (TIA) No. 1478

The attached proposed Tentative Interim Amendment (TIA) Log No. 1478 is being submitted to you for ballot. This proposed TIA was submitted by Joseph Andre of JFA Consulting and endorsed by George Straniero of AFC Cable Systems, and Christine Porter of Intertek.

This proposed TIA will be published for public comment in the July 2020 issue of NFPA News with a Public Comment Closing Date of August 20, 2020. Any public comments received will be circulated to the committee. Finally, the Standards Council will review and consider the issuance of this TIA.

In accordance with Section 5 of the Regulations Governing the Development of NFPA Standards, you are being balloted on the technical merits of the proposed TIA and whether this matter is of an emergency nature.

The ballot can now be accessed through the NFPA online ballot system at the following link: NFPA Ballot Link. The link will bring you to your profile page and once you sign in, select the My Committees tab and click on the blue Vote button which will direct you to the ballot site.

Please complete the ballot on or before July 22, 2020 by 11:59PM (ET).

While completing your ballot, please remember the following:

- A comment is required for both Question No. 1 and Question No. 2 for the online TIA ballot. Comments must accompany all Negative, Abstaining and Agree votes.

- If you vote “Agree” on Question 1, simply add “Agree” to the comment field and if you vote “Agree” on Question 2, insert the applicable letter(s) selection in the comment field which can be found in the Instructions box on the ballot site.

You must hit SUBMIT to SAVE your work. Note: the system session will time you out after 60 minutes; any work not submitted at that time will not be saved! You may return to finish or change your ballot at any time up to the closing date. Ballot comments exceeding 4,000 characters must be submitted in a Word document via email, to Sarah Caldwell at scaldwell@nfpa.org.

Note: Please remember that the return of ballots and attendance at committee meetings are required in accordance with the Regulations Governing the Development of NFPA Standards.
1. Revise 334.10 items (2), (3), and (4) to read as follows:

334.10 Uses Permitted. …

(2) Multi-family dwellings permitted to be of Types III, IV-HT, and V construction.

(3) Other structures permitted to be of Types III, IV-HT, and V construction. Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute flash rating as identified in listings of fire-rated assemblies.

…

(4) Cable trays in structures permitted to be Types III, IV-HT, or V where the cables are identified for the use.

…

Substantiation: The safe use of Type NM Cable in building Types IV-A, B, or C has not been reviewed by CMP 6 or gone through the proper ANSI process. This is of an emergency nature because, without it, the NEC® is effectively and drastically altered without public input or deliberation by the electrical experts on CMP-6, and will allow installations of unknown safety. The TIA is critical in maintaining the current code requirements as approved through the NFPA process.

Emergency Nature: 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.

This is of a critical nature because of the imminent implementation of the provisions of Type IV-A, -B, -C in numerous jurisdictions. The states of California, Washington and Oregon are in the process of adopting the provisions of Mass Timber buildings far in advance of publication and adoption of the full 2021 Edition of the International Building Code. The TIA is critical in maintaining the current code requirements as approved through the NFPA process while giving time to evaluate the impact of the new building code requirements.
A. The standard contains an error or an omission that was overlooked during the regular revision process.

B. The NFPA Standard contains a conflict within the NFPA Standard or with another NFPA Standard.

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.