

**INITIAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE STATE FIRE MARSHAL
REGARDING THE 2025 CALIFORNIA FIRE CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9
(SFM 06/24)**

*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 Fire Code and be published as the 2025 California Fire Code.

The general purpose of this proposed action is principally intended to update and codify a new edition of the California Fire Code (California Code of Regulations, Title 24, Part 9) based upon a more current edition of a model code. The current California Fire Code in effect is the 2022 California Fire Code which is based upon the 2021 International Fire 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 102.1 through 102.5, 102.7 through 102.12, 104.3, 104.6, 104.8 through 104.8.1, 104.2.3, 105.1 through 105.2.2, 105.2.4, 105.3, 105.3.3 through 105.5.9, 105.5.11 through 105.5.12, 105.5.14 through 105.5.18, 105.23 through 105.5.25, 105.5.27 through 105.5.29, 105.5.31, 105.5.40, 105.5.42, 105.5.44, 105.5.51, 105.5.53, 105.6 through 105.6.1, 105.6.3 through 105.6.25, 109.2 through 109.4, 113.1 through 113.3.1, 114.1 through 114.4, 115, Tables 105.5.9, 105.5.22 of the 2024 IFC Chapter 1 and bring forward existing amendments from the 2022 CFC for adoption into the 2025 CFC with modifications shown below.

ITEM 1-1
Section 1.1.1 Title

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-2
Section 1.11.2.4 Request for alternate means of protection.

SFM proposes to carry forward the existing California provisions in Sections 1.11 through 1.11.11 with modification in Section 1.11.2.4 to update the reference pointer to Title 19.

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 1-3
Section 102.13 Wildland-Urban Interface

The SFM proposes new Section 102.13 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 1-4

Section 105.3.1.1 Expiration.

The SFM proposes to co-adopt the existing BSC amendment regarding permit expiration. The co-adoption is to ensure all SFM-regulated occupancies comply with the law. The banner printed in the 2022 edition was confusing for stakeholders and implied that it was to be enforced on BSC-regulated occupancies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-5

Section 105.5.14 Energy Storage Systems

The SFM proposes a modification to section 105.5.14. While the need for an operational permit for mobile ESS is understandable, there do not appear to be any operational considerations with a stationary ESS. The construction permit required by Section 105.6 adequately addresses stationary ESS. CALSSA members have reported that only a few, if any, fire officials are issuing operational permits for stationary ESS. Eliminating the need for an operational permit for stationary ESS will decrease the cost of such systems. Operational permits are also not related to construction costs.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-6

Section 105.5.53 Lithium Batteries

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-7

Section 105.5.58 Mobile Fueling of Hydrogen-Fueled Vehicles

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 1-8

Section 105.5.59 Additional Permits

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2

Chapter 2, Definitions

The SFM proposes to adopt Chapter 2 and carry forward existing amendments with modifications.

ITEM 2-1

Additive Manufacturing

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions. Specifically, the word “not” has been added to the model code language.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-2

Battery

The proposal is an editorial update to the definitions related to batteries to correlate with the current IFC and NFPA 855 requirements addressing the batteries and new types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-3 Care Suite

Withdrawn

CAC Recommendation:

Further Study Required under criteria #4 and #6. OSHPD and SFM to coordinate on whether to withdraw the proposed amendment.

Agency Response:

SFM is withdrawing item 2-3, based on coordination with OSHPD, that the previously proposed amendment would not apply to anything other than I-2.

ITEM 2-4 Electrochemical double layer capacitors (EDLCs)

The SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-5 Energy Storage Management Systems

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-6 Flammable Gas

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-7
Flow Battery

SFM proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and existing definitions have been modified to correlate with current scientific descriptions. There are no technical requirement increases associated with these updated definitions. The modifications will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-8
Hybrid supercapacitor Battery (Lithium-ion capacitor (LIC))

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-9
Inflatable Amusement Device

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-10
Iron-air aqueous battery

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-11

Lead-Acid Battery

SFM proposes to modify definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and existing definitions have been modified to correlate with current scientific descriptions. There are no technical requirement increases associated with these updated definitions. The modifications will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-12

Lithium-ion battery

SFM proposes to modify definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and existing definitions have been modified to correlate with current scientific descriptions. There are no technical requirement increases associated with these updated definitions. The modifications will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-13

Lithium-sulfur rechargeable battery.

SFM proposes to modify definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and existing definitions have been modified to correlate with current scientific descriptions. There are no technical requirement increases associated with these updated definitions. The modifications will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-14

Nickel-Cadmium (Ni-Cd) Battery

SFM proposes to modify definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and existing definitions have been modified to correlate with current scientific descriptions. There are no technical requirement increases associated with these updated definitions. The modifications will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-15

Nickel-hydrogen (NiH₂)

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-16

Nickel Iron (Ni-Fe)

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-17

Nickel-Metal Hydride (Ni-MH)

SFM proposes to modify definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and existing definitions have been modified to correlate with current scientific descriptions. There are no technical requirement increases associated with these updated definitions. The modifications will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-18

Section General Definitions, Nickel-Zinc (Ni-Zn)

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-19

Puzzle Room

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-20

Smoke Compartment

The SFM proposes to repeal and replace existing amendments with model code language

due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-21

Sodium nickel chloride (NaNiCl)

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-22

Special Amusement Area

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-23

Stationary Storage Battery

The sub-definition of "stationary storage battery" is proposed for deletion as the portion of the code that applied to that term was eliminated when the energy storage system requirements were added which captured that type of installation.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-24

Zinc-air aqueous battery

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-25

Zinc bromide

SFM proposes to adopt new definition. This proposes editorial updates to the definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-26

Zinc manganese dioxide (Zn-MnO₂)

SFM proposes to adopt new definition. This proposes editorial updates to definitions related to batteries to correlate with current IFC and NFPA 855 requirements addressing the batteries and new battery types have been added. There are no technical requirement increases associated with these updated definitions. The additions will increase understanding of the application of the code requirements to these technologies.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 2-27

Occupancy Classification

SFM proposes to adopt 2024 IFC new Section 203. SFM proposes to relocate existing

2022 CFC amendments in the defined term for Occupancy Classification to Section 203 with modification. The code change proposal is editorial in nature and will have no impact on the cost of construction.

