



**Bureau of Electronic and Appliance Repair,
Home Furnishings and Thermal Insulation**
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**Bureau of Electronic and Appliance Repair,
Home Furnishings and Thermal Insulation
July 30, 2015 – Advisory Council Meeting Minutes**

Attendees:

- Council Members:** Sharron Bradley, Industry
Burt Grimes, Industry
Timothy Hawkins, Industry
Joanne Mikami, Public
David Spears, Industry (teleconference)
David Velazquez, Industry (teleconference)
- Stakeholders:** Subhash Appidi, Intertek Testing Services
Tom Dykstra, Haworth
Terry Fannon, National Council of Textile Organizations
DeeDee Garcia, Office of the State Fire Marshal
Donald Lucas, Ph.D., Lawrence Berkeley Nat. Lab
Myrto Peteras, Ph.D., MPH, Department of Toxic Substances
- Control**
Bill Perdue, American Home Furnishings Alliance
Len Price, Professional Servicers of California
Veena Singla, National Resources Defense Council
- Govt. Personnel:** Carrie Cathalifaud, Bureau Laboratory Supervisor
Dale Chessey, Bureau Enforcement Manager
Nicole Dragoo, Bureau Licensing Technician
Steve Fischer, Ph.D., Bureau Laboratory Chemist
Diana Godines, Bureau Policy Analyst
Yeaphana LaMarr, DCA Legislative & Review Division
Justin Paddock, Bureau Chief
Karen Skelton, Bureau Licensing & Policy Manager
Donald Watts, Bureau Licensing Analyst
- Teleconference:** Several stakeholders intermittently listening in by phone.

Agenda Item #1- Welcome and Introductions

Meeting commenced shortly after 9:00 AM.

Chief Paddock opened the meeting, and thanked council members for their attendance. He advised that if anyone had interest in serving on the council, to send him an e-mail. He stated that the Assembly Bill (AB) 2740 report has been finished, and would be summarized in the meeting. The next Sunset Report is in 2019, with the hearing process occurring in 2018. He

stated that he would be experimenting with a new format this meeting: General business along with Electronic and Appliance Repair (EAR) business in the morning, Home Furnishings and Thermal Insulation (HFTI) business in the afternoon. Comments on the format are to be welcomed after the meeting.

It was discussed and decided between Mr. Paddock and council members that the end of October would be the ideal time for the next meeting (please note: since the meeting, a date has been set for October 29, 2015).

Agenda Item #2- Business URL and DBA Issues

Mr. Paddock brought up that there had been discussions at previous meetings regarding EAR issues with businesses using similar names by registering with local authorities as “doing business as” and confusing customers. This issue is more prevalent in Southern California than Northern California. In his research, he found that the Bureau can restrict certain names from being licensed by virtue of its regulations (see page 5 Materials Packet). He stated that the Bureau cannot regulate the practice of people making sure their name appears higher up than another business in a Google search, as this is relegated to the Federal Trade Commission (FTC) and is outside the Bureau’s jurisdiction. In addition, the Bureau’s name control is limited to what the Secretary of State (SOS) authorizes (ex: if SOS authorizes a Limited Liability Company (LLC) for similar name use, they’re also allowed to use the name with the Bureau). If an unlicensed business sends in an application (or does not send in an application) and has a similar name to an existing business, there are several means that can be utilized to address the situation, including the use of citations.

David Spears stated that it’s a big issue when the consumer thinks they’re calling a certain company (Company X), but actually gets a different company who is fraudulently claiming to be Company X. Mr. Spears stated that the companies are typically unlicensed, or licensed under a name other than the company they are claiming to be.

Enforcement Manager Chessey made the point that these fraudulent companies are often temporary businesses who obtain URL’s to match another business in order to do a cash operation for a year and then completely disappear. This makes it hard for the Bureau to track because they will often leave the state, and then the issue becomes a civil matter.

