

Georgia Rules and Regulations

Administrative Bulletin for August 2022

OFFICE OF SECRETARY OF STATE ADMINISTRATIVE PROCEDURE DIVISION

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Final rules filed with the Georgia Secretary of State during the month of *August 2022*:

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Final rules filed with the Georgia Secretary of State that became effective *August 2022*:

Department	Rules List	Action	Filed	Effective
111. RULES OF DEPARTMENT OF COMMUNITY HEALTH	111-3-11-.01 --- 111-3-11-.04	adopted	July 20, 2022	Aug. 9
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	160-5-3-.02 , 160-5-3-.17	adopted	July 21, 2022	Aug. 10
300. RULES OF GEORGIA DEPARTMENT OF LABOR	300-2-3-.21	adopted	July 21, 2022	Aug. 10
464. GEORGIA PEACE OFFICER STANDARDS AND TRAINING COUNCIL	464-13-.24	adopted	July 19, 2022	Aug. 8
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	511-5-8-.02 , 511-5-8-.05	amended	July 19, 2022	Aug. 18
560. RULES OF DEPARTMENT OF REVENUE	560-7-8-.50	amended	July 29, 2022	Aug. 18

**Department 110. RULES OF GEORGIA DEPARTMENT OF
COMMUNITY AFFAIRS**

Chapter 110-11. GEORGIA STATE MINIMUM STANDARD CODES

Subject 110-11-1. GEORGIA STATE MINIMUM STANDARD CODES

**110-11-1-.26 [Effective 1/1/2023] International Plumbing Code (IPC), 2018 Edition
with 2020, 2022 and 2023 Georgia State Amendments**



Georgia State Amendments to the International Plumbing Code (2018 Edition)



Georgia Department of Community Affairs
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Revised January 1, 2023

GEORGIA STATE MINIMUM STANDARD PLUMBING CODE

(INTERNATIONAL PLUMBING CODE WITH GEORGIA STATE AMENDMENTS)

The International PLUMBING Code, 2018 Edition, published by the International Code Council, when used in conjunction with these and any other Georgia State Amendments to the INTERNATIONAL PLUMBING CODE, 2018 EDITION, shall constitute the official *Georgia State Minimum Standard Plumbing Code*.

GEORGIA STATE AMENDMENTS

CODE REFERENCE:

(a) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

(b) Replace all references to the *International Energy Conservation Code (IECC)* with references to the *Georgia State Minimum Standard Energy Code (IECC with Georgia State Supplements and Amendments)*. The *Georgia State Minimum Standard Energy Code* shall be used for efficiency and coefficient of performance ratings of equipment.

APPENDICES:

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

CHAPTER 4

FIXTURES, FAUCETS AND FIXTURE FITTINGS

* Delete Table 403.1 'Minimum Number of Required Plumbing Fixtures' from the International Plumbing Code 2020 Amendments.

(Effective January 1, 2023)



Georgia State Amendments to the International Plumbing Code (2018 Edition)



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GEORGIA STATE AMENDMENTS

CODE REFERENCE:

(c) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

(d) Replace all references to the *International Energy Conservation Code (IECC)* with references to the *Georgia State Minimum Standard Energy Code (IECC with Georgia State Supplements and Amendments)*. The *Georgia State Minimum Standard Energy Code* shall be used for efficiency and coefficient of performance ratings of equipment.

APPENDICES:

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GEORGIA STATE MINIMUM

REQUIREMENTS FOR BOILERS/WATER HEATERS AND PRESSURE VESSELS

The State's minimum requirements for boilers/water heaters and pressure vessels over 200,000 BTU/h (58.61 kW), 210 degrees Fahrenheit or 120 gallons capacity shall be established by O.C.G.A. Title 25, Chapter 15 and the Rules and Regulations of the Office of Insurance and Safety Fire Commissioner.

**Revise the International Plumbing Code, 2018 Edition, to read as follows:*

CHAPTER 5

WATER HEATERS

SECTION 506

MINIMUM CAPACITIES FOR RESIDENTIAL WATER HEATERS

*Name Change Table 506 'Minimum Capacities for Residential Water Heaters' to 'Minimum First Hour Rating for Residential Water Heaters' and Revise to read as follows:

TABLE 506 MINIMUM FIRST HOUR RATING FOR RESIDENTIAL WATER HEATERS ^{1,2,3}

Number of Bathrooms	1 to 1.5			2 to 2.5				3 to 3.5			
Number of Bedrooms	1	2	3	2	3	4	5	3	4	5	6
First Hour Rating, in Gallons	38	49	49	49	62	62	74	62	74	74	74

FHR= First Hour Rating, 1 gal=3.7854 L, 1 gph=1.5 mL/s

- ¹. Tankless Water Heaters shall be sized and installed per manufacturer's recommendations.
- ². Water heaters for single family dwellings having more than six bedrooms and/or 3 1/2 baths shall be sized per manufacturer's recommendations.
- ³. Table 506 reflects the total minimum requirements for one or multiple water heating units.

(Effective January 1, 2022)



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GEORGIA STATE AMENDMENTS

CODE REFERENCE:

(e) Replace all references to the ICC *Electrical Code* with references to the *Georgia State Minimum Standard Electrical Code (National Electrical Code with Georgia State Amendments)*.

(f) Replace all references to the *International Energy Conservation Code (IECC)* with references to the *Georgia State Minimum Standard Energy Code (IECC with Georgia State Supplements and Amendments)*. The *Georgia State Minimum Standard Energy Code* shall be used for efficiency and coefficient of performance ratings of equipment.

APPENDICES:

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GEORGIA STATE MINIMUM

REQUIREMENTS FOR BOILERS/WATER HEATERS AND PRESSURE VESSELS

The State's minimum requirements for boilers/water heaters and pressure vessels over 200,000 BTU/h (58.61 kW), 210 degrees Fahrenheit or 120 gallons capacity shall be established by O.C.G.A. Title 25, Chapter 15 and the Rules and Regulations of the Office of Insurance and Safety Fire Commissioner.

**Revise the International Plumbing Code, 2018 Edition, to read as follows:*

CHAPTER 1

SCOPE AND ADMINISTRATION

**Delete Chapter 1 'Scope and Administration' entirely without substitution. Chapter 1 to remain in the Code as a reference guide for local governments to use in development of their own Administrative Procedures.*

(Effective January 1, 2020)

CHAPTER 2

DEFINITIONS

SECTION 202

GENERAL DEFINITIONS

**Add new definition of 'High Efficiency Plumbing Fixtures and Fittings' to read as follows:*

HIGH EFFICIENCY PLUMBING FIXTURES AND FITTINGS.

Dual flush water closet. A dual flush water closet or toilet that the average flush volume of two reduced flushes and one full flush does not exceed 1.28 gallons and is listed to the WaterSense Tank-Type High Efficiency Toilet Specification.

Kitchen faucet or kitchen faucet replacement aerator. A kitchen faucet or kitchen faucet replacement aerator that allows a flow of no more than 2.0 gallons of water per minute.

Lavatory faucet or lavatory faucet replacement aerator. A lavatory faucet or lavatory faucet replacement aerator that allows a flow of no more than 1.5 gallons per minute at a pressure of 60 pounds per square inch and is listed to the WaterSense High Efficiency Lavatory Faucet Specification.

Nonwater urinal. A urinal that is designed to receive and convey only liquid waste through a trap seal into the gravity drainage system without the use of water for such function.

Single flush water closet. A single flush water closet or toilet, including gravity, pressure assisted and electro-hydraulic tank types, that the average flush volume does not exceed 1.28 gallons and is listed to the WaterSense Tank-Type High Efficiency Toilet Specification.

Shower head. A shower head that allows a flow of no more than the average of 2.5 gallons of water per minute at 60 pounds per square inch of pressure.

Urinal. A urinal and associated flush valve that uses no more than 0.5 gallons of water per flush and is listed to the WaterSense Specification for Flushing Urinals.

(Effective January 1, 2020)

*Add new definition of 'Lavatory Faucet' to read as follows:

LAVATORY FAUCET. A faucet that discharges into a lavatory basin in a domestic or commercial installation.

(Effective January 1, 2020)

*Revise the definition of 'Plumbing Fixture' to read as follows:

PLUMBING FIXTURE. A receptacle or device that receives water, waste or both and discharges water, waste, or both into a drainage system, and that is either permanently or temporarily connected to the water distribution system of the premises and demands a supply of water there-from; discharges wastewater, liquid-borne waste materials or sewage either directly or indirectly to the drainage system of the premises; or requires both a water supply connection and a discharge to the drainage system of the premises. The term includes a kitchen sink, utility sink, lavatory, bidet, bathtub, shower, urinal, toilet, water closet or drinking water fountain.

(Effective January 1, 2020)

*Rename and revise the definition of 'Fixture Fitting' to read as follows:

PLUMBING FIXTURE FITTING. A device that controls and directs the flow of water or conveys sanitary waste. The term includes a sink faucet, lavatory faucet, showerhead, or bath filler.

Supply fitting. A fitting that controls the volume, direction of flow or both of water and is either attached to or accessed from a fixture or is used with an open or atmospheric discharge.

Waste fitting. A combination of components that conveys the sanitary waste from the outlet of a fixture to the connection to the sanitary drainage system.

(Effective January 1, 2020)

*Add new definition of 'Pressurized Flushing Device' to read as follows:

PRESSURIZED FLUSHING DEVICE. A device that contains a valve that:

1. Is attached to a pressurized water supply pipe that is of sufficient size to deliver water at the necessary rate of flow to ensure flushing when the valve is open; and
2. Opens on actuation to allow water to flow into the fixture at a rate and in a quantity necessary for the operation of the fixture and gradually closes to avoid water hammer.

(Effective January 1, 2020)

*Under definition of 'Sewer' revise 'Public Sewer' to read as follows:

SEWER

Public sewer. That part of the drainage system of pipes installed or maintained by a city, township, county, public utility company or other public entity, on public property, in the street or in an approved dedicated easement of public or community use.

(Effective January 1, 2020)

*Add new definition of 'Toilet' to read as follows:

TOILET. A water closet.

(Effective January 1, 2020)

*Add new definition of 'Water Closet' to read as follows:

WATER CLOSET. A fixture with a water-containing receptor that receives liquid and solid body waste and on actuation conveys the waste through an exposed integral trap into a drainage system and which is also referred to as a toilet.

(Effective January 1, 2020)

*Add new definition of 'WaterSense' to read as follows:

WATERSENSE. A voluntary program of the United States Environmental Protection Agency designed to identify and promote water efficient products and practices.

(Effective January 1, 2020)

*Add new definition of 'WaterSense Listed Plumbing Fixture or Plumbing Fixture Fitting' to read as follows:

WATERSENSE LISTED PLUMBING FIXTURE OR PLUMBING FIXTURE FITTING. A plumbing fixture or plumbing fixture fitting that has been tested by an accredited third-party certifying body or laboratory in accordance with the WaterSense Program of the United States Environmental Protection Agency and has been listed (certified) by such body or laboratory as meeting the performance and efficiency requirements of the program and has been authorized by the program to use its label.

(Effective January 1, 2020)

CHAPTER 3

GENERAL REGULATIONS

*Add new Section 300 'General Applicability Standards' to read as follows:

SECTION 300

GENERAL APPLICABILITY STANDARDS

300.1 **Scope.** The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within the state of Georgia. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the *International Fuel Gas Code*.

300.2 **Appendices.** Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

300.3 **Intent.** The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems.

300.4 **Severability.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

300.5 **General.** The provisions of this code shall apply to all matters affecting or relating to structures, as set forth in Section 300. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

300.6 **Maintenance.** All plumbing systems, materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe and sanitary condition. All devices or safeguards required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owners designated agent shall be responsible for maintenance of plumbing systems. To determine compliance with this provision, the code official shall have the authority to require any plumbing system to be reinspected.

300.7 **Material and equipment reuse.** Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested, placed in good and proper working condition and approved.

(Effective January 1, 2020)

SECTION 301

GENERAL

*Add new Section 301.1.1 'Requirements for high efficiency plumbing fixtures' to read as follows:

301.1.1 **Requirements for high efficiency plumbing fixtures.** The installation of high efficiency plumbing fixtures shall be required in all new construction.

(Effective January 1, 2020)

*Add new Section 301.1.2 'Waiver for requirements of high efficiency plumbing fixtures' to read as follows:

301.1.2 **Waiver of requirements for high efficiency plumbing fixtures.** Counties and municipalities are permitted to adopt an ordinance that grants a waiver for an exemption to the requirements for the installation of high efficiency plumbing fixtures relative to new construction and to the repair or renovation of an existing building under the following conditions:

1. When the repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets, or shower heads within such existing building;
2. When such plumbing or sewerage system within such existing building, because of its capacity, design, or installation, would not function properly if the toilets, faucets, or shower heads required by this part were installed;
3. When such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individuals personal residence; or
4. When units to be installed are:
 - a. Specifically designed for use by person with disabilities;
 - b. Specifically designed to withstand unusual abuse or installation in a penal institution; or
 - c. Toilets for juveniles.

(Effective January 1, 2020)

SECTION 305

PROTECTION OF PIPES AND

PLUMBING SYSTEM COMPONENTS

*Revise Section 305.4.1 'Sewer depth' to read as follows:

305.4.1 Sewer depth. Building sewers shall be a minimum of 6 inches (152.4 mm) below grade.

(Effective January 1, 2020)

SECTION 306

TRENCHING, EXCAVATION AND BACKFILL

*Revise Section 306.3 'Backfilling' to read as follows:

306.3 Backfilling. Loose earth free from rocks, broken concrete, frozen chunks and other rubble, shall be placed in the trench in 6-inch (152.4 mm) layers and tamped in place until the crown of the pipe is covered by a minimum of 6 inches (152.4 mm) of tamped earth. The backfill under and beside the pipe shall be compacted for pipe support. Backfill shall be brought up evenly on both sides of the pipe so that the pipe remains aligned. In instances where the manufacturer's installation instructions for materials are more restrictive than those prescribed by the code, the material shall be installed in accordance with the more restrictive requirement.

(Effective January 1, 2020)

*Add new Section 306.5 'Open trenches' to read as follows:

306.5 Open trenches. All excavations required to be made for the installation of a building sewer, building drainage system, or any part thereof within the walls of a building shall be open trench work and shall be kept open until the piping has been inspected, tested and approved.

(Effective January 1, 2020)

SECTION 311

TOILET FACILITIES FOR WORKERS

*Delete Section 311 'Toilet Facilities for Workers' entirely without substitution.

(Effective January 1, 2020)

SECTION 314

CONDENSATE DISPOSAL

*Delete Section 314 'Condensate Disposal' entirely without substitution.

(Effective January 1, 2020)

CHAPTER 4

FIXTURES, FAUCETS AND FIXTURE FITTINGS

SECTION 401

GENERAL

*Add new Section 401.4 'Prohibited locations' to read as follows:

401.4 Prohibited locations. No floor drains or other plumbing fixtures except electric water heaters shall be installed in a room containing air handling machinery when such room is used as a plenum.

Exception: Deep-seal trap floor drains consisting of a minimum 4-inch (102 mm) seal and supplied with a trap primer connected to a water distribution pipe shall be permitted.

(Effective January 1, 2020)

SECTION 403

MINIMUM PLUMBING FIXTURES

*Revise Table 403.1 'Minimum Number of Required Plumbing Fixtures^{a1}' to delete the requirements for 'service sink' entirely without substitution.

(Effective January 1, 2020)

*Revise Table 403.1 'Minimum Number of Required Plumbing Fixtures^{a1}' by adding the following requirement under the column labeled 'Other' for line number '7' descriptions:

TABLE 403.1

MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

NO.	CLASSIFICATION	DESCRIPTION	WATER CLOSETS (URINALS: SEE SECTION 424.2)		LAVATORIES		BATHTUBS/ SHOWERS	Drinking Fountain (SEE SECTION 410)	OTHER
			Male	Female	Male	Female			
7	Residential	Apartment house	1 per dwelling unit		1 per dwelling unit		--	--	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units. Detached single-family, duplex and multi-family dwelling structures three stories or less in height shall have not less than two exterior hose bibs, sill cocks or outside hydrants with one being located on the side or rear of the structure.
		One-and two-family dwellings and lodging houses with five or fewer guestrooms	1 per dwelling unit		1 per dwelling unit		1 per dwelling unit	--	1 kitchen sink per dwelling unit, 1 automatic clothes washer connection per dwelling unit.

NO.	CLASSIFICATION	DESCRIPTION	WATER CLOSETS (URINALS: SEE SECTION 424.2)		LAVATORIES		BATHTUBS/ SHOWERS	Drinking Fountain (SEE SECTION 410)	OTHER
			Male	Female	Male	Female			
									Detached single-family, duplex and multi-family dwelling structures three stories or less in height shall have not less than two exterior hose bibs, sill cocks or outside hydrants with one being located on the side or rear of the structure

Remainder of table remains unchanged.

(Effective January 1, 2020)

*Revise exception of Section 403.3.3 'Location of toilet facilities in occupancies other than malls' to read as follows:

403.3.3 Location of toilet facilities in occupancies other than malls.

Exception: The location and maximum travel distances to required employee toilet facilities in factory, storage and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum travel distance are approved.

(Effective January 1, 2020)

SECTION 406

AUTOMATIC CLOTHES WASHERS

*Revise Section 406.2 'Waste connection' to read as follows:

406.2 Waste connection. The waste from an automatic clothes washer shall discharge through an air break into a standpipe in accordance with Section 802.4 or into a laundry sink. The trap and fixture drain for an automatic

clothes washer standpipe shall be a minimum of 2 inches (51 mm) in diameter. The automatic clothes washer fixture drain shall connect to a building drain, branch drain or drainage stack a minimum of 3 inches (76 mm) in diameter. Automatic clothes washers that discharge by gravity shall be permitted to drain to a trench drain.

(Effective January 1, 2020)

SECTION 410

DRINKING FOUNTAINS

*Revise Section 410.2 'Small occupancies' to read as follows:

410.2 **Small occupancies.** Drinking fountains shall not be required for an occupant load of 25 or fewer.

(Effective January 1, 2020)

SECTION 412

FAUCETS AND OTHER FIXTURE FITTINGS

*Revise Section 412.1 'Approval' to add a new paragraph at the end of the section:

412.1 **Approval.** Faucets and fixture fittings shall conform to ASME A112.18.1/CSA B125.1. Faucets and fixture fittings that supply drinking water for human ingestion shall conform to the requirements of NSF 61, Section 9. Flexible water connectors exposed to continuous pressure shall conform to the requirements of Section 605.6.

High efficiency lavatory faucets or lavatory faucet replacement aerators in private use, such as, in residences and apartments, and private (nonpublic) restrooms in hotels and hospitals shall be listed to the WaterSense High Efficiency Lavatory Faucet Specification.

412.1.1 **Faucets and supply fittings.** Faucets and supply fittings shall conform to the water consumption requirements of Section 604.4.

412.1.2 **Waste fittings.** Waste fittings shall conform to ASME A112.18.2/CSA B125.2, ASTM F 409 or to one of the standards listed in Tables 702.1 and 702.4 for above-ground drainage and vent pipe and fittings.

(Effective January 1, 2020)

SECTION 419

LAVATORIES

*Revise Section 419.5 'Tempered water for public hand-washing facilities' to read as follows:

419.5 **Tempered water for public hand-washing facilities.** *Tempered water* may be delivered from lavatories and group wash fixtures located in public toilet facilities provided for customers, patrons and visitors. If provided, tempered water shall be delivered through an *approved* water-temperature limiting device that conforms to ASSE 1070/ASME A112.70/CSA B125.70 or CSA B125.3.

(Effective January 1, 2020)

SECTION 424

URINALS

*Revise Section 424.1 'Approval' to read as follows:

424.1 Approval. Urinals shall conform to ANSI Z124.9, ASME A112.19.2/CSA B45.1, ASME A112.19.19 or CSA B45.5. Urinals shall conform to the water consumption requirements of Section 604.4. Water-supplied urinals shall conform to the hydraulic performance requirements of ASME A112.19.2/CSA B45.1 or CSA B45.5. High efficiency urinals with pressurized flushing devices and flush tank (gravity type) flushing devices shall be listed to the WaterSense Specification for Flushing Urinals and shall conform to ASME A112.19.2/CSA B45.1. Non-water urinals shall conform to ASME A112.19.3/CSA B45.4 or A112.19.19, CSA B45.4. Where non-water urinals are employed, they shall be cleaned and maintained in accordance with the manufacturers instructions after installation. Where nonwater urinals are installed they shall have a properly sized water distribution line roughed-in to the urinal location at a minimum height of 56 inches (1,422 mm) to allow for the installation of an approved backflow prevention device in the event of a retrofit. Such water distribution lines shall be installed with shut-off valves located as close as possible to the distributing main to prevent the creation of dead ends. Where nonwater urinals are installed, a minimum of one water supplied fixture rated at a minimum of one water supply fixture unit shall be installed upstream on the same drain line to facilitate drain line flow and rinsing.

