



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE COUNCIL SUMMARY MEETING MINUTES

Location: In response to the Governor's Emergency Proclamation, there was no physical location.

Meeting date: Friday, February 19, 2021

Members in Attendance: Diane Glenn, Chair; Andrew Klein, Vice Chair; Leanne Guier; Doug Orth; Kjell Anderson; Micah Chappell; Todd Beyreuther; Corey Wilker; Tony Doan; Caroline Traube; Robert Hamlin; Rod Mutch

Members Absent: Barry Long; Phil Lemley; Robert Graper; Al French

Staff in Attendance: Stoyan Bumbalov, Managing Director; Dierk Meierbachtol, Assistant Attorney General; Dave Merchant, Assistant Attorney General; Krista Braaksma; Ray Shipman; Shannon Pitts

Visitors Present: Richard Brown; Jonathan Sargeant; Brian Smith; Lee Creiglow; Damen Jeg; Jed Scheuermann; Jon Napier; Craig Roberts; Ken Brouillette; Gavin Tenold; Bob Plumb; Joseph Briscar; Jonathan Jones; Norb Makowka; Barbara McMullen; Adam Hutchinson; Kim Barker; Adrian Steik; Daimon Doyle; Kirsten Smith; Jenn Thomas; Bill Will; Kerry Sutton; Mike Lubliner; Neil Hartman; Karen Grove; Scott Nelson; Tena Risley; Tom Young; Amy Wheeless; Neil Hartman; Henry Odum; Max Gorkovchenko; Grant Lilly; Jennifer Thomas; Terry Beals; Dave Kokot; Mike Abrams; Frank Roberts; Christopher Moye; Milt Heath; Pat Dylan

;	Council Actions/Discussion
1. Welcome, Introductions, and Recognitions	Meeting called to order at 10:00 a.m. by Chair, Diane Glenn. Everyone was welcomed and roll was taken. Diane gave a special recognition to Richard Brown, retired Managing Director.
2. Review & Approve Agenda	The Council approved the agenda as written.
3. Public Comment on Items not on the Agenda	Lee Craiglow, Building Official from the City of Moses Lake made a comment on WAC 173-443 regarding hydrofluorocarbons and sheet foam insulation sale ban as part of the new 2018 energy code, effective January 1, 2021. There are many challenges to

	<p>product requirements. The Council stated that the Department of Commerce is the enforcing agency. There is a companion bill on the legislative floor currently. The energy TAG and staff will research the issue and report back to the Council.</p>
<p>4. Review & Approve Minutes of January 8, 2021</p>	<p>The summary minutes were approved as written.</p>
<p>5. Legislative Committee Report</p> <ul style="list-style-type: none"> • Empower the Legislative Committee to act on behalf of the Council • Legislative Issues 	<p>The Council discussed potential changes to the bylaws to give the Legislative Committee authority to act on behalf of the Council on legislative matters. No official position was taken. In the meantime, Stoyan Bumbalov, the Managing Director, is given authority to clarify technical questions regarding legislative issues.</p> <p>Stoyan Bumbalov introduced the Council's new Assistant Attorney General, Dierk Meierbachtol.</p> <p>Todd Beyreuther, Chair of the Legislative Committee and Stoyan Bumbalov summarized the current bills in legislative session.</p> <p>The Council approved the Legislative Report.</p> <p>See attachment below.</p>
<p>6. Technical Advisory Group Progress Reports</p> <ul style="list-style-type: none"> • IBC • IFC • 2021 Group 1 Timeline and TAG Background Information 	<p>The IBC, IFC, and Tsunami TAG's gave a status report on their progress.</p> <p>Stoyan Bumbalov went over the initial 2021 Group 1 Timeline for the TAG reports and clarified that the TAG's are two months behind due to the model codes not becoming available ontime. The goal is to have the reports for the Council meeting in March. See attachment below.</p>
<p>7. Codifying HB 2701</p> <ul style="list-style-type: none"> • Draft Proposal • Legal Interpretation 	<p>Tony Doan, Chair of the IFC TAG summarized the proposal for HB 2701, in regards to fire protection.</p> <p>Staff noted that the RCW 19.27.720 is being implemented as a legislative mandate effective July 1, 2021. This will be posted on the SBCC website.</p> <p>Dierk Meierbachtol, Assistant Attorney General, specified that that posting a message on the SBCC website is a reasonable interpretation, however, changes could be made with expedited rulemaking.</p> <p>Michael Abrams had a concern with the certification requirements for inspectors, stating that there isn't an accredited institute that will be able to certify with all the standards in the bill.</p> <p>Scott Nelson asked for further definition regarding SB 5360 and whether this is a concurrent bill with HB 2701.</p> <p>Staff stated that SB 5360 took the place of HB 2701, however it didn't pass the cutoff date and is a dead bill.</p>

