December 19, 2025

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Dear IAPMO Board Members:

Petitioner: Western States Council of SMART

- Jeremy Zeedyk (WSC)
- David Vincent (Local 104)
- Christopher Ruch (Local 104)

Re: Petition of Decision Docket 02-27, UMC Item #107, Public Comment 1 through 7

Action Being Sought: Reject Standards Council's Approval of Appeal 02-27.

In-Person Hearing Requested: Yes, an In-Person Hearing is Requested for This Petition.

SECTION I – Introduction

This petition is submitted pursuant to the Regulations Governing Petitions to the IAPMO Board of Directors. The Petitioner respectfully requests reversal of the Standards Council's decision in Docket No. 02-27. That decision reinstates legacy code language that creates unresolved internal conflicts within the Uniform Mechanical Code ("UMC"), disregards the consensus determinations of the Technical Committee and the vote of the IAPMO Membership, violates IAPMO's procedural regulations and the ANSI Essential Requirements, and lacks the clear and substantial evidentiary basis required to overturn Technical Committee action.

This petition does not ask the Board to reconsider technical policy judgments or to substitute its own judgment for that of the Technical Committee. Rather, it asks the Board to enforce the procedural limits that preserve the integrity, legitimacy, and enforceability of the UMC as an American National Standard. Because neither the appellant nor the Standards Council cited record evidence to support their claims, the documented evidence presented to and relied upon by the UMC Technical Committee over the past six years remains unrefuted and controlling for purposes of appellate review. ANSI accredited standards development depends on adherence to record based, consensus driven decision making, particularly at the appellate stage. When an appellate body overturns Technical Committee consensus while expressly acknowledging that the evidentiary record is insufficient to support reversal, those foundational safeguards are compromised. In Docket No. 02-27, neither the appellant nor the Standards Council identified a technical error or procedural defect sufficient to justify the decision. Board intervention is therefore necessary to protect both the integrity of the current code cycle and the standards development process itself.

SECTION II – Identification of the Standards Council Action

In Docket 02-27, the Standards Council granted the appeal and reinstated the 2024 edition language of Sections 205.0, 206.0, 218.0, 602.1, 602.2, 603.2, 608.1, and 608.4. In doing so, the Council expressly acknowledged

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that the reinstated language, when read in conjunction with other provisions of the UMC, "may lead to confusion." (See Decision 02-27, at page 2).

This confusion is the proximate result of the Council's action in the appeal.

"The Council notes that language that remains in Section 608.0 may be applicable to under-floor spaces used as ducts or plenums, which may lead to confusion by the Authorities Having Jurisdiction if the appeal is not granted." (See Decision 02-27, at page 2).

The Council acknowledges confusion arising from the patchwork of language remaining in Section 608.0, yet fails to account for the additional confusion created by its decision to revert to the 2024 UMC language, including the following:

Under Item 107, Public Comment 1, Section 602 clarified that concealed spaces could not be used as ducts or plenums, but concealed spaces could contain ductwork.

Under Item 107, Public Comment 5, Section 603.2, Section 608.1 - language was added to clarify that under-floor space can be used as a plenum if an approved material was used.

- These additions by the UMC Code Change Review Task Group would have clarified that concealed spaces, by themselves, are not inherently ductwork. However, when constructed of approved materials and installed in accordance with a recognized construction standard, they may be used as ductwork.
    - The result of the Standards Council's action maintained ambiguity of whether a plenum is a duct and therefore allows some ducts, identified as concealed space plenums, to continue to allow potentially combustible materials to be installed within them.

Item 110, Public Comment 1, Section 602.4.2 - would have removed gypsum as an approved duct material. Gypsum could be reconsidered for inclusion at a later date if it is tested and listed for use as ductwork (UL 181) and constructed in accordance with a recognized duct construction standard.