(Effective January 1, 2020)

SECTION 425

WATER CLOSETS

*Revise Section 425.1 'Approval' to read as follows:

425.1 Approval. Water closets shall conform to the water consumption requirements of Section 604.4 and shall conform to ANSI Z124.4, ASME A112.19.2/CSA B45.1, ASME A 112.19.3/CSA B45.4 or CSA B45.5. Water closets shall conform to the hydraulic performance requirements of ASME A112.19.2/CSA B45.1. Water closet tanks shall conform to ANSI Z124.4, ASME A112.19.2/CSA B45.1, ASME A 112.19.3/CSA B45.4 or CSA B45.5. Electro-hydraulic water closets shall comply with ASME A112.19.2/CSA B45.1. High efficiency single flush and dual-flush toilets or water closets shall conform to ASME A112.19.2/CSA B45.1 and ASME A112.19.14.

(Effective January 1, 2020)

CHAPTER 5

WATER HEATERS

SECTION 501

GENERAL

*Add new Section 501.9 'Water heaters over 200,000 BTU/h' to read as follows:

501.9 Water heaters over 200,000 BTU/h. The State's minimum requirements for boilers/water heaters and pressure vessels over 200,000 BTU/h (58.61 kW), 210 degrees Fahrenheit or 120 gallons capacity shall be established by O.C.G.A. Title 25, Chapter 15 and the Rules and Regulations of the Office of Insurance and Safety Fire Commissioner.

(Effective January 1, 2020)

SECTION 504

SAFETY DEVICES

*Revise Section 504.6 'Requirements for discharge piping' to read as follows:

504.6 Requirements for discharge piping. The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:

1. Not be directly connected to the drainage system.
2. Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the *airgap*.
3. Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
4. Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor or to the outdoors.
5. Discharge in a manner that does not cause personal injury or structural damage.
6. Discharge to a termination point that is readily observable by the building occupants.
7. When the relief valve discharge piping goes upward, a thermal expansion control device shall be installed on the cold-water distribution or service pipe in accordance with Section 607.3. If the discharge pipe is trapped, provisions shall be made to drain the low point of the trapped portion of the discharge pipe.
8. Terminate not more than 6 inches (152 mm) above and not less than two times the discharge pipe diameter above the floor or *flood level rim* of the waste receptor.
9. Not have a threaded connection at the end of such piping.
10. Not have valves or tee fittings.
11. Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1.
12. Be one nominal size larger than the size of the relief valve outlet, where the relief valve discharge piping is installed with insert fittings. The outlet end of such tubing shall be fastened in place.

(Effective January 1, 2020)

*Add new Section 506 'Minimum Capacities for Residential Water Heaters' to read as follows:

SECTION 506

MINIMUM CAPACITIES FOR RESIDENTIAL WATER HEATERS

506.1 General. Water heaters installed in residential occupancies shall be sized in accordance with Table 506 or the manufacturers recommendations. The water heater must at a minimum meet the First Hour Rating (FHR) requirements of Table 506.

(Effective January 1, 2020)

*Add new Table 506 'Minimum Capacities for Residential Water Heaters' to read as follows:

TABLE 506									
MINIMUM CAPACITIES FOR RESIDENTIAL WATER HEATERS^{1, 2, 3}									
Fuel		Gas	Elec	Gas	Elec	Gas	Elec	Gas	Elec
# of Bedrooms		1		2		3		
1 to 1 ½ Baths	FHR (gal)	40	40	45	45	48	48
# of Bedrooms		2		3		4		5	
2 to 2 ½ Baths	FHR (gal)	47	47	60	60	62	62	70	70
# of Bedrooms		3		4		5		6	
3 to 3 ½ Baths	FHR (gal)	60	60	67	67	70	70	72	72

FHR= First Hour Rating, 1 gal=3.7854 L, 1 gph=1.05 mL/s

¹. Tankless Water Heaters shall be sized and installed per manufacturers recommendations.

². Water heaters for single family dwellings having more than six bedrooms and/or 3 ½ baths shall be sized per manufacturers recommendations.

³. Table 506 reflects the minimum requirements for one or multiple water heating units.

(Effective January 1, 2020)

CHAPTER 6

WATER SUPPLY AND DISTRIBUTION

SECTION 604

DESIGN OF BUILDING

WATER DISTRIBUTION SYSTEM

*Revise Table 604.4 'Maximum Flow Rates and Consumption for Plumbing Fixtures and Fixture Fittings' to read as follows:

TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR
PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY^b
Lavatory, private	1.5 ^f gpm at 60 psi
Lavatory, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Shower head ^a	2.5 gpm at 60 ^f psi
Sink faucet	2.0 ^f gpm at 60 psi

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY ^b
Urinal	0.5 ^f gallons per flushing cycle
Water closet	1.28 ^{c, d, e, f} gallons per flushing cycle

For SI: 1 gallon = 3.785 L, 1 gallon per minute = 3.785 L/m, 1 pound per square inch = 6.895 kPa.

^a. A hand-held shower spray is a shower head.

^b. Consumption tolerances shall be determined from referenced standards.

^c. For flushometer valves and flushometer tanks, the average flush volume shall not exceed 1.28 gallons.

^d. For single flush water closets, including gravity, pressure assisted and electro-hydraulic tank types, the average flush volume shall not exceed 1.28 gallons.

^e. For dual flush water closets, the average flush volume of two reduced flushes and one full flush shall not exceed 1.28 gallons.

^f. See 2020 GA Amendment to Section 301.1.2 'Waiver from requirements of high efficiency plumbing fixtures.'

(Effective January 1, 2020)

SECTION 605

MATERIALS, JOINTS AND CONNECTIONS

*Revise Section 605.9 'Prohibited joints and connections' to add a new exception to Item 4. 'Saddle-type fittings' to read as follows:

605.9 Prohibited joints and connections.

4. Saddle-type fittings.

Exception: Saddle-type fittings can be used to connect refrigerator ice makers and humidifiers to an existing residential unit water distribution system provided that the manufacturers installation instructions for the distribution piping do not prohibit the use of saddle fittings.

(Effective January 1, 2020)

*Revise Section 605.12.3 'Soldered joints' to read as follows:

605.12.3 **Soldered joints.** Solder joints shall be made in accordance with the methods of ASTM B 828 except a flux conforming to NSF 61 shall be used. Cut tube ends shall be reamed to the full inside diameter of the tube end. Joint surfaces shall be cleaned. The joint shall be soldered with a solder conforming to ASTM B 32. The joining of water supply piping shall be made with lead-free solder and fluxes. "Lead free" shall mean a chemical composition equal to or less than 0.2-percent lead.

(Effective January 1, 2020)

*Revise Section 605.13.6 'Soldered joints' to read as follows:

605.13.6 **Soldered joints.** Solder joints shall be made in accordance with the methods of ASTM B 828 except a flux conforming to NSF 61 shall be used. All cut tube ends shall be reamed to the full inside diameter of the tube end. All joint surfaces shall be cleaned. The joint shall be soldered with a solder conforming to ASTM B 32. The joining of

water supply piping shall be made with lead-free solders and fluxes. "Lead free" shall mean a chemical composition equal to or less than 0.2-percent lead.

(Effective January 1, 2020)

SECTION 606

INSTALLATION OF THE BUILDING

WATER DISTRIBUTION SYSTEM

*Revise Section 606.2 'Location of shutoff valves' to add new Location #4 to read as follows:

606.2 Location of shutoff valves.

4. Shutoff valves to water supplies for refrigerators with automatic icemakers shall have access on the same floor as said refrigerators.

(Effective January 1, 2020)

SECTION 607

HOT WATER SUPPLY SYSTEM

*Revise Section 607.1 'Where required' to read as follows:

607.1 Where required. In residential occupancies, hot water shall be supplied to plumbing fixtures and equipment utilized for bathing, washing, culinary purposes, cleansing, laundry or building maintenance. In nonresidential occupancies, hot water shall be supplied for culinary purposes, cleansing, laundry or building maintenance purposes. In nonresidential occupancies, hot water or tempered water shall be supplied for bathing and washing purposes except for hand-washing facilities. Accessible hand washing facilities regardless of the facility shall not be required to be supplied with hot water or tempered water.

(Effective January 1, 2020)

SECTION 608

PROTECTION OF POTABLE WATER SUPPLY

*Revise Section 608.17.5 'Connections to lawn irrigation systems' to read as follows:

608.17.5 Connections to lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a double-check backflow prevention assembly or a reduced pressure principle backflow preventer. Valves shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system interconnected chemical dispensers are used in conjunction with the lawn irrigation systems, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(Effective January 1, 2020)

SECTION 610

DISINFECTION OF POTABLE WATER SYSTEM

*Revise Section 610.1 'General' to read as follows:

610.1 General. New or repaired potable water systems shall be flushed and purged of deleterious matter and disinfected prior to utilization. The method to be followed shall be that prescribed by the health authority or water purveyor having jurisdiction. Systems that cannot be adequately flushed and purged may require disinfection in accordance with a prescribed method. In the absence of a prescribed method, the procedure described in either AWWA C651 or AWWA C652, or as described in this section shall apply. This requirement shall apply to "on-site" or "in-plant" fabrication of a system or to a modular portion of a system.

1. The pipe system shall be flushed with clean, potable water until dirty water does not appear at the points of outlet.
2. The system or part thereof shall be filled with a water/chlorine solution containing not less than 50 parts per million (50 mg/L) of chlorine, and the system or part thereof shall be valved off and allowed to stand for 24 hours; or the system or part thereof shall be filled with a water/chlorine solution containing not less than 200 parts per million (200 mg/L) of chlorine and allowed to stand for 3 hours.
3. Following the required standing time, the system shall be flushed with clean potable water until the chlorine is purged from the system.
4. The procedure shall be repeated where shown by a bacteriological examination.

(Effective January 1, 2020)

CHAPTER 7

SANITARY DRAINAGE

SECTION 705

JOINTS

*Revise Section 705.10.2 'Solvent cementing' to read as follows:

705.10.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. If a primer is required by the solvent manufacturer, a purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA B137.3, CSA B181.2 or CSA B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

(Effective January 1, 2020)

SECTION 706

CONNECTIONS BETWEEN DRAINAGE PIPING AND FITTINGS

*Revise Section 706.3 'Installation of fittings' to read as follows and delete the exception:

706.3 Installation of fittings. Fittings shall be installed to guide sewage and waste in the direction of flow. Change in direction shall be made by fittings installed in accordance with Table 706.3. Change in direction by combination fittings, side inlets or increasers shall be installed in accordance with Table 706.3 based on the pattern of flow created by the fitting. Double sanitary tee patterns shall not receive the discharge of back-to-back fixtures or appliances with pressure or pumping action discharge. Water closets shall not be combined with fixtures other than water closets on a double drainage fitting.

(Effective January 1, 2020)

*Delete Section 706.4 'Heel- or side-inlet quarter bends' entirely without substitution.

(Effective January 1, 2020)

SECTION 708

CLEANOUTS

*Revise Section 708.1.2 'Building sewers' to read as follows:

708.1.2 **Building sewers.** Building sewers shall be provided with cleanouts located not more than 100 feet (30480 mm) apart measured from the upstream entrance of the cleanout. An additional cleanout shall be provided within 10 feet (3048 mm) of the public right of way. For building sewers 8 inches (203 mm) and larger, manholes shall be provided and located at each change in direction and at intervals of not more than 400 feet (122 m). Manholes and manhole covers shall be of an approved type.

(Effective January 1, 2020)

*Revise Section 708.1.3 'Building drain and building sewer junction' to read as follows:

708.1.3 **Building drain and building sewer junction.** There shall be a cleanout installed at or near the junction of the building drain and the building sewer. The cleanout shall be outside the building wall unless otherwise approved and shall be brought up to finished ground level. An approved two-way cleanout is allowed to be used at this location to serve as a required cleanout for both the building drain and building sewer.

(Effective January 1, 2020)

*Revise Section 708.1.5 'Cleanout size' to read as follows:

708.1.5 **Cleanout size.** Cleanouts shall be the same nominal size as the pipe they are connected to except that cleanouts for pipes larger than 4 inches (102 mm) need not be larger than 4 inches (102 mm).

Exceptions:

1. A removable P-trap with slip or ground joint connections can serve as a clean-out for drain piping that is one size larger than the P-trap size.
2. Cleanouts located on *stacks* can be one size smaller than the stack size.
3. The size of cleanouts for cast-iron piping can be in accordance with the referenced standards for cast-iron fittings as indicated in Table 702.4.

(Effective January 1, 2020)

CHAPTER 9

VENTS

SECTION 903

VENT TERMINALS

*Revise Section 903.1 'Roof extension' to read as follows:

903.1 **Roof extension.** Open vent pipes that extend through a roof shall be terminated not less than 6 inches (155 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall terminate not less than 7 feet (2134 mm) above the roof.

(Effective January 1, 2020)

*Delete exception to Section 909.1 'Distance of trap from vent' entirely without substitution.

(Effective January 1, 2020)

SECTION 913

WASTE STACK VENT

*Revise Section 913.2 'Stack installation' to read as follows:

913.2 **Stack installation.** The waste stack shall be vertical. *Fixture* drains shall connect separately to the waste stack. The stack shall not receive the discharge of water closets or urinals.

(Effective January 1, 2020)

SECTION 914

CIRCUIT VENTING

*Revise Section 914.2 'Vent connection' to read as follows:

914.2 **Vent connection.** The circuit vent connection shall be located between the two most upstream fixture drains. The vent shall connect to the horizontal branch and shall be installed in accordance with Section 905. The circuit vent may receive waste discharge from fixtures located within the same branch interval, provided that the wet portion remains the same size as the horizontal branch.

(Effective January 1, 2020)

CHAPTER 10

TRAPS, INTERCEPTORS AND SEPARATORS

SECTION 1002

TRAP REQUIREMENTS

*Revise first paragraph of Section 1002.1 'Fixture traps' to read as follows:

1002.1 **Fixture traps.** Each plumbing fixture shall be separately trapped by a water-seal trap, except as otherwise permitted by this code. The trap shall be placed as close as possible to the fixture outlet. The vertical distance from the fixture outlet to the trap weir shall not exceed 24 inches (610 mm). The distance of a clothes washer standpipe above a trap shall conform to Section 802.4.3. A fixture shall not be double trapped. Remainder of section unchanged.

(Effective January 1, 2020)

CHAPTER 13

NONPOTABLE WATER SYSTEMS

SECTION 1304

RECLAIMED WATER SYSTEMS

*Add new Section 1304.3.2 'Connections to water supply' to read as follows:

1304.3.2 Connections to water supply. Reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division may be used to supply water closets, urinals, trap primers for floor drains and floor sinks, water features and other uses approved by the Authority Having Jurisdiction, in motels, hotels, apartment and condominium buildings, and commercial, industrial, and institutional buildings, where the individual guest or occupant does not have access to plumbing. Also, other systems that may use a lesser quality of water than potable water such as water chillers, carwashes or an industrial process may be supplied with reclaimed water provided from a reclaimed wastewater treatment facility permitted by the Environmental Protection Division.

(Effective January 1, 2020)

CHAPTER 14

SUBSURFACE LANDSCAPE IRRIGATIONS SYSTEMS

SECTION 1401

GENERAL

*Add new Section 1401.7 'Gray water' to read as follows:

1401.7 Gray water. Gray water may be used for subsurface irrigation of landscape and shall be permitted by the local county health department in accordance with Georgia Department of Human Resources regulations as a separate onsite sewage management system. Permits and inspections are required by the local county health department.

(Effective January 1, 2020)

CHAPTER 15

REFERENCED STANDARDS

*Revise Chapter 15 'Referenced standards' to add the following new reference standards for WaterSense:

WATERSENSE

WaterSense
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

WaterSense: Tank-Type High Efficiency Toilet Specification
202, 420.1

WaterSense: Specification for Flushing Urinals
202, 419.1

WaterSense: High-Efficiency Lavatory Faucet Specification
202

Cite as Ga. Comp. R. & Regs. R. 110-11-1-.26

AUTHORITY: O.C.G.A. § 8-2-20 et seq.

HISTORY: Original Rule entitled "International Plumbing Code (IPC), 2012 Edition with 2014 Georgia State Amendments" adopted. F. Nov. 13, 2013; eff. Jan. 1, 2014, as specified by the Agency.

Amended: New title "International Plumbing Code (IPC), 2012 Edition with 2014 and 2015 Georgia State Amendments." F. Nov. 12, 2014; eff. Jan. 1, 2015, as specified by the Agency.

Amended: New title "International Plumbing Code (IPC), 2018 Edition with 2020 Georgia State Amendments." F. Oct. 30, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: New title, "International Plumbing Code (IPC), 2018 Edition with 2020 and 2022 Georgia State Amendments." F. Nov. 18, 2021; eff. Jan. 1, 2022, as specified by the Agency.

Amended: New title, "International Plumbing Code (IPC), 2018 Edition with 2020, 2022 and 2023 Georgia State Amendments." F. Aug. 10, 2022; eff. Jan. 1, 2023, as specified by the Agency.

110-11-1-.34 [Effective until 1/1/2023] International Energy Conservation Code (IECC), 2015 Edition with 2020, 2022 and 2022 Additional Georgia State Amendments



Georgia State Supplements and Amendments to the International Energy Conservation Code (2015 Edition)

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Revised September 1, 2022

GEORGIA STATE MINIMUM STANDARD ENERGY CODE

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The INTERNATIONAL ENERGY CONSERVATION CODE, 2015 Edition, published by the International Code Council, when used in conjunction with these Georgia State Supplements, Amendments and any other Georgia State Amendments, shall constitute the official *Georgia State Minimum Standard Energy Code*.

GEORGIA STATE SUPPLEMENTS AND AMENDMENTS

SCOPE:

Each chapter of these Georgia State Supplements and Amendments corresponds with a chapter of the *International Energy Conservation Code (IECC)*.

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- Chapter 1: Scope and Administration
- Chapter 2: Definitions
- Chapter 3: General Requirements
- Chapter 4: Commercial Energy Efficiency
 - Compliance Pathways for Commercial and High-Rise Residential Construction:
 - Any of those delineated in this chapter; or
 - *COMcheck*¹
- Chapter 5: Existing Buildings
- Chapter 6: Referenced Standards

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- Appendices RA, RB, RC and RD
 - Throughout the appendices, there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *IECC* for clarification.

1. *REScheck* and *COMcheck* are computer programs developed by Pacific Northwest National Laboratories for the U.S. Department of Energy (D.O.E.) to assist in demonstration of compliance with the *IECC*. They may be obtained free of charge from the D.O.E. online at www.energycodes.gov. When following the *REScheck* compliance pathway, select the 2015 IECC as the code version. When following the *COMcheck* compliance pathway, select either IECC 2015 or ASHRAE/IESNA Standard 90.1-2013.

The 'Mandatory' requirements of the *IECC* apply to all compliance methods.

Where these Georgia State Supplements and Amendments conflict with either the *IECC* or *ANSI/ASHRAE/IES Standard 90.1*, these Georgia State Supplements and Amendments shall take precedence.

Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.

It is not the intention of this code to abridge safety or health. Where the *IECC* and these Georgia State Supplements and Amendments conflict with other mandatory *State Minimum Standard Codes*, the *IECC* and these Georgia State Supplements and Amendments shall be enforced as written, provided that safety, health or environmental requirements of other mandatory *State Minimum Standard Codes* are not abridged.

APPENDICES:

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

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RESIDENTIAL PROVISIONS

*Add a new section "Important Note" beneath the "Residential Provisions" heading in the Georgia State Supplements and Amendments to the International Energy Conservation Code (2015 Edition) as follows:

IMPORTANT NOTE:

Where required by Georgia State Minimum Standard Energy Code, R6 Flexible Duct combined with an approved continuous Radiant Barrier as part of the roof assembly may be substituted for the required R8 Flexible Duct.

The use of this substitution will be valid until June 30, 2023 at the discretion of the authority having jurisdiction. (Effective September 1, 2022).



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Where these Georgia State Supplements and Amendments conflict with either the *IECC* or *ANSI/ASHRAE/IES Standard 90.1*, these Georgia State Supplements and Amendments shall take precedence.

Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.

It is not the intention of this code to abridge safety or health. Where the *IECC* and these Georgia State Supplements and Amendments conflict with other mandatory *State Minimum Standard Codes*, the *IECC* and these Georgia State Supplements and Amendments shall be enforced as written, provided that safety, health or environmental requirements of other mandatory *State Minimum Standard Codes* are not abridged.

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RESIDENTIAL PROVISIONS

CHAPTER 4

[RE] RESIDENTIAL ENERGY EFFICIENCY

SECTION R402 BUILDING

THERMAL ENVELOPE

*Add new Section R402.1.2.1 'Indirectly conditioned attics' to read as follows:

R402.1.2.1 (N1102.1.2.1) Indirectly conditioned attics. Where table N1102.1.2 (R402.1.2) requires R-38 or Table N1102.1.4 (R402.1.4) requires a U-factor of 0.030, an air impermeable insulation installed to the underside or directly above the roof deck with a U-factor of 0.05 or R-value of R-20 shall be deemed equivalent to the provisions in N1102.2.1 (R402.2.1), with the following requirements:

1. The house shall attain a blower door test result < 3 ACH50.
2. The house shall require a whole house mechanical ventilation system that does not solely rely on a negative pressure strategy (must be positive, balanced or hybrid).
3. Where insulation is installed below the roof deck and the exposed portion of roof rafters are not already covered by the R-20 depth of the air-impermeable insulation, the exposed portion of the roof rafters shall be wrapped (covered) by minimum R-3 unless directly covered by drywall / finished ceiling. Roof rafters are not required to be covered by minimum R-3 if a continuous insulation is installed above the roof deck.
4. Indoor heating, cooling and ventilation equipment (including ductwork) shall be inside the building thermal envelope.

(Effective January 1, 2022)

*Add new Section R402.2.9.1 'Rim joist insulation' to read as follows:

R402.2.9.1 Rim joist insulation. Insulation provided at the interior rim joist area shall be removable to allow access for pest control inspections.

(Effective January 1, 2022)

*Add new Section R402.2.11.1 'Crawl space walls part 2' to read as follows:

R402.2.11.1 Crawl space walls part 2. Insulation provided at the interior rim joist area shall be removable to allow access for pest control inspections.

(Effective January 1, 2022)



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- Appendices RA, RB, RC and RD
 - Throughout the appendices, there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *IECC* for clarification.

1. *REScheck* and *COMcheck* are computer programs developed by Pacific Northwest National Laboratories for the U.S. Department of Energy (D.O.E.) to assist in demonstration of compliance with the *IECC*. They may be obtained free of charge from the D.O.E. online at www.energycodes.gov. When following the *REScheck* compliance pathway, select the 2015 *IECC* as the code version. When following the *COMcheck* compliance pathway, select either *IECC* 2015 or *ASHRAE/IESNA Standard 90.1-2013*.

The 'Mandatory' requirements of the *IECC* apply to all compliance methods.

Where these Georgia State Supplements and Amendments conflict with either the *IECC* or *ANSI/ASHRAE/IES Standard 90.1*, these Georgia State Supplements and Amendments shall take precedence.

Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.

It is not the intention of this code to abridge safety or health. Where the *IECC* and these Georgia State Supplements and Amendments conflict with other mandatory *State Minimum Standard Codes*, the *IECC* and these Georgia State Supplements and Amendments shall be enforced as written, provided that safety, health or environmental requirements of other mandatory *State Minimum Standard Codes* are not abridged.

APPENDICES:

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

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COMMERCIAL PROVISIONS

CHAPTER 1 [CE]

SCOPE AND ADMINISTRATION

SECTION C101

SCOPE AND GENERAL REQUIREMENTS

*Delete Section C101.1 'Title' without substitution.

(Effective January 1, 2020)

*Add new Section C101.6 'Requirements for high-efficiency cooling towers' to read as follows:

C101.6 Requirements for high-efficiency cooling towers. Cooling towers installed in new construction shall be in compliance with ANSI/ASHRAE/IES 90.1 Standard.

(Effective January 1, 2020)

SECTION C104

INSPECTIONS

*Delete SECTION C104 'INSPECTIONS' without substitution.

(Effective January 1, 2020)

SECTION C107

FEES

*Delete SECTION C107 'FEES' without substitution.

(Effective January 1, 2020)

SECTION C108

STOP WORK ORDER

*Delete SECTION C108 'STOP WORK ORDER' without substitution.

(Effective January 1, 2020)

SECTION C109

BOARD OF APPEALS

*Delete SECTION C109 'BOARD OF APPEALS' without substitution.

(Effective January 1, 2020)

CHAPTER 2 [CE]

DEFINITIONS

SECTION C202

GENERAL DEFINITIONS

*Revise the definition for 'COEFFICIENT OF PERFORMANCE (COP) - COOLING', to read as follows:

COEFFICIENT OF PERFORMANCE (COP) - COOLING. The ratio of the rate of heat removal to the rate of energy input, in consistent units, for a complete refrigerating system or some specific portion of that system under designated operating conditions.

(Effective January 1, 2020)

*Delete definition of 'CONDITIONED SPACE' and substitute the following:

SPACE. An enclosed space within a building. The classifications of spaces are as follows for the purpose of determining building envelope requirements:

(a) **Conditioned space:** a cooled space, heated space, or indirectly conditioned space is defined as follows:

(1) **Cooled space:** an enclosed space within a building that is cooled by a cooling system whose sensible output capacity exceeds 5 Btu/h·ft² of floor area.

(2) **Heated space:** an enclosed space within a building that is heated by a heating system whose output capacity relative to the floor area is greater than or equal to 5 Btu/h·ft².

(3) **Indirectly conditioned space:** an enclosed space within a building that is not a heated space or a cooled space, containing un-insulated ducts, or containing the heating equipment or which is heated or cooled indirectly by being connected to adjacent space(s), provided that air from heated or cooled spaces is transferred (naturally or mechanically) into the space. Unvented Attic Assemblies meeting the requirements of the IRC are an approved indirectly conditioned space.

(b) **Semi-heated space:** an enclosed space within a building that is heated by a heating system whose output capacity is greater than or equal to 3.4 Btu/h·ft² of floor area but is not a conditioned space.

(c) **Unconditioned space:** an enclosed space within a building that is not a conditioned space or a semi-heated space. Crawl spaces, attics, and parking garages with natural or mechanical ventilation are not considered enclosed spaces.

(Effective January 1, 2020)

*Add definition of 'COOLING TOWER' to read as follows:

COOLING TOWER. A building heat removal device used to transfer process waste heat to the atmosphere.

(Effective January 1, 2020)

*Delete definition of 'ON-SITE RENEWABLE ENERGY', and substitute the following:

ON-SITE RENEWABLE ENERGY. Energy systems that are located on the building site, are installed on the building's side of the utility service provider's meter, produce energy primarily intended for use in the building and not solely for export to utilities, and produce energy derived from any of the following sources: solar radiation, wind, waves, tides, biogas, biomass or the internal heat of the earth. Energy systems that derive energy from solar radiation shall be modeled in the orientation of the energy system.

The following description only pertains to energy systems that derive energy from solar radiation and are owned by a third-party. The Georgia Solar Power Free-Market Financing Act of 2015 (commonly referred to as "HB 57") allows a customer to purchase solar electricity generated by a solar system owned by a third-party so long as certain criteria are met. Two key criteria are that the law only authorizes solar systems that generate electricity fueled by sunlight and that the solar system must be installed on property owned or occupied by the entity purchasing the system's electricity. The definition of "property" extends to all adjacent contiguous tracts of land utilized by the entity purchasing the solar system's electricity. "Building Site" in C202 is defined as a contiguous area of land that is under the ownership or control of one entity. While this definition of "building site" is similar to HB 57's definition of "property," the key difference is that HB 57 focuses on the entity purchasing the solar system's electricity. When modeling a solar system that is owned by a third-party, it is best to refer to HB 57 to determine whether all criteria have been met.

(Effective January 1, 2020)

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CHAPTER 4 [CE] COMMERCIAL

ENERGY EFFICIENCY

SECTION C402

BUILDING ENVELOPE REQUIREMENTS

*Revise Table C402.1.3 'Opaque Thermal Envelope Insulation Component Minimum Requirements, R-Value Method^a' *Climate Zone 4* except Marine, for unheated slabs to read as follows:

TABLE C402.1.3 OPAQUE THERMAL ENVELOPE INSULATION COMPONENT MINIMUM REQUIREMENTS, R- VALUE METHOD ^a		
Climate Zone	4 EXCEPT MARINE	
	All other	Group R
	Slab-on-grade floors	
Unheated slabs	NR	NR

(remainder of table left unchanged)

(Effective January 1, 2020)

SECTION C403

BUILDING MECHANICAL SYSTEMS

*Delete Section C403.2.3 'HVAC equipment performance requirements' and substitute to read as follows:

C403.2.3 HVAC equipment performance requirements. Equipment shall meet the minimum efficiency requirements of Tables 6.8.1-1, 6.8.1-2, 6.8.1-3, 6.8.1-4, 6.8.1-5, 6.8.1-6, 6.8.1-7, 6.8.1-9, 6.8.1-10, 6.8.1-11, 6.8.1-12, and 6.8.1-13 of ASHRAE Standard 90.1 when tested and rated in accordance with the applicable test procedure. Plate-type liquid-to-liquid heat exchangers shall meet the minimum requirements of Table 6.8.1-8 of ASHRAE Standard 90.1. The efficiency shall be verified through certification under an *approved* certification program or, where a certification program does not exist, the equipment efficiency ratings shall be supported by data furnished by the manufacturer. Where multiple rating conditions or performance requirements are provided, the equipment shall satisfy all stated requirements. Where components, such as indoor or outdoor coils, from different manufacturers are used, calculations and supporting data shall be furnished by the designer that demonstrates that the combined efficiency of the specified components meets the requirements herein.

The above referenced tables of ASHRAE 90.1, HVAC equipment performance tables are available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2085>

(Effective January 1, 2020)

*Delete Section C403.2.8 'Kitchen Exhaust Systems' without substitution.

(Effective January 1, 2020)

*Delete Table C403.2.8 'MAXIMUM NET EXHAUST FLOW RATE, CFM PER LINEAR FOOT OF HOOD LENGTH' without substitution.

(Effective January 1, 2020)

*Delete Section C403.2.9 'Duct and plenum insulation and sealing' and substitute to read as follows:

C403.2.9 Duct and plenum insulation and sealing. Supply and return air ducts and plenums shall be insulated with a minimum of R-6 insulation where located in unconditioned spaces and where located outside the building with a minimum of R-8 insulation in *Climate Zones* 2 through 4. Where located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned or exempt spaces by a minimum of R-8 insulation in *Climate Zones* 2 through 4.

Exceptions:

1. Where located within equipment.
2. Where the design temperature difference between the interior and exterior of the duct or plenum is not greater than 15°F (8°C).

Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with section C403.2.9.2 of these Georgia State Supplements and Amendments.

Exceptions:

1. Air-impermeable spray foam product shall be permitted to be applied without additional joint seals.
2. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams, and locking-type joints and seams of other than the snap-lock and button-lock types.
3. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
4. Sealing that would void product listings is not required.

(Effective January 1, 2020)

*Add new Section C403.2.9.2 'Joints, Seams and Connections' to read as follows:

C403.2.9.2 Joints, Seams and Connections. All longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in *SMACNA HVAC Duct Construction Standards-Metal and Flexible* and *NAIMA Fibrous Glass Duct Construction Standards*. All joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), masticplus-embedded-fabric systems or tapes. Without exception all closure systems shall have mastic applied that is at least 0.08 inches (2 mm) thick.

Closure systems used to seal flexible air ducts and flexible air connections shall comply with UL 181B and shall be marked "181B-FX" for pressure-sensitive tape or "181B-M" for mastic. Duct connections to flanges of air distribution systems equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25.4 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint.

Closure systems used to seal metal ductwork shall be installed in accordance with manufacturer's instructions. Round metallic ducts shall be mechanically fastened by means of at least three sheet metal screws or rivets spaced equally around the joint. Unlisted duct tape shall not be permitted as a sealant on any duct.

Exceptions:

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.

2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressure less than 2 inches (51 mm) of water column (500 Pa) pressure classification shall not require additional closure systems.

(Effective January 1, 2020)

*Revise Section C403.3 'Economizers (Prescriptive)' to read as follows:

C403.3 Economizers (Prescriptive).

Revise Section C403.3, Economizers (Prescriptive), to delete the last sentence of exception 2 and add exception number 10, Computer Room Applications, at the end.

10. Computer Room Applications.

(Effective January 1, 2020)

*Delete Section C403.4.2.6 'Pump isolation' to add a new sentence at the end to read as follows:

C403.4.2.6 Pump isolation. Chilled water plants including more than one chiller shall have the capability to reduce flow automatically through the chiller plant when a chiller is shut down. Chillers piped in series for the purpose of increased temperature differential shall be considered as one chiller.

Boiler plants including more than one boiler shall have the capability to reduce flow automatically through the boiler plant when a boiler is shut down. Flow isolation shall allow time for adequate thermal dissipation of residual heat to prevent relief before isolating boiler(s).

(Effective January 1, 2020)

SECTION C407

TOTAL BUILDING PERFORMANCE

*Delete Section C407.3 'Performance-based compliance' and substitute to read as follows:

C407.3 Performance-based compliance. Compliance based on total building performance requires that a proposed building (*proposed design*) be shown to have an annual energy cost that is less than or equal to the annual energy cost of the *standard reference design*. Energy prices shall be taken from a source *approved* by the *code official*, such as the Department of Energy, Energy Information Administration's *State Energy Price and Expenditure Report*. *Code officials* shall be permitted to require time-of-use pricing in energy cost calculations.

The reduction in annual energy cost of the *proposed design* associated with *on-site renewable energy* shall be not more than 5% of the total annual energy cost. The amount of renewable energy purchased from off-site sources shall be the same in the *standard reference design* and the *proposed design*.

Exception: Jurisdictions that require site energy (1 kWh = 3413 Btu) rather than energy cost as the metric of comparison.

(Effective January 1, 2020)

*Revise Section C407.4.2 'Additional documentation' to add a new item 6 to read as follows:

C407.4.2 Additional documentation.

6. Documentation of the reduction in annual energy use associated with on-site renewable energy.

(Effective January 1, 2020)

SECTION C408

SYSTEM COMMISSIONING

*Revise Section C408 'System Commissioning' to read as follows:

Strike the words "commission" and "commissioning" wherever they appear and replace with "functional performance testing" throughout the entire Section C408 SYSTEM COMMISSIONING as required.

(Effective January 1, 2020)

*Delete Section C408.2.4.1 'Acceptance of report' without substitution.

(Effective January 1, 2020)

CHAPTER 6 [CE]

REFERENCED STANDARDS

*Revise Chapter 6 'Referenced Standards' to add the following new Standards to read as follows:



UL LLC
333 Pfingsten Road
Northbrook, IL 60062-2096

Standard reference number	Title	Referenced in code section number
181-2013	Factory-made Air Ducts and Air Connectors- with Revisions through May 2003.....	C403.2.9.2
181A-2013	Closure Systems for Use with Rigid Air Ducts and Air Connectors-with Revisions through December 1998.....	C403.2.9.2
181B-2013	Closure Systems for Use with Flexible Air Ducts and Air Connectors-with Revisions through August 2003.....	C403.2.9.2

(Standards not listed to remain unchanged)

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RESIDENTIAL PROVISIONS

CHAPTER 1 [RE]

SCOPE AND ADMINISTRATION

SECTION R101

SCOPE AND GENERAL REQUIREMENTS

*Delete Section R101.1 'Title' without substitution.

(Effective January 1, 2020)

SECTION R103

CONSTRUCTION DOCUMENTS

*Delete SECTION R103 'CONSTRUCTION DOCUMENTS' without substitution. (Effective January 1, 2020)

SECTION R104

INSPECTIONS

*Delete SECTION R104 'INSPECTIONS' without substitution.

(Effective January 1, 2020)

SECTION R107

FEES

*Delete SECTION R107 'FEES' without substitution.

(Effective January 1, 2020)

SECTION R108

STOP WORK ORDER

*Delete SECTION R108 'STOP WORK ORDER' without substitution.

(Effective January 1, 2020)

SECTION R109

BOARD OF APPEALS

*Delete SECTION R109 'BOARD OF APPEALS' without substitution.

(Effective January 1, 2020)

CHAPTER 2 [RE]

DEFINITIONS

*Add definition of 'ATTIC KNEEWALL' to read as follows:

ATTIC KNEEWALL. Any vertical or near-vertical wall in the building envelope that has conditioned space on one side and unconditioned attic space on the other side. If the envelope features the insulation installed along the sloped ceiling, the vertical wall is considered an interior wall and thus does not require insulation.

(Effective January 1, 2020)

*Add new definition of 'CERTIFIED DUCT AND ENVELOPE TIGHTNESS (DET) VERIFIER' to read as follows:

CERTIFIED DUCT AND ENVELOPE TIGHTNESS (DET) VERIFIER. A certified DET verifier shall be a certified Home Energy Rating Systems (HERS) rater, or be a Building Performance Institute (BPI) Analyst, or be an Infiltration Duct Leakage (IDL) Certified, or successfully complete a certified DET verifier course that is approved by the Georgia Department of Community Affairs.

(Effective January 1, 2020)

*Delete definition of 'CONDITIONED SPACE' and substitute to read as follows:

SPACE. An enclosed space within a building. The classifications of spaces are as follows for the purpose of determining building envelope requirements:

(a) **Conditioned space:** a cooled space, heated space, or indirectly conditioned space is defined as follows:

(1) **Cooled space:** an enclosed space within a building that is cooled by a cooling system whose sensible output capacity exceeds 5 Btu/h·ft² of floor area.

(2) **Heated space:** an enclosed space within a building that is heated by a heating system whose output capacity relative to the floor area is greater than or equal to 5 Btu/h·ft².

(3) **Indirectly conditioned space:** an enclosed space within a building that is not a heated space or a cooled space, containing un-insulated ducts, or containing the heating equipment or which is heated or cooled indirectly by being connected to adjacent space(s), provided that air from heated or cooled spaces is transferred (naturally or mechanically) into the space. Unvented Attic Assemblies meeting the requirements of the IRC are an approved indirectly conditioned space.

(b) **Semi-heated space:** an enclosed space within a building that is heated by a heating system whose output capacity is greater than or equal to 3.4 Btu/h·ft² of floor area but is not a conditioned space.

(c) **Unconditioned space:** an enclosed space within a building that is not a conditioned space or a semi-heated space. Crawl spaces, attics, and parking garages with natural or mechanical ventilation are not considered enclosed spaces.

(Effective January 1, 2020)

*Add definition of 'ON-SITE RENEWABLE ENERGY' to read as follows:

ON-SITE RENEWABLE ENERGY. Energy systems that are located on the building site, are installed on the building's side of the utility service provider's meter, produce energy primarily intended for use in the building and not solely for export to utilities, and produce energy derived from any of the following sources: solar radiation, wind, waves, tides, biogas, biomass or the internal heat of the earth. Energy systems that derive energy from solar radiation shall be modeled in the orientation of the energy system.

The following description only pertains to energy systems that derive energy from solar radiation and are owned by a third-party. The Georgia Solar Power Free-Market Financing Act of 2015 (commonly referred to as "HB 57")

allows a customer to purchase solar electricity generated by a solar system owned by a third-party so long as certain criteria are met. Two key criteria are that the law only authorizes solar systems that generate electricity fueled by sunlight and that the solar system must be installed on property owned or occupied by the entity purchasing the system's electricity. The definition of "property" extends to all adjacent contiguous tracts of land utilized by the entity purchasing the solar system's electricity. "Building Site" in R202 is defined as a contiguous area of land that is under the ownership or control of one entity. While this definition of "building site" is similar to HB 57's definition of "property," the key difference is that HB 57 focuses on the entity purchasing the solar system's electricity. When modeling a solar system that is owned by a third-party, it is best to refer to HB 57 to determine whether all criteria have been met.

(Effective January 1, 2020)

CHAPTER 4 [RE] RESIDENTIAL

ENERGY EFFICIENCY

SECTION R401

GENERAL

*Revise Section R401.2 'Compliance' to read as follows:

R401.2 **Compliance.** Projects shall comply with all provisions of Chapter 4

labeled "Mandatory" and one of the following:

1. Sections R401 through R404.
2. Section R405.
3. Section R406.
4. The most recent version of REScheck, keyed to the 2015 IECC.

