



TO: State Building Code Council Energy Code Technical Working Group
FROM: Carolyn Logue, Legislative Consultant
Northwest Hearth, Patio & Barbecue Association
RE: WSEC R-27 – Gas Fireplace Efficiency (Proposed R402.4.2.1)
WSEC R-28 – Pilot Lights (Proposed R403.1.3)

Dear Members of the Energy Code Technical Working Group:

On behalf of the Northwest Hearth, Patio & Barbecue Association, we would like to express our significant concerns with the proposals before you regarding gas fireplace efficiency and pilot lights. Our first concern is that the building codes are not the appropriate location for the complexity surrounding regulation of these appliances and how they function. This should be done in an appliance efficiency discussion either through statute or through a regulatory function that involves the manufacturers in the industry. These proposals will dictate how an appliance must be manufactured for sale in the state of Washington and requires more significant workshops and industry stakeholder processes that are specific to the manufacture of the appliance. Once that is completed, the State Building Code Council can be assured that the appliances are available for sale in Washington and readily available to contractors and consumers. Without this assurance, the code may read one thing but consumers may not find the appliances readily available and affordable for their homes. In addition, many of these appliances are installed by consumers, even in new construction, so simply having this in the building code will not cover the breadth of appliances on the market.

The state of California, the Province of British Columbia, and Canada are all currently dealing with these issues (or are finalizing) as part of regulatory discussions. Multiple workshops and meetings have been held with industry to get to solutions and agreements. Washington would also benefit from waiting until the rules in California and Canada are solidified to ensure consistency for manufacturers.

In addition to this concern, we have specific concerns regarding each proposal:

The gas fireplace efficiency proposal draws loosely from a since-withdrawn U.S. Department of Energy (DOE) regulation – one that would have imposed minimum efficiencies on all appliances with inputs of 9,000 BTUs per hour (BTU/hr) or more. As with the proposal, the DOE rulemaking did not draw an adequate distinction between heater-rated (ANSI Z21.88) and decorative (ANSI Z21.50) appliances. The DOE rulemaking was vacated by a federal court, in part, because it sought to regulate multiple vented gas hearth products under a “vented hearth heaters” classification as a subset of DOE’s Direct Heating Equipment covered product category.

The importance of a distinction between the two categories of product is reflected in several more recent regulatory efforts. The British Columbia Ministry of Mines, Energy & Petroleum Resources (B.C. MEM) has new regulatory requirements for vented gas fireplaces, stoves, and inserts manufactured or imported into the province on or after January 1, 2019. The regulation sets minimum efficiency requirements of 50 percent fireplace efficiency (or “FE” using CSA P.4.1-15) for Z21.88 appliances, but imposes no FE minimum for Z21.50 appliances. Natural Resources Canada (NRCAN) and the California Energy Commission (CEC) are considering regulatory programs as well, each with a distinction between heater-rated and decorative appliances. The common decision to consider heater-rated appliances Z21.50 and Z21.88 as distinct product categories speaks to the recognition that the two product categories are intended for very different purposes. While both categories of product are, first and foremost, aesthetic, they are manufactured, certified, marketed, and purchased based on the specific heating needs of the consumer.

The B.C. MEM, NRCAN, and CEC regulators are all aware of the other regulatory efforts and appreciate that these products are sold throughout North America. Given the expense of multiple testing, marketing, and certification channels for products sold in multiple jurisdictions, similar regulatory requirements – to the extent practicable – are a means by which to limit what might otherwise lead to overly burdensome, cost-ineffective regulations.

