

OS
CPSA & NFPA Cleared
11/10/94
Products Released
Exceptional
Firms Met
Complete Inspection


LOG OF MEETING

DIRECTORATE FOR ENGINEERING SCIENCES

SUBJECT: Task Group on Encouraging Electrical Inspections for Existing Homes

DATE OF MEETING: 10/11/94

PLACE: East-West Towers, Bethesda.

LOG ENTRY SOURCE: Dennis McCoskrie 

DATE OF ENTRY: 10/14/94

COMMISSION ATTENDEES:

- | | |
|----------------------|---------------------|
| William H. King, Jr. | Larry Moskowitz |
| Edward Krawiec | Robert L. Northedge |
| Dennis McCoskrie | George Sweet |

NON-COMMISSION ATTENDEES:

See attached roster.

SUMMARY OF MEETING:

Mr. King reviewed the history of the task groups and identified the three meetings to be held October 11 and 12:
Encouraging Electrical Inspection for Existing Homes,
Innovative Technology,
Wiring Methods for Rehabilitation Work.

He also announced that Bob Northedge had assumed management of the Home Electrical System Fires project while he (Bill King) was resuming the Directorship of the Electrical Engineering Division.

He described the strong interest of CPSC's chairman in the Home Electrical System Fires project and mentioned that this interest led to moving up the schedule for demonstrating electrical rehabilitation of typical houses, by at least one year.

Mr. King then pointed out that the deadline for additions and revisions to NFPA-73 was January 5, 1995. He added that he planned to recommend adding inspection of polarity and grounding of all outlets in a home to this code. He added that he had obtained valuable information by performing these tests during the recent inspection of five homes.



Mr. Northedge then covered recent developments in the Residential Electrical Systems project. He described a presentation to the United States Fire Administration (USFA) which led, eventually, to an interagency agreement between USFA and CPSC. The agreement provides for \$70,000 of USFA funds to support two rehabilitation demonstrations. He went on to narrate a similar presentation to "Fannie Mae" that may result in their supporting another rehabilitation demonstration by directly funding it with the contractor.

He also mentioned that letters had been sent to the Electricity Committee of the National Association of Regulatory Commissions and ITT-Hartford describing the problems of electrical system fires in homes and the role that NFPA-73 might play in solving them. The letters proposed later meetings with Chairman Brown to discuss CPSC efforts to reduce the incidence of these fires and to explore possible cooperative efforts to achieve this.

Mr. Northedge went on to say that Art Smith of the New York Board of Fire Underwriters had petitioned New York State to adopt NFPA-73. Mr. Northedge also reported his attendance at the October 4 meeting of the New York Fire Prevention Subcommittee meeting to consider NFPA-73. Mr. Northedge outlined his presentation to this subcommittee about CPSC's fire-safety initiatives for older homes in need of electrical repair. He also described his explanation of the role of the NFPA-73 code in enhancing electrical fire-safety. The subcommittee voted unanimously to recommend adoption. Mr. Northedge mentioned that this is only the first step in obtaining adoption of this code in New York State.

Mr. Thompson suggested that NFPA-73 could be made part of the National Electrical Code so that when authorities having jurisdiction adopt a new edition of NFPA-70, NFPA-73 would be included automatically. He also raised the question of possible misuse of NFPA-73 by untrained "do-it-yourself" inspectors.

Various ways of making NFPA-73 effective were discussed, including its becoming part of the Fire Prevention or Housing Codes. Mr. King asked what would be helpful to effecting adoption in Maryland and Mr. Thompson replied that a letter to Charley Cronauer, Maryland Deputy Chief Fire Marshal, could help.

Mr. Charkey introduced the question of qualifications for inspectors enforcing NFPA-73. He stated that New York State requires home inspectors to be Professional Engineers (PE's) registered in New York State whereas Maryland recognizes, in addition to PE's registered in Maryland, electrical inspectors who have been examined and qualified by the International Electrical Inspectors Association and licensed Master Electricians. Mr. Thompson added that the question of what would constitute adequate training to enforce NFPA-73 has not been addressed.

Mr. Wells suggested efforts to familiarize active home inspectors with NFPA-73 with the objective of stimulating proposals to revise and improve this code. It was agreed that support (requirement for meeting NFPA 73 before approving mortgages) from lenders could accelerate adoption of this code. There are precedents in requirements for approval of gas appliances and installations and for termite inspections. Mr. Northedge mentioned that Fannie Mae representatives were not hopeful that their agency could make NFPA-73 inspection a prerequisite to approving a mortgage because they are currently charged to reduce existing delays in approving mortgages.

