



04-7-1-q-7

NATIONAL ASSOCIATION OF STATE FIRE MARSHALS
Government Relations

June 21, 2004

Mr. Casey Grant
NFPA Standards Council Secretary
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02269

Re: Comment 2-91
Appeals to Standards Council NEC

Dear Members of the Standards Council:

The National Association of State Fire Marshals (NASFM) has worked within the code-making process to achieve a higher level of safety for America. NASFM submitted Comment 2-91 (Proposal 2-140) to CMP 2 for improving electrical safety for new homes.

During the Technical Session of National Electrical Code in Salt Lake City the NEC was modified by several motions for acceptance. During Article 210 I, the submitter of Comment 2-91, moved for acceptance a provision that would expand the coverage of "arc-fault circuit interrupter (AFCI)" protection for "all living areas" of the dwelling. During the floor debate there was no discussion from any of the individuals that have now filed an appeal regarding the acceptance of C 2-91 that will expand coverage in dwellings.

NASFM continues to support this important technology and has passed two resolutions calling upon all safety organizations to support or endorse this valuable technology. Therefore, NASFM submits to you the following information/facts regarding arc-fault circuit interrupter technology for support and acceptance:

- There are over 6 million AFCI devices installed.
- There has been no recall of any AFCI devices by the US CPSC.
- The floor vote recommending expansion was more than a majority.

- Nuisance tripping has not occurred and allegation alleging that nuisance tripping is a problem is unfounded.
- CMP 2's slow progressive change before taking the next step has passed. This technology has been in place since the 90s and became effective the last code cycle.
- The proposed "combination device" for 2008 should not be used to forgo the expansion of the current technology.
- AFCI technology has been proven, tested and is effective.
- Comparing AFCI with GFCI is inappropriate. AFCI technology is the state of the art. GFCI was developed over 25 to 30 years ago.
- Real world experience was submitted to CMP 2 and there was no dispute about this data.
- The National Association of Home Builders has opposed smoke detectors, sprinklers, GFCI and now AFCI. They allege that existing homes are the problem. NASFM is desirous of expanding AFCI into existing homes during electrical upgrades. Unfortunately, the Home Builders voted against expansion in existing dwellings. Their position is unfounded and without scientific evidence to restrict this important technology.

In review of the appeals the information provided is speculation not based on facts. NASFM via separate cover is forwarding the Standards Council members a copy of the Science Advisory Committee's report on the "Efficacy of AFCIs" and via separate covers CDs on "AFCI 101". NASFM's position is that this technology is ready for expansion not only in dwellings but other similar occupancies.

The purpose of the National Electrical Code "is the practical safeguarding of persons and property from hazards arising from the use of electricity". Without expanding the use of this technology the code's purpose is not being met. NASFM does not endorse any product or device but only the technology. Therefore, manufacturers must prepare to meet the demand for providing devices that meet the intent of the code.

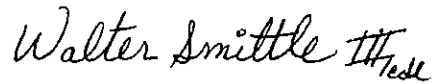
Lives and property will be saved by expanding this technology today and not the next code cycle. It is the position of NASFM that waiting on the next code cycle for a combination device will only delay further expansion because when the combination devices is implemented the committee will take the same position of gradual

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implementation of this new device. Without implementation of Comment 2-91 the future of saving lives and property will not be effective. I refer the Standards Council to the documentation previously submitted to CMP 2 by NASFM and US CPSC.

NASFM may submit additional information at the hearing July 14, 2004. Thank you for the opportunity to provide this information.

Sincerely,

A handwritten signature in cursive script that reads "Walter Smittle III".

Walter Smittle III
NASFM, Special Representative

cc: NASFM Board of Directors