The proposal before the TAG is a drastic departure from any current or contemplated requirements for these products, treating all products (both Z21.50 and Z21.88 appliances) as a single category of product. The 9,000 BTU per hour (BTU/hr) exemption captures little, if any, of the market. The end result is that products not designed or purchased to function as a heater would be required to be a very efficient radiant space heater. Moreover, the 9,000 BTU/hr figure is a vestige of an effort to arbitrarily set by the U.S. Department of Energy to differentiate heaters from non-heaters roughly 10 years ago. Due to vacatur in federal court over defects in the rulemaking, the 9,000 BTU/hr threshold appears in no other current or contemplated rulemakings. With NRCAN and CEC just weeks away from finalizing proposals, we would urge the TAG not to move forward with any proposal that would impose significantly different requirements and eliminate an entire category of appliances (i.e., decorative vented gas fireplaces, stoves, and inserts).

On the continuous pilot light proposal, once again this is building code attempting to govern manufacture of appliances. All other discussions on this are happening in a regulatory or statutory environment that has more industry stakeholder input and work shops from those who make the product to ensure that what is being asked for can actually be done and still have operational efficiency for the end user. Specifically, we need to have more nuanced discussions regarding Intermittent Pilot Ignitions, timed or on-demand pilot ignitions and how to allow some level of continuous pilot ignition in colder, damper climates (such as Western Washington). The damper air in Western Washington can impact drafting in the operation of the appliance.

We urge the Energy Code TAG to remove these items from their overview and instead ask the proponents to work with Department of Commerce to engage in specific industry work groups on a process that is geared towards those who make the products.

Thank you for your time. Please contact me with questions or more information at Carolyn.logue@comcast.net OR via phone 360-789-3491.



May 15th, 2019

To Whom It May Concern,

The purpose of this letter is to respond to the proposals being considered to regulate gas fireplaces in the State of Washington.

I represent Wolf Steel Ltd. We are the manufacturer of Napoleon and Continental Products including wood and gas burning fireplaces, with manufacturing facilities in Crittenden-Kentucky as well as Barrie-Ontario-Canada. We recently became aware of these proposals and were alarmed to learn of some regulations which we believe are detrimental to an otherwise healthy hearth industry, employing tens of thousands individuals across the U.S., Canada and relatively important, in the State of Washington.

We do acknowledge the appropriate nature of the proposal for Code Section # 403.1.3 and # 403.10.1. Clearly, the cost savings and the practicality of prohibiting standing pilots in gas fireplaces cannot be argued and we condone this proposal as written.

However, we do have concerns regarding portions of the proposal to Code Section # 402.4:

The clause "R402.4.2.1 Gas Fireplace Efficiency. All gas fireplaces designed to heat indoor space and/or provide aesthetic appeal (decorative) shall be listed and labeled with a fireplace efficiency (FE) rating of 65% or greater in accordance with CSA P.4.1-15." Not all gas fireplaces are designed to heat the indoors. While the combustion of natural and propane gas does generate heat, some gas fireplaces are tested and certified to the ANSI Z21.88 CSA 2.33 Test standard for Vented Gas Fireplace Heaters because they are designed to heat indoor space while others are tested and certified to ANSIZ21.50 CSA 2.22 Test Standard for Vented Decorative Appliances because they are designed specifically for their decorative appeal. This is an important distinction because much of the market demand is for the decorative appeal gas fireplaces provide and much of that market is not interested in the heat they generate which is why they are designed as such. The limitation of Decorative Gas Fireplaces to a maximum 9,000 BTU would be detrimental to that market and the industry. Less than 1% of the Decorative Gas Fireplaces currently on the market would meet this limitation. Placing a minimum efficiency requirement of 65% on these Decorative Gas Fireplaces would have a similar effect which is why both the BC regulation and NRCAN's proposed amendment exclude Decorative Gas Fireplaces from the minimum efficiency limitations posted for Heater models.

Economic Impact Data Sheet

Calculations are based upon the Energy Trust of Oregon's 2017 survey but what the survey appears not to ask is whether or not the gas fireplace is being used to heat during the usage period. The assumption appears to be that consumers use their gas fireplaces to heat and disregards the preference to use them for the atmosphere they provide in homes.

