

**15 DAY EXPRESS TERMS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION**

**REGARDING ADOPTION OF AMENDMENTS FOR THE 2013 CALIFORNIA BUILDING STANDARDS CODE,  
TITLE 24, CALIFORNIA CODE OF REGULATIONS (CCR), PART 11, CALIFORNIA GREEN BUILDING  
STANDARDS CODE**

**Legend for Express Terms:**

1. **45-day California amendment:** Amended California language will appear with new words underlined, and omitted language will appear in ~~strikeout~~.
2. **15-day Amended, adopted, or repealed language:** Amended, adopted, or repealed language will appear in double underline and ~~double strikeout~~.
3. **Rationale:** The justification for the change is shown after each section or series of related changes.
4. **Notation:** Authority and reference citations are provided in the 45-day express terms.

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**SECTION 5.503  
FIREPLACES, WOODSTOVES AND FUEL-BURNING APPLIANCES**

**5.503.1 General.** Install only a direct-vent sealed-combustion gas or sealed wood-burning fireplace, or a sealed woodstove or pellet stove, and refer to residential requirements in the California Energy Code, Title 24, Part 6, Subchapter 7, Section 150. Woodstoves, pellet stoves and fireplaces shall comply with applicable local ordinances.

**5.503.1.1 Woodstoves.** Woodstoves and pellet stove shall comply with U.S. EPA Phase II emission limits where applicable.

~~**5.503.1 General.** Woodstoves, gas fireplaces, pellet stoves and fireplaces shall comply with applicable local ordinances and be installed in accordance with manufacturer's installation instructions.~~

~~**5.503.2 Gas fireplaces.** A decorative gas appliance shall be a fuel-burning appliance with a sealed combustion system that draws all air for combustion from the outside atmosphere, discharges are all flue gases to the outside atmosphere and shall be listed in accordance with ANSI Z21.50/CSA2-22. Gas fireplace heaters shall be direct-vent appliances and shall be listed in accordance with ANSI Z21.88/CSA2-33.~~

~~**5.503.3 Wood burning appliances.** Fireplace inserts and woodstoves shall be listed in accordance with UL 1482 and shall be certified in accordance with the requirements of the EPA Standards of Performance for New Residential Wood Heaters, Title 40 CFR Part 60 Subpart AAA.~~

~~**5.503.4 Factory built fireplaces.** Factory built fireplaces shall be listed in accordance with UL 127.~~

~~**Note:** For the purposes of this section, factory built fireplaces shall include, but not be limited to, prefabricated metal "zero clearance" fireboxes and prefabricated blocks of reinforced precast lightweight concrete masonry or refractory masonry, which are assembled in the field using grout and mortar specified by the manufacturer.~~

~~**5.503.4.1 Wood burning factory built fireplaces.** Wood burning factory built fireplaces shall be qualified at the U.S. EPA's Voluntary Fireplace Program Phase 2 emissions level of 6.1 g/kg of wood burned.~~

~~**5.503.5 Pellet stoves.** Automatic feed, pellet fuel burning room heaters that are intended to burn wood pellets or other suitable solid fuel shall be tested and listed in accordance with ASTM E1500-04.~~

### Rationale for change:

CBSC received a comment during the 45-day comment period requesting that the proposed code changes regarding fireplaces be withdrawn in order to align with HCD's withdrawal of a similar code change proposal to Section 4.503 of Part 11. During the Code Advisory Committee (CAC) meeting held on August 8, 2012, the CAC voted to have HCD "further study" the proposal which contained a new provision making the wood burning factory-built fireplace requirement more restrictive than the existing 2010 CALGreen Code. It was not HCD's intent to advance or impose more restrictive standards on wood burning factory-built fireplaces. After the CAC meeting and prior to the issuance of 45-day language, HCD further studied the matter and elected to withdraw the proposed amendment. Additionally, the CAC recommended "further study" to the CBSC staff in order to align its proposed language with HCD's in order to help ensure that no confusion would occur in the application of appropriate standards.

CBSC's further study of the proposed changes, review of the EPA provisions, and further discussions with HCD, confirmed the proposed language contained a new more restrictive requirement for wood burning factory-built fireplaces which did not exist in the 2010 CALGreen Code. CBSC's intent in developing this proposed building standard was not to propose any new requirements for wood burning factory-built fireplaces. As a result, CBSC concurs with the commenter and is withdrawing the proposed code changes. However, in the future, CBSC may consider revisiting the withdrawn code change proposal for rulemaking, which would include vetting the matter amongst appropriate stakeholders.