CAC Recommendation:

Approve

Agency Response:

Disagree

Post CAC: Charging language in Item 2-27 on the Express Terms has been modified to address Items 2-27.1, 2-27.2 and 2-27.3, which SFM has added to the Express Terms.

ITEM 2-27.1

Section 203.4.2 Group E, child-care facilities.

The SFM proposes to amend the exception to Group E child-care facilities, allowing them to operate when they comply with special requirements.

The SFM, in response to recent legislative proposals, intends to amend the exception to Group E child-care facilities to include those providing care for 6-100 children under 36 months of age. This amendment, aimed at expanding child-care services and upholding fire and life safety practices, complies with proposed AB 176 - Budget Act of 2023 or SB 176 – Education Finance: Education Omnibus Trailer Bill, which contains language for child-care facilities. If either bill passes, child-care changes will become law, establishing legislation incorporating language from the 2019 CBC and providing clarification for AHJs. The goal is to maintain legal compliance and foster the development of child-care services until the SFM can create and adopt new regulations through the consensus workgroup process. However, if both AB 176 and SB 176 fail to pass before the final hearing with the California Building Standards Commission, the SFM will withdraw this proposal.

CAC Recommendation:

Not Applicable

Agency Response:

Post CAC: New item added and not heard at BFO-CAC. See rationale statement above. This Item is associated with SFM 04/24, Part 2, Item 3-0.

ITEM 2-27.2

Section 203.7.4.1 Classification as Group E.

The SFM proposes to adopt model code language for Section 203.7.4.1 with modification.

The SFM, in response to recent legislative proposals, intends to amend the exception to Group E child-care facilities to include those providing care for 6-100 children under 36 months of age. The proposal leverages the model code as a reliable consensus process product. This amendment, aimed at expanding child-care services and upholding fire and

life safety practices, complies with proposed AB 176 - Budget Act of 2023 or SB 176 – Education Finance: Education Omnibus Trailer Bill, which contains language for child-care facilities. If either bill passes, child-care changes will become law, establishing legislation incorporating language from the 2019 CBC and providing clarification for AHJs. The goal is to maintain legal compliance and foster the development of child-care services until the SFM can create and adopt new regulations through the consensus workgroup process. However, if both AB 176 and SB 176 fail to pass before the final hearing with the California Building Standards Commission, the SFM will withdraw this proposal.

CAC Recommendation:

Not Applicable

Agency Response:

Post CAC: New item added and not heard at BFO-CAC. See rationale statement above. This Item is associated with SFM 04/24, Part 2, Item 3-1.3.

ITEM 2-27.3

Section 203.7.4.4 Six or fewer persons receiving care in a dwelling.

The SFM proposes to correct an SFM amendment.

The SFM, in response to recent legislative proposals, intends to amend section 203.7.4.4. This amendment complies with the proposed AB 176 - Budget Act of 2023 or SB 176 – Education Finance: Education Omnibus Trailer Bill, which contains language for child-care facilities. If either bill passes, child-care changes will become law, establishing legislation incorporating language from the 2019 CBC and providing clarification for AHJs. The goal is to maintain legal compliance and foster the development of child-care services until the SFM can create and adopt new regulations through the consensus workgroup process. However, if both AB 176 and SB 176 fail to pass before the final hearing with the California Building Standards Commission, the SFM will withdraw this proposal.

CAC Recommendation:

Not Applicable

Agency Response:

Post CAC: New item added and not heard at BFO-CAC. See rationale statement above. This Item is associated with SFM 04/24, Part 2, Item 3-1.4.

ITEM 3

Chapter 3, General Requirements

The SFM proposes to adopt sections 301, 302, 304, 308.1.1, 308.5, 310.2, 310.3, 312, 313, 314, 315, 316, 317, 319, 320, 321, and 322 and carry forward existing amendments with modifications.

ITEM 3-1

Section 319 Additive Manufacturing (3D Printing)

The SFM proposes to repeal existing amendment due to model code reorganization.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-2

**Section 320 Lithium-Ion and Lithium Metal Battery Storage, Section 320.1
General**

The SFM proposes to repeal and replace existing amendments in Section 322 with the model code language Section 320 and renumber with new amendments due to model code language revisions.

The purpose of the proposal to change the title of the section is an editorial change to provide some general guidance for the safe storage of batteries other than lithium-ion and lithium metal.

The proposal for Section 320.1 adds Exemption 6 to clarify it is not the intent of this section to regulate miscellaneous small consumer-size batteries in equipment (radios, power tools, etc.) or batteries staged or charging as is commonly found in maintenance areas, fire stations, contractor shops, etc. The proposal is editorial in nature to clarify small battery-powered equipment is not intended to be regulated by the Section of the IFC. It reduces cost by eliminating incorrect application of the section's requirements.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-3

Section 320.1.1 through 320.1.2

The purpose of this proposal is an editorial change to provide some general guidance for safe storage of lithium-ion, lithium metal, and other battery types.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-4

Section 320.4.1 Limited Indoor Storage In Containers

The proposal is an editorial addition to clarify that the section is intended for collection.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-5

Section 320.4.1.1 Unused or Unwanted Battery Collection

Revised the Limited Storage section to clarify the open-top container storage (e.g., batteries placed loose into drums) is for the collection of used or unwanted batteries from the public or employees (identical to NFPA 855).