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In summary, we ask that those reviewing these proposal, consider that gas fireplaces should not be pigeon holed into existing heating appliance categories as they are in fact, unique gas appliances. Yes some are designed to generate heat into the living space while others are designed to provide the aesthetic value despite the heat they generate. Both are preferred by consumers because of their aesthetic appeal. If they weren't, consumers shopping for heat would simply choose to purchase room heaters which are generally more efficient and less expensive.

As previously stated, prohibiting standing or continuous pilots is practical and requiring a minimum efficiency on heater rated gas fireplaces is reasonable approach provided it doesn't exclude so many products so as to limit Consumers to choosing gas fireplaces that generate heat when that may not be their preference. Including Decorative Gas Fireplaces in that requirement by limiting the input of Decorative Appliances to 9,000 BTU ignores the principle value for which consumers desire these products and will ultimately eliminate that market. Please do not limit the input for Decorative Gas Fireplaces.

As a manufacturer of hearth appliances, we hope that any regulations the Washington State Building Code may apply to gas fireplaces, might be aligned with those in other constituencies to provide a consistent message to consumers that recognizes why Consumers value these appliances.

If I can provide further clarity on any of these points or other matters concerning gas fireplace, please do not hesitate to contact me directly and thank you for considering the points presented here.

Respectfully,

DANA MOROZ
Technical Support Manager
Wolf Steel Ltd.
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May 29, 2019

To: Nick O'Neill, Krista Braaksma and Kjell Anderson

RE: WSEC R-27 – Gas Fireplace Efficiency (Proposed R402.4.2.1)
WSEC R-28 – Pilot Lights (Proposed R403.1.3)

By this letter I am responding to the proposals being considered to regulate gas fireplaces in the State of Washington.

I represent Empire Comfort Systems. We are the manufacturer of White Mountain Hearth and American Hearth gas and wood burning appliances with manufacturing facilities in Montreal, Canada, Poplar Bluff, Missouri, and Belleville, Illinois.

We recently became aware of the proposals and were disturbed and disappointed to learn of some regulations which we believe are detrimental to an otherwise strong hearth industry. Our industry employs thousands of individuals across Canada and the United States including many in the state of Washington.

We do acknowledge the appropriate nature of the proposal for Code Section #403.1.3 and #403.10.1. Clearly, the cost savings and the practicality of prohibiting standing pilots in gas fireplaces cannot be argued, and we condone this proposal as written.

However, we do have concerns regarding portions of the proposal to Code Section #402.4:

The clause “R402.4.2.1 Gas Fireplace Efficiency. All gas fireplaces designed to heat indoor space and/or provide aesthetic appeal (decorative) shall be listed and labeled with a fireplace efficiency (FE) rating of 65% or greater in accordance with CSA P.4.1-15.” Not all gas fireplaces are designed to heat the indoors. While the combustion of natural and propane gas does generate heat, some gas fireplaces are tested and certified to the ANSI Z21.88 CSA 2.33 Test Standard for Vented Gas Fireplace Heaters because they are designed to heat indoor space while others are tested and certified to ANSI Z21.50 CSA 2.22 Test Standard for Vented Decorative Appliances because they are designed, specifically, for their decorative appeal. This is an important distinction because much of the market demand is for the decorative appeal gas fireplaces provide and much of that market is not interested in the heat they generate which is why they are designed as such.

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The limitation of Decorative Gas Fireplaces to a maximum 9,000 BTU would be detrimental to that market and the industry. Less than 1% of the Decorative Gas Fireplaces currently on the market would meet this limitation. Placing a minimum efficiency requirement of 65% on these Decorative Gas Fireplaces would have a similar effect which is why both the BC regulation and NRCAN's proposed amendment exclude Decorative Gas Fireplaces from the minimum efficiency limitations posted for Heater models.