Mr. Paddock concluded the conversation by stating that he and Mr. Chessey will reach out to figure out what steps need to be taken next regarding this issue.

Agenda Item #3- Service Contract Working Group

Licensing & Policy Manager Skelton discussed the background of Service Contracts within the Bureau, the purpose of a working group, and tentative working group time line. The current timeline is as follows: Solicit Participation in the Working Group during August and September of 2015, a Working Group Kick Off Meeting on October 6, 2015 (tentative date), and a Final Report to the Bureau will be released in October of 2016.

Mr. Spears brought up the point that sometimes there are issues with manufacturers taking back or exchanging new appliances that arrive Dead on Arrival, or that fail within the first few days of the consumer receiving them. He stated that the manufacturers often try to force the consumer to have the appliance serviced. Mr. Spears expressed that it is not fair to expect a consumer to have an appliance serviced when they just purchased a “brand new, working” refrigerator. He was wondering if the Bureau had any jurisdiction over such a situation. Mr. Paddock asked if there is specific information regarding a clause in a warranty that allows the manufacturer to put the burden on the consumer. Mr. Spears stated that he was unsure, but could look into it upon request. In addition, he brought up concerns regarding unlicensed businesses advertising on vehicles. Mr. Chessey advised that all observed unlicensed business activity can be sent to homeproducts@dca.ca.gov, and the Bureau will follow-up on each report.

Mr. Paddock stated that the Bureau is looking into making it mandatory for all service dealers to display their license numbers in their advertisements, by amending existing Bureau regulations.

Several Council Members agreed that this would be a good step to take.

Agenda Item #4- Public Comment on Electronic and Appliance Repair Items not on the Agenda

No comments were given.

Agenda Item #5- Legislative Update

Please refer to Pages #9-26 of Materials Packet to reference AB 1175 and Senate Bill (SB) 763.

Legislative Analyst LaMarr presented two bills. AB 1175 would allow the Bureau to raise the statutory maximum for all license and registration fees. It would not automatically raise the fees, but would only raise the statutory maximum. The Bureau will need to seek to raise fees through regulation no sooner than January 1, 2016 for HFTI licensees and no sooner than January 1, 2017 for EAR registrants as well as service contract registrants.

SB 763 would require manufacturers to label juvenile products as to whether or not they contain added flame retardants. After many amendments, the most recent version addresses applicability to Internet and catalog sales to remove the term “permanently affixed” and to redefine juvenile products to ensure all products that would need to meet this labeling requirement are within the Bureau’s jurisdiction. This bill is currently in the Assembly Appropriations Committee and is set for hearing in late August.

Agenda Item #6- AB 2740 Legislative Report Update

- a. CPS HR Survey Findings: Policy Analyst Godines stated that recommendations from CPS HR were that the majority of participants found that the Bureau needs to do more outreach. They recommend that it increase public contact along with social media, in order to educate consumers and the industry. In addition, it has been recommended that the Bureau keep updating and revising regulations to streamline licensing and enforcement, and increase fees. It has been suggested that with renewals, the Bureau

change to an annual cycle rather than biennial cycle in order to relieve burden on small businesses. This would also improve and steady the Bureau's revenue stream. It has been suggested that the Bureau evaluate current technology and look into using tablets/applications for inspectors to improve efficiency.