*Revise Section R401.3 'Certificate (Mandatory)' by revising first sentence and adding at end as follows:

R401.3 **Certificate (Mandatory).** A permanent certificate shall be completed by the builder or registered design professional and posted on or near the electrical distribution panel or air handler. Where located on

(Middle of section left unchanged) water heating equipment. Refer to Appendix RD for the Mandatory Compliance Certificate that shall be used. (Remainder of section left unchanged)

(Effective January 1, 2020)

The above referenced form, Mandatory Compliance Certificate is available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2090>

SECTION R402

BUILDING THERMAL ENVELOPE

*Revise Table R402.1.2 'Insulation and Fenestration Requirements by Component^a' as follows:

TABLE R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT^a											
Climate Zone	Fenestration U-Factor ^b	Skylight ^b U-Factor	Glazed Fenestration SHGC ^{b,c}	Ceiling R-Value	Wood Frame Wall R-Value	Attic Kneewall R-Value ⁱ	Mass Wall R-Value	Floor R-Value	Basement ^c Wall R-Value	Slab ^d R-Value & Depth	Crawl Space ^c Wall R-Value
2	0.35	0.65	0.27	38	13	18	4/6	13	0	0	0
3	0.35	0.55	0.27	38	13	18	8/13	19	5/13 ^f	0	5/13
4 except marine	0.35	0.55	0.27	38	13	18	8/13	19	10/13	0	10/13

(Remainder of footnotes left unchanged) (Effective January 1, 2020)

*Revise Table R402.1.4 'Equivalent U-Factors^a' as follows:

TABLE R402.1.4 EQUIVALENT U-FACTORS^a								
Climate Zone	Fenestration U-Factor	Skylight U-Factor	Ceiling U-Factor	Frame Wall U-Factor	Mass Wall U-Factor ^b	Floor U-Factor	Basement Wall U-Factor	Crawl Space Wall U-Factor
2	0.35	0.65	0.030	0.084	0.165	0.064	0.360	0.477
3	0.35	0.55	0.030	0.084	0.098	0.047	0.091 ^c	0.136
4 except marine	0.35	0.55	0.030	0.084	0.098	0.047	0.059	0.065

Table footnote left unchanged

(Effective January 1, 2020)

*Add a new Section R402.1.6 'Compliance Alternative Constraints (Mandatory)' to read as follows:

R402.1.6 Compliance Alternative Constraints (Mandatory). Where Compliance Alternative Pathways are used, the minimum R-values, maximum U-factors, and maximum SHGCs for thermal envelope components in projects complying under this code (including the use of REScheck) shall be according to Table 402.1.6. Compliance Alternative Pathways include Total UA Alternative, Simulated Performance Alternative, and Energy Rating Index Alternative.

*Add a new Table R402.1.6, 'Minimum Insulation R-Values for Envelope Components When Trade-offs Are Used' to read as follows:

Table R402.1.6 MINIMUM INSULATION R-VALUES FOR ENVELOPE COMPONENTS WHEN TRADE-OFFS ARE USED										
Climate Zone	Wood ^a Framed Walls	Mass ^{a, b} Wall	Attic ^{a, c} Kneewall	Basement ^a Wall	Crawl ^a Wall	Floor Over Unheated Spaces	Ceilings with Attic Space	Vaulted ^{c, d} Unvented Attic Roofline Air-impermeable	Vaulted ^{c, d} Unvented Attic Roofline Air-permeable	Cathedralized ^{c, d} Vented Ceiling Roofline Air-permeable
2	13	4	18	0	0	13	30	20	20+5*	20
3	13	5	18	5	5	13	30	20	20+5*	20
4	13	5	18	5	5	13	30	20	20+15*	20

Table R402.1.6 MINIMUM INSULATION R-VALUES FOR ENVELOPE COMPONENTS WHEN TRADE-OFFS ARE USED	
Window <i>U</i> -Factor 0.5 max with SHGC 0.30 max	* Air -impermeable as per IRC 806.5
^a : Weather-stripped hinged vertical doors (minimum R-5 insulation or maximum U-0.20), weather-stripped hatches/scuttle hole covers (minimum R-19 insulation or maximum U-0.05), or weather-stripped and disappearing/pull-down stairs (minimum R-5 insulation or maximum U-0.20) shall be deemed to meet the minimum insulation <i>R</i> -values of the corresponding envelope element. ^b : Any mass wall (masonry, CMU, etc.) ^c : Attic kneewall for the purpose of this code is defined as any vertical or near vertical wall in the building envelope that has conditioned space on one side and attic space on the other side. Exception: When the building roofline is insulated, the former kneewall is classified as an interior wall. ^d : Examples of air-impermeable insulation include spray foam and rigid foam board. Examples of air-permeable insulation include fiberglass batts and cellulose. See 'Roofline Installed Insulation Options' in Appendix RA, of these Georgia State Supplements and Amendments for details.	

(Effective January 1, 2020)

*Revise Section R402.2.1 'Ceilings with attic spaces' to read as follows:

R402.2.1 Ceilings with attic spaces. Where Section R402.1.2 would require R-38 insulation in the ceiling, installing R-30 over 100 percent of the ceiling area requiring insulation shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends completely over the wall top plate at the eaves. This reduction shall not apply to the *U*-factor alternative approach in Section R402.1.4 and the total *UA* alternative in Section R402.1.5.

For HVAC attic platforms used for locating and servicing equipment, R-19 (maximum *U*-Factor 0.047) shall be deemed to meet the requirements of R-38 (maximum *U*-Factor 0.027) in the ceiling. R-19 is deemed acceptable for up to 32 square feet of attic decking per HVAC system. R-19 shall be deemed acceptable for a maximum 32 inch wide passage to the HVAC system as referenced under M1305.1.2 of the International Residential Code.

(Effective January 1, 2020)

*Delete Section R402.2.3 'Eave baffle' and substitute to read as follows:

R402.2.3 Eave baffle. For air permeable insulation in vented attics, baffles shall be installed adjacent to soffit and eave vents. A minimum of a 1-inch of space shall be provided between the insulation and the roof sheathing and at the location of the vent. The baffle shall extend over the top of the insulation inward until it is at least 4 inches vertically above the top of the insulation. Any solid material such as cardboard or thin insulating sheathing shall be permissible as the baffle. (See Appendix RA for further clarification.)

(Effective January 1, 2020)

*Delete Section R402.2.4 'Access hatches and doors' and substitute to read as follows:

R402.2.4 Access hatches and doors. Access doors from conditioned spaces to unconditioned spaces (e.g. attics, unconditioned basements and crawl spaces) shall be weather-stripped and insulated in accordance with the following insulation values:

1. Hinged vertical doors shall have a maximum *U*-Factor of U-0.20 (R-5 minimum);
2. Hatches/scuttle hole covers shall have a maximum *U*-Factor of U-0.05 (R-19 minimum); and
3. Pull down stairs shall have a maximum *U*-Factor of U-0.20 with a minimum of 75 percent of the panel area having (R-5 minimum) insulation.

Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed *R*-value of the loose fill insulation.

(Effective January 1, 2020)

*Delete Section R402.2.11 'Crawl space walls' and substitute to read as follows:

R402.2.11 Crawl space walls. As an alternative to insulating floors over crawl spaces, crawl space walls shall be permitted to be insulated when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to within 9 inches (229 mm) of the finished interior grade adjacent to the foundation wall. A 3-inch (76 mm) inspection/view strip immediately below the floor joists shall be provided to permit inspections for termites. Exposed earth in unvented crawl space foundations shall be covered with a continuous Class 1 vapor retarder in accordance with the *International Building Code*. All joints of the vapor retarder shall overlap by 6 inches (152 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152 mm) up the stem wall and shall be attached and sealed to the stem wall.

(Effective January 1, 2020)

*Revise Section R402.3.4 'Opaque door exemption' to read as follows:

R402.3.4 Opaque door exemption. One side-hinged opaque door assembly up to 24 square feet (2.22 m²) in area is exempted from the *U*-factor requirement in Section R402.1.4. This exemption shall not apply to Attic Access Doors or the *U*-factor alternative approach in Section R402.1.4 and the total UA alternative in Section R402.1.5.

(Effective January 1, 2020)

*Revise R402.4.1.1 'Installation' to read as follows:

R402.4.1.1 Installation. The components of the building thermal envelope shall be installed in accordance with the manufacturer's instructions and the criteria listed on page 1 of Appendix RA of the 2020 Georgia State Supplements and Amendments, as applicable to the method of construction. Where required by the *code official*, an *approved* third party shall inspect all components and verify compliance. See Appendix RA 'AIR BARRIER AND INSULATION INSTALLATION COMPONENT GUIDE' of these Georgia State Supplements and Amendments for a graphical representation of the items listed above.

(Effective January 1, 2020)

*Revise Section R402.4.1.2 'Testing' to read as follows:

R402.4.1.2 Testing. All one and two-family dwelling units shall be tested and verified to less than five air changes per hour at 50 Pascals (ACH50) for Climate Zones 2, 3, and 4. Testing shall be conducted in accordance with ASTM E 779 or ASTM E 1827 or ANSI/RESNET/ICC 380 and reported at a pressure of 0.2 inch w.g. (50 Pascals). A written report of the results of the test shall be signed by the party conducting the test and provided to the *code official*. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*. Testing shall be conducted by a *certified duct and envelope tightness (DET) verifier*.

(Remainder of section left unchanged)

(Effective January 1, 2020)

*Add a new Section R402.4.1.3 'Low-rise R-2 multifamily testing' to read as follows:

R402.4.1.3 Low-rise R-2 multifamily testing. Low-rise R-2 multifamily dwellings shall be tested to less than 7 air changes per hour at 50 Pascals (ACH50).

As an alternative to ACH50, compliance for Low-rise R-2 dwellings may be attained by achieving an Envelope Leakage Ratio at 50 Pascals (ELR50) of less than 0.35 (ELR50 0.35, where $ELR50 = CFM50 / \text{Envelope Shell Area, in square feet}$).

(Effective January 1, 2020)

*Add a new Section R402.4.1.3.1 'Low-rise multifamily testing protocol (Optional)' to read as follows:

R402.4.1.3.1 Low-rise multifamily testing protocol (Optional). Where a residential building is classified as R-2, envelope testing may (optionally) employ either one or both of the following testing protocols:

1. Utilize multiple fans in adjacent units (commonly referred to as Guarded Blower Door testing) to minimize effect of leakage to adjacent units (not required).
2. Envelope testing of less than 100 percent shall be acceptable assuming a maximum sampling protocol of 1 in 4 units per floor (if sampled unit passes, the remaining up to three units are deemed to comply; if sampled unit fails, it must be sealed and retested and the remaining up to three units shall also be tested).

(Effective January 1, 2020)

SECTION R403

SYSTEMS

*Revise Section R403.1.2 'Heat pump supplementary heat (Mandatory)' to add a new sentence at the end to read as follows:

R403.1.2 Heat pump supplementary heat (Mandatory). Heat pumps having supplementary electric-resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load. Except in emergency heating mode, the supplementary electric-resistance heat in heat pump systems installed in new construction may not energize unless the outdoor temperature is below 40° F (4°C).

(Effective January 1, 2020)

*Add new Section R403.1.2.3 'Primary heat source' to read as follows:

R403.1.2.3 Primary heat source. For new dwelling unit central HVAC systems, or replacement HVAC systems installed in dwelling units that were originally permitted after January 1, 1996, electric-resistance heat shall not be used as the primary heat source. Primary heat source is defined as the heat source for the original dwelling unit system.

(Effective January 1, 2020)

*Revise Section R403.3.2 'Sealing (Mandatory)' to read as follows:

R403.3.2 Sealing (Mandatory). Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with Section R403.3.6 of these Georgia State Supplements and Amendments.

Exceptions:

1. Air-impermeable spray foam product shall be permitted to be applied without additional joint seals.

2. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams, and locking-type joints and seams of other than the snap-lock and button-lock types.

3. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.

4. Sealing that would void product listings is not required.

*Revise Section R403.3.3 'Duct testing (Mandatory)' to read as follows:

R403.3.3 Duct testing (Mandatory). Ducts shall be pressure tested to determine air leakage by one of the following methods:

1. Rough-in test: Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure. All registers shall be taped or otherwise sealed during the test.

2. Post-construction test: Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. Registers shall be taped or otherwise sealed during the test.

Exceptions:

1. A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.

2. Duct tightness testing is not required for existing duct systems unless more than 50% of the duct system is modified.

3. If the air handler, furnace or evaporator coil is replaced on an existing system, all joints, seams and connections from equipment to duct system and duct system connections to plenums within 5 feet from the new work shall meet the sealing requirements of this code and be verified by a visual inspection by the state licensed conditioned air contractor or by a DET Verifier.

A report of the results of the test shall be signed by the party conducting the test and provided to the owner or the owner's agent and, if requested, to the *code official*.

(Effective January 1, 2020)

*Revise Section R403.3.4 'Duct leakage (Prescriptive)' to read as follows:

R403.3.4 Duct leakage (Mandatory). The total leakage of the ducts, where measured by one of the following methods in accordance with Section R403.3.3 shall be as follows:

1. Rough-in test: The total leakage shall be less than or equal to 6 cubic feet per minute (113.3 L/min) per 100 square feet (9.29 m²) of conditioned floor area where the air handler is installed at the time of the test.

2. Post-construction test: Total leakage shall be less than or equal to 6 cubic feet per minute (113.3 L/min) per 100 sq. feet (9.29 m²) of conditioned floor area.

Exceptions:

1. A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.

2. Duct tightness testing is not required for existing duct systems unless more than 50% of the duct system is modified.

3. If the air handler, furnace or evaporator coil is replaced on an existing system, all joints, seams and connections from equipment to duct system and duct system connections to plenums within 5 feet from the new work shall meet the sealing requirements of this code and be verified by a visual inspection by the state licensed conditioned air contractor or by a DET Verifier.

(Effective January 1, 2020)

*Add a new Section R403.3.6 'Joints, seams and connections' to read as follows:

R403.3.6 Joints, seams and connections. All longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in *SMACNA HVAC Duct Construction Standards- Metal and Flexible* and *NAIMA Fibrous Glass Duct Construction Standards*. All joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), masticplus-embedded-fabric systems or tapes. Without exception all closure systems shall have mastic applied that is at least 0.08 inches (2 mm) thick.

Closure systems used to seal flexible air ducts and flexible air connections shall comply with UL 181B and shall be marked "181B-FX" for pressure-sensitive tape or "181B-M" for mastic. Duct connections to flanges of air distribution systems equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25.4 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint.

Closure systems used to seal metal ductwork shall be installed in accordance with manufacturer's instructions. Round metallic ducts shall be mechanically fastened by means of at least three sheet metal screws or rivets spaced equally around the joint. Unlisted duct tape shall not be permitted as a sealant on any duct.

Exceptions:

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressure less than 2 inches (51 mm) of water column (500 Pa) pressure classification shall not require additional closure systems.

(Effective January 1, 2020)

*Revise Section R403.5.4 'Drain water heat recovery units' to read as follows:

R403.5.4 Drain water heat recovery units. Drain water heat recovery units shall comply with CSA B55.2 or IAPMO PS 92. Vertical drain water heat recovery units shall be tested in accordance with CSA B55.1 and have a minimum effectiveness of 42 percent when tested in accordance with CSA B55.1. Sloped drain water heat recovery units shall be tested in accordance with IAPMO IGC 346 and have a minimum rated effectiveness of 42 percent when tested in accordance with IAPMO IGC 346 at the minimum slope specified in the Georgia plumbing code. Potable water-side pressure loss of vertical drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of vertical drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers. Potable water-side pressure loss of sloped drain water heat recovery units shall be less than 4 psi (20.7 kPa).

(Effective January 1, 2020)

*Revise Section R403.6 'Mechanical Ventilation' to read as follows:

R403.6 Mechanical ventilation (Mandatory). Where required, the building shall be provided with ventilation that meets the requirements of the *International Residential Code* or *International Mechanical Code*, as applicable, or with ASHRAE 62.2-2016, *Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings* (in entirety) or with other approved means of ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

(Remainder of section left unchanged)

(Effective January 1, 2020)

*Revise Section R403.7 'Equipment sizing and efficiency rating (Mandatory)' by adding the following sentence at the end:

R403.7 Equipment sizing and efficiency rating (Mandatory). (The beginning of the section left unchanged) For automatically modulating capacity heating and cooling equipment, the system shall be deemed to comply with appropriate portions of Manual S provided the lowest output capacity of the equipment is less than the peak design load as determined by Manual J.

(Effective January 1, 2020)

*Add new Section R403.13 'Electric power attic ventilators' to read as follows:

R403.13 Electric powered attic ventilators. In new construction, electric powered attic ventilators shall not be connected to the Service supply premise wiring system. Solar photovoltaic (PV) powered attic ventilators shall be permitted.

(Effective January 1, 2020)

SECTION R406

ENERGY RATING INDEX

COMPLIANCE ALTERNATIVE

*Revise Section R406.3 'Energy Rating Index' to read as follows:

R406.3 Energy Rating Index. The Energy Rating Index (ERI) shall be determined in accordance with ANSI/RESNET/ICC 301 except for buildings constructed in accordance with the International Residential Code, where the ERI reference design ventilation rate shall be in accordance with the following:

Ventilation rate = $(0.01 \times \text{total square foot area of house}) + (7.5 (N_{br} + 1))$

Equation 4-1 where,

Ventilation rate is defined in units of cubic feet per minute N_{br} = Number of bedrooms

The ERI shall consider all energy used in the *residential building* including *on-site renewable energy*. Energy used to recharge or refuel a vehicle for on-road (and off-site) transportation purposes shall not be included in the ERI *reference design* or the *rated design*.

(Effective January 1, 2020)

*Delete Section R406.3.1 'ERI reference design' without substitution.

(Effective January 1, 2020)

*Revise Table R406.4 'MAXIMUM ENERGY RATING INDEX' to read as follows:

TABLE R406.4
MAXIMUM ENERGY RATING INDEX

Climate Zone	ENERGY RATING INDEX
2	57
3	57
4	62

(Effective January 1, 2020)

*Revise Section R406.6.1 'Compliance software tools' to read as follows:

R406.6.1 **Compliance software tools.** The ERI shall be determined using Approved Software Rating Tools in accordance with ANSI/RESNET/ICC 301.

(Effective January 1, 2020)

*Delete Section R406.7 'Calculation software tools' without substitution.

(Effective January 1, 2020)

*Delete Section R406.7.1 'Minimum capabilities' without substitution.

(Effective January 1, 2020)

*Revise and rename Section R406.7.2 'Specific approval' to read as follows:

R406.6.4 **Specific approval.** Performance analysis tools meeting the applicable sections of Section R406 shall be *approved*. Documentation demonstrating the approval of performance analysis tools in accordance with Section R406.6.1 shall be provided to the *code official*. The *code official* shall approve tools for a specified application or limited scope.

(Effective January 1, 2020)

*Revise and rename Section R406.7.3 'Input values' to read as follows:

R406.6.5 **Input values.** Where calculations require input values not specified by Sections R402, R403, R404 and R405, those input values shall be taken from ANSI/RESNET/ICC 301.

(Effective January 1, 2020)

CHAPTER 5 [RE]

EXISTING BUILDINGS

SECTION R502

ADDITIONS

*Revise Section R502.1.1.2 'Heating and cooling systems' to delete the exception and substitute to read as follows:

R502.1.1.2 Heating and cooling systems. New heating, cooling and duct systems that are part of the addition shall comply with Sections R403.1, R403.2, R403.3, R403.5 and R403.6.

Exception: Duct tightness testing is not required for existing duct systems unless more than 50% of the existing duct system is modified.

(Effective January 1, 2020)

SECTION R503

ALTERATIONS

*Revise Section R503.1.2 'Heating and cooling systems' to read as follows:

R503.1.2 Heating and cooling systems. New heating, cooling and duct systems that are part of the alteration shall comply with Sections R403.1, R403.2, R403.3 and R403.6.

Exception: Duct tightness testing is not required for existing duct systems unless more than 50% of the existing duct system is modified.