Economic Impact Data Sheet Calculations are based upon the Energy Trust of Oregon's 2017 survey but what the survey appears not to ask is whether or not the gas fireplace is being used to heat during the usage period. The assumption appears to be that consumers use their gas fireplaces to heat and disregards the preference to use them for the atmosphere they provide in homes.

These proposals will have an impact on thousands of union and non-union jobs alike. The possible elimination of product categories has always been understood by DOE and other governmental agencies as a non-starter when it comes to regulation or "over-regulation." These appliances are a product for ambiance first; they are not intended, during the design, to necessarily be heaters. They are ambiance first – a good looking realistic flame – and a heating appliance second only as a by-product.

In summary, we ask that those reviewing these proposals consider that gas fireplaces should not be pigeon holed into existing heating appliance categories, as they are, in fact, unique gas appliances. Yes, some are designed to generate heat into the living space while others are designed to provide the aesthetic value despite the heat they generate. Both are preferred by consumers because of their aesthetic appeal. If they weren't, consumers shopping for heat would simply choose to purchase room heaters which are, generally, more efficient and less expensive.

As previously stated, prohibiting standing or continuous pilots is practical, and requiring a minimum efficiency on heater rated gas fireplaces is a reasonable approach, provided it doesn't exclude so many products so as to limit consumers to choosing gas fireplaces that generate heat when that may not be their preference. Including Decorative Gas Fireplaces in that requirement by limiting the input of Decorative Appliances to 9,000 BTU ignores the principle value for which consumers desire these products and will, ultimately, eliminate that market. Please do not limit the input for Decorative Gas Fireplaces.

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As a manufacturer of hearth appliances, we hope that any regulations the Washington State Building Code may apply to gas fireplaces, might be aligned with those in other localities, states, regions, or provinces to provide a consistent message to consumers that recognizes why consumers value these appliances.

If I can provide further clarity on any of these points or other matters concerning gas fireplaces, please do not hesitate to contact me directly, and thank you for considering the points presented here.

Thank you for your consideration.

Sincerely yours,

EMPIRE COMFORT SYSTEMS, INC.

Kenneth J. Belding
Vice President – Delivery Support Services
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KJB:crb

From: Atemboski, Alan <A.Atemboski@travisindustries.com>

Sent: Friday, May 31, 2019 7:51 AM

To: noneil@energy350.com; Braaksma, Krista (DES) <krista.braaksma@des.wa.gov>; Anderson, Kjell (SBCC Member) <Kjell.Anderson@des.wa.gov>

Cc: carolyn.logue@comcast.net

Subject: WSEC R-27 – Gas Fireplace Efficiency (Proposed R402.4.2.1), WSEC R-28 – Pilot Lights (Proposed R403.1.3)

Friday, May 31, 2019

To: WA State Building Code Council Energy Code Technical Working Group,

The purpose of this letter is to respond to proposals to the Washington state building code(s) being considered to regulate “**decorative**” and “heater rated” gas fireplaces in the State of Washington. I represent Travis Industries Inc., we are the manufacturer of LOPI, Fireplace Xtordinary and DaVinci gas burning products, with a manufacturing facility in Mukilteo WA. We employ over 500 hard working men and women who reside in the State of Washington, and contribute to its economy.

We just became aware of this new proposal and we are alarmed to learn that some portions of the proposed regulations would be detrimental to our business, the future of our employees, their families and also the 150+ independent Washington State Hearth Retailers, their owners, employees and families in the State of Washington. Plus the many suppliers and their families providing components to manufacture and sell decorative fireplaces here in Washington.

We do acknowledge the appropriate nature of the proposal for Code Section # 403.1.3 and # 403.10.1. Clearly, the cost savings and the practicality of prohibiting standing pilots in gas fireplaces cannot be argued and we condone this proposal as written.

