

**INITIAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE STATE FIRE MARSHAL
REGARDING THE 2025 CALIFORNIA RESIDENTIAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5
(SFM 05/25)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of the specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address, and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

The specific purpose of this rulemaking effort by the Office of the State Fire Marshal is to act in accordance with Health and Safety Code section 18928, which requires all proposed regulations to specifically comply with this section in regard to the adoption by reference with amendments to a model code within one year after its publication.

The rationale for these actions is to establish minimum requirements for the prevention of fire and the protection of life and property against fire and panic in occupancies addressed in the 2024 International Residential Code and be published as the 2025 California Residential Code.

The general purpose of this proposed action is principally intended to update and codify a new edition of the California Residential Code (California Code of Regulations, Title 24, Part 2.5) based upon a more current edition of a model code. The current California Residential Code in effect is the 2022 California Residential Code which is based upon the 2021 International Residential Code of the International Code Council.

ITEM 1

**Chapter 1 SCOPE AND ADMINISTRATION,
DIVISION I CALIFORNIA ADMINISTRATION,
DIVISION II SCOPE AND ADMINISTRATION**

SFM proposes to adopt Sections R101.2, R104.3, R104.6, R104.7.2, R104.7.3, R104.9, R104.9.1, R105.1, R105.2, R105.2.1, R105.2.2, R105.3, R105.3.1, R105.4, R105.5.1, R105.6, R105.7, R106, R107, R109.1, R109.1.2, R109.1.4, R109.1.5, R109.1.5.1, R109.1.6, R109.2 through R109.4, R110, R111, R113.1, R113.2, and R114 of the 2024 IRC Chapter 1 and bring forward existing amendments from the 2022 CRC for adoption into the 2025 CRC with modifications.

ITEM 1-1

Section 1.1.1, Title

SFM is proposing to repeal the adoption by reference of the 2021 International Residential Code and incorporate and adopt by reference in its place the 2024 International Residential Code for application and effectiveness in the 2025 California Residential Code.

SFM proposes to maintain the adoption of existing California provisions contained in Section 1.1 through 1.1.12 and 1.11 through 1.11.11 with modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-2

Section 1.1.3, Scope

SFM proposes to maintain the adoption of existing amendments contained in Section 1.1.3 with corrections to section numbers.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-3

Section 1.1.3.1, Classification

SFM is proposing an editorial correction to the pointer California Building Code that was misprinted.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-3.1

Section 1.11.2.4 Request for alternative means of protection

SFM proposes to modify the existing amendment to update the reference pointer to Title 19 due to the following action. Both the California Accidental Release Prevention and Hazardous Materials Business Plan programs are under the oversight of CalEPA (AB 148, Stats. 2021). These programs were previously under CalOES. CalEPA did a section 100 rulemaking earlier this year. The regulations for these two programs were previously in CCR Title 19, Division 2 (CalOES), but are now located in CCR Title 19, Division 5 (CalEPA). OAL approved the rulemaking on March 6, 2024, and the updates to Title 19 were also effective March 6, 2024.

No cost impact.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-4

Section R102.8 Wildland Urban Interface

SFM proposes a new Section R102.8 as a California amendment to provide reference to Part 7, California Wildland Urban Interface Code. There is no intended change in regulatory effect.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-5

Section R105.2 Work Exempt from Permit.

SFM proposes a modification in Section R105.2 as a California amendment that points to a section in the California Building Code for construction in the wildland-urban interface has been relocated to Part 7, California Wildland Urban Interface Code. There is no intended change in regulatory effect.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-6

Section R105.5.1 Expiration.

SFM proposes to co-adopt existing BSC amendment in Section R105.5.1 to make it clear that the state law provisions cited in this section apply to all buildings and occupancies within the state including those within authority of the SFM.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2 Chapter 2 DEFINITIONS

SFM proposes to adopt the entire chapter and carry forward existing adopted definitions in Chapter 2 with existing amendments and proposed modifications as shown below.