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-6

Section 320.4.1.2 Waste Storage

Adds a provision for limited storage DOTn regulations require batteries placed in bags to prevent short-circuiting and space between filled with vermiculite. This is common practice and is safer than loose used battery collection into open drums. The quantity limit is still limited to 15 cf.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-7

Section 320.4.1.3 Miscellaneous Storage

Adds a section general miscellaneous storage (still limited to 15 cf) to clarify that other storage configurations are allowed, and often are safer, than just the open top unwanted battery collection. This includes storage in original wholesale shipping containers and DOT packaging which has undergone extensive testing for shipping for lithium-ion batteries and cells. Tests include impact, crushing, altitude, discharge, overcharge, thermal testing, external short circuit, vibration, and shock. Batteries and cells in packaging complying with transport regulations provide a high level of safety. See <https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2021-09/Lithium-Battery-Guide.pdf>

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-8
Section 320.4.2.3 Fire Protection Systems

A revision is included to correct an oversight in this section. It required the automatic fire sprinkler system design to be based on a Technical Report per 320.4.2.1, however many scenarios will have batteries with less than 30% SOC which exempts the Technical Report requirement. 903.3.1.1 has also been revised to provide additional guidance on the automatic fire sprinkler system design for lithium-ion battery protection. This section should simply point to 903.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-9
Section 320.4.3 Outdoor Storage

An editorial modification that includes sections added with new language.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-10
Section 320.4.3.1 Technical Opinion and Report (Formerly Distance from Storage to Exposures)

Added technical report for outdoor storage facilities due to significant events occurring at existing outdoor storage locations. The volume of events and fire department responses to these locations has increased significantly posing a potential fire and life safety risk. Requiring the technical report upfront identifies hazards and mitigation methods for those hazards, reducing long-term operational costs for the facility and the emergency responders.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-11
Section 320.4.3.2 Distance from Storage to Exposures

The provisions of this revised section are focused on outdoor storage and generally do not affect construction costs. This proposal increases storage options at locations where lithium-ion or lithium-metal batteries are being stored outside,

Removes reference to IBC Weather protection which only applies to hazardous materials, currently we don't treat this battery storage as hazardous materials, but we were pointing to a hazardous material provision for the weather protection. Added 320.4.3.6 to provide weather protection specific to battery storage which is consistent with the requirements of NFPA 855.

#4: provides some relief by adding a provision for limited storage for waste batteries as they are collected/packaged for offsite shipping (typically in 55-gallon drums) with batteries in bags to prevent short-circuiting and space between filled with vermiculite. This is common practice and allows for waste pack containers to be outside vs inside, which is generally a much safer option. The quantity limit is still limited to 15 cf. consistent with the indoor storage allowance. See <https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2021-09/Lithium-Battery-Guide.pdf>

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-12

Section 320.4.3.3 Storage Area Size Limits and Separation

The provisions of this revised section are focused on outdoor storage and generally do not affect construction costs. This proposal increases storage options at locations where lithium-ion or lithium-metal batteries are being stored outside and eliminates the reference to IBC weather protection, it is now addressed directly in its section.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-13

Section 320.4.3.4 Fire Detection

Adds a size threshold for fire detection, which can be complicated and expensive for outdoor design and maintenance. Increases consistency with NFPA 855.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-14

Section 320.4.3.5 Containers

Adds a container section for outdoor storage which prescribes allowable container types.

The justification is that by providing for recognition of approved DOT shipping container use the over costs to a site storing batteries outside are reduced.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-15

Section 320.4.3.6 Weather Protection

Adds the weather protection requirements. The justification is that by increasing the permissible size of the weather enclosure the over costs to a site storing batteries outside are reduced.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-16

Section 320.5 through 320.5.6

The purpose of this proposal is to provide some general guidance for the safe storage of batteries other than lithium-ion and lithium metal. Numerous battery types can present a hazard if damaged or involved in an event. The basic requirements added here are current standards of care in the industry.

Structural and seismic protection is current code requirements, and that section reminds the user of this code that the topics be addressed as required in the International Building Code.

Impact protection is an industry regulatory standard and is a level of care applied by responsible operators.

Battery charging does occur if batteries are stored long enough for a discharge to occur down to an unacceptable level, that section informs the user of the code that the charging must be done properly.

Mechanical exhaust would be required currently based upon the general requirements of the IFC and IMC, this provision highlights that for the code user.

Spill control capabilities have long been a core requirement within the code, this section highlights the need and provides for the level of capability expected to be present.

The hazard warning sign is for emergency responder awareness, some jurisdictions require NFPA 704 placarding, but from a practical matter, it is difficult to decide what the NFPA 704 markings should be when dealing with articles such as batteries. We went through the same issue with ESS signage requirements and settled on straightforward informational signage as to the hazard which is what this requirement does.

In summary, there is nothing new in this new language that isn't already an industry requirement, adding the language gives all building owners/operators and code officials guidance on the standard of care. This proposal is part of a set of broader proposals including the creation of a new chapter addressing batteries.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 3-17

Section 322 Powered Micromobility Devices

The SFM proposes to adopt section 322.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 4

Chapter 4, Emergency Planning and Preparedness

The SFM proposes to adopt Sections 401, 402, 403.1, 403.2 through 403.11.3.3, 403.12 through 403.12.3, 404.1, 404.5 through 404.6.6, 405, 406, and 407 of Chapter 4 to carry forward existing amendments and repeal and replace section 403.10.6 with model code.

ITEM 4-1

Section 403.10.6 Lithium-Ion and Lithium Metal Batteries

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 5

Chapter 5, Fire Service Features

The SFM proposes to adopt the entire Chapter 5 as amended, except sections 503 and 510.3.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 6

Chapter 6, Building Services and Systems

The SFM proposes to adopt entire Chapter 6 and carry forward existing California amendments contained in Sections 603.1.2, 603.4, 603.5.1.1, 604.2, 604.3, 604.3.4, 604.3.5, 604.6.3 through 604.6.4.4, 605.4, 605.4.1, 605.4.2.3, 605.4.2.5, 605.4.3, 605.5.2, and 605.7 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 7

Chapter 7, Fire and Smoke Protection Features

The SFM is proposing to adopt entire Chapter 7 and carry forward existing California amendments contained in Section 709 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 8

Chapter 8, Interior Finish, Decorative Materials and Furnishings

The SFM proposes to adopt entire Chapter 8 and carry forward amendments to Table 803.3, Sections 803.5.1.2, 803.5.1.3, 804.1, 804.3.3.1, 804.3.3.2, 804.3.3.3, 805.1, 805.2.1.2, 805.4.1.2, 806.1.4, 807.3, 807.4, 807.5.1.2.1, 807.5.1.2.2, 807.5.3 through 807.5.3.4, 807.5.7, 807.5.7.1, and 808.1 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9

Chapter 9, Fire Protection and Life Safety Systems

The SFM proposes to adopt entire Chapter 9 and carry forward existing amendments with modifications as shown below. The SFM proposes to NOT adopt Section 904.1.1

ITEM 9-1

Section 901.5 Administration of Installation Acceptance Testing

The SFM proposes to repeal and replace existing amendments with model code language due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-2

Section 903.1.1 Alternative Protection

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-3

Table 903.2.11.6 Additional Required Fire Protection Systems

The SFM proposes to modify the existing amendments to Table 903.2.11.6 as shown below due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-4

Section 903.3.1.1.1 Exempt locations

The SFM proposed to modify the existing amendments to section 903.3.1.1.1 due to model code language revisions.