- The UMC Code Change Review Task Group resolved the conflict with Section 608.1, which had previously stated that gypsum is "permitted to be used as a supply plenum."
    - As a result of the Standards Council's action, materials such as gypsum forming an underfloor space are permitted to be used as a supply plenum under Section 608.1, while simultaneously being prohibited from use as a supply duct under Sections 602.4.2 and 602.1.
    - Additionally, the Standards Council removed language that would require ducts made from gypsum to be listed and labeled and constructed per an adopted duct construction standard, which is a requirement of every other type of non-metallic duct material. The Standards Council's action did not merely retain prior text; it reversed coordinated conflict-resolution work undertaken during the current code cycle by the Technical Committee and the UMC Code Change Review Task Group. That work was specifically intended to address and resolve known internal inconsistencies carried forward from earlier editions. By reinstating legacy language without remand or referral, the Council restored conflicts and created new conflicts that the consensus process had already identified and resolved.

For example, the Standards Council eliminated Item 110, Public Comment 1, as submitted by the UMC Code Change Review Task Group, which would have clarified the applicability regarding the use of gypsum in use of under-floor space as a supply plenum for dwelling units. Had the appeal not been accepted, the language in Item 110, Public Comment 1, read in conjunction with the Technical Committee–approved public comments

for Items 107 and 109, would have remained operative, and the resulting code text would have been clear on its face.

SECTION III – Statement of Grounds for Petition

This petition is based on the following independent and sufficient grounds:

1. The Standards Council overturned the Technical Committee consensus without the clear and substantial evidentiary basis required by IAPMO regulations.
2. The decision violates ANSI Essential Requirements governing due process, record-based decision-making, and the limits of appellate review as well as IAPMO's governing procedural regulations.
3. The reinstated language creates internal conflicts within the Uniform Mechanical Code that are properly addressed only through the consensus process. By reverting selected portions of the Technical Committee's recommended language that had been developed over multiple cycles, and leaving related provisions unchanged, the Council both preserved existing conflicts and introduced new, unresolved conflicts in the 2027 UMC.
4. While the appellant asserted that conflicts may exist with other standards, and the Council stated that there "may be a conflict" in its decision, no evidence of any actual conflict was provided by either appellant or the Standards Council. Conversely, the decision on the appeal creates conflicts with standards that were explicitly resolved by the UMC Code Change Review Task Group through Items 107, 109, and 110.

Each ground independently warrants reversal.

SECTION IV – Conflicts Within the Uniform Mechanical Code Resulting from Procedurally Deficient Reinstatement

The Standards Council's decision reinstates prior code language that creates multiple direct and unresolved conflicts within the Uniform Mechanical Code. These conflicts were expressly identified, evaluated, and resolved through the UMC Code Change Review Task Group and the Technical Committee processes, yet were reintroduced by the Standards Council without reconciliation, without referral to the appropriate technical bodies, and without a record-based explanation. The resulting ambiguities concern the classification of ducts and plenums, applicable material limitations, and governing safety requirements, and reflect a failure of reasoned decision-making that directly implicates the procedural protections discussed in Section V.

Under Item 107, Public Comment 7, the Technical Committee removed language from Section 205.0 that had been recognized as confusing and misleading. Section 205.0 defines concealed spaces as cavities behind walls, above ceilings, in attics, and similar locations that may contain combustible materials such as structural members, insulation, and ducting, and noted that such spaces "have sometimes been used as HVAC plenum chambers." The Technical Committee determined that this historical observation created ambiguity by implying permissibility rather than describing a legacy practice, and removed the language to prevent misinterpretation.

In addition, under Item 107, Public Comment 1, Section 602.1 was clarified to state that concealed building spaces may contain ductwork but are not themselves ducts or plenums unless constructed of approved duct materials and built in accordance with recognized duct construction standards. As adopted by the Technical Committee and approved by the IAPMO membership in September 2025, Section 602.1 provides that concealed building spaces "shall not be permitted to be used as ducts or plenums," while allowing ductwork

to be installed within such spaces. These changes resolved a known internal inconsistency between Sections 205.0 and 602.1.

