

December 22, 2008

Via email to [cab@firemarshals.org](mailto:cab@firemarshals.org)

Chief Alan R. Shuman, President  
National Association of State Fire Marshals  
1319 F Street, NW, Ste 301  
Washington, DC 20004

Re: Draft NASFM Code Application Bulletin, "Pallet Fire Loading Impact on Sprinkler Design"

Dear Chief Shuman:

In response to the September 29, 2008 request for comments regarding the Draft NASFM Code Application Bulletin, "Pallet Fire Loading Impact on Sprinkler Design" (hereafter, "the NASFM Draft"), we offer the following:

The NASFM Draft should be issued and implemented in its current form without further delay.

- The 2007 edition of NFPA 13, "Standards for the Installation of Sprinkler Systems", has been published for almost two years.

- The references to NFPA 13 in the NASFM Draft are accurate and the education and enforcement policies set forth in the NASFM Draft are appropriate in light of the requirements of NFPA 13 and the mission of the NASFM.

- Any further delay in the implementation of the NASFM Draft continues to unnecessarily place the safety of lives and property at risk as evidenced by recent warehouse fires fueled in part by stored wooden and composite pallets at the Imperial Sugar warehouse in Georgia and the Knight Transportation warehouses in Phoenix, Arizona, among others.

We note that a September 22, 2008 letter from Kevin Shuba, President, CHEP Americas, to Alan Shuman, NASFM President (available at <http://www.firemarshals.org/data/File/CHEP.pdf>), urged a delay in the implementation of the NASFM Draft "for one year or until [Underwriters Laboratories] and FM have the opportunity to draft and implement ... new standards for listing and certification" of pallets. This letter was briefly posted on the NASFM website in the "comments received to date" area for this subject, but has since been removed. As stated above, we strongly disagree with CHEP's position and provide some additional facts below that should be of interest to the NASFM and all others interested in promoting fire safety in this country.

The CHEP letter stated that "CHEP has been working with UL and FM for more than a year to develop new testing protocols and standards for UL Listing and FM Approval of pallets containing composite wood blocks" and went on to say that "UL expects to publish a draft set of revised testing protocols within the next few weeks".

We have learned that Kerry Bell of UL has indeed recently proposed changes to the standards of UL 2335, which is the standard for pallet fire performance on which NFPA 13 is based. If adopted, these proposed changes would substantially relax the requirements for listing under UL 2335 by effectively changing the baseline fire performance from the current standard, based on a 42" x 42" 2-way entry oak stringer pallet, to that attributable to a 48" x 40" 4-way entry soft wood 9-block pallet. As you are no doubt aware, fire performance is significantly affected by the type of wood and the design used in making a pallet, and testing data confirms that there is a significant difference in fire performance between the two pallet types.

The new standard pallet proposed by Mr. Bell of UL, interestingly, is the same pallet which comprises the bulk of CHEP's pool. Even more interestingly, the CHEP letter states that the fire testing performance of its composite wood block pallets, which are the newest pallets and fastest growing segment in its pool, is comparable to that of its standard wood pallets. But what CHEP did not say in its letter and has not generally acknowledged is that these composite wood pallets have been unable to meet the current listing requirements of UL 2335. If Mr. Bell's proposal is adopted, it would lower the standards for warehouse sprinkler protection set out in NFPA 13 by allowing previously non-UL 2335 compliant pallets constructed of much more flammable plastics and other materials (such as the CHEP composite wood block pallet) to now meet the performance standards for listing under UL 2335. Thus, if UL lowers its fire performance standards to such dangerous levels, it also will have the effect, without any consideration or action from NFPA or NASFM, of significantly diminishing the fire safety standards reflected in NFPA 13. This could result in dramatically increasing the risk of deaths, injuries and catastrophic property loss by fostering the presence of under-protected plastic and composite pallets throughout the marketplace.

The September 29, 2008 request for comments states that all comments received on the NASFM Draft will be posted on the NASFM website. For that reason, the CHEP letter referred to above should be re-posted and made available to all interested parties. Furthermore, any meetings with NASFM officials to discuss the content or timing of the NASFM Draft should be public so that all interested parties may attend and participate.

Sincerely,



Rex Lowe  
President  
iGPS Company LLC