- b. Regulatory Needs: Ms. Skelton discussed that the HFTI budget has gotten very lean, and there has not been a fee increase in 17 years. With operational and staff costs increasing, HFTI may become insolvent if there is no increase. She stated that the increase should occur in stages, so it is not a burden on the industry. She also discussed that moving from a biennial to annual renewal cycle would create a more steady source of revenue, and help the Bureau's operational and enforcement needs. In addition, Ms. Skelton discussed the topic of license consolidation. It has been suggested to combine the Wholesaler and Importer license types. The Bureau is also exploring the possibility of making foreign based manufacturers hold Manufacturer licenses instead of Importer licenses, which in turn would eliminate the need for any company who strictly Imports to have a registry number. These changes require amending statute.
- c. Mr. Chessey discussed Operational Updates. He said that the Bureau is trimming down areas in order to be more efficient with Enforcement and Operations. The Bureau moved from an inefficient/expensive warehouse location in North Highlands in 2012 to a newer office that saves money, but expenses have still risen with the economy, which puts a pressure on the budget. The Bureau is staffed at 43 employees, with room for a 0.5 position for the field.
- d. Laboratory Supervisor Cathalifaud talked about Technical Bulletin (TB) 117-2013. Since it became mandatory on January 1, 2015 pass rates have dramatically increased. Most recent statistic show a 96 percent pass rate. The previous TB 117 was in effect since 1975, and had approximately a 60 percent pass rate. The Federal Flammability standards 1632, 1633, and Thermal Insulation pass rates also look good at 95 percent, 80 percent, and 80 percent respectively. Regarding plumage, the Bureau recommends it changes its regulations to reflect a more stringent oxygen number not exceeding 10 grams of oxygen per 100 kilograms of sample. In addition, the Bureau plans to amend regulations in congruence with the International Down and Feather Bureau (IDFB) to adopt sliding scale maximums for damaged feathers.
- e. Mr. Paddock addressed the requests for Law Label Percentages to be changed, and updating TB 133:

The Bureau doesn't have enough information regarding whether or not law label percentages should be changed. The key question is two-fold: To what degree are consumers utilizing this information versus what the cost of industry is in meeting percentage requirements. Based on these findings, the Bureau will make a decision. He

stated the Bureau will look at consumers who are interested in partaking in surveys once there is budget to do so.

TB 133: Technical bulletin requirements allow for a waiver to not have to meet TB 133 for high occupancy rooms when it complies with sprinkler requirements specified in Building Standards Codes. Both the Bureau's rules and the Building Standards Commission's rules allow for this. Stakeholders may want to consider discussing with the Commission what, if any local authority discretion should be permitted on this issue.

Bill Perdue asked for clarification regarding whether waiver requirement with sprinklers would require conversations with each individual local jurisdiction from city to county. Mr. Paddock stated that the conversation should happen in the building standards process, and that he will send out a timeline when he gets further information.

Agenda Item #7- Regulatory Update

Ms. Skelton summarized all items listed on Page 59 in the Materials packet. There were no questions or comments regarding this summary.

Agenda Item #8- License & Enforcement Update

Mr. Chessey stated that the Bureau currently has 18,202 EAR licenses and 22,316 HFTI licenses. He discussed that delinquencies have gone down in both BEAR and BHFTI licenses within the past three years. BEAR has decreased from 7.5 percent to 5.7 percent and BHFTI has decreased from 18.2 percent to 17.1 percent.

Tim Hawkins asked if the Service Contract sellers are also included in the AB 1175 fee increase, and Mr. Chessey affirmed that they are.

Agenda Item #9- Bureau Website Changes

Licensing Analyst Watts discussed the implementation of a brand new website for the Bureau that will debut around mid-Fall, 2015. The new website will remove duplicative and out-of-date information. One month before the new website goes live, the Bureau's Information Technology (IT) department will require a site lock be placed on the old website. During this time, any required changes will still be made to the website (e.g. updates to licensing status), but no other changes will be allowed. If users feel that there is anything missing, please feel free to contact the Bureau.

Questions and comments from the council included: user input in the revamping process, visibility of the process, and availability and greater frequency of citations on the website.

Mr. Paddock stated that the Bureau did receive input that the website was difficult for users to navigate. He stated that there are test links where the layout can be viewed, and confirmed that citations will still be visible on the website. Council members will also have the opportunity to

view the test pages in the coming months and provide feedback. It was reiterated that when glitches are found, to please make the Bureau aware of them.