(Effective January 1, 2020)

CHAPTER 6 [RE]

REFERENCED STANDARDS

*Revise Chapter 6 'Referenced Standards' to add the following new Standards to read as follows:

UL	UL LLC 333 Pfingsten Road Northbrook, IL 60062-2096	
Standard reference number	Title	Referenced in code section number
181-2013	Factory-made Air Ducts and Air Connectors—with Revisions through May 2003.....	R403.3.6
181A-2013	Closure Systems for Use with Rigid Air Ducts and Air Connectors—with Revisions through December 1998.....	R403.3.6
181B-2013	Closure Systems for Use with Flexible Air Ducts and Air Connectors—with Revisions through August 2003.....	R403.3.6
ASHRAE	American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. 1791 Tullie Circle, NE Atlanta, GA 30329-2305	
Standard reference number	Title	Referenced in code section number
ASHRAE 62.2 - 2016	Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings	R403.6

ANSI/RESNET /ICC 301

Residential Energy Services Network, Inc.
P.O. Box 4561
Oceanside, CA 92052-4561
International Code Council,
500 New Jersey Avenue, NW, 6th Floor.
Washington, D.C. 20001

Standard reference number	Title	Referenced in code section number
ANSI/RESNET/ICC 301- 2014	Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index	R406

IAPMO PS 92

IAPMO
4755 E. Philadelphia St.
Ontario, CA 91761 - USA

Standard reference number	Title	Referenced in code section number
IAPMO PS 92-2013	Heat Exchangers and Indirect Water Heaters	R403.5.4
IAPMO IGC 346	Test Method for Measuring the Performance of Drain Water Heat Recovery Units	R403.5.4

(Standards not listed to remain unchanged)

APPENDICES

Throughout these appendices there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *2015 International Energy Conservation Code* for clarification.

APPENDIX RA

*Delete APPENDIX RA 'RECOMMENDED PROCEDURE FOR WORST-CASE TESTING OF ATMOSPHERIC VENTING SYSTEMS UNDER R402.4 OR R405 CONDITIONS $\leq 5ACH50$ ', entirely and substitute with new APPENDIX RA 'AIR SEALING KEY POINTS'.

(Effective January 1, 2020)

APPENDIX RC

*Add new APPENDIX RC 'THIRD PARTY VERIFICATION'.

(Effective January 1, 2020)

APPENDIX RD

*Add new APPENDIX RD 'MANDATORY COMPLIANCE CERTIFICATE'.

(Effective January 1, 2020)

The above referenced form, Mandatory Compliance Certificate is available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2090>

Appendix RA
Air Sealing and Insulation Key Points
Air Barrier and Insulation Installation Component Guide

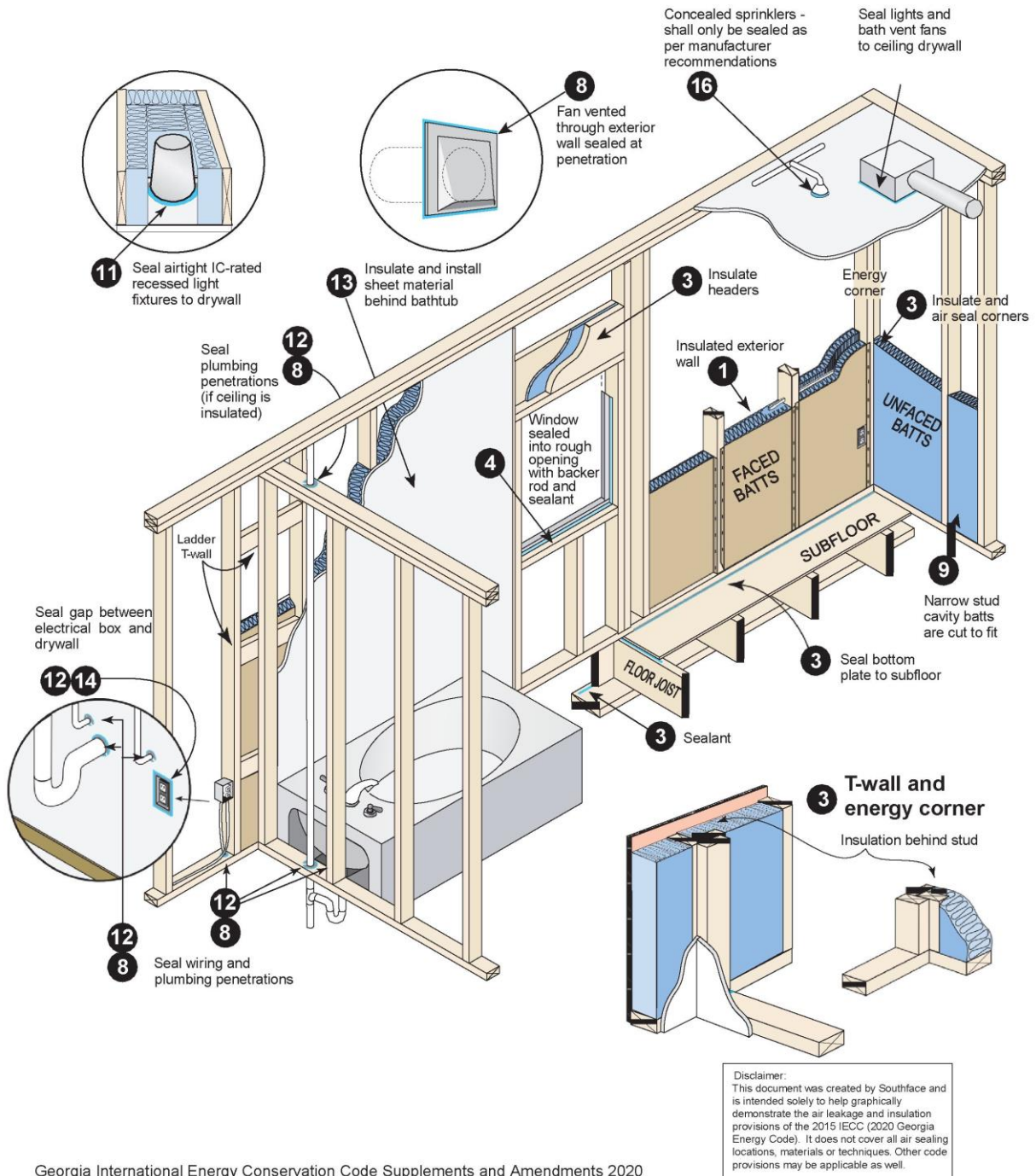
	COMPONENT	AIR BARRIER CRITERIA	INSULATION INSTALLATION CRITERIA
1	General requirements	A continuous air barrier shall be installed in the building envelope. The exterior thermal envelope contains a continuous air barrier. Breaks or joints in the air barrier shall be sealed.	Air-permeable insulation shall not be used as a sealing material.
2	Ceiling/attic	The air barrier in any dropped ceiling/soffit shall be aligned with the insulation and any gaps in the air barrier shall be sealed. Access openings, drop down stairs or knee wall doors to unconditioned attic spaces shall be sealed.	The insulation in any dropped ceiling/soffit shall be aligned with the air barrier.
3	Walls	The junction of the foundation and sill plate shall be sealed. The junction of the top plate and the top of exterior walls shall be sealed. Knee walls shall be sealed.	Cavities within corners and headers of frame walls shall be insulated by completely filling the cavity with a material having a thermal resistance of R-3 per inch minimum. Exterior thermal envelope insulation for framed walls shall be installed in substantial contact and continuous alignment with the air barrier.
4	Windows, skylights and doors	The space between window/door jambs and framing, and skylights and framing shall be sealed.	
5	Rim joists	Rim joists shall include the air barrier.	Rim joists shall be insulated.
6	Floors (including above garage and cantilevered floors)	The air barrier shall be installed at any exposed edge of insulation.	Floor framing cavity insulation shall be installed to maintain permanent contact with the underside of subfloor decking, or floor framing cavity insulation shall be permitted to be in contact with the top side of sheathing, or continuous insulation installed on the underside of floor framing and extends from the bottom to the top of all perimeter floor framing members.
7	Crawl space walls	Exposed earth in unvented crawl spaces shall be covered with a Class I vapor retarder with overlapping joints taped.	Where provided instead of floor insulation (unvented crawl spaces), insulation shall be permanently attached to the crawlspace walls.
8	Shafts, penetrations	Duct shafts, utility penetrations, and flue shafts opening to exterior or unconditioned space shall be sealed.	Capped chases shall be insulated to surrounding ceiling R-values (maintain clearance from combustion flues).
9	Narrow cavities		Batts in narrow cavities shall be cut to fit, or narrow cavities shall be filled by insulation that on installation readily conforms to the available cavity space.
10	Garage separation	Air sealing shall be provided between the garage and conditioned spaces.	Band area shall be blocked, sealed and insulated.
11	Recessed lighting	Recessed light fixtures installed in the building thermal envelope shall be sealed to the drywall.	Recessed light fixtures installed in the building thermal envelope shall be air tight and IC rated.
12	Plumbing and wiring	Wiring and plumbing penetrations shall be sealed.	Batt insulation shall be cut neatly to fit around wiring and plumbing in exterior walls, or insulation that on installation readily conforms to available space shall extend behind piping and wiring.
13	Shower/tub on exterior wall	The air barrier installed at exterior walls adjacent to showers and tubs shall separate them from the showers and tubs.	Exterior walls adjacent to showers and tubs shall be insulated.
14	Electrical/phone box on exterior walls	The air barrier shall be installed behind electrical or communication boxes or airsealed boxes shall be installed.	
15	HVAC register boots	HVAC register boots shall be sealed to the subfloor or drywall.	Boots in unconditioned spaces shall be insulated. Recommend insulating boots in conditioned spaces for condensation control.
16	Concealed sprinklers	When required to be sealed, concealed fire sprinklers shall only be sealed in a manner that is recommended by the manufacturer. Caulking or other adhesive sealants shall not be used to fill voids between fire sprinkler cover plates and walls or ceilings.	
17	Blocking between framing (e.g. beneath knee walls, cantilevered floors, garage separation walls)	Blocking shall be sealed to framing.	Insulation shall be in contact with blocking.
18	Common walls	Air barrier is installed in common wall between dwelling units.	
19	Fireplaces	New wood-burning fireplaces shall have tight-fitting flue dampers or doors, and outdoor combustion air.	Fireplace chase insulation shall be restrained to stay in place.

Disclaimer: This document was created by Southface and is intended solely to help graphically demonstrate the air leakage and insulation provisions of the 2015 IECC (2020 Georgia Energy Code). It does not cover all air sealing locations, materials or techniques. Other code provisions may be applicable as well.

Appendix RA

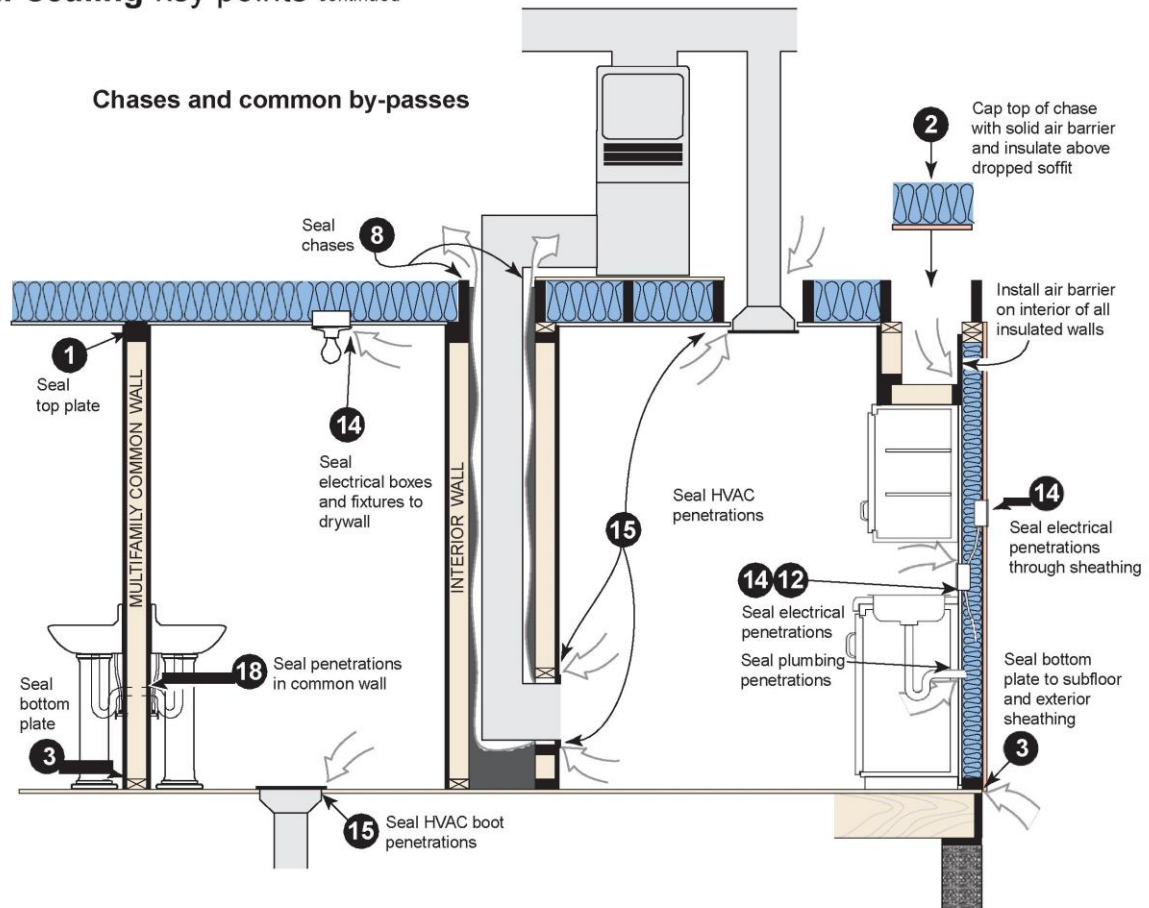
Air sealing key points

Appendix RA

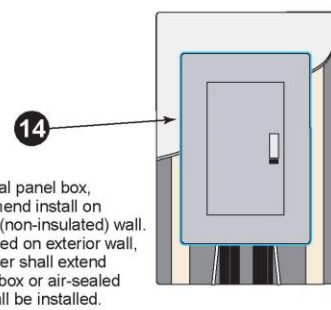
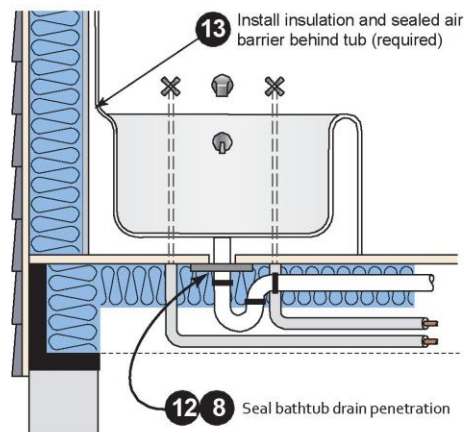


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Air sealing key points *continued*

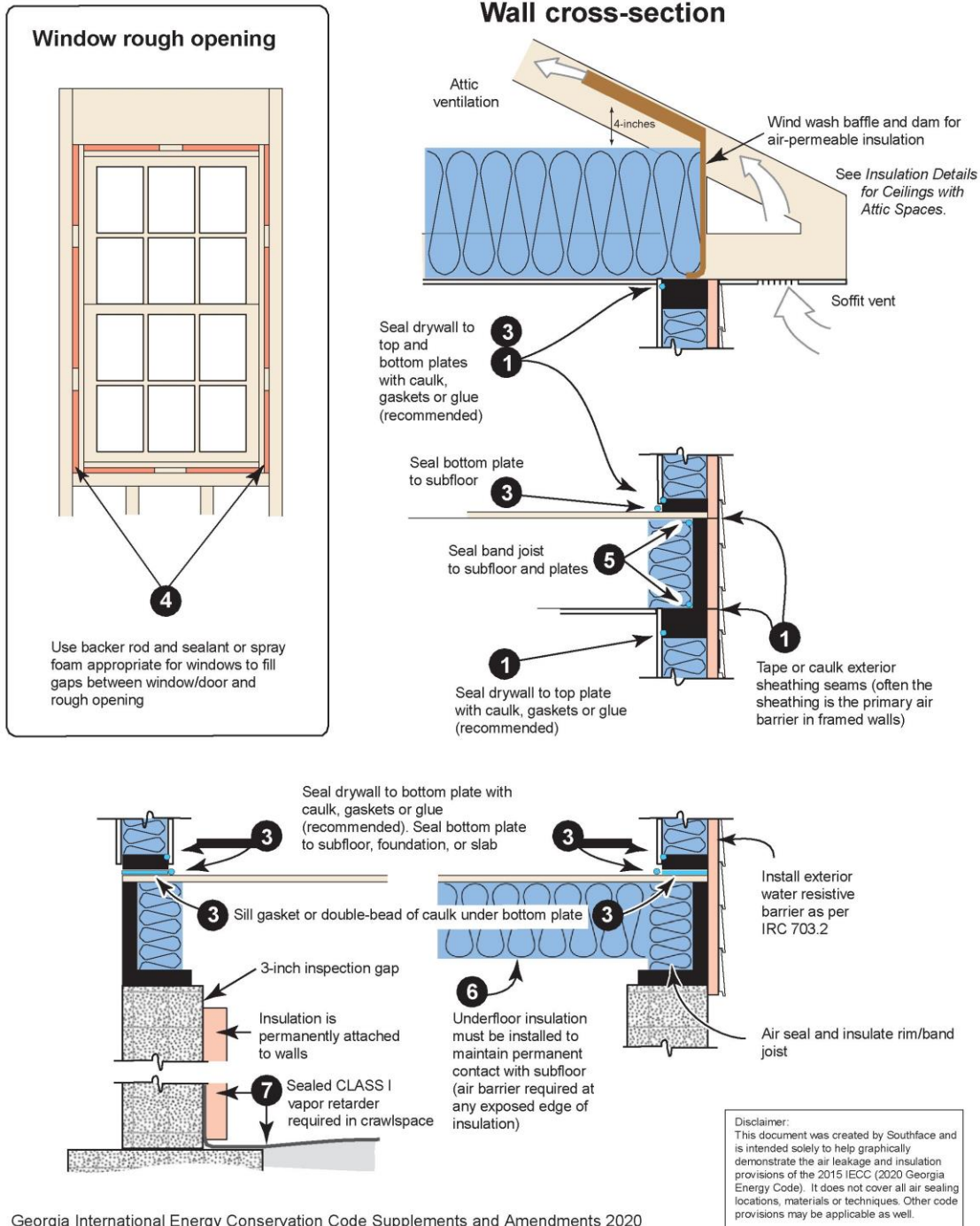


Shower/tub drain rough opening



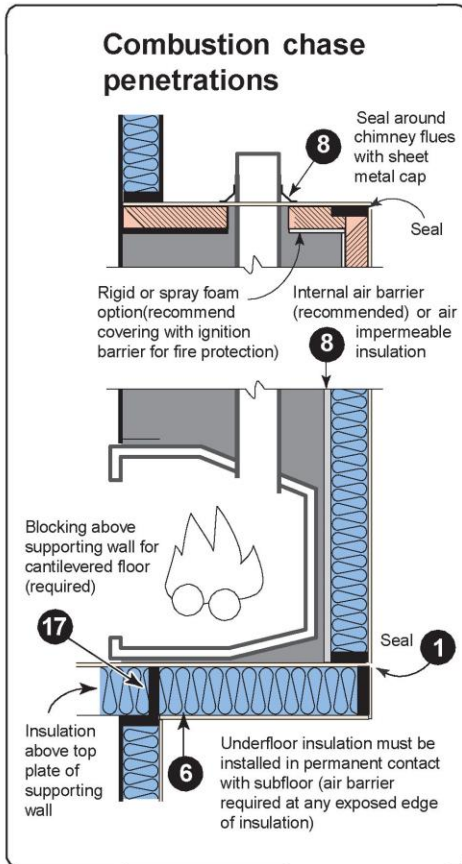
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Air sealing key points *continued*



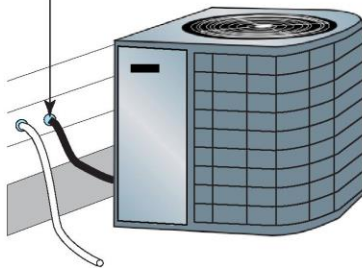
Georgia International Energy Conservation Code Supplements and Amendments 2020

Air sealing key points *continued*



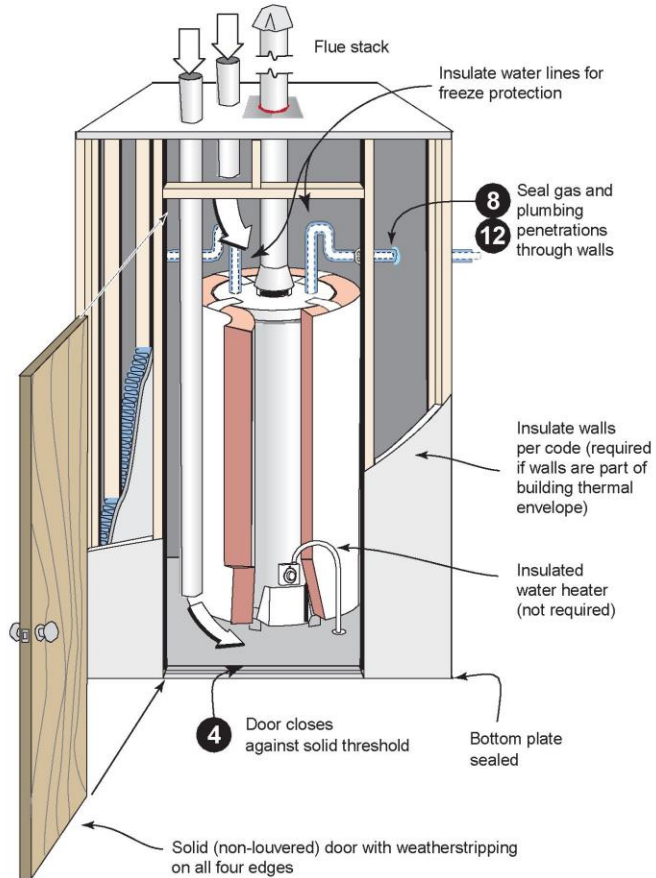
Exterior penetrations

8 12 Seal exterior wall penetrations for refrigeration lines, condensate line, etc.