	<p>Christopher Moye made a comment that there are no alternative certifications to meet this requirement and requested an extension on the enforcement date.</p> <p>Brian Thompson stated there are conflicts within the references to the house bill regarding compliance to the Washington State Fire Code and requested expedited rulemaking to resolve these complex issues.</p> <p>Jon Napier with the Washington State Association of Fire Marshall's expressed the Association made an attempt to change the house bill at the legislative level with no success.</p> <p>Diane Glenn, Council Chair stated there is nothing the Council can do today to modify the RCW and staff stated that it is a work in progress.</p>
<p>8. Requests for Opinion</p> <ul style="list-style-type: none"> • WUI Code – Valley Regional Fire Authority • Energy Code, Residential – Spokane County 	<p>Council voted to approve the opinion for the WUI Code. See attached.</p> <p>On the second opinion, there were several public comments: Craig Roberts made a comment regarding meeting the energy model method and using energy credits when construction costs are at their highest.</p> <p>Milt Heath stated that they use Ecotope for energy modeling software. He said that if a certification goes strictly off credits, then it takes the flexibility away from the builders. A concern is that once the energy goals are met that more requirements are put on that goal.</p> <p>Damen Jeg made a comment that there are multiple pathways to meet the energy code requirements and an alternative path gives flexibility to the builders.</p> <p>Doug Orth asked staff if the compliance is met with Section R405, why a project would still need to meet the appropriate credits in Section R406 when Section R405 is a performance alternate. Staff answered this question by referring back to the energy code.</p> <p>Daimon Doyle asked a question as to why Section R407 in regards to Passive House is exempted in the modeling in Section R406.</p> <p>Council member Kjell Anderson answered that Passive House certification is well above and beyond the other pathways as a minimum.</p> <p>Gavin Tenold also made comment on Passive House being the global standard for energy efficiency and asked why there is a divergence in the two code pathways.</p> <p>Diane Glenn answered that Section R406 is not required on a Passive House Institute method, whereas it is on a Passive House method.</p> <p>Henry Odum from Ecotope stated that they've created the energy code modeling for the residential code for decades and reiterated the target of 10% reduction by 2030 based on their reports submitted to the Department of Enterprises for the 2006 and 2018 baseline. As a member of the upcoming energy code TAG, he</p>

	<p>would be interested in the reasoning behind the question.</p> <p>Jonathan Jones mentioned that Section R406.2 is a prescriptive measure and Section R405 simulated measures limit the input items being used. He also mentioned certification software that RESnet uses to achieve the energy modeling to receive the credits and that RESnet is the Gold standard in certification.</p> <p>The Council voted to approve the opinion. See attachment below.</p>
<p>9. Washington State Fire Marshals Request for Emergency Rule (received 2/17/2021)</p> <ul style="list-style-type: none"> • Certification for pre-engineered industrial or kitchen fire extinguishing systems technicians • Certification for engineered suppression system technicians 	<p>Jon Napier clarified the request for emergency rule.</p> <p>Pat Dylan commented in support for this request.</p> <p>Norb Makowka commented in support for this request.</p> <p>Diane Glenn clarified the requirements for emergency rule.</p> <p>The Council voted to enact a 120-day emergency rule to suspend the requirements of WAC 51-54a-904, specifically 904.1, 904.1.1-904.1.3.</p> <p>See attachment below.</p>
10. Staff Report	Stoyan Bumbalov read the staff report.
11. Other Business	There was no other business.
12. Adjourn	The Council adjourned at 1:36 pm.

Attachment links:

[Agenda](#)

[January 8, 2021 Summary Minutes](#)

[SBCC Bylaws](#)

[Legislative Report](#)

[2021 Group 1 Timeline and TAG Background Information](#)

[Valley Regional Fire Authority Opinion](#)

[Spokane County Opinion](#)

[WSAFM Request for Emergency Rule](#)