Agenda Item #10- Bureau Outreach

Mr. Chessey said that the Bureau is creating low-cost but informative brochures and pamphlets to pass out to central business operation hubs that hire or utilize subcontractors within regions and communities. The Bureau is holding more Council meetings than in the past, and has scheduled three per year so the Bureau can better address issues. The Bureau has worked with Norwalk Business Research Seminar and participated in community meetings. In addition, the Bureau recently attended the Korean Community Fair in Los Angeles. Mr. Chessey stated that the Bureau is looking at ways to improve accessibility in the office with different types of languages, and looking into coming up with special phone lines for certain languages in order to immediately return phone calls instead of going through a matrix and translation. The Bureau already has these phone lines, so it would be a low cost effort. Mr. Chessey also suggested that another great way to reach out to the community would be to go to technical schools to present and provide to students information about compliance after graduation.

Another way that the Bureau has improved outreach, was by modifying the citation process several years ago. Instead of an immediate \$250-500 citation, the Bureau now issues \$0 citations which is an abatement-only "fix it ticket." The compliance success rate has grown from 25 percent to 80 percent.

Mr. Paddock brought up that the Bureau will be working on doing brochure translations through the Publications unit, so when inspectors go to locations fluent in different languages, there will be a brochure available. He also mentioned working with DCA Public Affairs to do a YouTube video on TB 117-2013 and SB 1019 compliance in English, Spanish and Mandarin. The table was then opened for questions and comments.

Burt Grimes brought up the concern of the Bureau's ability to inspect out-of-state manufacturers with no travel budget, and Mr. Paddock stated that the Bureau is looking toward turning to different shipping ports (such as the Port of Los Angeles) to stop the problem of non-compliance, before it starts in the supply chain. The Bureau is in the process of reviewing and revising procedures.

Sharron Bradley inquired whether or not there has been a change in how the Bureau looks at online retailers. Ms. Skelton stated that she has had her licensing unit research and send out letters to unlicensed retailers, successfully licensing most of them. Of those retailers not responding to letters, the Bureau is working toward issuing citations. Mr. Paddock stated that once the budget is higher, he would like to start buying product from out of state online retailers to take to the laboratory in order to get some compliance. This will not be taking place until a regulation raising HFTI fees is complete.

Mr. Perdue asked for clarification regarding \$0 citations, and if they would eventually be cycled off of the website. He also asked if citations would be for labeling violations, as well. Mr. Chessey clarified and stated that \$0 are only being used for delinquent and unlicensed activities. Mr. Paddock went into further detail stating that labeling violations would be addressed on a case-by-case basis. More severe violations and repeat failures may result in a citation and product being red-tagged and withheld from sale.

Joanne Mikami inquired about whether or not EAR would re-implement randomly checking backgrounds on Service Dealers. Mr. Chessey said that the Bureau does not have the authority to do random background checks, but instead that the current application is set up to screen for past and present convictions and to request court documents from applicants with prior convictions. The Bureau then researches the convictions, and turns the decision over to the Chief as to whether or not the person's criminal history would pose a "risk" to consumers.

The meeting was recessed and resumed shortly after 1 PM.

Agenda Item #12- San Francisco Dept., of the Environment, Breathe Easy Campaign

Mr. Paddock briefly summarized a new campaign by the San Francisco Department of the Environment, which helps retailers market chemical-free furniture. (Reference Page 61 of Materials Packet)

Agenda Item #13 – SB 1019 Implementation

- a. Mr. Paddock first addressed the Frequently Asked Questions (FAQ) update, which is included in the (Reference Page 63 of Material Packet). The Bureau has added question #9, which addresses Document Retention. At the request of the industry, questions #32 and #33 were also added. Mr. Paddock asked if there were any questions or comments regarding the revisions, to which there were none.

Terry Fannon of the National Council of Textile Organizations asked what the next steps regarding FAQ's would be if there are no objections, and what the process is for making revisions.

Mr. Paddock explained that the FAQ's are to give the public a glimpse at what enforcement looks at, and so the Bureau's expectations are drawn out and there are no surprises. The Bureau is looking at putting together a Best Practices Guideline and a compliance schedule. It is currently being reviewed, and should be ready to present within a month.