The SFM amendment should simplify the understanding of requirements and eliminate confusion related to the required protection of these uses. The code change proposal is editorial in nature and will have no impact on the cost of construction.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-5

Section 903.3.1.1.4 Solar Photovoltaic Power Systems

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-6

Section 903.3.9 High-rise building floor control valves

The SFM proposes a renumbering modification to carry forward the existing amendment shown below due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-7

Section 903.3.10 Floor control valves.

The SFM proposes a renumbering modification to carry forward the existing amendment shown below due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-8

Section 903.4.3 Alarms.

The SFM proposes to repeal existing California amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-9

Section 903.5 Testing and Maintenance

The SFM proposes to repeal and replace existing amendments with model code language

due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-10

Section 904.14 Commercial Cooking Systems

The SFM proposes to carry forward existing amendments with modifications to the numbering due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-11

Section 905.4 Location of Class I Standpipe Hose Connections

The number 6 has model code language that was deleted in a previous code cycle but erroneously printed in the 2022 CFC. This proposal is to fix this error and delete the language.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-12

Section 905 Standpipe Systems

The SFM proposes to carry forward the existing amendments with modification to numbering due to model code deletion resulting in renumbering.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-13

Section 907.2.2.3 Group B Educational Facilities

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-14

Section 907.2.3.5 Monitoring, Section 907.6.6.4 Group E schools

The SFM proposes to modify the existing amendment to correct reference pointers to 907.6.6.4 and 907.6.6.3 relating to Group “E” Monitoring.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-15

Section 907.2.12 Special amusement areas.

The SFM is proposing to modify the existing amendments and blend them with new model code language to carry forward existing provisions.

CAC Recommendation:

Approve

Agency Response:

Disagree.

Post CAC: SFM determined that the Part 9 amendment proposal in the Initial Express Terms did not align with the same amendment in the SFM 04/24, Part 2 proposal, Item 10-10. The Part 9 and Part 2 charging language and Express Terms have been editorially modified to accurately indicate blending the existing amendment regarding exit access into the new model code language. This change was necessary to reflect the same intent of the proposed amendment more clearly, and to correlate with both proposals.

ITEM 9-16

Section 907.6 Installation and Monitoring

The SFM proposes to modify the existing amendment to make an editorial revision and correct the reference pointer. This amendment is associated with SFM 04/24, Part 2, Item 10-10.1.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-17

Section 907.6.4.4 Notification Zoning

The SFM proposes to modify the existing amendment due to the renumbering of the referenced section noted in exception 1.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-18

Table 911.1 Explosion Control Requirements

The SFM proposes to repeal and replace the existing amendment with model code language due to model code change.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-19

Section 914.7.2.2 Alarm Activation

The SFM proposes to relocate existing amendment from 2022 CFC Section 907.2.12.2 System response #4 with modifications due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-20

Section 914.7.2.3 Emergency Voice/Alarm Communication System

The SFM proposes to modify the existing amendments blend them with new model code language and repeal previous versions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-21
Section 915.4.3 Combination Alarms

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-22
Section 915.4.4 Interconnection.

The SFM proposes to carry forward existing amendments and does not adopt new 2024 IFC section, 915.4.4 Interconnection. The 2024 IFC has copied portions of the California amendment, but left out the majority of the information. By continuing to adopt the existing California amendment, all the requirements and exceptions will be available for the code user. This amendment provides clarity and consistency for implementation and enforcement. There is no intended change in regulatory effect.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 9-23
Section 915.6.1 Enclosed Parking Garages

The SFM proposes to modify the existing amendment to make an editorial revision and correct the reference pointer.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10
Chapter 10, Means of Egress

The SFM proposes to adopt Chapter 10 and carry forward existing amendments with modifications.

ITEM 10-1
Section 1008.3 Illumination Required by an Emergency Electrical System

The SFM proposes to carry forward the existing amendment. This is not new language but

relocated due to sections combined in the 2024 International Building Code (IBC). The IBC combined several sections for egress lighting into one section.

The SFM proposed amendment reinstates provisions published in several editions of the California Building Code. The SFM proposes an amendment to add number 4 to address the previously adopted requirement for egress lighting for I-2 occupancies. As such, the proposed amendment should not be considered as a new requirement.

The California amendment also aligns with provisions published in National Fire Protection Association 101 The Life Safety Code. The SFM amendment should simplify the understanding of requirements and eliminate confusion related to the required protection of these uses. The code change proposal is editorial in nature and will have no impact on the cost of construction.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-2

Section 1009.4.1 Standby Power

The SFM proposes to adopt an amendment to align the section with the California Building Code.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-3

Section 1010.2.7.1 through 1010.2.11.1

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-4

Section 1010.2.13 Controlled egress doors in Group I-2

The SFM proposes to relocate existing amendments to section 1010.2.13 from 1010.2.14 due to model code revisions and renumbering.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-5

Section 1011.16 Ladders

The SFM proposes to revise pointers to the California Mechanical Code sections.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-6

Section 1015.2 Where Required

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-7

Section 1016.2 Egress Through Intervening Spaces

The SFM proposes to modify the existing amendment and renumber to coordinate with the California Building Code language.

The modification is editorial in nature, will eliminate inconsistencies, and has not cost impact.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-8

Table 1020.2 Corridor Fire-Resistance Rating

The SFM proposes to modify the existing amendments to Table 1020.2 to repeal the line item for “E” occupancies and modify “I-4” items to require 1 hr with sprinklers. 2021 Triennial Jan. 18 meeting Commissioner Rambin commented, CAM 4-15 conflicts with

table 1020.2 egress requirements. Proposal to modify the requirements in the table to 1 hour for I-4 with sprinklers with the intent that 1-hour corridors be provided to I-4 without direct exiting.