- However, we do have concerns regarding portions of the proposal to Code Section # 402.4: The clause “R402.4.2.1 Gas Fireplace Efficiency. All gas fireplaces designed to heat indoor space **and/or provide aesthetic appeal (decorative) shall be listed and labeled with a fireplace efficiency (FE) rating of 65% or greater** in accordance with CSA P.4.1-15.”

While the combustion of natural and propane gas does generate heat, many gas fireplaces are tested and certified to the ANSI Z21.88 CSA 2.33 Test standard for Vented Gas Fireplace Heaters because they are designed to heat indoor space. Requiring “heater rated” models to have 65%+ efficiency makes sense as they are used frequently. But, other fireplaces are tested and certified to ANSI Z21.50 CSA 2.22 Test Standard for Vented Decorative Appliances because they are designed specifically for their decorative appeal to be used occasionally for entertaining and will not meet this efficiency number. This is a very important distinction because some consumers just want the decorative appeal gas fireplaces provide and they are not interested in the heat they generate.

Both the British Columbia regulation and Natural Resources Canada (NRCAN) proposed amendment **excluded Decorative Gas Fireplaces** from the minimum efficiency limitations posted for Heater models. Economic Impact Data Sheet Calculations are based upon the Energy Trust of Oregon’s 2017 survey, but what the survey appears not to ask is whether or not the gas fireplace is being used to heat during the

usage period. The assumption appears to be that consumers only use their gas fireplace to heat and disregards the preference to use them for the atmosphere they provide in their home.

- **The limitation of Decorative Gas Fireplaces to a maximum 9,000 BTU** would also be detrimental to that market and the industry. Less than 1% of the Decorative Gas Fireplaces currently on the market would meet this limitation all but eliminating this category for customers to purchase and enjoy.

In summary, we ask that those reviewing this proposal, consider that decorative gas fireplaces not be pigeon holed into existing heating appliance categories as they are in fact, unique gas appliances for limited use that look great whether off or on. Prohibit the standing pilot, but do not require minimum efficiencies or maximum BTU's.

As previously stated, prohibiting standing or continuous pilots is practical and requiring a minimum efficiency on heater rated gas fireplaces is a reasonable approach. This alone will effectively achieve your goals.

As a manufacturer of hearth appliances, we hope that any regulations the Washington State Building Code may apply to gas fireplaces, might be aligned with those in other constituencies to provide a consistent and clear message.

If I can provide further clarity on any of these points or other matters concerning gas fireplaces, please do not hesitate to contact me directly and thank you for considering the points presented here.

Warm Regards,

Alan Atemboski | Vice President-R&D
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Fireplace Products U.S., Inc.

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May 31, 2019

TO: State Building Code Council Energy Code Technical Working Group

FROM: Glen Spinelli, CEO Fireplace Products U.S.

RE: WSEC R-27 – Gas Fireplace Efficiency (Proposed R402.4.2.1) & WSEC R-28 – Pilot Lights (Proposed R403.1.3)

Dear Members of the Energy Code Technical Working Group:

We would like to express our concerns with the proposals before you regarding gas fireplace efficiency and pilot lights.

Regency Fireplace Products employs hundreds of skilled trade workers, hundreds of support staff across North America, and has a dedicated distribution branch and sales team in Portland, Oregon. The hearth industry employs thousands of individuals in the U.S.A. from manufacturers, retailers, service technicians and support staff.

Our first concern is that the building codes are not the appropriate location for the complexity surrounding regulation of these appliances and how they function. This should be done in an appliance efficiency discussion either through statute or through a regulatory function that involves the manufacturers in the industry. These proposals will dictate how an appliance must be manufactured for sale in the state of Washington and requires more significant workshops and industry stakeholder processes that are specific to the manufacture of the appliance. Once that is completed, the State Building Code Council can be assured that the appliances are available for sale in Washington and readily available to contractors and consumers. Without this assurance, the code may read one thing but consumers may not find the appliances readily available and affordable for their homes.