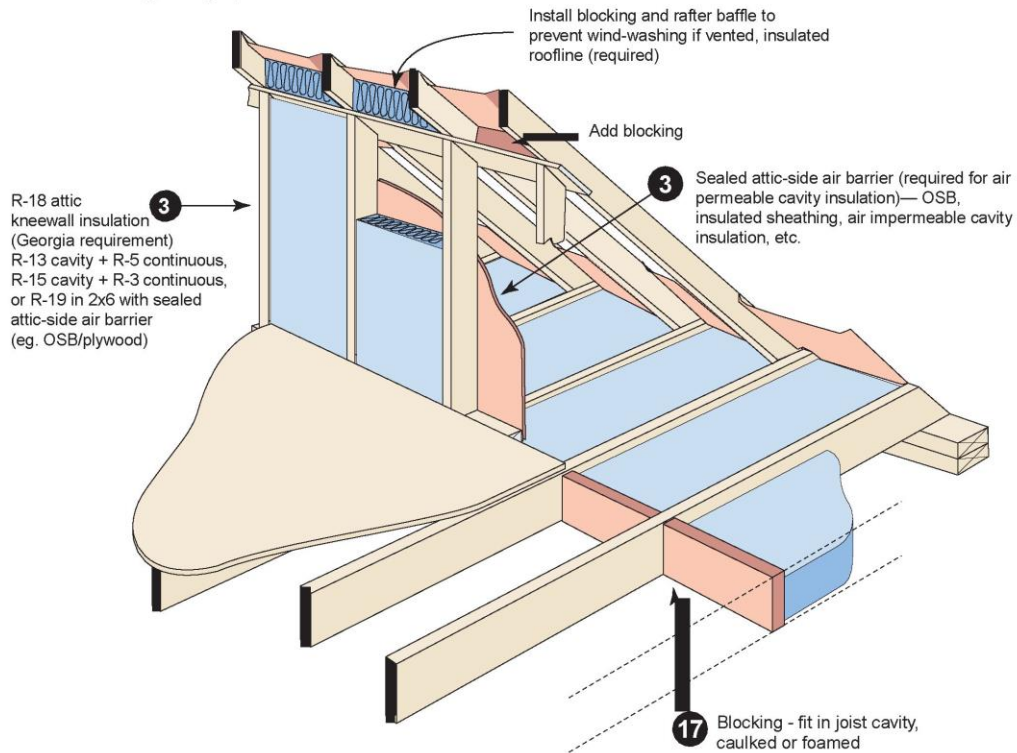
Combustion closet

Combustion air inlets
as per mechanical and/or fuel gas code

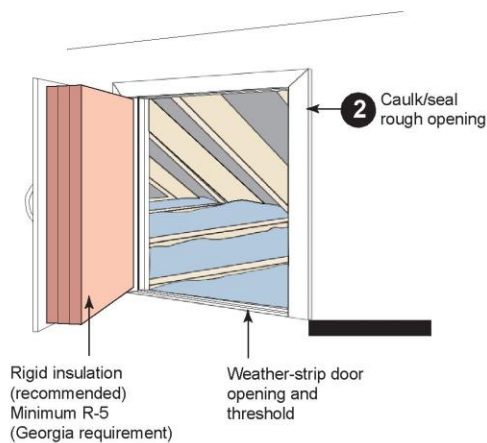


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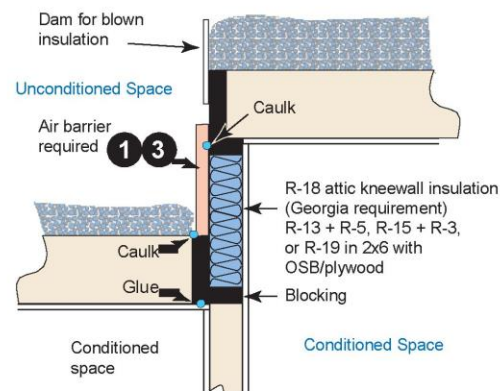
Air sealing key points *continued*



Attic knee-walls



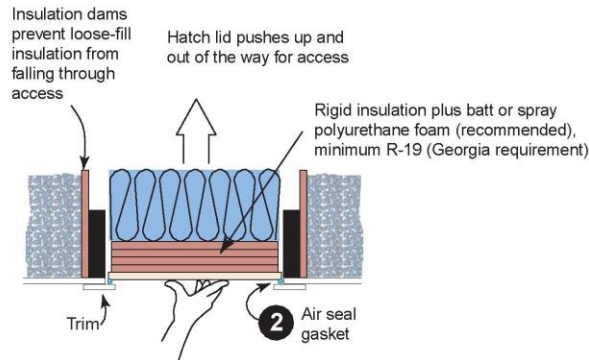
Two-level attic



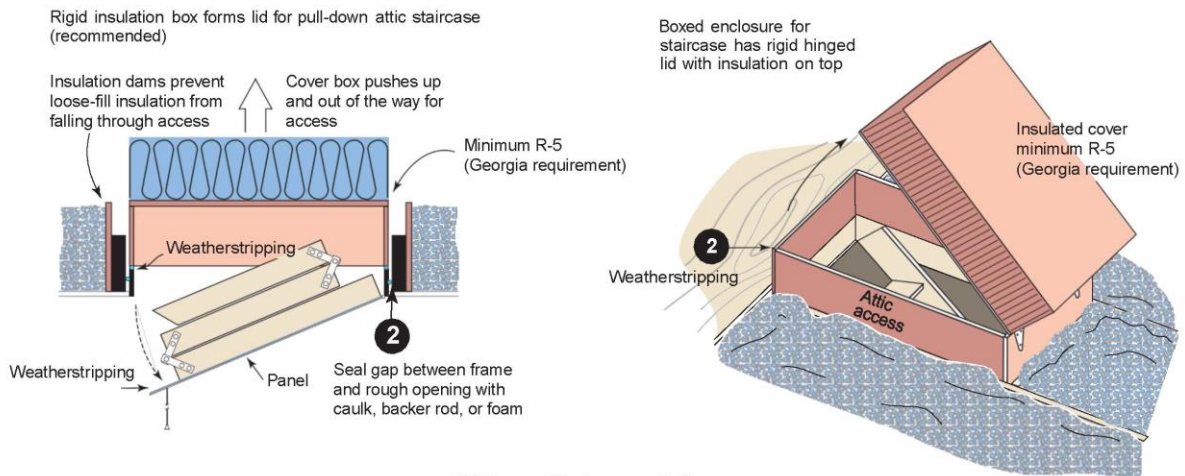
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Air sealing key points *continued*

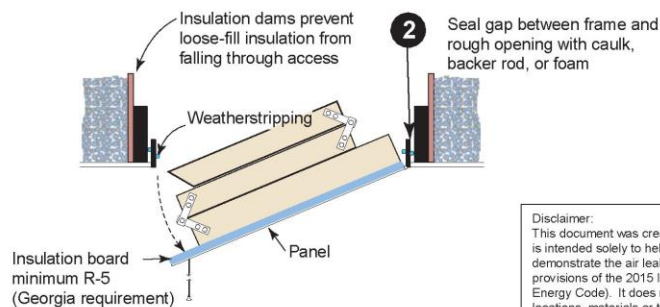
Attic scuttle



Attic pull-down stairs



Attic pull-down stairs

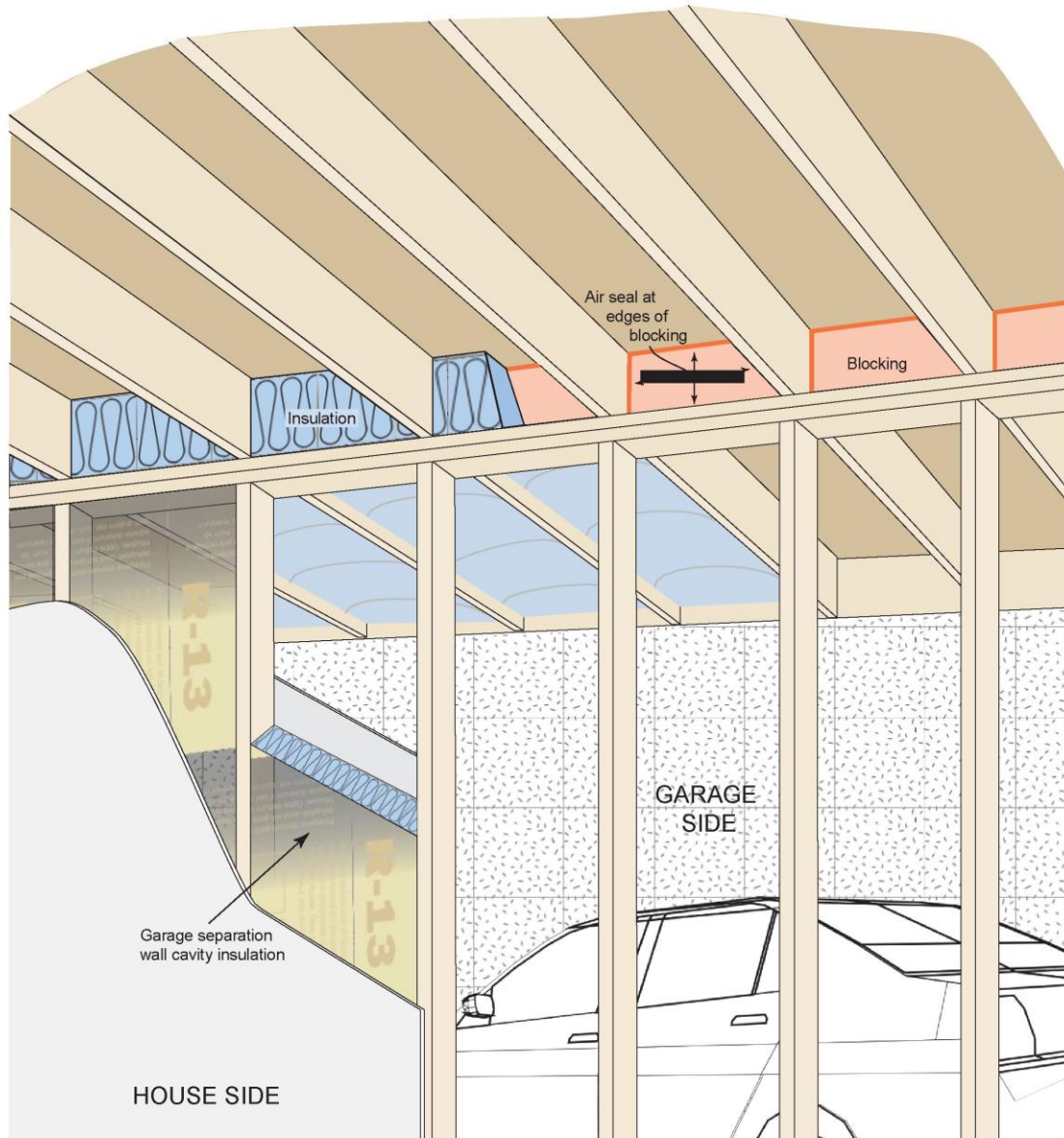


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Georgia International Energy Conservation Code Supplements and Amendments 2020

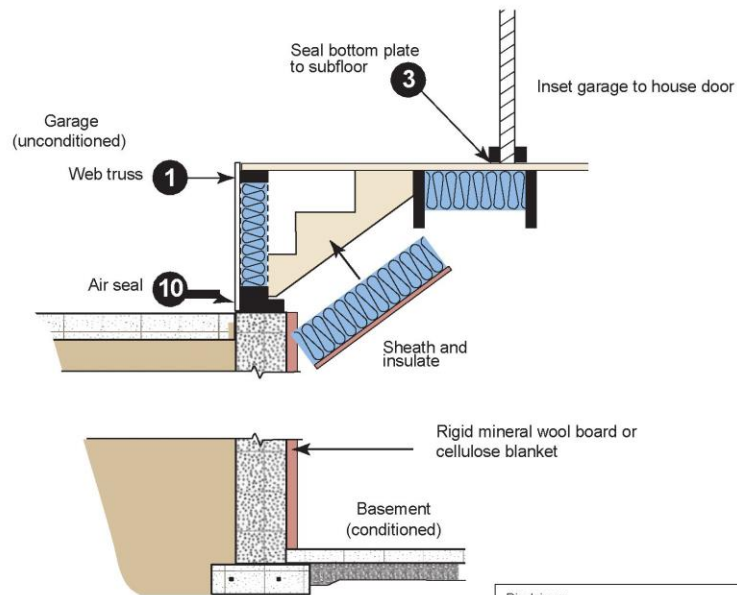
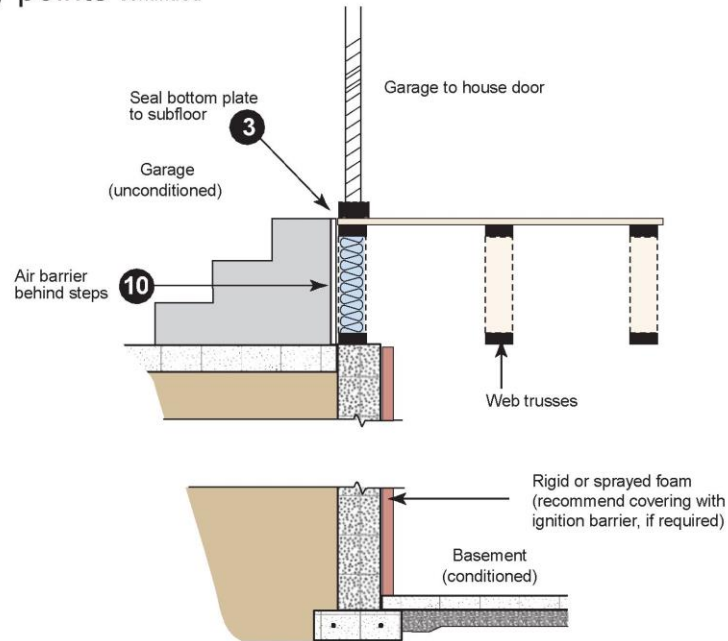
Garage blocking and sealing key points

Blocking, air sealing and insulation required above garage separation wall



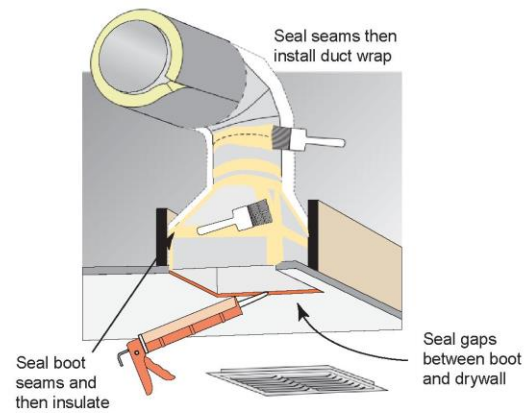
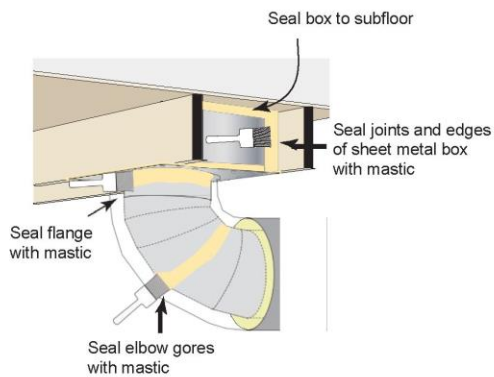
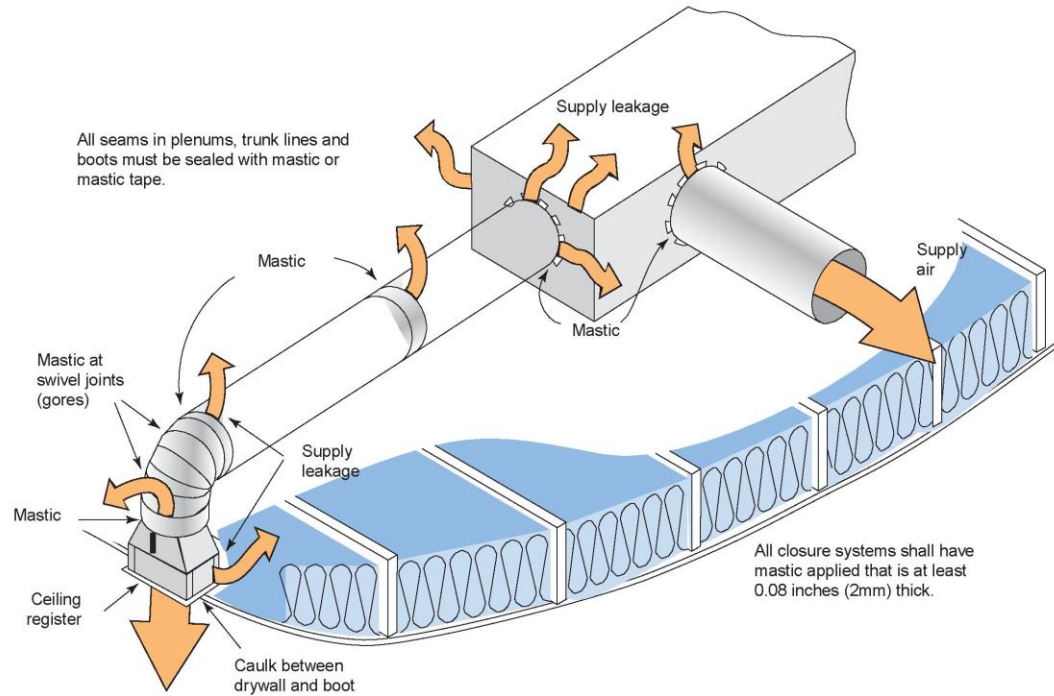
Disclaimer:
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Air sealing key points *continued*



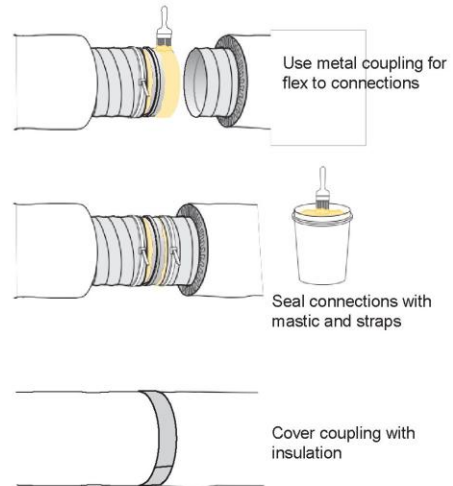
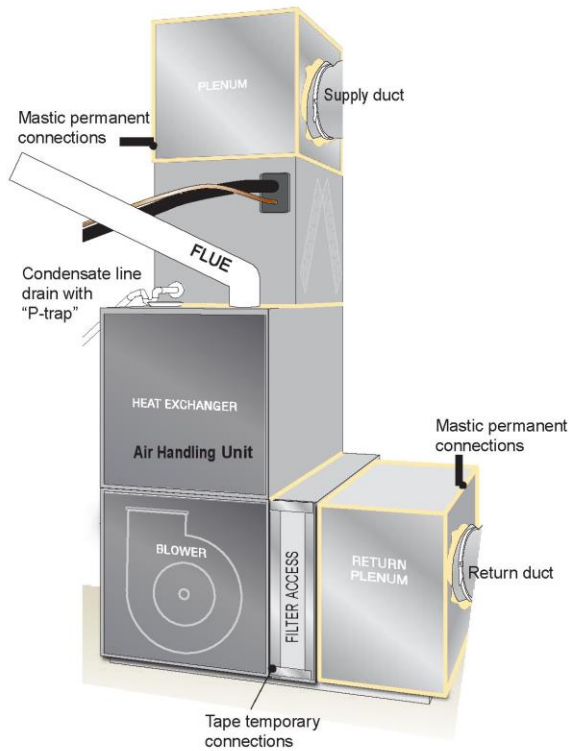
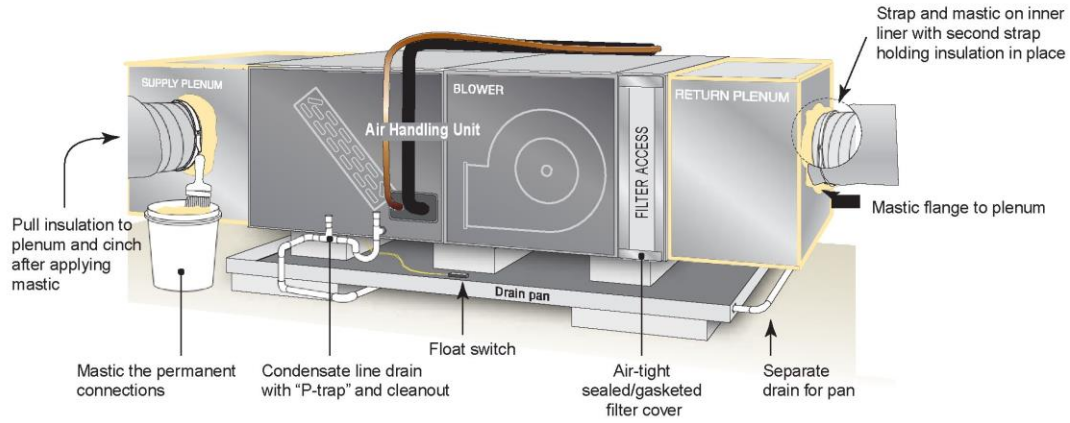
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Duct Sealing key points



Disclaimer:
This document was created by Southface and is intended solely to help graphically demonstrate the air leakage and insulation provisions of the 2015 IECC (2020 Georgia Energy Code). It does not cover all air sealing locations, materials or techniques. Other code provisions may be applicable as well.

