STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 31, 2012
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: OCTOBER 15, 2012

Date: 10/15/2012

From: Joseph H. Cain, P.E. — Joseph H. Cain
Name (Print or type) — (Signature)

SolarCity Corporation, representing self
Agency, jurisdiction, chapter, company, association, individual, etc.

3055 Clearview Way	San Mateo	CA	94402
Street	City	State	Zip

I/We (do)(do not) agree with:

[**do not**] The Agency proposed modifications As Submitted on Section No. 1509.7.2

and request that this section or reference provision be recommended:

[ ] Approved [X] Disapproved [ ] Held for Further Study [ ] Approved as Amended

Suggested Revisions to the Text of the Regulations:

1509.7.2 Fire classification. (S19–12) Rooftop mounted photovoltaic ~~systems~~*panels and modules* shall have the ~~same~~ fire classification as ~~the roof assembly~~ required by Section 1505.*9*.

~~***Exceptions:***~~
~~*1.* **(S55–12)** *Photovoltaic panels and modules having a minimum Class C fire classification are permitted where listed and labeled in accordance with UL 1703 and where installed in direct contact with the roof surface.*~~
~~*2.* **(S57–12)** *Photovoltaic panels having a minimum Class C fire classification are permitted where listed and labeled in accordance with UL 1703 and where installed at least 12 inches (305mm) above the roof surface.*~~
~~*3.* **(S58–12)** *Photovoltaic panels and modules arranged in arrays are permitted where the following conditions are met:*~~

~~*3.1. Photovoltaic panels and modules have a minimum Class C fire classification where listed and labeled in accordance with UL 1703;*~~
~~*3.2. The entire perimeter of the array is provided with a 0.0187-inch (0.4712 mm) (No. 26 gage) corrosion resistant steel or equivalent approved barrier extending from the array to the roof and;*~~

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~~3.3. Where any openings between the individual panels and modules on the upper face are provided with screens, flashing or otherwise protected to prevent entry of vegetative debris.~~

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

The proposed amendments to the charging statement of 1509.7.2 are based on language approved by the IBC Fire Committee under S19-12, based on a floor modification submitted at the Group A hearings in Dallas. The change from "systems" to "panels and modules" will be included in the future 2015 IBC. The revisions to the referenced standard, UL 1703, are based on the language in the 2012 IBC, which references a system test. These revisions are under development, and are not yet finalized. We expect UL 1703 to be revised again to accommodate the "panels and modules" language in the 2015 IBC. For now, we believe this language should not be amended as it was in S19-12 for the 2015 IBC. We suggest the original language of the charging statement be restored.

Exceptions 1 through 3 are based on language submitted for 2015 IBC code change proposals S55-12, S57-12, and S58-12, respectively. The proposals were submitted by the Solar Energy Industries Association as placeholders for the 2015 IBC code cycle, based on fire test data available up until the submittal deadline. The intent was to allow for prescriptive solutions as an alternative to specific system tests under UL 1703. As no further test data or research substantiation was developed prior to the Group A code hearings in Dallas, the proponent made a request for the Fire Committee to disapprove all three submittals S55-12, S57-12, and S58-12. As these three proposals were disapproved by the Fire Committee, we request that they be removed from the California amendments to 1509.7.2.

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

(a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:

(1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
(2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
(3) The public interest requires the adoption of the building standards.
(4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
(5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
(6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
(7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
    (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
    (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
(8) The format of the proposed building standards is consistent with that adopted by the commission.
(9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.