The SFM amendment should simplify the understanding of requirements and eliminate confusion related to the required protection of these uses. The code change proposal is editorial in nature and will have no impact on the cost of construction.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-9

Section 1026.6 Two-Way Communication

This proposal seeks to amend the existing standards by specifying that two-way communication systems must be installed in all horizontal exit compartments. A "horizontal exit" is defined as a passageway leading either to a refuge area in another building at a similar level or through a fire barrier to a refuge area within the same building, protecting from fire and smoke. Current codes (1009.3, 1009.8) mandate the installation of these communication systems in elevator landings, areas of refuge (1009.6.5), and locked stairways in high-rise buildings (403.5.3.1). However, in situations where a fire breaks out near an elevator landing, individuals with disabilities or physical limitations who are unable to evacuate and seek shelter in a horizontal exit may find themselves cut off from communication with a constantly attended station or a central station, especially if the system is designed to call directly offsite. In recognition of this critical safety gap, some jurisdictions in California have already mandated the installation of two-way communication systems in every horizontal exit compartment. This proposal aims to standardize this safety measure across all jurisdictions to ensure consistent protection for individuals who may find themselves in such vulnerable situations during a fire emergency.

International Code Council (ICC) Committee Action Hearing (CAH) Group A proposal E101-24 was heard in Orlando, FL in April 2024. The proposal was disapproved 14-0. The California Fire Alarm Advisory Committee voted to put this proposal California Building Standards rulemaking process with the same justification that was presented at the ICC hearing in Orlando, FL.

This proposal seeks to amend the existing standards by specifying that two-way communication systems must be installed in all horizontal exit compartments. A "horizontal exit" is defined as a passageway leading either to a refuge area in another building at a similar level or through a fire barrier to a refuge area within the same building, protecting from fire and smoke.

Current codes (1009.3, 1009.8) mandate the installation of these communication systems in elevator landings, areas of refuge (1009.6.5), and locked stairways in high-rise buildings (403.5.3.1). However, in situations where a fire breaks out near an elevator landing, individuals with disabilities or physical limitations who are unable to evacuate and seek

shelter in a horizontal exit may find themselves cut off from communication with a constantly attended station or a central station, especially if the system is designed to call directly offsite.

In recognition of this critical safety gap, some jurisdictions in California have already mandated the installation of two-way communication systems in every horizontal exit compartment. This proposal aims to standardize this safety measure across all jurisdictions to ensure consistent protection for individuals who may find themselves in such vulnerable situations during a fire emergency.

Bibliography:

[Area of Refuge Requirements \(nfpa.org\) https://www.nfpa.org/news-blogs-and-articles/blogs/2023/03/13/unraveling-the-area-of-refuge-requirements](https://www.nfpa.org/news-blogs-and-articles/blogs/2023/03/13/unraveling-the-area-of-refuge-requirements) - Unraveling the Area of Refuge Requirements - by Valerie Ziavras - NFPA
[Accessible Means of Egress \(nfpa.org\) https://www.nfpa.org/news-blogs-and-articles/blogs/2023/01/09/accessible-means-of-egress-and-the-life-safety-code?l=76](https://www.nfpa.org/news-blogs-and-articles/blogs/2023/01/09/accessible-means-of-egress-and-the-life-safety-code?l=76) - Accessible Means of Egress and the Life Safety Code - by Valerie Ziavras - NFPA
[Your Guide to Area of Refuge, Requirements, & Signs - Viking Electronics, Inc. https://vikingelectronics.com/area-of-refuge/](https://vikingelectronics.com/area-of-refuge/)
[Chapter 4: Accessible Means of Egress \(access-board.gov\) https://www.access-board.gov/aba/guides/chapter-4-accessible-means-of-egress/](https://www.access-board.gov/aba/guides/chapter-4-accessible-means-of-egress/)

CAC Recommendation:

Further Study Required under criteria #4 and #6. SFM to consider whether to withdraw or further amend proposed amendment language for clarification regarding outcome of model code advisory committee determination in October 2024.

Agency Response:

Disagree

SFM understands that in Section 1009 there are existing requirements for Two-way communication. The SFM Fire Alarm Advisory Committee will meet on August 13, 2024 to discuss the comments received at the Building, Fire, Other – Code Advisory Committee as well as the opposition testimony heard at the International Code Counsel, Committee Action Hearings held in April 2024 in Orlando, Florida. SFM will proceed with this proposal through the 45-Day Comment Period.

ITEM 10-10

Section 1032.2.2.1 Maintenance

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 10-11
Section 1032.2.2.2 Examination

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 11
Chapter 11, Construction Requirements for Existing Buildings

The SFM is proposing to adopt the following sections in Chapter 11 with modifications to align with model code updates and carry forward existing California amendments contained in Sections 1103.3.3, 1103.7, 1103.7.3, 1103.7.3.1, 1103.7.8 – 1103.7.8.2, 1103.7.9 – 1103.7.9.10, 1103.8 – 1103.8.5.3, 1103.9, 1103.9.1, 1105.12, 1105.12.1, 1107, 1108, 1113, 1114, 1115, and 1116.

ITEM 11-1
Section 1107 Energy Storage Systems

[The SFM proposes the adoption of section 1107]

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 11-2
Section 1108 Group A Public Address System

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 12
Chapter 12, Energy Systems

The SFM proposes to adopt Chapter 12 and carry forward existing amendments contained

in Sections 1203.1.2, 1203.1.3.1, 1203.1.5.1, 1203.2.11, 1205.2.4, 1205.3.4, 1207.11.3, 1207.11.4, 1207.11.6, 1207.11.7, 1207.11.7.1, 1207.11.7.2, 1207.11.7.3, Table 1207.11.4 and Figure 1207.11.7.1 with modifications shown below.