Air Handler Sealing key points



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Air sealing key points *continued*

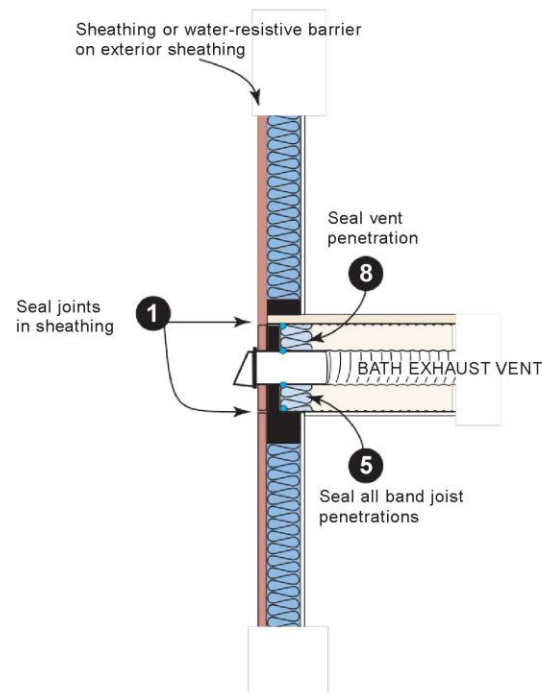
Multifamily

Multifamily Air-sealing Details

- 8 Cap and seal all chases including chases for grouped utility lines and radon vents

Seal penetrations in mechanical closet including penetrations for the:

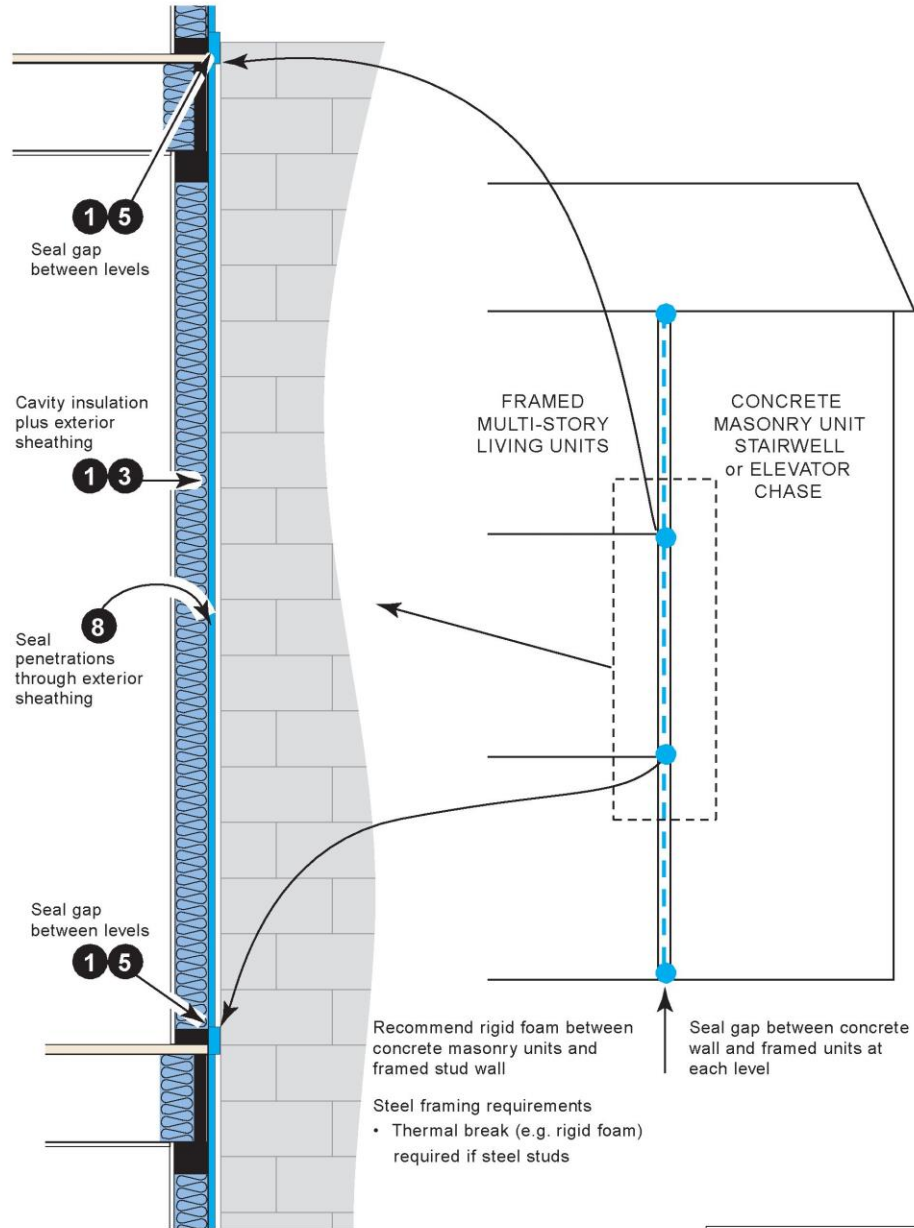
- 8 supply plenum
- 8 outside air ventilation
- 8 12 refrigerant line
- 12 plumbing
- 12 14 electrical
- 12 gas fuel
- 5 Seal band area at exterior sheathing side and all penetrations through band
- 1 3 UL-compliant air sealing at drywall finishing for any wall adjacent to stairwell or elevator. Air seal this gap at every change in floor level
- 8 Seal miscellaneous clustered penetrations through building envelope (e.g. refrigerant lines)



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Air sealing key points *continued*

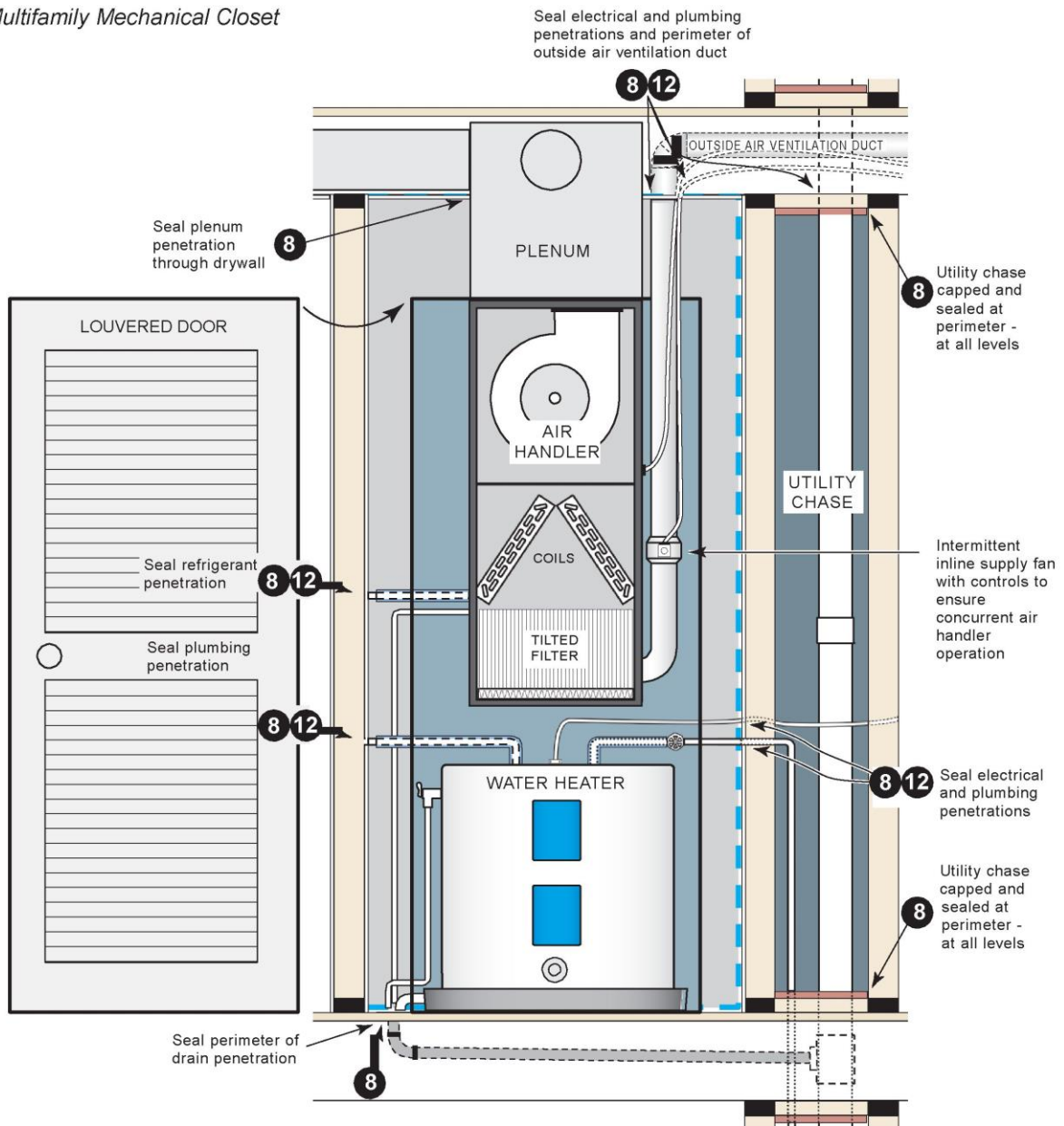
Multifamily



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Air sealing key points *continued*

Multifamily Mechanical Closet

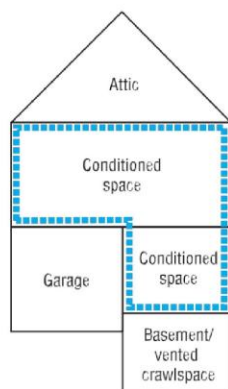


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Building Thermal Envelope — The basement walls, exterior walls, floor, roof, and any other building element that enclose conditioned space. This boundary also includes the boundary between conditioned space and any exempt or unconditioned space. —2015 IECC

The *building thermal envelope* is the barrier that separates the conditioned space from the outside or unconditioned spaces. The building envelope consists of two parts - an air barrier and a thermal barrier that must be both continuous and contiguous (touching each other). In a typical residence, the building envelope consists of the roof, walls, windows, doors, and foundation. Examples of unconditioned spaces include attics, vented crawlspaces, garages, and basements with ceiling insulation and no HVAC supply registers.

Example 1 – Prescriptive Compliance

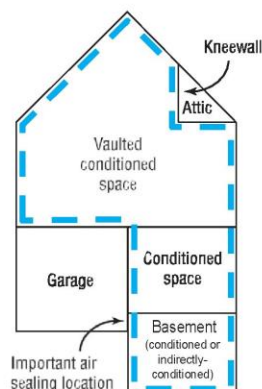


This is a conventional approach that likely locates all ductwork in unconditioned spaces.

Prescriptive R-values

- ☐ Flat ceiling: R-38
- ☐ Exterior walls: R-13
- ☐ Floor over garage and basement/crawl: R-19 (climate zones 3 & 4)
- ☐ Ductwork sealed with mastic and insulated to R-8 in attic, R-6 in basement/crawlspace
- ☐ Garage⁵, attic and basement/crawl are unconditioned spaces

Example 2 – Alternate Compliance

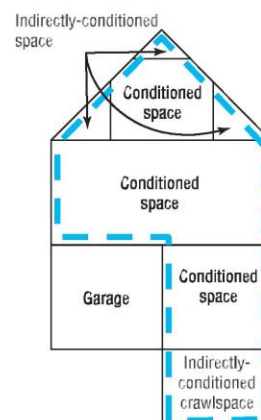


If supply registers deliver conditioned air to basement, it is considered conditioned. With no supply air, it is considered an indirectly-conditioned space.

Example R-values¹

- ☐ Flat ceiling: R-38
- ☐ Kneewalls: R-18 (required)² (R-13+ R-5, R-15 + R-3, R-19 in 2x6)
- ☐ Vaulted ceiling: R-20 air-permeable insulation plus R-5 rigid foam board³
- ☐ Exterior walls: R-13
- ☐ Basement masonry walls: R-5
- ☐ Basement slab: R-0⁴
- ☐ Ductwork sealed with mastic and insulated to R-8 in attic, R-6 in basement
- ☐ Garage⁵ and attic are unconditioned spaces

Example 3 – Alternate Compliance



The top conditioned floor functions as a vaulted ceiling with interior walls although it appears to have kneewalls and a flat ceiling. An advantage of this approach is that all upstairs ductwork is located inside the building envelope.

The crawlspace walls are insulated and do not contain vents. The crawlspace ground is covered with 100% plastic and functions as a "mini-basement."

Example R-values¹

- ☐ Vaulted ceiling: R-20 air-impermeable foam insulation³
- ☐ Exterior walls: R-13 + R-5 sheathing
- ☐ Crawlspace walls: R-5
- ☐ Ductwork sealed with mastic and insulated to R-6
- ☐ Garage⁵ is unconditioned space

¹ R-values shown are examples and not necessarily prescriptive code requirements. Refer to the Georgia Energy Code for specific prescriptive insulation requirements.

² An attic kneewall is any vertical wall that separates conditioned space from an unconditioned attic. In Georgia, kneewalls must be insulated to R-18. A sealed attic-side air barrier (OSB, foil-faced sheathing, etc.) is required when using air permeable insulation.

³ Requires trade-off since prescriptive ceiling requirement is R-38, see roofline installed insulation options and section 806.5 of the 2012 IRC.

⁴ Slab insulation is not required in Georgia due to termite risk.

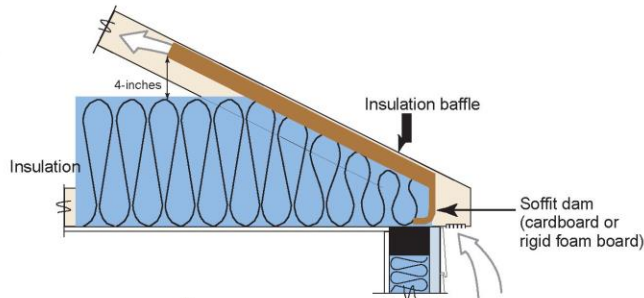
⁵ Although there is nothing to prevent the garage walls from being insulated, due to indoor air quality concerns, the garage should never be considered inside the building

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Insulation Details for Ceilings with Attic spaces

Rafter and Truss

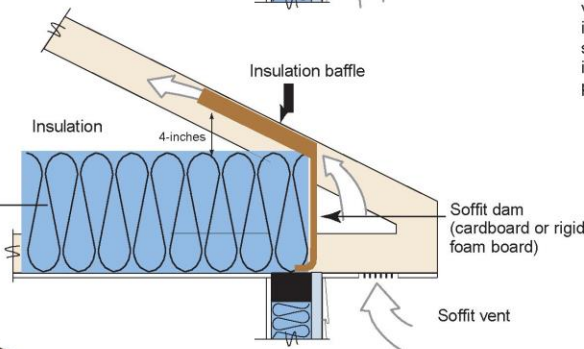
Standard Truss with tapered insulation depth



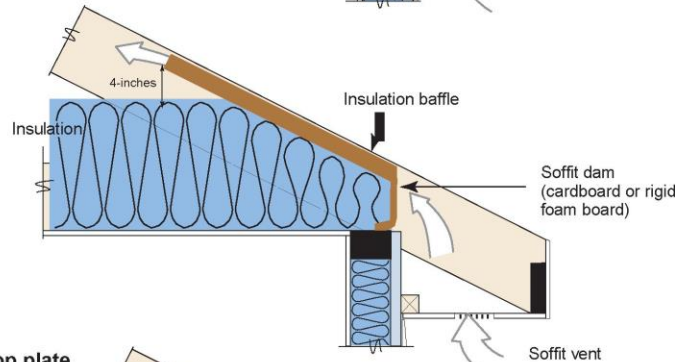
Note: Wind wash baffle and air-permeable insulation dam. For air permeable insulation in vented attics, baffles shall be installed adjacent to soffit and eave vents. A minimum of a 1-inch of space shall be provided between the insulation and the roof sheathing and at the location of the vent. The baffle shall extend over the top of the insulation inward until it is at least 4 inches vertically above the top of the insulation. Any solid material such as cardboard or thin insulating sheathing shall be permissible as the baffle.