Existing amendments carried forward: R201.3 - R201.4, Accessory Dwelling Unit, Aged Home or Institution, Approved, Approved Agency, Approved Listing Agency, Approved Testing Agency, Bedridden Person, Care and Supervision, Catastrophically Injured, Child Care, Child or Children, Child Care Center, Chronically Ill, Congregate Living Health Facility (CLHF), Congregate Residence, Day-Care, Day-Care Home, Family, Day-Care Home, Large Family, Day-Care Home, Small Family, Duct System, Enforcing Agency, Entry Level, Exterior Wall Assembly, Exterior Wall Covering, Fenestration, Full-Time Care, Grade or Guardrail, Infant, Inflatable Amusement Device, Labeled [SFM], Listed [SFM], Live/Work Unit, Mezzanine Loft, Nonambulatory Persons, Passive Solar Energy Collector, Persons With Intellectual Disabilities, Profoundly Or Severely, Protective Social Care Facility, Residential Care Facility For The Chronically Ill (RCF/CI), Residential Care Facility For The Elderly (RCFE), Residential Facility (RF), Restraint, State-Owned/Leased Building, Terminally Ill, Toddler, Wildland-Urban Interface (WUI).

ITEM 2-1 R202 Definitions

SFM proposes to repeal and replace existing amendments with model code language as shown below.

Repeal and replace existing amendments: Energy Storage System (ESS), Photovoltaic (PV) Panel System-Ground Mounted, Photovoltaic (PV) Support Structure-Elevated.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3 Chapter 3 BUILDING PLANNING

SFM proposes to adopt only sections R301.1, R301.1.3, R301.1.4, R302, R303.1, R303.3, R307, R308, R309, R310, R311, R312, R313, R314, R315 R316, R317, R318, R319, R320, R321, R223, R324, R325, R329, R330, R331, R332, R335, R336, R337, R338, and carry over the existing amendments with modifications shown

ITEM 3-1 Section R302.1 Exterior Walls

SFM proposes to carry forward existing amendments with modifications due to model code language revisions and renumbering.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-2

Table R302.1(2) Exterior Walls – Dwellings and Townhouses and Accessory Buildings with Automatic Residential Fire Sprinkler Protection

SFM proposes to carry forward existing amendments with modifications to the Title, which included Townhouses, and correct the reference pointer in footnote (a) for sprinklers to the correct section R309.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-3

Section R302.2.2 Common Walls

SFM proposes to update the reference pointer from R313 to R309.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-4

Section R302.2.6 Structural Independence

SFM proposes to update the reference pointer from R313 to R309.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-5

Section R302.3 Two-family dwelling

SFM proposes to update the reference pointer in Sections R302.3.2 and R302.3.5 from R313 to R309.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-6

Section R302.5.1 Opening Protection

SFM proposes to carry forward existing amendments with modification to reference pointers in Section R302.5.1 exception due to model code language revisions that relocated the provisions. This will carry forward existing amendments that provide reference pointers to Sections R317.5.1 Fire sprinklers, attached garages and carports with habitable space above, and R309 Automatic Fire Sprinkler Systems which have been relocated.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-7

Section R302.9.4.1 Stability

SFM proposes a renumbering modification to the existing amendment due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-8

Section R302.13 Fire Protection of Floors

SFM proposes to update the reference pointer from R313 to R309.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-9

Section R303.2.1 Labeling of polystyrene foam insulation without flame retardants

SFM proposes a renumbering modification to the existing amendments due to model code language revisions that relocated provisions for Foam Plastics from Section R316 to R303 to carry forward existing amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-10

Sections R310.2.2 through R310.4

SFM proposes to carry forward existing amendments and renumber sections due to model reorganization.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-11

Section R310.8 through R310.8.3

SFM proposes to carry forward existing amendments and renumber sections due to model code reorganization. The section Titles have been revised with modifications to identify that the Health and Safety Code Sections have been reprinted for the Code User ease.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-12

Section R317.5 Fire Sprinklers Location on Property

SFM proposes to update the reference pointer from R313 to R309.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-13

Section R317.5.1 Fire Sprinklers, Attached Garages and Carports with Habitable Space Above

SFM proposes a renumbering modification to the existing amendment due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-14

Section R319.1 Emergency Escape and Rescue Opening Required

SFM proposes to carry forward existing amendments with updates to reference pointer sections.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-15

Section R330 Energy Storage Systems, Section R330.4 Locations

SFM proposes to repeal existing California amendments. It conflicts with the allowance of energy storage systems to be in a utility closet that opens to the dwelling unit.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-16

Section R330.5 Energy Ratings, Table R330.5 Maximum Aggregate Ratings of ESS

SFM proposes to delete model code language and retain the California amendment with modifications to the reference pointer sections that allow maximum aggregate ratings of ESS in certain locations as prescribed in Table R330.5. Table R328.5 is renumbered to correspond with the relocation of Energy Storage Systems requirements in Section R330.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-17

Section R330.7 Fire Detection

SFM proposes to carry forward existing amendments formerly in section R328.7 and

relocate the amendments to R330.7.

