



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL**

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ATTACHMENT 10

Date: May 22, 2014

To: State Board of Fire Services

From: Kevin Reinertson,
Division Chief, Code Development and Analysis Division

SUBJECT/AGENDA ACTION ITEM:

Flammability Standards for Building Insulation Materials (AB127)
Update on the Flammability Standards for Building Insulation Materials Task Force development of recommendations to the State Fire Marshal

Recommended Actions:

Information/Discussion only

Background Information:

- **Flammability Standards for Building Insulation Materials Working Group (AB127)**
Legislation was passed in 2013 that added Section 13108.1 to the Health and Safety Code (AB 127, Skinner Fire safety: fire retardants: building insulation), that requires the State Fire Marshal, in consultation with the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation, to review the flammability standards for building insulation materials, including whether the flammability standards for some insulation materials can only be met with the addition of chemical flame retardants. The State Fire Marshal has convened a working group to assist in the review and provide recommendations regarding the flammability standards for building insulation materials.

The working group began meeting in January 2014 with monthly meetings following. The workgroup will complete their report and recommendations in an estimated 6-8 month time frame. The first two meetings addressed determining the scope of the workgroup, drafting of a report template, identifying regulations that are impacted, and a history overview of the regulations relating to foam insulation and standards ASTM E84. Stakeholders are concerned with the lack of tangible progress in proposing regulations, and have made their voices heard through blogs, emails, websites, and at the Legislature. At the direction of the State Fire Marshal, a clear scope and direction was given to the working group. This was to find an alternative building methodology that does not use flame retardant chemicals in insulation that can be vetted through the code development process. Next meeting is scheduled for May 29, 2014.

- **Emergency rulemaking that delayed the effective date for certain fire classification requirements for roof mounted photovoltaic panels/modules [systems]**

On April 23, 2014, the California Building Standards Commission filed with the Secretary of State an emergency rulemaking change on behalf of the Office of the State Fire Marshal. This emergency rulemaking delayed the effective date for certain fire classification requirements for roof mounted photovoltaic panels/modules [systems] contained in California Code of Regulations (CCR), Title 24, Part 2, known as the 2013 California Building Code (CBC) and Part 2.5, the California Residential Code (CRC).

The Office of the State Fire Marshal was recently informed by industry that presently there is an insufficient supply of Class A, Class B or Class C fire rated photovoltaic panels/modules [systems] that have been tested and listed to newly established standards contained UL 1703 to meet present demand. This circumstance may prohibit the permitting of projects to install solar photovoltaic systems on roofs, which in turn could curtail efforts to meet current sustainability goals. The emergency regulations delay the effective date to January 1, 2015 for the application of fire classification provisions for solar photovoltaic systems on roofs as contained in UL 1703 standard. This will assist in providing suitable time for the testing and listing of photovoltaic panels/modules [systems] to meet the current UL 1703 standard.

In the absence of a PV system fire rating, it may seem appropriate to substitute the PV module fire classification rating in order to achieve the desired result, which is the preservation of the roof assembly's original fire classification. However, simply using the PV module fire classification rating may not provide the desired result in most cases.

For additional information please see the OSFM Finding of Emergency here:

http://www.documents.dgs.ca.gov/bsc/prpsd_chngs/documents/erm_files/2014/SFM-EF-01-14-FOE-Pt2.pdf

- **Supplement to 2013 California Building Standards Code Rulemaking Cycle**

In accordance with Health and Safety Code 13143, the SFM is proposing certain amendments and building standards for the interim supplement to California Code of Regulations (CCR), Title 24, the 2013 California Building Standards Codes.

The OSFM is proposing the following subject modifications for the supplement:

- Incorporation and correlation of NFPA 2 Hydrogen Technologies Code into the California Codes.
- Emergency voice/alarm communication system correction.
- Correlation of regulations regarding smoke alarms and statutory changes made by SB 1394 (2012) and SB 745 (2013)
- Clarification of Group I-2.1 occupancy provisions and editorial corrections.
- Adoption of NFPA 502.
- Reinstate miscellaneous model code provisions missing.
- Clarification and editorial modifications for photovoltaic solar systems.
- Clarification and coordination of residential fire sprinkler systems, antifreeze and NFPA 13D and modifications to the referenced standards.
- Editorial or clarifying corrections to the model code or SFM amendments.
- Smoke and heat removal for Group F-1 and S-1 occupancies.
- Clarification and coordination of residential fire sprinkler backflow requirements of the model code.

The California Building Standards Commissions (CBSC) Code Advisory Committee (CAC) reviewed and in general gave recommendation to approve the SFM Building, Residential and Fire Code proposals. There was a procedural breakdown concerning item F-1 and S-1 provisions. The SFM is moving these provisions forward with further editorial edits based on some of the CAC members' comments.

The 45-Day comment period for the supplement began April 25. We predict the CBSC will approve and adopt in July/August after all public comment periods have closed. Publication is anticipated January 1, 2015 with an effective date of July 1, 2015.

- **Other Significant Activities**

- OSFM-CDA Staff is participating again on Governor's Office of Planning and Research reconvened Solar Permitting Task Force to update and revise the Guidebook developed in 2012 to include recently adopted SFM regulations.
[Governor's Office of Planning Research – California Solar Permitting Guidebook](#)
- OSFM-CDA Staff continue to participate with other state agencies, stakeholders and the California Fuel Cell Partnership in the development of regulations, training, and outreach for the Governor's Zero Emission Vehicle (ZEVs) plan (Executive Order B-16-2012).
[Zero-Emission Vehicles in California](#)
[Zero-Emission Vehicles in California: Community Readiness Guidebook](#)