Mr. Wells suggested that favorable publicity for NFPA-73 could be planted in the publications of the International Association of Electrical Inspectors (IAEI), the Southern Building Code Congress International (SBCCI) and the Building Officials and Code Administrators (BOCA). It was proposed, in particular, that Phil Simmons, Executive Director of IAEI, be approached for some help of this kind.

A request was made to Mr. Favardin of the National Conference of States on Building Codes and Standards, Inc. (NCSBCS) to prepare an article about NFPA-73 to be included in NCSBCS' newsletter. It was stated that as many as ten states were already active in considering this code. In particular, activities in Virginia and North Carolina were mentioned, as well as a proposal for adoption presented to the Board of Rules and Appeals of Broward County, (Ft. Lauderdale) FL (documents attached). The North Carolina activity includes consideration of inspector qualification and testing.

Mr. Charkey stated that he had written to his organization (American Insurance Service Group) in favor of the new code, but went on to say that any support from the casualty insurance industry would have to be solicited from individual insurance companies. Mr. Favardin mentioned the possibility that applications for homeowner's insurance might offer a reduced rate for homes that comply with NFPA-73. Mr. King reported that previous inquiries to insurance companies along these lines had disclosed a general resistance to differential rates, except for multifamily dwellings. Mr. Favardin pointed out that rate differentials are already employed, based upon jurisdictional or geographic areas. Mr. Wells pointed out that the part of the premium covering fire losses is a relatively small proportion of the total.

Mr. Charkey announced his intention to recommend more specific coverage in NFPA 73 to cite frayed insulation as a hazardous condition. He stated that the two most common problems in his experience were frayed insulation and inadequate or no grounding.

Mr. Charkey went on to say that just the existence of a voluntary standard or code, even though the code may not be legally applicable in the jurisdiction involved, can exert an important influence in liability litigation.

Mr. Krawiec commented that NFPA-73 does not contain rules or information to define adequate repairs. It was explained that the requirements for rehabilitation were left to be determined by the authority having jurisdiction. Early drafts of this code did have corrective data, but the NFPA Code Correlating Committee could not agree to a situation where another "adequate" NFPA code would disagree with the National Electrical Code. It was mentioned that a number of rehabilitation codes are presently in use (BOCA, HUD, City of Port Huron, etc.) as well as inspection procedures published by the American Society of Home Inspectors (ASHI), "HOMEPRO" and "HOUSEMASTER". All of these correlate partially with NFPA-73. It was proposed that Mr. Petty, Mr. Charkey, and Mr. Wells prepare a draft document to explore ASHI interest in adopting NFPA-73.

It was also proposed that promotion of NFPA-73 be emphasized in CPSC's "Electrical Safety Month" and "Fire Prevention Week". Mr. Northedge described CPSC plans for the agency's Public Affairs Specialists in the field offices to explore means of obtaining adoption of NFPA-73 by local authorities having jurisdiction.

It was proposed to hold the next meeting in the spring of 1995 and the group agreed to do this.

Homecoming Meeting
October 11, 1994
CPSC ENGINEERING

- BILL KING
1. Larry Moskowitz - CPSC
 2. DAVE DINI - UL
 3. DENNIS McCOSKIE - CPSC
 4. Bill Thompson IAET - MP Elec.
 5. George Sweet CPSC
 6. Bob Clarey EATON (Cutler-Hammer)
 7. N. Z. Lukeman Product Safety Letter
 8. BOB Northedge - CPSC, Engineering Sciences
 9. Bob Petty - House Master.
 10. Bob Duhigan NAED
 11. ED KRAWIEC CPSC ENGINEERING
 12. Edward S. Charney American Insurance Service Group.
 13. Siavash C. Farvardin National Conference of States on Building Codes & Standards.
 14. JACK WELLS - Pass: Sitmak / Lebrano

September 13, 1994

New York Department of State Fire Prevention
Subcommittee Meeting on NFPA 73

The Fire Prevention Subcommittee of the Department of State of New York state will hold a meeting October 4, 1994 to discuss several topics, including whether to recommend to the State Code Council the adoption of NFPA 73 as part of the New York State Uniform Fire Prevention Code:

Fire Prevention Subcommittee - Composed of 15 members from the fire prevention committee, such as inspectors and fire protection officials. They make recommendations regarding fire prevention to the New York State Code Council.