In Exhibit B to its Decision in Appeal of Docket No. 02-27, the Standards Council reverted Sections 205.0 and 602.1 to their prior 2024 edition language, without accounting for related amendments adopted by the Technical Committee and the UMC Code Change Review Task Group, thereby reintroducing and creating internal conflicts within the Code. As reinstated, Section 205.0 again characterizes concealed spaces as architectural cavities that may contain combustible materials and notes that they "have sometimes been used as HVAC plenum chambers," while Section 602.1 affirmatively permits concealed building spaces to be used as ducts or plenums. These provisions are facially inconsistent: Section 205.0 treats such use as incidental and contextual, while Section 602.1 authorizes it without limitation. The UMC Code Change Review Task Group expressly identified this inconsistency and recommended its removal, a recommendation upheld by both the Technical Committee and the IAPMO membership. The Standards Council nevertheless reinstated the conflicting language while acknowledging that the interaction "may lead to confusion," without explaining why reinstatement was justified or how the conflict was to be resolved. (Decision 02-27, p. 2.)

The procedural deficiency is compounded by the interaction between reinstated Sections 205.0 and 602.1 and the plenum definition in Section 218.0. Under Item 107, Public Comment 7, Section 218.0 defines a plenum as an air compartment or chamber, constructed of approved duct materials, connected to one or more ducts, and forming part of the HVAC system. Concealed spaces under Section 205.0, by contrast, are building cavities that exist independently of HVAC system design, may contain combustible materials, and are not subject to material requirements based on use. While concealed spaces may be intentionally designated as plenums under specific conditions, the reinstated language in Section 602.1 permits concealed spaces to function as plenums without requiring them to satisfy the definitional assumptions, construction requirements, or safety criteria that govern plenums elsewhere in the Code. The Standards Council did not reconcile this inconsistency or explain why identical HVAC functions should be subject to different regulatory treatment.

These unresolved conflicts directly affect material and safety requirements. Section 602.2 restricts materials exposed within ducts and plenums based on combustibility, flame spread, and smoke development, while Section 205.0 expressly acknowledges that concealed spaces often contain materials that would otherwise be prohibited. By permitting concealed spaces to operate as ducts or plenums under Section 602.1, the reinstated language creates two categories of plenums and ducts subject to materially different safety standards, without any articulated technical justification or evidentiary basis.

Additional inconsistencies arise when the reinstated provisions are read in conjunction with Sections governing installation and under-floor plenums. Sections 603.2 and 608.1 establish distinct requirements for ducts installed under floors and for under-floor plenums, each requiring compliance with Sections 602.2 through 602.4. When read alongside reinstated Section 602.1, concealed spaces may function as ducts or plenums without clarity as to which installation standards, material limitations, or safety provisions apply. The Standards Council recognized that this interaction "may lead to confusion," yet reinstated the language without resolving the ambiguity.

The reinstatement of Section 608.4 further illustrates the lack of coordinated, record-based decision-making. Section 608.4 imposes specific flammability limits on under-floor plenums and states that the installation of foam plastics is regulated by the Building Code. While the Building Code does regulate foam plastics, the UMC also independently regulates foam plastics in plenums. Item 114 adopted Section 602.2.5, which establishes UMC-specific flame spread and smoke development limits for foam plastics used as interior finishes of plenums. By reinstating Section 608.4 with language suggesting reliance on the Building Code while simultaneously adopting Section 602.2.5, the Standards Council created overlapping and internally inconsistent regulatory directives without explaining how the provisions are to be harmonized.

Finally, further conflicts arise between Sections 605.1.2, 602.4.2, and 603.7.1 concerning UL 181 testing and listing requirements for materials within ducts and plenums. These conflicts were eliminated by the Technical Committee but reintroduced by the Standards Council without explanation or referral to the Technical Correlating Committee, despite the Committee's express charge to resolve such conflicts under the IAPMO Regulations Governing Committee Projects.

These conflicts are not isolated drafting issues. In IAPMO Board of Directors Petition Standards Council Decision Docket No. 09-24 (UMC Item 138, Public Comment 1, 2024 cycle), the Board of Directors granted relief based on a single identified conflict under Section 602.1, Exception 1. Item 107 in the 2027 cycle resolved that conflict through the Technical Committee process. By accepting Appeal 02-27, the Standards Council not only reinstated that resolved issue but also created multiple additional conflicts throughout the Code. The Council did so while expressly acknowledging confusion and without articulating a clear and substantial, record-based basis for rejecting the Technical Committee's prior determinations. As explained in Section V, this failure to reconcile acknowledged conflicts, to engage the appropriate technical bodies, or to provide a reasoned explanation constitutes a denial of the procedural safeguards required by the IAPMO Regulations Governing Committee Projects and the ANSI Essential Requirements.