ITEM 12-1

Section 1207.11.7 Protection from Impact

The SFM proposes to repeal and replace the existing amendment with the model code language as shown below due to model code change.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 12-2

Section 1207.11.7.1 Garages

The SFM proposes to repeal and replace existing amendments with model code language due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 12-3

Figure 1207.11.7.1 ESS Vehicle Impact Protection

The SFM proposes to repeal and replace the existing amendment with the model code language shown below due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 12-4

Section 1207.11.7.2 Other Locations Subject to Vehicle Impact

The SFM proposes to repeal and replace the existing amendment with the model code language shown below due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 12-5

Section 1207.11.7.3 Impact Protection Options

The SFM proposes to repeal and replace the existing amendment with the model code language shown below due to model code revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 13

Chapter 13-19, Reserved

The SFM proposes to delete Chapters 13-19 in their entirety. Do not print in the California Fire Code.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 14

Chapter 20, Aviation Facilities

The SFM proposes to adopt Chapter 20 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 15

Chapter 21, Dry Cleaning

The SFM is proposing to adopt Chapter 21 and carry forward existing California amendments contained in Sections 2101.1.1 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 16

Chapter 22, Combustible Dust – Producing Operations

The SFM proposes to adopt Chapter 22 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 17

Chapter 23, Motor Fuel – Dispensing Facilities and Repair Garages

The SFM is proposing to adopt Chapter 23 and carry forward existing California amendments contained in Sections 2303.1.1, 2306.6.2.7, and 2306.7.6 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 18

Chapter 24, Flammable Finishes

SFM proposes to adopt Chapter 24 and carry forward existing California amendments contained in Section 2407.2 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 19

Chapter 25, Fruit and Crop Ripening

The SFM proposes to NOT adopt Chapter 25.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 20

Chapter 26, Fumigation and Insecticidal Fogging

The SFM proposes to NOT adopt Chapter 26.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 21

Chapter 27, Semiconductor Fabrication Facilities

The SFM proposes to adopt Chapter 27 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 22

Chapter 28, Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities

The SFM proposes to adopt Chapter 28 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 23

Chapter 29, Manufacture of Organic Coatings

The SFM proposes to adopt Chapter 29 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 24

Chapter 30, Industrial Ovens

The SFM proposes to adopt Chapter 30 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25

Chapter 31, Tents Temporary Special Event Structures and Other Membrane Structures

The SFM proposes to adopt Chapter 31 and carry forward existing amendments contained in Sections 3101.1, 3101.2, 3101.3, 3103.3.1, 3103.7.2, 3103.8.1, 3106, 3108.19 with modifications shown below.

ITEM 25-1

Section 3103.8.1 Water-Filled Vessels

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-2

Section 3104.4.2 Flame Propagation Performance Testing and Registration

The problem the code change is resolving is the NFPA 701, Test 2 testing standard has not been adopted nor is it approved for requirements of registration. This has been discussed and agreed upon through collaboration with the Flame-Retardant Advisory Committee on several occasions. The rationale for the code change solution is to be specific to the requirements of the Flame-Retardant Program and the State of California. The benefits of the code change proposal will alleviate the confusion for Local Jurisdictions that are asking for both testing standards. Those that will be affected by the code change are nobody, the requirements have not been for 30 years, and the Flame-Retardant program was not consulted when changes were initiated.

Per California Building Code Chapter 31, the matrix adoption table of Chapter 31- Tents, Temporary Special Event Structures and Other Membrane Structures has the State Fire Marshal adopting the entire chapter as amended. However, Assembly Bill 267 has increased the occupant load from 9 or less to 15 or less. The matrix additionally does not specify adopting amendment to Section 3104.2 Flame Propagation Performance Testing and Certification. The Flame-Retardant Program that is required to regulate and register tents in the State of California does not accept NFPA 701, Test 2, testing standard, and is inferior to the testing we require for exterior approval tested to CCR, Title 19, Section 1237.1 nor CPAI 84 Testing for small tents. The California Flame Retardant Program does not issue certifications we issue registrations.

The current required testing of exterior fabric found in Title 19, Chapter 2 is CPAI 84 for small tents, and Chapter 8 Section 1237.1 for large tents. The Health and Safety Code Section 13115 mandates the approval of the fabric with the State Fire Marshal's adopted standard. The California Fire Code has misprinted the NFPA 701 Test 2 for Flame Propagation Performance Testing and Certification. The correction to the title is requested because CAL FIRE does not certify fabrics, we register them.

The NFPA 701 testing standard which is currently in the California Fire Code is creating confusion and misinformation in the industry and enforcement agencies. Some counties are asking for both, not understanding the difference in the testing. NFPA 701 has a lower testing criteria compared to California's current standard. The proposed changes are requested to maintain the currently adopted standard to provide clear guidance to the stakeholders.

Will not impact cost, the added NFPA 701 testing added unnecessary cost to the industry, as many companies were asked for the additional testing.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-3

Section 3106 Inflatable Amusement Devices

The SFM proposes to repeal and replace existing amendments with the model code language and renumbering due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-4

Section 3106.1 Scope

The SFM proposes to repeal and replace existing amendments with model code language and renumbering due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-5

Section 3106.2 General

The SFM proposes to repeal and replace existing amendments with model code language

and renumber due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-6

Section 3106.3 Combustible Materials

The SFM proposes modifications to the existing amendment and renumbering due to the SFM proposal and model code language revisions.

The problem the code change is resolving is the NFPA 701, Test 2 testing standard has not been adopted nor is it approved for requirements of registration. This has been discussed and agreed upon through collaboration with the Flame-Retardant Advisory Committee on several occasions. The rationale for the code change solution is to be specific to the requirements of the Flame-Retardant Program and the State of California. The benefits of the code change proposal will alleviate the confusion for Local Jurisdictions that are asking for both testing standards. Those that will be affected by the code change are nobody, the requirements have not been for 30 years, and the Flame-Retardant program was not consulted when changes were initiated.

Per California Building Code Chapter 31, the matrix adoption table of Chapter 31- Tents, Temporary Special Event Structures and Other Membrane Structures has the State Fire Marshal adopting the entire chapter as amended. However, Assembly Bill 267 has increased the occupant load from 9 or less to 15 or less. The matrix additionally does not specify adopting amendment to Section 3104.2 Flame Propagation Performance Testing and Certification. The Flame-Retardant Program that is required to regulate and register tents in the State of California does not accept NFPA 701, Test 2, testing standard, and is inferior to the testing we require for exterior approval tested to CCR, Title 19, Section 1237.1 nor CPAI 84 Testing for small tents. The California Flame Retardant Program does not issue certifications we issue registrations.