The state of California, the Province of British Columbia, and Canada are all currently dealing with these issues (or are finalizing) as part of regulatory discussions. Multiple workshops and meetings have been held with industry to get to solutions and agreements. Washington would also benefit from waiting until the rules in California and Canada are solidified to ensure consistency for manufacturers.

In addition to this concern, we have specific concerns regarding each proposal:

The importance of a distinction between the two categories of product is reflected in several more recent regulatory efforts. The British Columbia Ministry of Mines, Energy & Petroleum Resources (B.C.MEM) has new regulatory requirements for vented gas fireplaces, stoves, and inserts manufactured or imported into the province on or after January 1, 2019. The regulation sets minimum efficiency requirements of 50 percent fireplace efficiency (or "FE" using CSA P.4.1-15) for Z21.88 appliances, but imposes no FE minimum for Z21.50 appliances. Natural Resources Canada (NRCAN) and the California Energy Commission (CEC) are considering regulatory programs as well, each with a distinction between heater-rated and decorative



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appliances. The common decision to consider heater-rated appliances Z21.50 and Z21.88 as distinct product categories speaks to the recognition that the two product categories are intended for very different purposes. While both categories of product are, first and foremost, aesthetic, they are manufactured, certified, marketed, and purchased based on the specific heating needs of the consumer.

On the continuous pilot light proposal, once again this is building code attempting to govern manufacture of appliances. All other discussions on this are happening in a regulatory or statutory environment that has more industry stakeholder input and workshops from those who make the product to ensure that what is being asked for can actually be done and still have operational efficiency for the end user. Specifically, we need to have more nuanced discussions regarding Intermittent Pilot Ignitions, timed or on-demand pilot ignitions and how to allow some level of continuous pilot ignition in colder, damper climates (such as Western Washington). The damper air in Western Washington can impact drafting in the operation of the appliance.

We ask you to reconsider these proposals and engage in meaningful discussions with an industry that employs so many hard working Americans.

If I can provide further clarity on any of these points or other matters concerning gas fireplaces, please do not hesitate to contact me directly. Thank you for considering the points presented here.

Sincerely,

Glen Spinelli
CEO
Fireplace Products U.S.
410-808-0709

cc. Carolyn Logue, Legislative Consultant
Carolyn.logue@comcast.net



To: State Building Code Council Energy Code Technical Working Group
From: Jason Pickering, Chief Operating Officer, Innovative Hearth Products
Date: 5/24/2019
Re: WSEC R-27 – Gas Fireplace Efficiency (Proposed R402.4.2.1)
WSEC R-28 – Pilot Lights (Proposed R403.1.3)

Dear Members of the Energy Code Technical Working Group:

We are writing to you as an interested party and wish to share our concerns with proposals currently before you. As a member of the manufacturing community in the State of WA, specifically designing and building gas fireplaces, our company is concerned with the extent of the restrictions you are contemplating for gas fireplace efficiency and pilot lights. The limitations that you are considering will significantly restrict the product we will be able to manufacture and sell in the State of WA. Products that we constantly strive to improve efficiency and functionality, whether they be heater rated (ANSI Z21.88) or decorative (ANSI Z21.50). To properly gauge the impact on the industry we believe a process that enables all stakeholders to openly engage in dialogue and workshops will find a better solution and ensure our products and the industry grow.

While there is a distinction in testing and certification between heater rated and decorative appliances, there needs to be a basic understanding that both appliance categories are purchased and used with an aesthetic in mind. The fireplace is the traditional heart of the home and the visible flames harken to that emotion and warmth. That feeling that people get is an emotional connection to the home and far outweighs the heating characteristics of the appliance. Unlike central heating appliances where heat exchangers capture heat before it escapes through venting, fireplaces do not hinder the homeowners view of the flame. At the very least, that should warrant more deliberative consideration regarding if and how gas hearth product minimum efficiencies and input limits are addressed.