SECTION V – Due Process Violations and ANSI Non-Compliance

A. ANSI Due-Process Obligations Are Jurisdictional Conditions, Not Discretionary Standards

As an ANSI-Accredited Standards Developer, IAPMO is required to develop, maintain, and amend the Uniform Mechanical Code in full compliance with the ANSI Essential Requirements (January 2025 edition). Those requirements mandate openness, balance of interests, consensus-based decision-making, record-based reasoning, and fair consideration of views and objections from all materially affected parties (ANSI Essential Requirements §§ 2.1, 2.2, 2.4, 2.5).

These requirements are not aspirational. They are jurisdictional conditions for the development and continued recognition of an American National Standard. ANSI expressly requires that substantive decisions affecting a standard be supported by the record developed during the consensus process and that procedural protections apply at all stages of standards development, including appeals (§§ 2.5, 3.4).

Accordingly, any action overturning Technical Committee consensus must strictly adhere to ANSI due-process protections. An appellate body may not substitute its judgment for that of the consensus body, nor may it effectuate substantive changes absent a record-based showing of procedural error or demonstrable technical mistake (§§ 3.1, 3.4.1).

B. Absence of a Clear and Substantial, Record-Based Basis for Reversal

Under the IAPMO Regulations Governing Committee Projects, the Standards Council may overturn Technical Committee action only where a clear and substantial basis exists in the record. ANSI similarly requires that decisions affecting consensus outcomes be grounded in the documented record and supported by reasoned analysis (§§ 2.5, 3.4.1).

In Docket 02-27, the Standards Council expressly conceded that such a basis was lacking, stating that "more evidence is required to prove that the public's health is put at risk by the use of concealed building spaces or independent construction as ducts or plenums" (Decision 02-27, p. 2). That acknowledgment is dispositive. An appellate body's admission that additional evidence is required is not a neutral observation; it is a concession that the evidentiary threshold required for reversal has not been met.

Despite this admission, the Council proceeded to reverse the Technical Committee and reinstate prior code language. ANSI prohibits appeals bodies from overturning consensus decisions absent record evidence

demonstrating procedural error or technical deficiency (§ 3.4.1). Proceeding with reversal while conceding evidentiary insufficiency violates ANSI's requirement for record-based, reasoned decision-making (§ 2.5).

C. Disregard of Established Consensus and Required Conflict-Resolution Processes

Item 107 and Public Comments 1, 6, and 7 were developed through a multi-cycle, consensus-driven process specifically intended to identify and resolve known internal conflicts within the UMC. The UMC Code Change Review Task Group was formed to address inconsistencies carried forward from prior editions and advanced coordinated recommendations to harmonize related provisions. Those recommendations were adopted by the Technical Committee and confirmed by ballot of the IAPMO membership.

ANSI requires standards developers to make a good-faith effort to resolve conflicts within a standard and to do so through the consensus process (§§ 2.5, 3.1). IAPMO's Regulations similarly assign responsibility for resolving internal conflicts to the Technical Committee and, where applicable, the Technical Correlating Committee. By reinstating language that reintroduced known conflicts and created additional conflicts, the Standards Council disregarded established consensus outcomes mandated by both IAPMO procedures and the ANSI Essential Requirements.

D. Reliance on Improperly Scoped or Non-Procedural Critiques

The Standards Council justified its action in part by asserting that the Code Change Review Task Group "was not solely focused on investigating" the relevant issues (Decision 02-27, p. 2). That rationale is procedurally improper.

ANSI does not recognize dissatisfaction with the scope, focus, or composition of a duly constituted task group as a basis for disregarding consensus outcomes. Appeals bodies are required to rely on the documented record developed through the consensus process and may not elevate speculative or character-based critiques over Technical Committee determinations (§ 3.4.1).

By relying on a critique untethered to procedural error or evidentiary deficiency, the Standards Council departed from ANSI's requirement that appeals be impartial, record-based, and procedurally grounded (§§ 2.5, 3.4).