CAC Recommendation:

Approve

Agency Response:

Accept

SFM acknowledges public comment received prior to the Building, Fire, and Other Hearings submitted by California Solar and Storage Association (CALSSA), addressing Section R330.7 Fire Detection for Energy Storage Systems installed in a dwelling unit, basement, or attached garage. Further Study and consensus discussions with stakeholders is required for any proposed change. SFM will continue to engage with industry for any advancements in technology for heat detection.

ITEM 3-18

Section R330.8 Protection from Impact

SFM proposes to repeal and replace existing California amendments in Sections R328.8.1, R328.8.2, R328.8.3 and Figure R328.8.1 with model code language.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-19

Section R330.12 Toxic and Highly Toxic Gas

SFM proposes to renumber an existing California amendment due to model code reorganization.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-20

Section R337 Materials and Construction Methods for Exterior Wildfire Exposure

SFM proposes to relocate the provisions of Section R337 to the new Part 7 California Wildland Urban Interface Code. A “Note” has been added for code users to easily identify where the regulations have been relocated to. An administrative section has been added to direct the code user to the additional regulations to the California Residential Code shall be applied to residential structures built in the wildland-urban interface (WUI) or designated Fire Hazard severity zones as applicable.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 4

Chapter 4 FOUNDATIONS

Chapter 5 FLOORS

Chapter 6 WALL CONSTRUCTION

Chapter 7 WALL COVERING

SFM proposes to NOT adopt IRC 2024 Chapters 4 through 7.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 5

Chapter 8 ROOF-CEILING CONSTRUCTION

SFM proposes to only adopt section R803.2.1.2 and R806.1.1 in Chapter 8 and provide a pointer to Part 7, the California Wildland-Urban Interface Code.

ITEM 5-1

Section R806.1.1 Vents in the Wildland-Urban Interface (WUI)

SFM proposes to update the pointer to Part 7, the California Wildland-Urban Interface Code.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 6

Chapter 9 ROOF ASSEMBLIES

SFM proposes to adopt only Sections R901, R902, R904, R905.15, R905.16, R907, and R909 in Chapter 9 and carry over existing amendments with modification.

ITEM 6-1

Sections R902.1.1 and R902.3

SFM proposes to carry forward existing amendments with modifications updating Section R902.1.1 reference pointer to the new Part 7, California Wildland-Urban

Interface code and correct a reference pointer that does not exist.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 7

Chapter 10 CHIMNEYS AND FIREPLACES

SFM proposes to adopt only sections R1001.11 Figure R1001.11, R1001.12, R1003.9.1, R1003.9.2, R1003.18, Figure R1003.18, and R1003.19 from the IRC 2024 Chapter 10 and carry forward existing amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 8

PART IV ENERGY CONSERVATION, Chapter 11 [RE] ENERGY EFFICIENCY

SFM proposes to NOT adopt and NOT print. See California Energy Code, Title 24, Part 6.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9

PART V MECHANICAL, Chapters 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23

SFM proposes to NOT adopt and NOT print. See California Mechanical Code, Title 24, Part 4.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10

Part VI FUEL GAS, Chapter 24 FUEL GAS

SFM proposes to NOT adopt and NOT print. See California Mechanical Code, Title 24, Part 4 and California Plumbing Code Part 5.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 11

Part VII PLUMBING, Chapters 25, 26, 27, 28, 29, 30, 31, 32 and 33

SFM proposes to NOT adopt and NOT print. See California Plumbing Code Part 5.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 12

Part VIII ELECTRICAL, Chapters 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43

SFM proposes to NOT adopt and NOT print. See California Electrical Code, Title 24, Part 3.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 13

Chapter 44 REFERENCE STANDARDS

SFM proposes to adopt Chapter 44 and carry forward the existing amendments with modifications.

ITEM 13-1

NFPA

SFM proposes to adopt Chapter 44 and carry forward existing amendments with modifications that update the referenced standard to correlate with the most recent edition of the standard. The rulemaking process between the different model codes can cause conflict in the adoption of the latest standards. The proposal is to establish consistency within the parts of the California Residential Code.

SFM amendments should simplify the understanding of requirements and eliminate confusion related to the required protection of these uses.

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14
APPENDICES**

SFM proposes the following.

**ITEM 14-1
Appendices AA, AB, AC and BA**

SFM proposes to NOT adopt Appendices AA, AB, AC and BA.