In your proposals, you mention prior DOE studies and rulings, ongoing considerations in the State of CA, and rules that will be implemented in Canada. In those cases, the rulings considered and ultimately adopted (in the case of Canada) gathered input from many stakeholder groups. We have recently made a company decision to move product families to our manufacturing facility in Auburn, WA that are exactly the type of product you are seeking to regulate. In making that product transfer decision we believe the output of our factory will double in the coming months and years. Limiting our ability to sell these products in the State of WA will impact the jobs that this relocation has created and potentially have a negative impact on the workforce at that location.

In closing, we urge you to consider moving your proposals into more specific industry workgroups and oversight so we can work together to improve our products and their impact on overall energy efficiency. Only through open transparent communication with one another can we get to a solution that will drive the improvements you are targeting while protecting the jobs that our industry creates.

Sincerely,

Jason Pickering
Chief Operating Officer

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To Whom It May Concern,

This letter is a response to the building code proposals being considered to regulate gas fireplaces in the State of Washington. I represent Hussong Manufacturing Co., Inc. dba Kozy Heat Fireplaces. We manufacture gas burning fireplaces in Minnesota that are sold throughout the United States and Canada. We recently became aware of these proposed building codes and wanted to highlight our concerns about how these proposals will impact our business and the greater hearth industry.

When looking at WSEC R-27 – Gas Fireplace Efficiency (Proposed R402.4.2.1) we see grave consequences to the consumer and manufacture side of the hearth industry. Fireplaces tested to ANSI Z21.50 CSA 2.22 are tested to that platform because they are intended for a decorative appeal and not intended as a primary heat source. Decorative fireplaces are a focal point of a room which tie in numerous design aspects homeowners are looking for.

When looking at the information you provide in the proposal Table 3 shows that 89% of builders are installing fireplaces with FE scores under 60%. The first major concern is that consumers are overwhelmingly choosing fireplaces that fall in between the 50-60% FE range. They are choosing these fireplaces based on the design of the fireplace. Based on the information you cite less than 10% of fireplaces installed were above 60%.

The effects of this proposal will flood into other industries. New construction and home reinvention will suffer from the lack of consumer products available. Fireplaces serve as starting point for many home renovation projects. Not all decorative appliances serve the same purpose so this FE efficiency requirement can eliminate whole segments of home design. Decorative appliances have become key fixtures in the boom of construction seen with outdoor living and entertainment areas of households.

Placing a minimum efficiency requirement on Decorative Gas Fireplaces will hurt consumers and the small business owners who sell and manufacture these fireplaces. **This is why NRCan's proposed amendments, British Columbia's regulations and the California Energy Commission's proposed regulations all exclude fireplace efficiencies requirements for decorative fireplaces.** We see the incremental therms/yr. savings of 3% between your baseline and the 65% FE requirement as insignificant when compared to the cost this proposal will have on consumers and small business owners.

This proposal will force many small business owners that sell fireplaces in your state to suddenly have a large amount of inventory at their businesses as non-compliant product. This regulation would also involve remodeling showroom displays at these small businesses which would be a forced expense you have brought upon these small businesses since they would have many display models that are not compliant.

In summary, we ask that those reviewing these proposal, consider that gas fireplaces should not be pushed into existing heating appliance categories as they are in fact, unique gas appliances. Yes some are designed to generate heat into the living space while others are designed to provide the aesthetic value despite the heat they generate. Both are preferred by consumers because of their aesthetic appeal. If they weren't, consumers shopping for heat would simply choose to purchase room heaters which are generally more efficient and less expensive.

As a manufacturer of hearth appliances, we hope that any regulations the Washington State Building Code may apply to gas fireplaces, might be aligned with those in other constituencies to provide a consistent message to consumers that recognizes why Consumers value these appliances. If I can provide further clarity on any of these points or other matters concerning gas fireplace, please do not hesitate to contact me directly and thank you for considering the points presented here

Kyle Reasoner

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