The New York State Code Council - composed of 17 members (only two from the fire protection area). The NY State Uniform Fire Prevention Code applies every where within the state of new York except New York City. However, NY City must adopt requirements at least as strong as those for the state.

The Code-Change Process - The Fire Prevention Subcommittee makes a recommendation to the State Code Council to adopt a change to the State Uniform Fire Prevention Code. The State Code Council then takes up the issue. If the Code Council decides to go forward they request **public comments and hold hearings**. If the Code Council decides to change the Fire Prevention Code the decision goes to the Secretary of State for review. The Secretary reviews the decision to assure that the code is not being relaxed. The whole code-change process can take 18 months to 2 years.

September 30, 1994

Mr. Mark Early
NFPA
Batterymarch Park
Quincy, MA 02269-9101

SUBJECT: NFPA 73
State of Virginia

Dear Mark:

With this I am forwarding a letter from John Minick with a copy of a bill that is before the Virginia House.

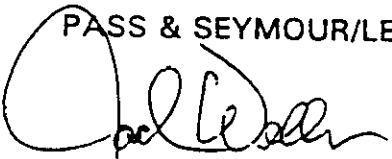
It strikes me that there's a place for NFPA-73 either in the legislation or in the regulation it calls for.

NFPA-73 is the only protocol defining precisely what an electrical reinspection should cover. NFPA-73 would work in harmony with Virginia's minimum housing code (SBCCI I believe) and the NEC.

Possible wording "One and two family dwellings shall be inspected in accordance with the most recent edition of NFPA-73, Electrical Safety Inspection Code for Existing Dwellings. Remedial work shall be performed in accordance with the National Electrical Code and minimum housing code."

Please include this on the Electrical Code Advisory Committee's agenda.

Best regards,

PASS & SEYMOUR/LEGRAND

Jack Wells
Vice President
Corporate Development

jpw/mw
early.let

cc: Ken Backman
Dick Murray
John Minick

Ben Roy
Bill King

P.S.: Also attached is a memo from John Minick regarding some opportunity in North Carolina.



National Electrical Manufacturers Association
2101 L Street, N.W. Suite 300
Washington, D.C. 20037 (202) 457-8400

NEMA Southern Field Office
John Minick
2830 Santa Rita
Grand Prairie, Texas 75052-5219
Home: (214) 264-7196
Bus: (214) 642-8462
Fax: Same as Business

September 12, 1994

Mr. Jack P. Wells,
Vice President, Corporate Development
Pass & Seymour/LeGrand
P.O. Box 4822
Syracuse, New York 13221

Re: State Of Virginia House Bill No. 891 - Reinspection

Dear Jack,

Please find enclosed a copy of proposed Virginia House Bill No. 891 which would require that all buildings would require reinspection before utility reconnection. Also, please excuse my tardiness in obtaining a copy of this bill for you as no one I currently knew in Virginia had a copy of the actual bill.

This bill was held over for further study and will be considered again by the Virginia House. According to Greg Revels, Deputy Building Official with Henrico County, Virginia, the State of Virginia already has a reinspection guideline law in effect and this bill, if passed, would only be an aid to allow the existing reinspection law to be enforced.

Mr. Revels also informed me that it would appear that the State of Virginia will be considering a "private inspector" bill that would regulate nongovernmental inspectors such as inspectors that inspect homes for FHA, VA, and for other reasons. This proposed bill would also allow for reinspection enforcement through the Virginia Statewide Building Code which already contains guidelines for reinspection.

If I may be of further assistance, please call me at (214) 642-8462.

Sincerely,

John Minick

cc: Larry Miller

LE01752717

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

HOUSE BILL NO. 891

Offered January 25, 1994

A BILL to amend the Code of Virginia by adding a section numbered 36-99.2:1, relating to Uniform Statewide Building Code; reinspection of certain buildings.

Patrons—Spruill, Christian, Crittenden, Jones, D.C., Jones, J.C., Melvin, Moore and Robinson;
Senators: Lucas, Maxwell and Miller, Y.B.

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 36-99.2:1 as follows:

§ 36-99.2:1. Reinspection of buildings prior to utility reconnection.

The Board of Housing and Community Development shall promulgate regulations in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.), requiring reinspection of any building before service can be restored to an electric or gas utility installation from which electrical or gas services had been discontinued or transferred for any reason other than nonpayment of service bills, including but not limited to changes in use or occupancy. Such inspections shall be conducted by the local building official to ensure compliance with the Uniform Statewide Building Code. Upon reinspection and approval of any building as required by this section, the local building official shall notify the utility service provider to reconnect service or, in the case of a change in occupancy or use, to transfer service.