The current required testing of exterior fabric found in Title 19, Chapter 2 is CPAI 84 for small tents, and Chapter 8 Section 1237.1 for large tents. The Health and Safety Code Section 13115 mandates the approval of the fabric with the State Fire Marshal's adopted standard. The California Building Code has misprinted the NFPA 701 Test 2 for Flame Propagation Performance Testing and Certification. The correction to the title is requested because CAL FIRE does not certify fabrics, we register them.

The NFPA 701 testing standard which is currently in the California Fire Code is creating confusion and misinformation in the industry and enforcement agencies. Some counties are asking for both, not understanding the difference in the testing. NFPA 701 has a lower testing criteria compared to California's current standard. The proposed changes are requested to maintain the currently adopted standard to provide clear guidance to the stakeholders.

Will not impact cost, the added NFPA 701 testing added unnecessary cost to the industry, as many companies were asked for the additional testing.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-7

Section 3106.4 Electrical Equipment and Wiring

The SFM proposes to repeal and replace existing amendments with model code language and renumber due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-8

Section 3106.5 Portable Generators

The SFM proposes to repeal and replace existing amendments with model code language and renumber due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-19

Section 3106.6 Portable Fire Extinguishers

The SFM proposes to repeal and replace existing amendments with model code language and renumber due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 25-10

Section 3107.19 Obstructions

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 26

Chapter 32, High – Piled Combustible Storage

SFM proposes to adopt Chapter 32 and carry forward existing California amendments contained in Section 3203.8 and Table 3206.2 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 27

Chapter 33, Fire Safety During Construction and Demolition

The SFM proposes to adopt Chapter 33 and carry forward existing amendments contained in Sections 3305.9.1 and 3307.2.1 with modifications.

ITEM 27-1

Section 3311.2 Group I – 2 Separations

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

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 27-2

Section Pipe Cleaning and Purging

The SFM proposes to repeal and replace existing amendments with model code language and renumber due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 28

Chapter 34, Tire Rebuilding and Tire Storage

SFM proposes to adopt Chapter 34 and carry forward existing California amendments

contained in Sections 3401.1, 3404.2, 3405.1, 3405.4, 3405.7, 3405.8, 3405.9, 3406.1, and 3408.1 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 29

Chapter 35, Welding and Other Hot Work

The SFM proposes to adopt Chapter 35 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 30

Chapter 36, Marinas

The SFM proposes to adopt Chapter 36 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 31

Chapter 37, Combustible Fibers

The SFM proposes to adopt Chapter 37 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 32

Chapter 38, Reserved

The SFM proposes to delete Chapter 38 Higher Education Laboratories in its entirety. Do not print in the California Fire Code.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 33

Chapter 39, Processing and Extraction Facilities

The SFM proposes to adopt Chapter 39 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 34

Chapter 40, Storage of Distilled Spirits and Wine

The SFM proposes to adopt Chapter 40 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 35

Chapter 41, Temporary Heating and Cooking Operations

The SFM proposes to delete Chapter 41 in its entirety. Do not print in the California Fire Code.

CAC Recommendation:

Further Study Required. Confirm SFM intentions.

Agency Response:

Accept.

Upon further study the SFM proposes to adopt Chapter 41.

ITEM 36

Chapter 42 – 47, Reserved

Chapters 42-47 are reserved in 2024 IFC.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 37

Chapter 48, Motion Picture and Television Production Studio Sound Stages

The SFM proposes to adopt Chapter 48 with existing amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 38

Chapter 49, Requirements for Wildland – Urban Interface Areas

SFM proposes to relocate the provisions of Chapter 49 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 of the California Fire Code shall be applied to residential structures located in the wildland-urban interface (WUI) or designated Fire Hazard Severity Zones as applicable.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 39

Chapter 50, Hazardous Materials – General Provisions

The SFM proposes to adopt chapter 50 and carry forward existing amendments to Sections 5001.5.1, 5001.5.2, 5003.1.1, 5003.8.3.5, 5003.8.3.5.4, 5003.10.2, 5003.10.2.1, 5003.10.2.2, 5003.10.4, 5003.10.4.1, 5003.10.4.2, 5003.10.4.3, 5003.10.4.4, 5003.10.5 through 5003.10.6.2, 5003.11, 5003.11.1, 5003.11.2, 5003.11.2.1, 5004.3.1, Tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.11.2 with modifications.

ITEM 39-1

Section Table 5003.1.1(3) Maximum Allowable Quantity Per Control Area of Hazardous Materials Posing a Physical Hazard in an Outdoor Control Area

The SFM proposes to repeal and replace existing amendments with model code language and renumbering due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 39-2

Section 5003.8.3.5.4 Flammable Gas

The SFM proposes to repeal and replace existing amendments with model code language and renumbering due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 39-3

Section 5003.11.1 Nonflammable Solid and Nonflammable or Noncombustible Liquid Hazardous Materials

The SFM proposes to repeal and replace existing amendments with model code language and renumbering due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 39-4

Section 5003.11.2 Category 1B Flammable Gas with Low Burning Velocity

The SFM proposes to repeal and replace existing amendments with model code language and renumbering due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 39-5

Section 5003.11.2.1 Fire Protection and Storage Arrangements

The SFM proposes to repeal and replace existing amendments with model code language and renumbering due to model code language revisions.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 40

Chapter 51, Aerosols

The SFM proposes to adopt Chapter 51 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 41

Chapter 52, Reserved

[Chapter 52 is reserved in 2024 IFC.]

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 42

Chapter 53, Compressed Gases

The SFM proposes to adopt Chapter 53 with amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 43

Chapter 54, Corrosive Materials

The SFM proposes to adopt Chapter 54 with amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 44

Chapter 55, Cryogenic Fluids

The SFM proposes to adopt Chapter 55 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 45

Chapter 45, Explosives and Fireworks

SFM proposes to adopt Chapter 56 and carry forward existing California amendments contained in Sections 5601.1, 5601.1.3, 5601.1.4, 5601.2.2, 5601.2.3, 5601.2.4, 5601.3.1, 5602.1, 5603.2, 5604.7.5.4, 5604.7.8, 5604.7.10, 5604.8.4, 5604.10.3, 5604.11, 5606.6, 5607.1, 5607.9.1, 5607.9.2, 5608.1, 5608.1.1, 5610, 5611, 5612, 5613 and Tables 5604.3 and 5604.5.2(1) without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 46

Chapter 57, Flammable and Combustible Liquids

SFM proposes to adopt Chapter 57 and carry forward existing California amendments contained in Sections 5702, 5703.4.1, 5703.6.2, 5703.6.2.2, 5704.2, 5704.2.1, 5704.2.7.4, 5706.5.1.11 without modification. The SFM also proposes to NOT adopt Section 5707.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 47

Chapter 58, Flammable Gases and Flammable Cryogenic Fluids

SFM proposes to adopt Chapter 58 and carry forward existing California amendments contained in Sections 5801 and 5809 without modifications.