- b. Mr. Paddock stated that as far as technical staff, the Inter-Agency Agreement (IAA) is done and has been sent to the DCA Contracts Unit to finalize. Moving forward, the Bureau has planned to procure and submit ten samples in the first fiscal year: Five samples in November 2015, five in March 2016. Testing samples is the most efficient way to get compliance reimbursement back to manufacturers and retailers. The ten tests

are \$1500 each, and the testing protocol should be on the Department of Toxic Substances Control (DTSC) website in late September to early October.

- c. Reference Pages 74-81 Material Packet for DTSC Protocol Power Point presentation by Myrto Petreas, Ph.D., MPH, DTSC Environmental Chemistry Branch Chief.

After the presentation concluded, Mr. Paddock stated that since DTSC alluded the chemical list will often change, every Spring after the Bureau has finished samples for the fiscal year, the protocol will be reviewed to ensure manufacturers have two to three months to change before the next fiscal year begins. The IAA will be updated annually.

Mr. Fannon wanted clarification regarding what Flame Retardants (FR's) were found in failing fabrics, and whether or not the main screening emphasis is on Phosphorus and Bromine. Dr. Petreas clarified that in older samples, PBD's and Phosphorus contained flame retardants were found, and in the newer samples only Phosphorus contained FR's were found.

Mr. Perdue raised concern on the specificity of the research that had been presented in the charts. He made the point that he believes that X-Ray Fluorescence (XFR) may be a good screening method for Bromine, but not for Phosphorus. He reiterated the importance of a strong level of confidence in research being imperative for the industry, and would like to see more work on a better screening method for Phosphorus. He also expressed concern that Melamine is showing up in testing, and wanted to know how that would be addressed. Mr. Perdue's last point was directed toward Dr. Petreas, stating that it would be helpful to be able to see the validation that goes into the test studies. Dr. Petreas affirmed that when DTSC's studies are posted, that all documentation would be made available. Several people on the phone asked when and to what extent documentation would be made available, and whom to direct questions to. Mr. Paddock stated that he would forward Dr. Petreas' contact information so she can field the questions.

In addition, Mr. Paddock addressed Mr. Perdue's concerns by stating that there will be an annual review process, and he will look at putting a clause in the IAA that spells out this process, which in turn will allow for more openness and transparency between DTSC and the industry. He stated that he will need to speak with several people, but will comment on it in the coming weeks.

- d. Mr. Paddock continued with the Document Request update. He explained the Bureau has gathered 10 documents thus far from various covered products that have checked "no added FR." Three different avenues have been taken:

- Three of the ten labels had no boxes checked. This is unacceptable.

- Manufacturers are providing declarations as to what's in their covered product, to prove there are no FR's. This is acceptable.
- Manufacturers have been conducting independent lab tests. This is acceptable.

When complex results are obtained, the Bureau will sit down with Dr. Petreas on a case-by-case basis. Mr. Paddock stated that he has seen fairly decent compliance with a few errors. These errors won't be considered a violation as long as response is quick and backed up with documents. If he does not hear back from a manufacturer quickly, their product will fail the Bureau's review and their file will be sent to Enforcement.

Ms. Cathalifaud talked about statistics and said as of July 29, the Bureau had 25 samples with "no FR" box checked, 9 samples with "contains FR" checked, and 3 samples with the SB-1019 labeling, but neither item checked. 29 percent of the samples that have come in since January 1 have had 1019 labeling on them. The year started out with just a few coming in with labels, but as the months have gone by the numbers have increased.

Mr. Perdue asked if the samples that checked "yes" were sent to Dr. Petreas' lab to be analyzed. Ms. Cathalifaud stated that "yes" responses would not be sent out for analysis. He then asked about the 25 who said "no," and Mr. Paddock stated that the Bureau is still refining the process, and they may be sent to the lab in the future. Ms. Cathalifaud clarified that the Bureau may be requesting samples with documentation in lieu of sending them to DTSC for testing. Mr. Paddock concluded by stating that as the Bureau's fiscal situation changes, the current procedures will be revisited.

