

**LOG OF MEETING
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SUBJECT: Meeting with Arc Fault Circuit Interrupter (AFCI) Consortium

DATE OF MEETING: December 16, 2020

PLACE OF MEETING: Teleconference

LOG ENTRY SOURCE: Douglas Lee, EXHR

COMMISSION ATTENDEES: Douglas Lee, EXHR
Andrew Trotta, ESEF
Einstein Miller, LSE
Patty Adair, EXHR
Mark Kumagai, ES
Patty Edwards, EXHR
Mary House, GCRA

NON-COMMISSION ATTENDEES:
Eric Munoz, Scandaglia Ryan, Counsel for AFCI Consortium
Brian Rock, Hubbell
Joe DeBartolo, Hubbell
Steve Campolo, Leviton Manufacturing
Steve Rood, Legrand/Pass & Seymour (LPS)

SUMMARY OF MEETING:

On behalf of the AFCI Consortium, Mr. Munoz outlined their concerns on the decision to delay the effective date from May 5, 2021 to August 11, 2024 for enforcement of new requirements in Section 5.15 and 5.16 of Underwriters Laboratories (UL) 943 *Standard for Safety for Ground Fault Circuit Interrupters* (GFCIs), 5th edition. UL is the nonprofit standards development organization (SDO) that publishes UL 943 and UL LLC is the for-profit testing laboratory. Member companies of the AFCI Consortium include Hubbell, LPS, and Leviton and make both circuit breakers and receptacle type GFCIs. GFCI devices for installed wiring are in the form of a circuit breaker or receptacle and are used to mitigate electrical shock and electrocutions by de-energizing circuits when a ground-fault is detected.

The specific issue is the requirement for a GFCI to provide visual (or audible) indication in response to auto-monitoring test detection of a problem. The auto-monitoring requirement was added to UL 943 in 2015 to address CPSC staff concerns that consumers do not test GFCIs monthly as recommended and that some GFCIs might be providing power but not providing its shock or electrocution safety protection due to a component failure. GFCIs have been an effective means to reduce the number of electrocutions for many years.

In 2018, UL issued a Technical Guidance Document (TGD) which exempted circuit breakers from meeting the visual indication requirement. In 2019, the AFCI Consortium strongly objected and UL LLC initiated a more formal interpretation of the visual indicator requirement which was completed through a vote by the UL 943 Standards Technical Panel. The vote overwhelmingly affirmed the interpretation that lack of handle movement of a circuit breaker was not adequate as a visual indicator of an auto-monitoring test failure.

The AFCI Consortium believes this important safety requirement should have been mandated in 2015 as all manufacturers were aware of the requirement in 2012. The AFCI Consortium also reports that publicly available on-line listings of GFCI product offerings by most GFCI circuit breaker manufacturers already sell compliant breakers that appear equipped with the positive visual indicators. Thus, no further delay in enforcement is warranted.

It was discussed that the effective date is not part of UL 943 but is part of UL LLC's certification process. The Consortium did not know what effective date other Nationally Recognized Testing Laboratories (NRTLs) are using for their certifications.

CPSC staff thanked the AFCI Consortium for their role in making these important safety improvements to GFCIs to mitigate shocks and electrocutions. Staff indicated they would consider the Consortium's concerns.