E. Impermissible Substitution of Appellate Judgment for Consensus Action

By reinstating prior code language notwithstanding the acknowledged absence of sufficient evidence, the Standards Council altered how the UMC operates in practice without approval through the required consensus procedures.

ANSI expressly prohibits appeals bodies from substituting their judgment for that of the consensus body or from effecting substantive changes outside the prescribed public review and Technical Committee process (§§ 3.1, 3.4.1). Changes that materially affect compliance obligations must be processed through consensus development, not imposed through appellate action (§ 2.5).

The Council's decision therefore constitutes an impermissible substitution of appellate judgment in violation of the ANSI Essential Requirements.

F. Extraordinary Circumstances Affecting the Integrity of the Standards-Development Process

The Council stated that the proposal and comments may exceed the minimum requirements of Section 101.3 of the UMC and asserted that additional evidence was needed to demonstrate a risk to public health from the use of concealed building spaces or non-duct construction as ducts or plenums. This rationale misapplies

Section 101.3, which establishes minimum requirements, not a higher evidentiary burden for enforcing them. Approved duct materials are required to meet the same baseline health and safety standards as all other non-metallic duct materials; otherwise, any material could be permitted until substantial evidence of harm accumulates. This conclusion also overlooks the extensive health and indoor air quality evidence formally submitted to the Technical Committee and in opposition to the Appeal (See written argument by Alfonso Lopez).

ANSI requires standards developers to maintain identifiable, impartial, and procedurally sound appeals mechanisms that preserve the integrity of the consensus process (§ 3.4). Where an appellate body exceeds its authority, disregards the record, or undermines established consensus safeguards, the legitimacy of the standard itself is implicated.

Taken together, the defects in Docket 02-27—including the absence of a clear and substantial evidentiary basis, the reinstatement of acknowledged conflicts, and the substitution of appellate judgment for consensus action—constitute extraordinary circumstances affecting the integrity of the standards-development process within the meaning of Section 1-7 of the IAPMO Regulations Governing Committee Projects and ANSI Essential Requirements §§ 2.5 and 3.4.

SECTION VI – Failure to Maintain Minimum Public Health Requirements and Unequal Application of Code Standards

The Standards Council's decision in Docket 02-27 rests on the premise that the Technical Committee's approved language may exceed the Uniform Mechanical Code's minimum requirements and therefore requires additional evidence demonstrating a risk to public health before it may be sustained. That premise misstates both the structure and purpose of the UMC.

Section 101.3 of the Uniform Mechanical Code states that the Code "is an ordinance providing minimum requirements and standards for the protection of the public health, safety, and welfare." Under this framework,materials and methods are permitted only when they meet established minimum performance and safety criteria. The code does not allow any material to be used until it is proven unsafe; rather, it requires compliance with minimum requirements, including testing for use as a duct and construction in accordance with an approved duct construction standard, as a condition of approval. The Standards Council's actions perpetuated a known flaw that allows one material to continue to be used without meeting these minimum requirements.

In its decision, the Standards Council expressly acknowledged that "more evidence is required to prove that the public's health is put at risk by the use of concealed building spaces or independent construction as ducts or plenums" (Decision 02-27, p. 2). That acknowledgment confirms that the record contained no evidence demonstrating a failure of the Code's minimum public-health protections. It also overlooks the intent of Item 107 and the related public comments, which addressed public-health concerns by clarifying that concealed spaces and plenums must be constructed of approved duct materials and are therefore subject to the material, flame-spread, and smoke-development limitations already imposed by the Code, including as applied to any plastic material proposed for use within a plenum. Under IAPMO's governing regulations, reversal of Technical Committee action requires a clear and substantial evidentiary basis. The acknowledged absence of such evidence is therefore dispositive and precludes reversal.

A. A Plenum Is a Duct Under the Uniform Mechanical Code

The Standards Council's analysis further relies on an incorrect distinction between ducts and plenums under the UMC. Section 206.0 defines a duct as "a tube or conduit for the transmission of air," subject only to three specific exclusions. Plenums are not excluded from this definition. Section 218.0 defines a plenum as an air

compartment or chamber that forms part of the supply-air, return-air, or exhaust-air system. Read together, these definitions establish that a plenum functions as a conduit for the transmission of air and therefore meets the UMC definition of a duct. Because plenums are not excluded from the duct definition, materials used to construct plenums must comply with the same minimum requirements imposed on duct materials elsewhere in the Code.