Additionally the General Section 5.503.1 and sub-section 5.503.1.1 Woodstoves were shown as stricken in the 45-day comment period and are now shown as being brought back with an editorial change "where applicable" to the Woodstoves section which aligns the requirements to HCD's as requested by the CAC.

## SECTION 5.504 POLLUTANT CONTROL

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**5.504.4.4 Carpet systems.** All carpet installed in the building interior shall meet at least one of the following ~~the testing and product requirements, of one of the following:~~

1. Carpet and Rug Institute's Green Label Plus Program;
2. Compliant with the VOC-emission limits and testing requirements specified in the California Department of Public Health's Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers, Version 1.1, February 2010 (also known as CDPH Standard Method V1.1 or Specification 01350.)
3. NSF/ANSI 140 at the Gold level or higher.
4. Scientific Certifications Systems Sustainable Choice or
- ~~5. Listed in the CDPH High Performance Product Database.~~
5. Compliant with the California Collaborative for High Performance Schools (CA-CHPS) Criteria Interpretation for EQ 2.2 dated July 2012 and listed in the CHPS High Performance Product Database.

### Rationale for change:

CBSC received a comment during the 45-day comment period requesting Item 5, Section 5.504.4.4, Carpet Systems be modified. The proposed 15-day language better clarifies the appropriate CA-CHPS criteria reference. Per CA-CHPS, "This credit interpretation delineates which products "count" toward the CA-CHPS Criteria EQ 2.2. These products include those that have been third-party certified, tested by an independent laboratory, or now self-certified against a laboratory tested compliant product subject to audit by CHPS. " CBSC agrees with the commenter and has incorporated the proposed 15-day language for Item 5.

**5.504.4.6 Resilient flooring systems.** For ~~50%~~ 80 percent of floor area receiving resilient flooring, installed resilient flooring ~~which shall meet at least the one of the following: complying with the VOC-emission limits defined in the 2009 Collaborative for High Performance Schools (CHPS) criteria and listed on High Performance Products Database; products compliant with CHPS criteria certified under the Greenguard Children & Schools program; or certified under the Resilient Floor Covering Institute (RFCI) FloorScore program.; or meet California Department of Public Health 2010 Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers, Version 1.1, February 2010 (also known as Specification 01350.)~~

1. Certified under the Resilient Floor Covering Institute (RFCI) FloorScore program;
2. Compliant with the VOC-emission limits and testing requirements specified in the California Department of Public Health's 2010 Standard Method for the Testing and Evaluation Chambers, Version 1.1, February 2010;

~~3. Defined in the 2009 Collaborative for High Performance Schools (CHPS) criteria and listed on its High Performance Database; or~~

3. Compliant with the California Collaborative for High Performance Schools (CA-CHPS) Criteria Interpretation for EQ 2.2 dated July 2012 and listed in the CHPS High Performance Product Database; or

4. Compliant with CDPH criteria as certified under the Greenguard Children's & Schools Program.

**Rationale for change:**

CBSC received a comment during the 45-day comment period requesting Item 3, Section 5.504.4.6, Resilient flooring systems be modified. The proposed 15-day language better clarifies the appropriate CA-CHPS criteria reference. Per CA-CHPS, "This credit interpretation delineates which products "count" toward the CA-CHPS Criteria EQ 2.2. These products include those that have been third-party certified, tested by an independent laboratory, or now self-certified against a laboratory tested compliant product subject to audit by CHPS. "

Additionally per CA-CHPS, "It is imperative that these two CALGreen sections reference the July 2012 date of the EQ 2.2 credit interpretation rather than the 2009 CA-CHPS Criteria because as you know the CA-CHPS Criteria will be updated on the heels of CALGreen. It is anticipated that the revisions to CALGreen and CA-CHPS Criteria will go into effect at the same time of January 1, 2014. Therefore referencing the 2009 CA-CHPS Criteria would render any such CALGreen references obsolete from the outset."

CBSC agrees with the commenter and has incorporated the proposed 15-day language for Item 3.

CBSC coordinated these changes with DSA-SS.

Additionally, CBSC made a grammatical correction to Section **5.504.4.6 Resilient flooring systems** to clarify "shall meet at least one of the following" in the first sentence.

**Notation**

Authority: Health & Safety Code Sections 18928 and 18934.5

Reference(s): Health & Safety Code Sections 18928, 18928.1 and 18934.5