

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

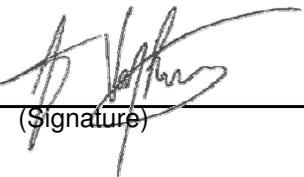
PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 31, 2012
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: OCTOBER 15, 2012

Date: Oct 9, 2012

From:

Ajay Friesen
Name (Print or type)


(Signature)

-- SunPower Corporation
Agency, jurisdiction, chapter, company, association, individual, etc.

1414 Harbour Way, South Richmond CA 94610
Street City State Zip

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

[] The Agency proposed modifications As Submitted on Section No. _SFM Part 2.5, Item 13, Chapter 9.

and request that this section or reference provision be recommended:

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

Suggested Revisions to the Text of the Regulations:

R902.4 Photovoltaic panels and modules. Rooftop mounted photovoltaic panel systems shall be tested, listed and identified with a fire classification in accordance with UL 1703. The fire classification shall comply with Table 1505.1 based on the type of construction of the building.

Reason:

The proposed language for R902.4 is not consistent with item 7 of the H&SC section 18930. The proposed language calls for a "panel systems" test in accordance with UL 1703. The current method of fire classification being used in UL 1703 accounts for only individual panels, and not "panel systems". There is no known standard that includes a "panel systems" test which can be referenced in the proposed R902.4.

The current proposed language is calling out a test in UL 1703 that is still in development, that is, the proposed code language is referencing a standard for which there is no guarantee the intent of the reference will be met. As such, the proposed language for R902.4 is not consistent with item 3 of the H&SC section 18930. Research undertaken by The Solar America Board for Codes and Standards in partnership with Underwriters Laboratories and reported in April 2010 has shown that in some cases roof systems with PV perform poorly when the roof

system and PV have the same fire rating. In this testing it was demonstrated that a Class A roof system with a Class A PV module on top performed worse in some cases than a Class A roof system with a Class C PV module on top. The current language of the R902.4 proposal, which is based on an expected but not guaranteed standard development, may allow situations, if the standard development does not go as expected, that are unsafe and inconsistent with, and counter to item 3 of the H&SC section 18930.

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.