



September 11<sup>th</sup>, 2019

To Whom It May Concern,

This letter is in response to the proposals being considered to regulate gas fireplaces under the auspices of the State of Washington Building Code.

I represent Wolf Steel Ltd. We are the manufacturer of Napoleon and Continental wood and gas burning fireplaces. We have manufacturing facilities in Crittenden-Kentucky U.S.A. as well as Barrie-Ontario-Canada with a total of 1,200 employees between the two locations. We are one of many North American Gas Fireplace manufacturers that are part of an industry employing tens of thousands of people across the United States and Canada.

We are alarmed by the proposed regulations for gas fireplaces under consideration in the current form. While noble in intent, it appears the authors of this proposal fail to understand the dynamics of the gas fireplace category and the robust market they belong to. Choosing to impose the regulations as currently proposed will have a devastating effect on the future of these products in Washington State as well as any other jurisdiction considering similar regulations.

The questionable appropriateness of efficiency requirements being applied in a building code aside, we have the following concerns related to the proposal to Code Section # 402.4:

***The clause " R402.4.2.1 Gas fireplace efficiency. All natural 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 percent or greater in accordance with CSA P.4.1.***

***EXCEPTION: Gas fireplaces that have a rated output less than 9,000 Btu/h.***

This clause implies that all gas fireplaces are purchased because of their heating capability and fails to recognize the distinction between the two types of gas fireplaces. 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.

If Consumers wished to purchase a gas appliance for heat, why would they choose a gas fireplace? Room heaters heat the indoors with far greater efficiency and are purchased and installed for a fraction of the cost of a gas fireplace. The primary reason gas fireplaces are popular is due to the aesthetic appeal they add as a centerpiece in a room. The traditional hearth in a home was a gathering place where family and friends would congregate as they were drawn to the light and warmth exuded by a fire. Today's gas fireplaces possess that same appeal but since most homes are already equipped with effective heating systems, it is the appearance of the fire and the appliance that consumers value most. Imposing regulations that make these decorative appliances more efficient completely contradicts what consumer value most about them.

This is an important distinction because much of the market demands the decorative appeal gas fireplaces provide and not the heat they might produce. Placing a minimum efficiency requirement of 65% on Decorative Gas Fireplaces would be detrimental to that market and the industry; negatively impacting its future and the many people employed by it. Both the BC regulation and NRCAN's Amendment 15 exclude the Decorative Gas Fireplace Category from the minimum efficiency limitations listed for heater models for that very reason. Why would the Washington State Building Code view it any differently?

Similarly, both BC and NRCAN Regulations chose to limit the minimum efficiency of heater rated gas fireplaces to 50%, not 65% in recognition that even these models did not serve the same purpose as traditional type heating appliances and that imposing unrealistic efficiency limits would negatively impact the well being of the gas hearth industry.

Further, the proposed limitation of Decorative Gas Fireplaces to a maximum 9,000 BTU has no basis or logic to support it. It appears to be arbitrarily chosen as no justification is included in the proposal. If this regulation were to be implemented, less than 1% of the Decorative Gas Fireplaces currently on the market would meet it, thereby eliminating the decorative category and preventing Washington State residents from having the freedom to choose these types of appliances.

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The freedom to choose gas fireplaces certified as Decorative Appliance is extremely important. If Consumers are forced to purchase gas fireplaces with higher efficiencies, many will simply stop purchasing them because they will become too hot for their applications. This reaction to gas fireplaces generating even more heat will result in lost jobs in the State of Washington.

We do acknowledge and support the appropriateness of the proposal for Code Section # 403.1.3 1 prohibiting continuous burning pilots provided this does not prohibit the use of continuous pilots equipped with a 7-day shut-off function as has been accepted technology in all other jurisdictions.

#### ***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. Gas fireplaces are typically not used by Consumers with the same frequency as gas cooking ranges, hot water heaters or heating systems. In most cases, their use is limited to social events and family holidays which makes the suggested economic benefits, unrealistic. It would be extremely rare for a gas fireplace to be continuously operated as a heater throughout the heating season. They are not normally calculated into the heating requirements of an indoor space and such continuous operation would be a symptom of an undersized or failing heating system.

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 indoor space while others are designed to provide the aesthetic value despite the heat they may generate.

As a manufacturer of gas hearth appliances which are primarily Decorative with greater than 9,000 BTU input, we hope any regulations the Washington State Building Code might apply to gas fireplaces, be aligned with those in other constituencies such as National Resources Canada and the British Columbia Ministry of Energy, Mines and Petroleum which recognize 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.  
705-721-1212 Ext. 286  
dmoroz@napoleon.com

#### **CONTACT US**

24 Napoleon Road  
Barrie, Ontario, Canada  
L4M 0G8  
705-721-1212

214 Bayview Drive  
Barrie, Ontario, Canada  
L4N 4Y8  
705 726-4278

103 Miller Drive  
Crittenden, Kentucky, USA  
41030  
859 428-9555

[www.napoleonproducts.com](http://www.napoleonproducts.com)