

WSR 24-12-053

EMERGENCY RULES

BUILDING CODE COUNCIL

[Filed June 2, 2024, 10:13 a.m., effective June 2, 2024, 10:13 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: To delay the effective date for the National Institute for Certification in Engineering Technologies (NICET) licensing requirements in the 2021 International Fire Code, section 904 and WAC 51-54A-0904. Editorial corrections are also made to clarify code language.

Citation of Rules Affected by this Order: Amending WAC 51-54A-0904.

Statutory Authority for Adoption: RCW 19.27.031.

Other Authority: RCW 19.27.074.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The requirement for NICET licensing will leave the Washington workforce without enough personnel to complete required work on existing automatic fire extinguishing systems. The delay will allow for additional personnel to attain licensure, it will also allow for the state building code council to develop rules that meet the need for qualified persons conducting work under appropriate licenses.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 24, 2024.

Daimon Doyle
Council Chair

OTS-5455.2

AMENDATORY SECTION (Amending WSR 23-23-106, filed 11/15/23, effective 3/16/24)

WAC 51-54A-0904 Alternative automatic fire-extinguishing systems.

904.1.1 Certification of service personnel for fire-extinguishing equipment. Service personnel performing system design, installation, or conducting system maintenance or testing on automatic fire-extinguishing systems, other than automatic sprinkler systems, shall possess the appropriate ICC/NAFED certification.

904.1.1.1 Preengineered kitchen fire-extinguishing systems. A current ICC/NAFED certification for preengineered kitchen fire-extinguishing systems is required when performing design, installation, inspection/testing or maintenance on kitchen suppression systems.

904.1.1.2 Engineered fire suppression systems. A current ICC/NAFED certification for engineered fire suppression systems is required when performing design, installation, inspection/testing or maintenance (~~on kitchen suppression systems~~).

904.1.1.3 Preengineered industrial fire-extinguishing system. A current ICC/NAFED certification for preengineered industrial fire-extinguishing system is required when performing design, installation, inspection/testing or maintenance (~~on kitchen suppression systems~~).

904.1.1 (Effective (~~July 1, 2024~~) January 1, 2025) Certification of personnel for alternative fire-extinguishing equipment. Personnel performing system design, installation, maintenance, programming or testing on automatic fire-extinguishing systems, other than automatic sprinkler systems, shall possess the appropriate National Institute for Certification in Engineering Technologies (NICET) *Special Hazards Suppression Systems* certification.

EXCEPTION: A current ICC/NAFED certification for preengineered kitchen fire extinguishing system technician is allowed in lieu of NICET Level II or higher in *Special Hazards Suppression Systems* for the design, installation, inspection/testing or maintenance on preengineered kitchen suppression systems.

904.1.1.1 (Effective (~~July 1, 2024~~) January 1, 2025) Design. All construction documents shall be reviewed by a NICET Level III in special hazard suppression systems or a licensed professional engineer (PE) in the state of Washington prior to being submitted for permitting. The reviewing professional shall submit a stamped, signed, and dated letter; or a verification method approved by the *fire code official* indicating the system has been reviewed and meets or exceeds the design requirements of the state of Washington and the local jurisdiction.

904.1.1.2 (Effective (~~July 1, 2024~~) January 1, 2025) Installation. Installation not defined as "electrical construction trade" by chapter 19.28 RCW or "Fire Protection Sprinkler Fitting" by chapter 18.270 RCW, shall be completed by or directly supervised by a NICET Level II or higher in *special hazards suppression systems*. Supervision shall consist of a person being on the same job site and under the control of a NICET Level II or higher in *special hazards suppression systems*.

904.1.1.3 (Effective (~~July 1, 2024~~) January 1, 2025) Testing/maintenance. Inspection, testing, commissioning, maintenance, and programming not defined as "electrical construction trade" by chapter 19.28 RCW or "Fire Protection Sprinkler Fitting" by chapter 18.270 RCW, shall be completed by a NICET Level II or higher in *special hazards suppression systems*.

904.13 Commercial cooking systems. The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of

the type and arrangement protected. Preengineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and *listed* and *labeled* for the intended application. Other types of automatic fire-extinguishing systems shall be *listed* and *labeled* for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, NFPA 96, its listing and the manufacturer's installation instructions. Additional protection is not required for ductwork beyond 75 feet (22,860 mm) when hood suppression system complies with UL 300. Signage shall be provided on the exhaust hood or system cabinet, indicating the type and arrangement of cooking appliances protected by the automatic fire-extinguishing system. Signage shall indicate appliances from left to right, be durable, and the size, color, and lettering shall be approved. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.
2. *Automatic sprinkler systems*, NFPA 13.
3. Automatic water mist systems, NFPA 750.
4. Foam-water sprinkler system or foam-water spray systems, NFPA 16.
5. Dry-chemical extinguishing systems, NFPA 17.
6. Wet-chemical extinguishing systems, NFPA 17A.

EXCEPTIONS:

1. Factory-built commercial cooking recirculating systems that are tested in accordance with UL 710B and listed, labeled and installed in accordance with Section 304.1 of the *International Mechanical Code*.
2. Protection of duct systems beyond 75 feet (22,860 mm) when the commercial kitchen exhaust hood is protected by a system listed in accordance with UL 300.