Any interpretation that treats plenums as exempt from duct material requirements contradicts the plain language of the UMC and creates an internally inconsistent regulatory scheme. The UMC regulates air-conveyance systems based on function, not terminology, and plenums are part of that system.

B. Arbitrary and Unequal Application of Minimum Requirements in Section 602.4

Sections 602.4, 603.6, 603.7, 603.7.1, 605.1.2, and 605.1.3 establish the minimum requirements applicable to all nonmetallic materials used to convey air. These provisions uniformly require that such materials be tested and listed for duct use, including compliance with UL 181 or UL 2518, and be constructed in accordance with a recognized duct construction standard.

The UMC Code Change Review Task Group correctly determined that gypsum board, as referenced in Section 604.2, does not meet these minimum requirements. Gypsum is not tested or listed for use as a duct material, is not governed by a recognized duct construction standard, and lacks verified performance characteristics for air-conveyance applications. The requirements currently contained in Section 602.4.2 fall short of this threshold. Extensive technical evidence demonstrating these deficiencies was submitted to and reviewed by the Technical Committee.

The Technical Committee's action did not raise the Code's minimum standards. It corrected an existing inconsistency by requiring gypsum to meet the same minimum criteria already imposed on all other nonmetallic duct materials. The Technical Committee has consistently applied this principle, including its rejection of Item 117, Public Comment 1, which sought to expand air dispersion systems without reference to an industry-recognized duct construction standard.

Allowing gypsum to function as a duct or plenum without testing, listing, or a construction standard—while enforcing those requirements on all other nonmetallic ducts—results in arbitrary and unequal treatment of similarly situated materials. Such inconsistency undermines code predictability for Authorities Having Jurisdiction, invites arbitrary enforcement, and exposes the UMC to legal challenge.

C. Knowing Creation of Enforcement Confusion and Improper Reliance on External Standards

The Standards Council acknowledged that its decision "may lead to confusion by the Authorities Having Jurisdiction" (Decision 02-27, p. 2). For an enforceable code whose stated purpose is the protection of public health, safety, and welfare, clarity and enforceability are foundational requirements. A decision that knowingly introduces ambiguity for inspectors and designers cannot be justified on public-interest grounds.

The appellants and the Standards Council further asserted speculative conflicts with external standards, including ASHRAE, NFPA, SMACNA, and various energy codes, without identifying specific provisions or providing supporting record evidence. These assertions should have been dismissed in light of the extensive technical evidence reviewed by the Technical Committee and formally submitted in opposition to the appeal (See written argument by Sean O'Keefe). Notwithstanding, a review of the record confirms that **requiring all non-metallic duct materials to meet minimum approval requirements is not in conflict with these standards**, but rather is consistent with ASHRAE, NFPA, and SMACNA. Reliance on speculative external standards outside the consensus record violates ANSI due-process principles and exceeds the proper scope of appellate review.

SECTION VII – Standard of Review Applicable to Board Consideration

The Board of Directors' review in this petition is procedural, not technical. ANSI requires deference to consensus determinations reached through balanced participation, public review, and record-based decision-making (§§ 2.1, 2.4, 2.5).

The Board's role is to ensure that appellate bodies have acted within the scope of their authority and in compliance with IAPMO regulations and ANSI Essential Requirements governing appeals and procedural fairness (§ 3.4). Where an appellate body overturns Technical Committee action without a clear and substantial basis in the record or substitutes its judgment for that of the consensus body, reversal is required to preserve the integrity of the standards-development process (§§ 3.1, 3.4.1).

SECTION VIII – Institutional Harm and Potential Legal Liability

If the Standards Council's action in Docket No. 02-27 is permitted to stand, it establishes a precedent under which Technical Committee consensus may be overturned without a clear and substantial evidentiary basis, coordinated task-group conflict resolution may be disregarded, and acknowledged internal conflicts may be created or reinstated without adherence to consensus-based procedures. Such a precedent alters the understood limits of appellate review within IAPMO's standards-development framework and weakens the procedural safeguards designed to preserve the integrity and predictability of the Code. It further signals that appellate decisions may be rendered without articulated justification grounded in the record, transforming appellate review from a procedural safeguard into an outcome-driven exercise.

