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STATE AND CONSUMER SERVICES AGENCY
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Office Use Item No. SPM 01/07

PARTICIPATION COMMENTS FOR THE NOTICE DATED MARCH 18, 2008
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: MAY 12, 2008

Date: May 6, 2008

From: John Chrysler
Name (Print or Type)

Masonry Institute of America
Agency, jurisdiction, chapter, company, association, individual, etc.

22815 Frampton Avenue	Torrance	CA	90501
Street	City	State	Zip

I/We ☐ (do) ☒ (do not) agree with:

The Agency proposed modifications As Submitted on Section No. 704.5

and request that this section or reference provision be recommended:

☐ Approved ☒ Disapproved ☐ Held for Further Study ☐ Approved as Amended

by the proposing state agency.

Suggested Revisions to the Text of the Regulations:

Reason: [The reason should be concise. If the request is for "Disapproval," "Further Study," or "Approve As Amend", identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

The public interest requires the adoption of the building standards. In other words, the public interest is not being served by the adoption of this proposed amendment since it reduces the level of fire safety. On that basis it does not satisfy point 3 of the 9-point criteria.

This proposed amendment should be disapproved. In effect, it reduces the level of fire safety provided to the exterior walls of buildings which are essential not only for structural stability of the buildings but also for prevention of fire spread to or from adjacent buildings so as to minimize the potential for a conflagration. This is especially important in California where seismic events may result in disruption of water supplies for fire fighting purposes, as well as for supplying automatic sprinkler systems. They will also impede the fire department's ability to respond in a timely manner to fires that will certainly occur after such a seismic event. Therefore, it is very important that buildings be able to stand on their own and resist fire spread not only from adjacent buildings, but from spreading fire beyond the perimeter of the building and subsequently exposing other buildings.

It should also be noted that the CSFM's rationale contained in the Initial Statement of Reasons indicates that the purpose of the amendment is to bring the exterior fire exposure criteria back to what was required under the 2001 CBC as contained in

Table 5-A of that code. It further states that the provisions for testing the fire-resistance rated exterior walls from both sides generally only applied to fire separation distances of 20 feet or less except where noncombustible construction was required. However, a detailed analysis of Table 5-A of the 2001 CBC for State Fire Marshal regulated occupancies clearly indicates that virtually all fire-resistance rated exterior bearing walls were required to maintain not less than a 1-hour fire-resistance rating regardless of the fire separation distance for all types of construction where exterior bearing walls were required to have at least a 1-hour fire-resistance rating. This would be equivalent to all the types of construction in the 2007 CBC with the exception of Types IIB and VB construction. For those types of construction the exterior bearing walls have no required fire-resistance ratings, as was the case for the comparable types of construction in the 2001 CBC which were designated as Types II-N and V-N.

Fire-resistance rated exterior nonbearing walls of the State Fire Marshal regulated occupancies, for virtually all such occupancies for all construction types other than Types II-N and V-N construction in the 2001 CBC (which are equivalent to Types IIB and VB construction in the 2007 CBC), were required to maintain their fire-resistance rating of 1-hour or greater for a maximum fire separation distance of 40 feet. It should also be noted that for Type V-One Hour construction in the 2001 CBC (which is equivalent to Type VA construction in the 2007 CBC) the minimum 1-hour fire-resistance rating was required to be maintained regardless of the fire separation distance. However, fire-resistance rated exterior nonbearing walls of the State Fire Marshal regulated occupancies, in the vast majority of cases for all construction types other than Types IIB and VB construction in the 2007 CBC (which are equivalent to Types II-N and V-N construction in the 2001 CBC) are required to maintain their fire-resistance rating of 1-hour or greater for a maximum fire separation distance of only 30 feet. It should be noted under the 2007 CBC, exterior nonbearing walls are not required to have a fire-resistance rating regardless of construction type once the fire separation distance exceeds 30 feet according to Table 602.

Furthermore, in accordance with Table 602 for a fire separation distance of 10 feet to 30 feet only Types IIB and VB construction do not require a minimum 1-hour fire-resistance rating except for Group H occupancies. Similarly, in Table 5-A of the 2001 CBC the comparable types of construction designated as Type II-N and V-N do not require a minimum 1-hour fire-resistance rating once the fire separation distance is greater than the following:

Group A occupancies	20 feet
Group E occupancies	10 feet
Group H-1 occupancies	75 feet
Group H-2/H-3/H-4/H-6/H-7 occupancies	20 feet
Group H-5	60 feet
Group I occupancies	not permitted
Group R-1 occupancies	5 feet

So based on this analysis, the proposed amendment actually makes the 2007 CBC less restrictive than the 2001 CBC for bearing walls and for the vast majority of exterior nonbearing walls which are required to have a minimum 1-hour fire-resistance rating. Since the 2001 CBC required all fire-resistance rated exterior walls to be tested for fire exposure from both sides regardless of fire separation distance, we believe that this proposed amendment would reduce the level of fire protection provided to the exterior walls of buildings under the 2007 CBC and should, therefore, be disapproved.