ITEM 47-1

Section 5809 On-Demand Hydrogen Mobile Fueling Operations

SFM proposes to modify the existing amendments and blend them with new model code language.

CAC Recommendation:

Approve

Agency Response:

Disagree. The Express Terms have been corrected to reflect the original intent.

ITEM 48

Chapter 59, Flammable Solids

The SFM proposes to adopt Chapter 59 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 49

Chapter 60, Highly Toxic and Toxic Materials

The SFM proposes to adopt Chapter 60 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 50

Chapter 61, Liquefied Petroleum Gases

The SFM proposes to adopt Chapter 61 with amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 51

Chapter 62 Organic Peroxides

The SFM proposes to adopt Chapter 62 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 52

Chapter 63, Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids

The SFM proposes to adopt Chapter 63 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 53

Chapter 64, Pyrophoric Materials

The SFM proposes to adopt Chapter 64 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 54

Chapter 65, Pyroxylin (Cellulose Nitrate) Plastics

The SFM proposes to adopt Chapter 64 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 55

Chapter 66, Unstable (Reactive) Materials

The SFM proposes to adopt Chapter 66 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 56

Chapter 67, Water – Reactive Solids Liquids

The SFM proposes to adopt Chapter 67 without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 57

Chapter 68 – 79, Reserved

Chapters 68 – 79 are reserved in 2024 IFC.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 58

Chapter 80, Referenced Standards

The SFM proposes to adopt Chapter 80 and carry forward existing amendments with modifications that correlate with the section referenced due to model code revisions and 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 Fire Code.

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

ITEM 58-1

Section Referenced Standards NFPA

The SFM proposes to adopt Chapter 80 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 Fire Code.

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

CAC Recommendation:

Approved as Modified under criteria #7. 2023 Edition of 855 is available. Update and revise NFPA referenced standard 855 to the 2023 Edition.

Agency Response:

Accept

ITEM 58-2

Section Referenced Standards UL

The latest edition of UL 9540 was approved and published on June 28, 2023. SFM has consulted with the industry on introducing the latest edition and the advantages of staying up to date with the enhancements made to the standard. Some of the published key factors of the new edition include the following:

Addition of AC and DC Energy Storage System (ESS) concepts

Clarification of capacity and separation limits of ESS subject to UL9540A test to align with the NFPA 855 standard.

Addition of explosion control requirements to align with the code.

Addition of external wiring warning communication system criteria that gives advance notification to operators of a potential safety issue with the ESS.

Additional comprehensive criteria for Thermal ESS include tests to address the unique hazards associated with these systems.

Additional testing requirements for Mechanical ESS, Clean Agent Direct Injection Coolant Systems, Remote Software Updates, and requirements to address Noise Levels for ESS.

Addition of requirements to address Hazardous Fluids and Liquid Coolant System Hazards.

The most recent edition of the UL provides further clarification which aids in the application of the code and standard and will establish consistency within the parts of the California Fire Code. There is no cost impact associated with the modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 59

Appendices, Chapter Appendix 4, Special Detailed Requirements Based on Use and Occupancy

The SFM proposes to adopt Appendix 4 and coordinate modifications of the California Building Code.

ITEM 59-1

Section 435.8.3 Egress Arrangements

The SFM proposes to modify the existing amendments as shown below to coordinate references to section 716.2.6. The code change proposal is editorial in nature and will have no impact on the cost of construction.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 59-2

Section 435.8.4 Corridors

The SFM proposes to modify the existing amendment to section 435.8.4.1 to coordinate pointer reference to section 1020.1 Corridors. The code change proposal is editorial in nature and will have no impact on the cost of construction.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 59-3

Section 435.8.6 Stairways

The SFM proposes to modify the existing amendment to section 435.8.6.1 to coordinate pointer reference to section 1023 Interior Exit Stairways and Ramps. The code change proposal is editorial in nature and will have no impact on the cost of construction.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 60

Appendices, Appendix A, D through G and I through P

The SFM proposes to NOT adopt Appendices A, D through G, and I through P.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 61

Appendices, Chapter Appendix B, Fire–Flow Requirements for Buildings

The SFM proposes to adopt Appendix B and carry forward existing California amendments contained in Table B105.1(1) and Section B105.2 without modification.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 62

Appendices, Chapter Appendix C, Fire Hydrant Locations and Distribution

The SFM proposes to adopt Appendix C as amended and carry forward existing amendments to section C101.1.

CAC Recommendation:

Approve

Agency Response:

Accept

ITEM 63

Appendices, Chapter Appendix BB, CC, and H

The SFM proposes to adopt Appendix BB, CC, and H without amendments.

CAC Recommendation:

Approve

Agency Response:

Accept

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

Government Code Section 11346.2(b)(3) requires 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 fire 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 Fire Code (IFC) 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 alternative. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable 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 action 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.

The SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed adoption by reference with SFM amendments. Therefore, there are no alternatives available to the SFM regarding the proposed adoption of this code.

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.

The SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected small business than the proposed adoption by reference with SFM amendments. Therefore, there are no alternatives available to the SFM regarding the proposed adoption of this code.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE 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. The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections 13143, 18928, 18949.2(b), 18949(c) and the mandates of the statutory authority of the SFM. Numerous public workshops were held during the per-rulemaking phase of the intervening code cycle and no comments have been made that the proposed changes would have significant statewide adverse economic impact on businesses.

Therefore, the SFM has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.2(b)(5)(A). The public is welcome to submit any information, facts, or documents either supporting SFM's initial determination or finding to the contrary.

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 SFM 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 improve minimum existing building standards, which will provide increased 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.