

FIRECHIEFS.COM LLC

5420 Fenton Way
Granite Bay, CA 95746
(916) 799-9710
info@firechiefs.com

September 27, 2019

Washington State Building Code Council
1500 Jefferson St SE
P.O. Box 41449
Olympia, WA 98504

Re: Log Numbers: 19-IMC 18 and 17-IMC 18

Dear Council Members,

The purpose of this correspondence is to call the Council's attention to an issue relating to the above-mentioned code change proposals, which propose to reference the 2019 version of UL/CAN/ANCE 60335-2-40. The only significant change to the 2019 version from the 2017 version is that the new edition enables the use of flammable refrigerants (A2L refrigerants) in residential air conditioning units.

The Washington Administrative Code (WAC), Sec. 51-04-025 states:
Statewide and emergency statewide amendments to the state building code shall be based on one of the following criteria:

- (a) The amendment is needed to address a critical life/safety need.
- (b) The amendment clarifies the intent or application of the code.
- (c) The amendment is needed for consistency with state or federal regulations.
- (d) The amendment corrects errors and omissions.
- (e) The amendment eliminates an obsolete, conflicting, duplicating or unnecessary regulation.

On the form submitted by Mr. Andrew Klein, consultant to Chemours, he claims the amendment is needed for consistency with state or federal regulations, specifically House Bill 1112. He states on the form that the change "supports House Bill 1112, *Concerning reducing greenhouse gas emissions from hydrofluorocarbons*, which calls for the SBCC to adopt rules allowing appropriate substitutions to hydrofluorocarbons." However, House Bill 1112 doesn't apply to residential air conditioning systems, so this reason is false. Therefore, the proposal doesn't meet the criteria of the statute.

The other proposal by Ms. Reiniche claims that the code change addresses a critical life/safety need, clarifies the intent or application of the code, and is needed for consistency with state or federal regulations. I'd like to address each of these:

1. It is difficult to understand how a code change to allow flammable refrigerants in homes, which is currently prohibited, addresses a critical life safety need. The fact is that it introduces a new risk to our communities that was previously prohibited. That is the exact opposite of what the proponent claims.

2. As previously noted, HB 1112 doesn't apply to the installation of residential air conditioning systems, so there is no inconsistency with state or federal regulations in need of resolution.
3. As for clarifying the intent or application of the code, there is no confusion about the application of the current requirements, which restrict flammable refrigerants.

Because the rules require a finding of one of five criteria, these proposals violate WAC 51-04-025 and should be omitted from the code adoption process if adherence to the statute is to be achieved.

Sincerely,


RUBEN GRIJALVA
Principal / Owner