Hi Mo,
Attached please find the amended glitch/errata proposed change based on the threat to public safety criteria listed in the call for proposed modifications: *Adoption of an updated edition of the National Electrical Code if the Commission finds that delay of implementing the updated edition causes undue hardship to stakeholders or otherwise threatens the public health, safety, and welfare*

Best Regards

*Doug Dorr*
Technical Executive
Electric Power Research Institute
4011 Isle Vista Ave
Belle Isle, FL 32812
ddorr@epri.com

**To:** mo.madani@myfloridalicense.com
**Subject:** **Proposed Glitch Code Change:**
**From:** **Douglas Dorr**

As a member of the National Fire Protection Association (NFPA) experts panel for NEC Article 680.26 and as the Principal R&D Manager for the EPRI Swimming Pool Test Facility, I am proposing the expedited adoption into the Florida Building Code by December 31, 2026, of NEC TIA 23-9 for all new construction of commercial or residential pools.
More specifically this request is to revise Chapter 35 (Referenced Standards) of the Florida Building Code 9th Edition Draft as follows: Under NFPA 70-23 National Electric Code (NEC) published September 1, 2022, *include TIA 23-9 (Effective Date April 10, 2023).* For convenience, the specific language from TIA-23-9 is included both, as an attachment, and as the last several paragraphs in this proposal.
This proposed code change is requested according to the following Glitch Code Change requirement: *"Adoption of an updated edition of the National Electrical Code if the Commission finds that delay of implementing the updated edition causes undue hardship to stakeholders or otherwise threatens the public health, safety, and welfare."*
**The rationale for the proposed code change is based on the following:**
(a) The proposed code change falls within the glitch criteria stated above - because not including TIA 23-9 in the 9th Edition of the Florida Building Code threatens the public health, safety, and welfare of Floridians and visitors.
(b) The proposed code change has a Florida specific need because the present Florida adoption does not consider or require minimum safe electric shock drowning criteria of the 2023 NEC, and particularly the published TIA 23-9.
(c) The impact on small businesses is not significant or slightly beneficial as this early adoption of TIA 23-9 would result in fewer follow up visits and investigation costs to determine why shock complaints may be occurring at a newly constructed in ground swimming pool.
(d) The proposed code change has a reasonable and substantial connection with the health, safety, and welfare of the general public and in particular fewer electric shock drowning possibilities. See **CPSC reference** and **USCG Electric Shock Drowning Report**.
(e) The proposed code change strengthens the Florida Building Code's 9th Edition by bringing it back up to the minimum NEC requirements described in the TIA 23-9.

(f) The proposed code change adds lower cost options for approved wire types such as approved steel wire mesh, and therefore, does not discriminate against materials, products, methods, or systems of construction.
(g) The proposed code change strengthens a well-known and approved shock drowning risk mitigation method and as such improves – and does not degrade - the effectiveness of the Florida Building Code.
For reference, On the following pages, I have excerpted NEC TIA 23-9 below and have included the original as an attachment along with this letter.

Tentative Interim Amendment

# NFPA® 70®

## *National Electrical Code®*

### 2023 Edition

**Reference:** Definition of Pool, and 680.26
**TIA 23-9**
*(SC 23-3-8 / TIA Log #1687)*

Pursuant to Section 5 of the NFPA *Regulations Governing the Development of NFPA Standards*, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 70®, *National Electrical Code®*, 2023 edition. The TIA was processed by the NEC Code-Making Panel 17 and the NEC Correlating Committee, and was issued by the Standards Council on March 21, 2023, with an effective date of April 10, 2023.

*1. Revise the definition of "Pool" to read as follows:*

**Pool.** Manufactured or field-constructed equipment designed to contain water on a permanent or semipermanent basis and used by persons for swimming, wading, immersion, or therapeutic purposes, but not including bodies of water incorporated as part of an industrial process or lakes, lagoons, surf parks, or other natural and man-made bodies of water that may incorporate swimming and swimming areas. (680) (CMP-17)

**Informational Note:** Natural and man-made bodies of water, which includes lakes, lagoons, surf parks, or other similar bodies of water, are addressed in Article 682.

*2. Revise section paragraph 680.26 to read as follows:*

**680.26 Equipotential Bonding.**

**(A) Performance.** The equipotential bonding required by 680.26(B) and (C) to reduce voltage gradients in the pool area shall be installed for pools with or without associated electrical equipment related to the pool.

Informational Note No. 1: Some causes of voltage gradients originate outside the premises wiring system and are not within the scope of the *NEC*. Measures identified in Rule 097D2 of ANSI C2, *National Electrical Safety Code*, can also serve to address voltage gradients originating on the utility side of the service point.

Informational Note No. 2: By its nature, equipotential bonding of swimming pools and perimeter surfaces involves contact between various metallic materials and the earth. This can, in some cases, expose various specific metals to a corrosive environment, depending on factors such as the type and chemical content of the soil and the specific metal. Corrosive environments are also addressed in 680.14.

**(B) Bonded Parts.** …

**(1) Conductive Pool Shells.** …

**(2) Perimeter Surfaces.** The perimeter surface to be bonded shall be considered to extend for ~~1 m~~ 900 mm (3 ft) horizontally beyond the inside walls of the pool ~~and~~ while also at a height between 900 mm (3 ft) above and 600 mm (2 ft) below the maximum water level. The perimeter surface shall include unpaved surfaces, concrete, and other types of paving. Perimeter surfaces separated from the pool by a permanent wall or building 1.5 m (5 ft) in height or more shall