Agenda Item #14-Clarification on Customer Owned Material Practices: appropriate law label, TB 117-2013, and SB 1019 compliance

Reference Pages 83-87 of Material Packet for Clarification on Customer Owned Material Practices Power Point presentation by Carrie Cathalifaud, Bureau Laboratory Supervisor.

Ms. Cathalifaud then discussed labeling FAQs- which address common labeling questions the lab receives. These were available at the meeting and will be posted on the website. The current regulations show general examples, which are a bit outdated and will be updated soon. She stated that the laboratory staff is accessible to assist with label terminology and FAQ questions.

Agenda Item #15- Barrier Research Study Update

Ms. Cathalifaud spoke about the Barrier Research Study, stating in Phase 2 the Bureau has received 19 barriers. Those mainly consist of knit, woven, non-woven, and high loft battings. The Bureau is currently running preliminary tests: proposed open flame test, smoldering test, for both section two and three. Ms. Cathalifaud thanked the manufacturers who have sent barriers to the Bureau. All barrier samples are welcome. At the completion of the small scale test, a full

scale test will be conducted. It is requested that all participants submit final comments regarding proposed test method by August 28, 2015, so that any changes or modifications can be incorporated. At this time, there is no date set for the next meeting. The Bureau will continue to try and obtain more barriers and finalize its procedure.

A teleconference participant asked if the barriers that are being submitted for testing can conform to shapes that are being used in the office furniture industry and if they can conform in a way that's attachable to the foam being used in chairs, rather than creating an air gap. Mr. Paddock stated he will take note of this for the large scale test, and will want to follow-up with the caller once the lab is finished with small-scale testing. He also said that the Bureau is looking at hiring an economist to do a cost-benefit analysis. The caller informed Mr. Paddock that Brad Miller would also be a good contact to follow-up with regarding costs.

Tom Dykstra wanted clarification regarding whether or not the 19 barriers will be analyzed for FR chemicals. Mr. Paddock affirmed that they will be screened for FR's.

Mr. Perdue stated that residential upholstered furniture also has a lot of contours and different shapes and geometries, so there cannot be a one-size-fits-all test, and it is very important to compare the costs, and test with and without barriers. Mr. Paddock affirmed that Mr. Perdue's concerns would be addressed and looked at in Phase 3 of the testing.

Robert wanted to know if, of the barriers received, the Bureau has been provided with any information about what chemicals may be in those barriers, and whether they're FR or not? He asked if there are any other chemicals on the Proposition 65 list, or that may soon be on the Proposition 65 list. Mr. Paddock stated that he will check with the laboratory, but believes the answer to the question is "yes." He has a fairly exhaustive content list from manufacturers, but not sure if it goes into that high level of detail, and that is definitely something worth looking into.

Agenda Item #16- Home Furnishing Retail Advertisement Regulations Concept

Mr. Paddock opened up the topic by talking about how he and Mr. Chessey had been going through the Bureau archives in an effort to reform current advertising regulations. (See pages 89-90 of Materials Packet for information and examples). After summarizing and reviewing what is in print, Mr. Paddock asked for feedback from the council to see if the Bureau is on the right track in regards to this being reasonable to the industry.

Ms. Bradley brought up the point that it would be beneficial to talk to a variety of retailers throughout the state. This will largely be dependent on the store size; is the product being purchased at a small or large quantity? It can't be based on their price alone, but based on the normal price to a retailer. An example is that a small store can buy a large quantity of product and a small quantity of another, but a large store can buy a small quantity of several different products. Mr. Grimes brought up that by putting a quantitative figure on an acceptable selling price, the Bureau is essentially telling a store what its operating margin is. Mr. Paddock clarified that the purpose of this regulation is to review advertising markdowns, and the conversation the

Bureau will be having with retailers is to chat about what the profit margin is. He stated he wants to make sure the low-bar the Bureau sets is reasonable for everyone throughout the state.