The harm extends beyond the specific provisions at issue. Allowing appellate reversal in the absence of record evidence invites future challenges that bypass consensus outcomes based on speculative concerns, undermining confidence in the stability of the UMC and discouraging meaningful participation in the committee process. Stakeholders must be able to rely on the principle that duly adopted consensus decisions will not be displaced absent demonstrated procedural error or technical deficiency supported by the record.

The Council's action also carries significant institutional and reliance-based consequences. By upholding inconsistent requirements for what constitutes an approved duct material, the decision creates unequal treatment among nonmetallic duct materials and disrupts the regulatory expectations of manufacturers who have invested in product testing, third-party listings, and compliance with adopted duct construction standards. Those manufacturers have relied on the UMC's uniform application of minimum health and safety requirements applicable to all nonmetallic duct materials, yet the reinstated language preserves gypsum as an exception under Section 602.4.2 without record-based justification. This inconsistency exposes IAPMO to foreseeable legal and procedural challenges from affected manufacturers who are subject to stricter requirements without a rational or evidentiary distinction, further compounding the institutional risk created by the Council's action.

This precedent is incompatible with ANSI's core requirements that standards be developed through consensus, supported by the documented record, and protected by impartial procedural safeguards (ANSI Essential Requirements §§ 2.1, 2.5, 3.4). Allowing the decision in Docket No. 02-27 to stand would erode confidence in the UMC's consensus foundation and place IAPMO's compliance with its obligations as an ANSI-Accredited Standards Developer at risk.

CONCLUSION AND REQUESTED RELIEF

For the reasons set forth above, the Standards Council's decision in Docket No. 02-27 cannot be sustained. The decision reinstated conflicting code provisions while expressly acknowledging evidentiary insufficiency, disregarded coordinated conflict-resolution actions taken by the UMC Code Change Review Task Group and the Technical Committee, and displaced duly adopted consensus determinations without a clear and substantial, record-based justification. In doing so, the Standards Council exceeded the permissible scope of

appellate review under the IAPMO Regulations Governing Committee Projects and violated the due-process requirements of the ANSI Essential Requirements.

This petition does not ask the Board of Directors to reconsider technical policy judgments or to substitute its judgment for that of the Technical Committee. Rather, it asks the Board to enforce the procedural limits that preserve the legitimacy, enforceability, and institutional integrity of the Uniform Mechanical Code as an American National Standard. Consensus-based standards development depends on adherence to record-based decision-making and defined appellate constraints. When an appellate body overturns Technical Committee action while conceding that the evidentiary record is insufficient to support reversal, those foundational safeguards are compromised.

The Board of Directors has previously recognized that unresolved internal code conflicts warrant corrective action through the petition process. In prior matters, including the Board's consideration of petitions involving internal conflicts within the UMC, the Board has acted to restore coherence, consistency, and procedural regularity where conflicting provisions undermined the integrity of the Code (See, e.g., IAPMO Board of Directors Petition #09-24, UMC Item #138 Public Comment 1, Decision Letter, February 24, 2023). That same institutional concern is present here. Allowing the decision in Docket No. 02-27 to stand would not only reintroduce acknowledged conflicts, but would signal that such conflicts may be reinstated through appellate action without reconciliation, referral, or justification.

Accordingly, the Petitioner respectfully requests that the Board of Directors:

1. Reverse the Standards Council's decision in Docket 02-27 and reinstate the Technical Committee's action as approved through the consensus process; and

2. Direct that any remaining concerns regarding code coordination be addressed through the Technical Committee and, where appropriate, the Technical Correlating Committee, in accordance with IAPMO procedures and ANSI Essential Requirements.

Board intervention is necessary not only to correct the procedural defects in this matter, but also to reaffirm IAPMO's institutional commitment to consensus-based, record-supported standards development and to protect both the integrity of the current code cycle and IAPMO's continuing obligations as an ANSI-Accredited Standards Developer.