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14-2
Appendix BB**

SFM proposes to adopt Appendix BB.

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14-3
Appendices BC and BD**

SFM proposes to NOT adopt and do not print Appendices BC and BD.

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14-4
Appendix BE**

SFM proposes to NOT adopt Appendix BE.

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14-5
Appendix BF**

SFM proposes to only adopt Section BF103.2

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14-6
Appendices BG, BH and BI**

SFM proposes to NOT adopt Appendices BG, BH and BI.

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14-7
Appendix BJ**

SFM proposes to only adopt Section BJ107.

CAC Recommendation:

Approve

Agency Response:

Accept

**ITEM 14-8
Appendix BK**

SFM proposes to NOT adopt Appendix BK.

CAC Recommendation:

Approve

Agency Response:

Disagree.

Based on public comment during the Building, Fire, and Other Hearings the SFM is proposing to adopt the fire-resistance provisions for Cob Construction.

ITEM 14-9
Appendix BL

SFM proposes to only adopt Section BL105.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 14-10
Appendices BM and BN

SFM proposes to NOT adopt Appendices BM and BN.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 14-11
Appendix BO

SFM proposes to only adopt Sections BO102.4 and BO102.5.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 14-12
Appendices CA, CB, CC, CD, CE, CF, CG, CH and Energy Appendices

SFM proposes to NOT adopt Appendices CA, CB, CC, CD, CE, CF, CG, CH and Energy Appendices.

CAC Recommendation:

Approve

Agency Response:

Accept

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

The SFM did not rely on any technical, theoretical, or empirical study, report, or similar documents outside of those contained in this rulemaking in proposing that CBSC adopt said model code as a reference standard for the placement of existing SFM regulatory amendments for the California Building Standards Codes.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment, or prescriptive standards are required.

The SFM believes that the amendments to the model code and additional building standards proposed are offered in both a prescriptive and performance base. The nature and format of the model code adopted by reference allow for both methods, the following is a general overview of the model code proposed to be adopted by reference as well as state modifications:

This comprehensive residential code establishes minimum regulations for fire prevention and fire protection systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new system designs.

This code is founded on principles intended to establish provisions consistent with the scope of a building and fire code that adequately protects public health, safety, and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to types or classes of materials, products or methods of construction.

The International Residential Code (IRC) provisions provide many benefits, among which is the model code development process that offers an international forum for building and fire safety professionals to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific actions or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

SFM has not identified any reasonable alternatives, including less burdensome and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the statute.

SFM is required by statute to adopt model codes by reference in the California Building Standards Law (Health and Safety Code, Section 18901 et seq.). The proposed SFM amendments are editorial to provide clarifications and eliminate conflicts with existing building standards.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

Adoption of the latest edition of the model code is mandated by HSC Section 18928. No alternatives were identified that would lessen any adverse impact on small businesses. Small businesses will not experience an adverse impact due to the proposed SFM amendments, which are editorial to provide clarifications and eliminate conflicts with existing building standards.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

The SFM has determined that this proposed action will not have a significant adverse economic impact on business. Health and Safety Code Section 18928 requires the SFM when proposing the adoption of a model code, national standard, or specification shall reference the most recent edition of the applicable model code, national standard, or specification. Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the SFM relies to support this rulemaking.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Government Code Sections 11346.2(b)(2) and 11346.3(b)(1)

The State Fire Marshal has assessed whether and to what extent this proposal will affect the following:

- A. The creation or elimination of jobs within the State of California.**
These regulations will not affect the creation, or cause elimination, of jobs within the State of California.
- B. The creation of new businesses or the elimination of existing businesses within the State of California.**
These regulations will not affect the creation or the elimination of existing businesses within the State of California.
- C. The expansion of businesses currently doing business within the State of California.**
These regulations will not affect the expansion of business currently doing business within the State of California.
- D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**
These regulations will update and clarify minimum building standards and eliminate conflicts with existing building standards, which will provide clarity and regulatory consistency for the code user increasing the protection of public health and safety, worker safety, and the environment.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

The SFM does not anticipate any significant cost of compliance with the proposed building standards. The regulations are based on the model code. Health & Safety Section 18928 requires that building standards be essentially the same as the most recent edition of the uniform industry codes. These regulations benefits are to have clear, concise, complete, and updated text of the regulations and standards.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

The SFM has determined that this proposed rulemaking action does not unnecessarily duplicate or conflict with federal regulations contained in the Code of Federal Regulations that address the same issues as this proposed rulemaking.