Mr. Paddock asked if the six month liquidation guidelines are reasonable for businesses, or does the Bureau need to allow nine months for a sale?

Ms. Bradley said she believes that six months is reasonable, and at the very most there should be no reason to go beyond six to nine months. Ms. Mikami brought up the point that some businesses may “go out of business” solely to sell their product to a liquidator, and then bring in brand new product. Mr. Grimes asked if the Bureau could make the limit six months, and then check to see their progress at that point.

Mr. Paddock stated that his goal is to make it as fair as possible for the compliant businesses. If a few extensions need to be granted per year, that is okay, however, it is not practical to make the threshold of the sale too short and have to grant a lot of extensions. The last thing that the Bureau wants to do is create a regulation that is too tough for people to comply to.

Mr. Chessey asked if the two year “limit” on liquidations was fair, or if it should be a three or five year limit?

Ms. Bradley said that she believes it depends on the definition of “liquidation.” If to “liquidate” is just to rid of an entire product before bringing in a new product, then perhaps not. However, if it is a “store closing” liquidation, then once every 2 years is fair. Mr. Grimes expressed concern to make sure that the liquidation regulation is tied to a specific owner, and not a location, so a definition of “location” should be set. Mr. Paddock addressed this by stating that he has seen owners swap out and rotate every few years, and this is something that will need to be looked into. It was agreed upon that the Fall, before Holiday sales, would be a good time to talk to furniture retailers regarding this issue.

Agenda Item #17- Home Furnishing Retail Advertisement Regulations Concept

Laboratory Chemist Fischer opened up the discussion with a descriptive timeline outlining the changes in the Thermal Insulation industry from 1981 to present date. Only 11 different material types in certain forms were originally addressed when this came into play in the 1980s. Since then, many more materials have come into play, but because of an exemption in the directory, they did not need to be certified unless they were one of the 11 original material types. In the mid-2000s, the Bureau started the process of modifying standards to change to specific forms of insulation, instead of categorizing by material type alone. The Bureau is now looking to how new testing would be added in order to test for new types of materials that had not been tested before. According to Dr. Fischer, many changes in the industry were being made between 2008 and 2013, which put the project on a stand still. In October of 2013, the Governor signed AB-127, which requires the California State Fire Marshal to review the flammability standards for building insulation materials, including if the use of non-FR insulation in buildings provides adequate protection. In January of 2014 the Bureau was invited to join the state Fire Marshal’s work group. The last draft is set to be released in October 2015, in which the Bureau will come

up with recommending approval of the concept for non-rated wall, floor ceiling, crawl space, and attic assemblies for foam insulation. After testing is completed, then a second smaller workshop will be formed to determine testing criteria, testing modifications needed, and propose any language changes needed. The goal is to try to have a new revision posted on the Internet by late Fall. By completing this revision now, this will allow the Bureau to make minor changes in the future as code changes occur, so this complicated process does not need to be repeated in the future.

Mr. Paddock summarized by saying that Dr. Fischer will be refining and getting new products into certification. The Bureau will try to obtain informal feedback through several workshops. There will have to be two public hearings, and it will be the Bureau's effort to do its best in informal review to take care of as many issues as the industry sees.

Deputy Fire Marshall asked clarification regarding times of final draft and when the second workshop will take place.

Mr. Paddock clarified by stating that the opening draft will be available in October, and that late 2015 through early 2016 will be the informal process. Once the informal process winds down, the package will be formalized and approved by the department. Once this takes place, the formal process will begin. The timeline for the entire process is approximately one to two years.

Agenda Item #18- Public Comment on Home Furnishings and Thermal Insulation Items not on the Agenda

There was no public comment at this time.

Agenda Item #19- Adjournment

Mr. Paddock adjourned the meeting at approximately 3:45 PM