Official Use By Clerks	
Passed By	Passed By The Senate
The House of Delegates	without amendment <input type="checkbox"/>
without amendment <input type="checkbox"/>	with amendment <input type="checkbox"/>
with amendment <input type="checkbox"/>	substitute <input type="checkbox"/>
substitute <input type="checkbox"/>	substitute w/amdt <input type="checkbox"/>
substitute w/amdt <input type="checkbox"/>	
Date: _____	Date: _____
_____ Clerk of the House of Delegates	_____ Clerk of the Senate

MEMORANDUM

8/30

To: Larry Miller
From: John Minick *JM*
Date: August 23, 1994
Subject: North Carolina Qualification Board Creation

A report was given at the recent Council of Code Officials (COCO) meeting that I attended in North Carolina which I feel should be brought to your immediate attention.

Grover Sawyer, P.E. with the North Carolina Department of Insurance announced the creation of a new inspector qualifying board within the State of North Carolina. Mr. Sawyer is currently the staff director and liaison to the current North Carolina Code Officials Qualification Board (publicly employed inspectors). This new board will oversee the qualification of private inspectors that inspect older homes for rehabilitation, real estate loans such as FHA or VA, or other such causes for older home inspection. To date in North Carolina, these inspections have been accomplished by private, as opposed to public, unregulated persons without any specific guidelines for such inspections. Apparently it was felt that a separate board from the public inspector's qualification board was needed for these private inspectors.

This new North Carolina inspector qualification board is going to be appointed by the Governor of North Carolina soon and this board will then set guidelines for inspector qualifications, testing of inspectors, and adopt guidelines and regulations for making these types of inspections.

This would appear to be an opportunity to approach this newly formed regulatory agency concerning NFPA 73. I do not know Mr. Sawyer personally and only met him for the first time at the COCO meeting.

Mr. Sawyer may be contacted by writing him at:

Grover Sawyer, P.E.
Director of Inspector Qualification Boards
Department of Insurance
State of North Carolina
P.O. Box 26387
Raleigh, North Carolina 27611

or by phone at (919) 733-3901.

cc: Frank Kitzantides
Jack Wells

ATTN Joon Arca

ATTN: Bob Dunigan
Schwing Elec
516-727-0180

NOTE TO COMMITTEE CHAIRMAN: PLEASE BE SURE A REASON IS STATED FOR ANY AND ALL PROPOSED CODE CHANGES THAT RESULT FROM MOTIONS MADE BY COMMITTEE MEMBERS.

DATE: September 21, 1994

TO: ELECTRICAL COMMITTEE

- | | |
|-------------------|----------------|
| T. Bray, Chairman | A. Kozich |
| D. Rice | J. Payne |
| J. Somers | C.M. Schneider |
| T. Baker, Adv. | W. Self |
| F. Bryan | J. Toscano |
| D. Hardesty | L. Wansor |
| R. Korte | L. Welch |

FROM: Tarry L. Baker, Electrical Code Compliance Officer *SLB*

THROUGH: Glenn L. Russell, Interim Administrative Director *GR*

SUBJECT: ELECTRICAL COMMITTEE MEETING - OCTOBER 6, 1994

The Chairman of the Committee, Mr. Bray, has called for a meeting of the Electrical Committee on October 6, 1994 at 1:30 p.m., in the conference room on the fourth floor at 955 South Federal Highway, Fort Lauderdale.

A G E N D A

1. Proposed New Code Subsection 4513.12, Mr. Tarry L. Baker CECCO, Board of Rules and Appeals will address.
2. Letters from Mr. Len Mitchell, Special Services Investigator, Audits & Investigations, Canadian Standards Associates (CSA). To formally recognized CSA in Chapter 45 and Section 402 of the South Florida Building Code Broward Edition as an Accredited Authoritative Agency.
3. Adoption of National Fire Protection Association (NFPA) 73, Residential Electrical Maintenance Code for One-and-Two-Family Dwellings in Chapter 45 and Section 402 of the South Florida Building Code Broward Edition, Mr. Bruce Pockey, Chief Executive Officer, McDonald Distributors of Florida, Incorporated will address on behalf of the National Association of Electrical Distributors.

GENERAL DISCUSSION

In accordance with established Board policy, please notify this office the day before the meeting should you not be able to attend, so we may be sure of a quorum.

Please note that all our meetings are published and open to the public. However, only committee members have the right to vote and all other persons may be involved in limited discussion only. Only agenda items may be voted upon.