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MEMORANDUM

TO: Technical Committee on Energy Storage Systems

FROM: Sarah Caldwell, *Committee Administrator*

DATE: November 2, 2022

SUBJECT: NFPA 855 Proposed Tentative Interim Amendment No. 1677
Public Comment Review

The attached Public Comments are being submitted to the Technical Committee for review.

If you wish to change your vote, the change must be submitted through the NFPA online ballot system at the following link: [NFPA Ballot Link](#). If you do not wish to change your vote, no response is necessary.

Please complete the ballot on or before **November 8, 2022 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) selections 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 45 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 Elena Liolin at eliolin@nfpa.org.

The return of ballots is required by the *Regulations Governing the Development of NFPA Standards*.

Attachment: Public Comment(s)

NFPA 855-2023 Edition

Standard for the Installation of Stationary Energy Storage Systems

TIA Log No.: 1677

Reference: 9.1.5.2.3(new), A.9.1.5.2.3(new)

Comment Closing Date: October 31, 2022

Submitters: Brian Baughman, Generac Power Systems, Andrew Blum, Fisher Engineering, Inc, Robert Davidson, Davidson Code Concepts, LLC, Howard Hopper, UL LLC, and Chad Kennedy, Schneider Electric

www.nfpa.org/855

1. Add a new paragraph 9.1.5.2.3 and associated Annex A.9.1.5.2.3 to read as follows:

9.1.5.2.2 The test report shall be accompanied by a supplemental report prepared by a registered design professional with expertise in fire protection engineering that provides interpretation of the test data in relation to the installation requirements for the ESS.

9.1.5.2.3* For ESS installations complying with Chapter 15 that do not exceed the individual or aggregate ratings referenced in 15.5.3, the AHJ shall be permitted to require the test report to be accompanied by a supplemental report prepared by an approved independent third party with expertise in the matter that provides interpretation of the test data in relation to the installation requirements for the ESS.

A.9.1.5.2.3 Subsection 1.3.2 indicates that ESS in one- and two-family dwellings and townhouses need only comply with Chapter 15. However, 15.3.1 identifies reduced spacing conditions that require fire and explosion testing to comply with 9.1.5. Since these residential ESS cannot exceed 20 kWh (72 MJ) and the total aggregate energy of the installations is limited, the supplemental report in 9.1.5.2.2 is not required unless requested by the AHJ. This section does not apply to residential ESS that exceed the individual and aggregate ratings specified in 15.5.1 and 15.5.2, since 15.5.3 requires larger systems to comply with the commercial ESS requirements in Chapters 4 through 9.

Substantiation: The standard contains an error or an omission that was overlooked during the regular revision process. 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.

This TIA would eliminate the requirement for a registered design professional with fire protection engineering expertise and replace that with language similar to what is currently found in NFPA 1, Section 1.16.1 when technical assistance is required by the AHJ (the IFC has similar language in 104.8.2). The current language is onerous for the smaller residential installations. In most cases the installations are simpler with clear cut location requirements contained within Chapter 15 where there is no need for a supplemental report.

As written, an installer could be doing the exact same installation at a number of homes in a jurisdiction, and they would need a registered design professional (e.g., FPE) for each installation. The new Section 9.1.5.2.3 matches how this topic, (technical assistance for supplemental reports), is addressed in NFPA 1 Fire Code. The requirement is only triggered if the AHJ request the supplemental report and the professional preparing the report can be any independent third party with expertise in the matter that is approved by the AHJ.

Emergency Nature: The standard contains an error or an omission that was overlooked during the regular revision process. 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.

When Section 9.1.5.2.2 was added to the code the submitters did not consider the impact on small residential installations, and no discussion occurred when the committee voted on the addition. Only larger commercial installations were considered. The committee apparently overlooked that 15.3.1 required fire and explosion testing for smaller, much more standardized residential ESS systems.

Foran, Rosanne

Comment No. 1
OPPOSE

From: Chris Searles
Sent: Wednesday, September 28, 2022 6:00 PM
To: Shared TIAs
Subject: Comment on Proposed TIA 1677 on NFPA 855

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TIA number 1677

Oppose TIA 1677

Comment:

While I understand and support the intent, the wording needs to be made clearer in 9.1.5.2.3. Instead of stating “. . . the AHJ shall be permitted to require the test report to be accompanied by”, it would avoid confusion and make a clearer statement to state, “ the test report described in 9.1.5.2.2 above is not required for ESS installations complying with Chapter 15 and where the individual or aggregate ratings referenced in 15.5.3 do not exceed 20 kWh (72MJ). However, if the AHJ determines that he would desire an interpretive supplemental report prepared by a registered design professional with expertise in fire protection engineering, and the unit or system in question has not already been tested to UL 9540A or equivalent standard with an accompanying supplemental report, he may request that such a report be generated.”

This clarification makes it clear that a supplemental report is not required or necessary for residential units that do not exceed 20kWh (72MJ) but leaves the option on the table if the AHJ so desires. This should make the need for an Annex 9.1.5.2.3 unnecessary.

Chris

Chris Searles
Vice-Chair,
IEEE Energy Storage and Stationary Battery Committee
Safety Codes and Standards Working Group
CGS and Associates

Foran, Rosanne

Comment No. 2
SUPPORT

From: Tyree, Kenneth E
Sent: Monday, October 31, 2022 6:45 PM
To: Shared TIAs
Subject: Comment on Proposed TIA 1677 on NFPA 855

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As President of IFMA I along with our body of Board of Directors support the proposed TIA based on an apparent error or an omissions that may have been overlooked during the regular revision process. If this proposed TIA is approved, it would correct a circumstance and would fall in line of correlation with NFPA 1, Chapter 52. Thanks for your acceptance and consideration of our comments pertaining to this matter.

Respectfully submitted,

Kenneth E. Tyree Jr.
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President,
International Fire Marshals Association (IFMA)
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