Energy Truss with full height insulation (recommended)

NOTE: R-30 complete coverage is deemed equivalent to prescriptive R-38

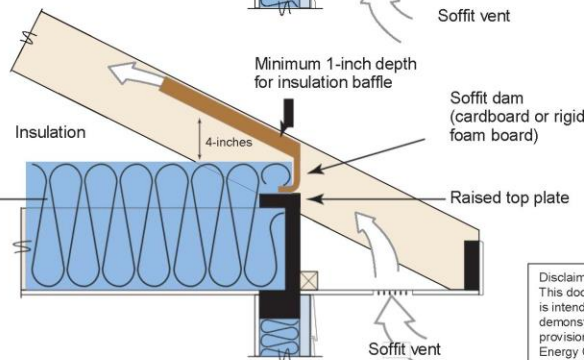


Standard rafter and top plate with tapered insulation depth



Rafter on raised top plate with full height insulation (recommended)

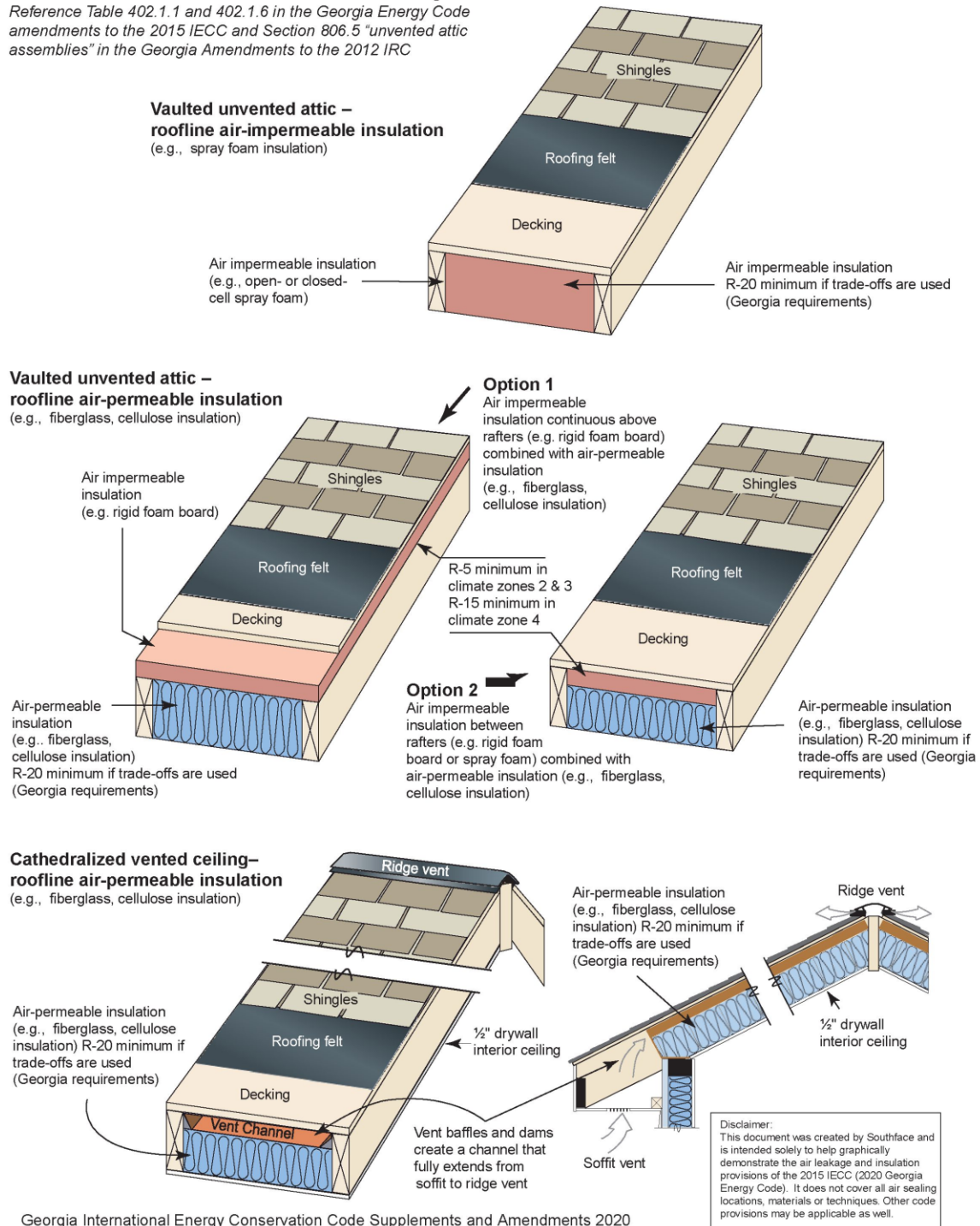
NOTE: R-30 complete coverage is deemed equivalent to prescriptive R-38



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Roofline Installed Insulation Options

Reference Table 402.1.1 and 402.1.6 in the Georgia Energy Code amendments to the 2015 IECC and Section 806.5 "unvented attic assemblies" in the Georgia Amendments to the 2012 IRC



Georgia Insulation Installation - Passing Grade Details

Wall and ceiling insulation that makes up portions of the building thermal envelope shall be installed to Passing Grade quality.

Two criteria affect installed insulation grading: **voids/gaps** (in which no insulation is present in a portion of the overall insulated surface) and **compression/incomplete fill** (in which the insulation does not fully fill out or extend to the desired depth).

Voids/Gaps

- Voids or gaps in the insulation are < 1 % of overall component surface area (only occasional and very small gaps allowed for Passing Grade)

Compression/Incomplete Fill

- Compression/Incomplete Fill for both *air permeable insulation* (e.g., fiberglass, cellulose) and *air impermeable insulation* (e.g., spray polyurethane foam) must be less than 1 inch in depth or less than 30% of the intended depth, whichever is more stringent. The allowable area of compression/incomplete fill must be less than 2% of the overall insulated surface to achieve a Passing Grade.
- Any compression/incomplete fill with a **depth** greater than the above specifications (up to 1" or 30% of the intended depth, whichever is more stringent) shall not achieve a Passing Grade.

Additional Wall Insulation Requirements

- All vertical air permeable insulation shall be installed in substantial contact with an air barrier on all six (6) sides.

Exception: Unfinished basements, rim/band joist cavity insulation and fireplaces (insulation shall be restrained to stay in place).

For unfinished basements, air permeable insulation and associated framing in a framed cavity wall shall be installed less than ¼" from the basement wall surface.

- Attic knee wall details - Attic knee walls shall be insulated to a total R-value of at least R-18 through any combination of cavity and continuous insulation. Air permeable insulation shall be installed with a fully sealed attic-side air barrier (e.g., OSB with seams caulked, rigid insulation with joints taped, etc.). Attic knee walls with air impermeable insulation shall not require an additional attic-side air barrier.

Underfloor insulation that makes up portions of the building thermal envelope shall be installed to Passing Grade quality.

Two criteria affect installed insulation grading: **voids/ gaps** (in which no insulation is present in a portion of the overall insulated surface) and **compression/incomplete fill** (in which the insulation does not fully fill out or extend to the desired depth).

Voids/Gaps

- Voids or gaps in the insulation are minimal for Passing Grade (< 2% of overall component surface area)

Compression/incomplete Fill

- Compression/incomplete Fill for both *air permeable insulation* (e.g., fiberglass, cellulose) and *air impermeable insulation* (e.g., spray polyurethane foam) must be less than 1 inch in depth or less than 30%

of the intended depth, whichever is more stringent. The allowable area of compression/incomplete fill must be less than 10% of the overall insulated surface to achieve a Passing Grade.

- Any compression/incomplete fill with a **depth** greater than the above specifications (up to 1" or 30% of the intended depth, whichever is more stringent) shall not achieve a Passing Grade.
- Air-permeable underfloor insulation shall be permanently installed against the subfloor decking. Adequate insulation supports (e.g., wire staves) for air permeable insulation shall be installed at least every 18-24".

Exception: The floor framing-cavity insulation shall be permitted to be in contact with the topside of sheathing or continuous insulation installed on the bottom side of floor framing where combined with insulation that meets or exceeds the minimum wood frame wall R-value and that extends from the bottom to the top of all perimeter floor framing members.

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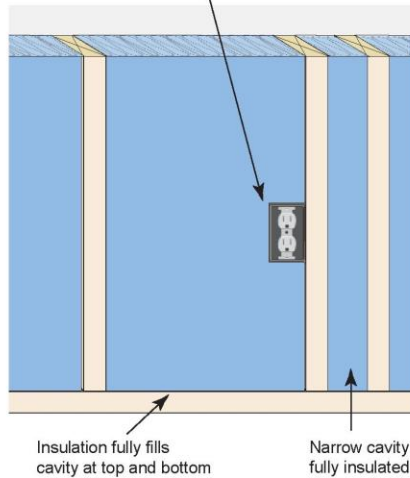
Wall Insulation key points


Appendix RA

Voids / Gaps

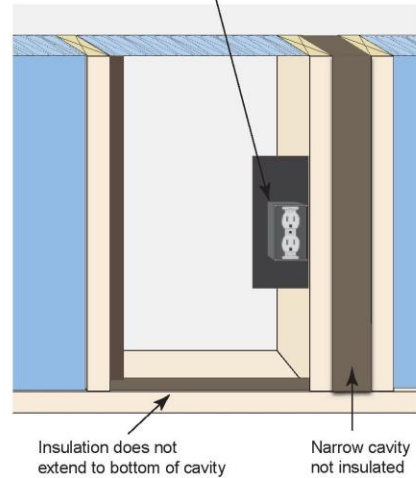
Passing Grade 

Insulation is notched and completely surrounds electrical box



Unacceptable Installation 

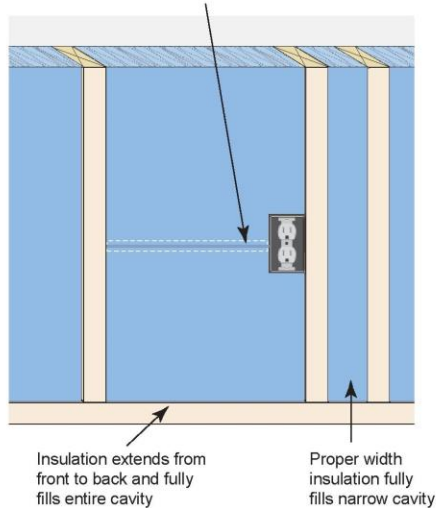
Incomplete insulation coverage around electrical box




Compression / Incomplete Fill

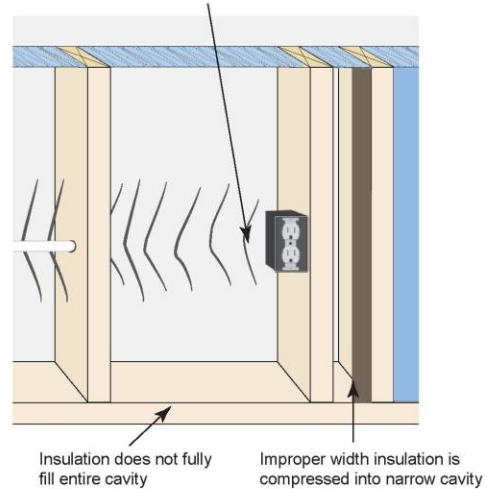
Passing Grade 

Insulation is slit around electrical wire



Unacceptable Installation 

Insulation is compressed behind electrical wire



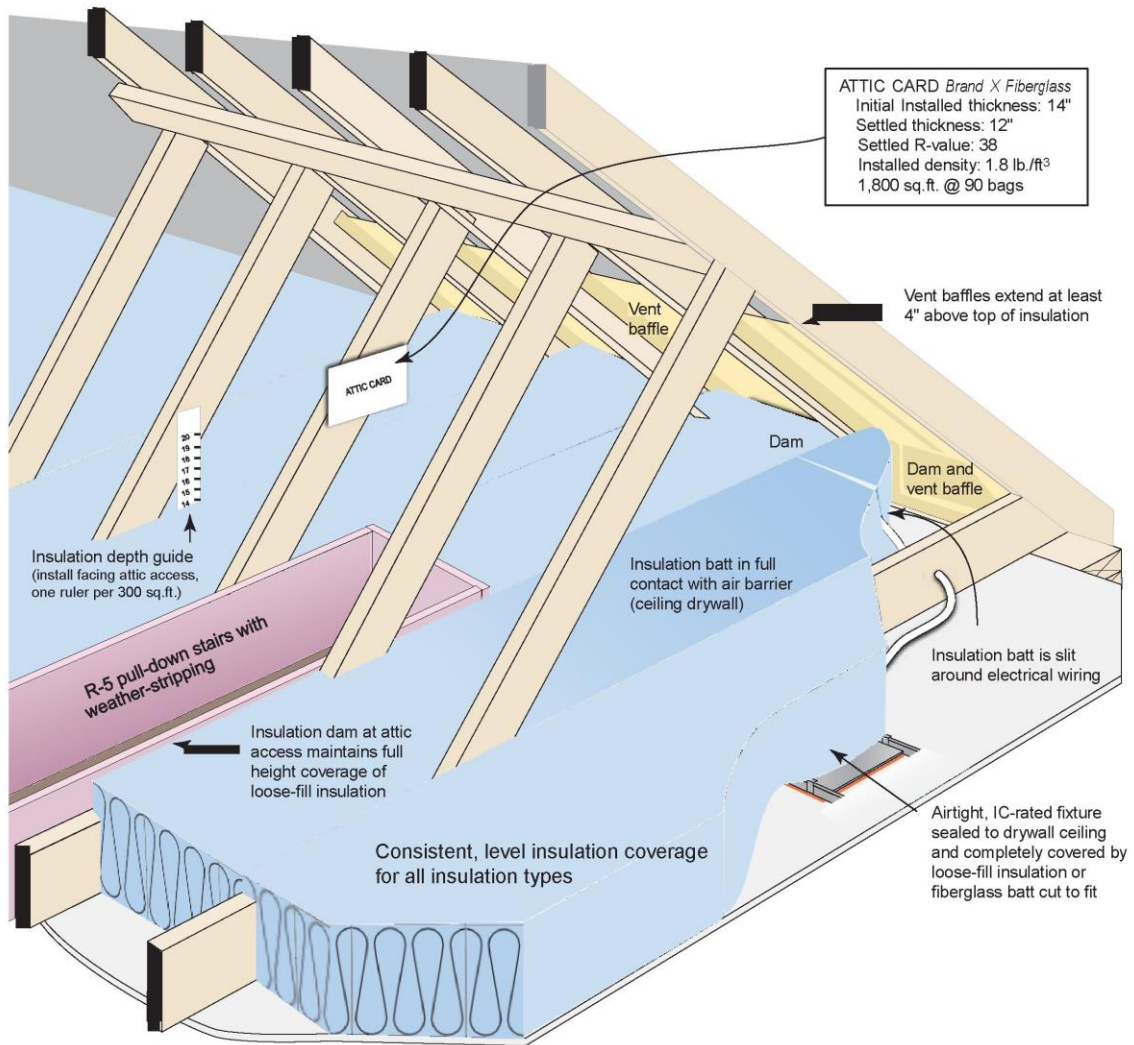
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Georgia International Energy Conservation Code Supplements and Amendments 2020

Ceiling Insulation key points

Appendix RA


Passing Grade 

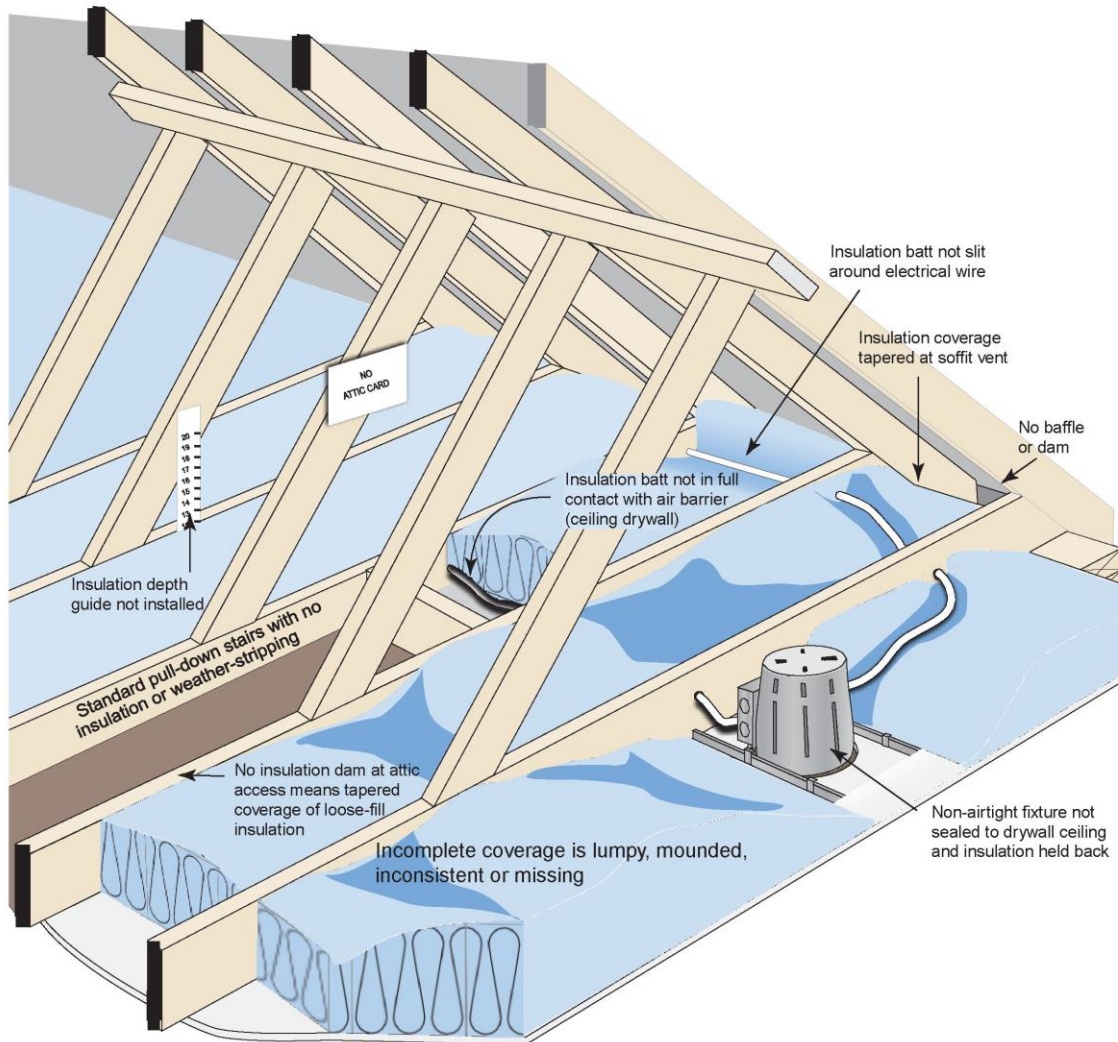


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Georgia International Energy Conservation Code Supplements and Amendments 2020

Ceiling Insulation key points

Unacceptable installation 

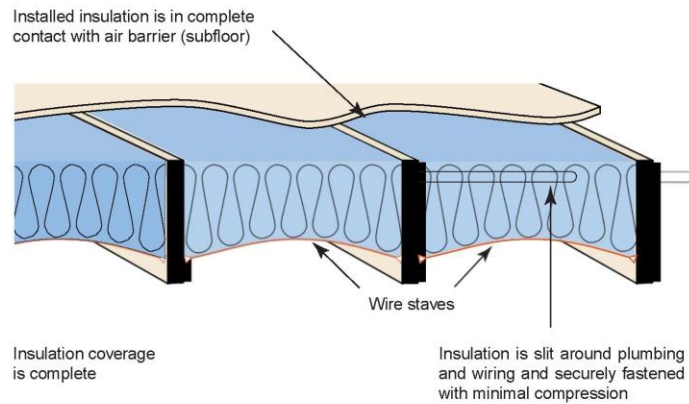


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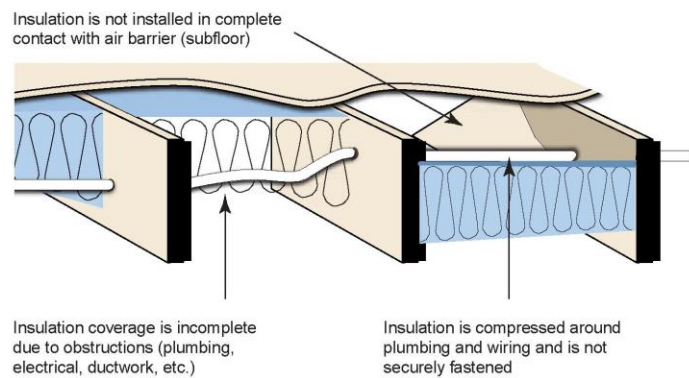
Floor Insulation key points

Appendix RA

Passing Grade



Unacceptable Installation



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Georgia International Energy Conservation Code Supplements and Amendments 2020

APPENDIX RC

THIRD PARTY VERIFICATION

SECTION RC101

GENERAL

RC101.1 **Scope.** The provisions of this appendix govern the requirements for third-party verification of this code.

RC101.2 **Adoption.** The authority having jurisdiction may adopt this appendix to utilize third-party verification of this code.

SECTION RC102

DEFINITIONS

THIRD-PARTY VERIFIER. An independent person or firm responsible for conducting inspections and/or testing and plan review to verify a project's compliance with the provisions of this code.

SECTION RC103

QUALIFICATIONS

RC103.1 **General.** It shall be the responsibility of the permit holder to retain a qualified *third-party verifier*. The *third-party verifier* shall not be an employee of the owner or builder or have a financial interest in the project.

RC103.2 **Residential buildings.** Third-party verifiers shall have one of the following minimum qualifications to conduct inspections or plan review for the energy efficiency provisions of *residential buildings* as defined by this code:

1. Accredited HERS Rater
2. ICC Residential Energy Inspector/Plans Examiner Certification
3. EarthCraft House Technical Advisor
4. Building Performance Institute (BPI) Analyst
5. Equivalent qualifications as approved by the local *code official*

Exception: Where the specific provisions of this code require additional qualifications.

RC103.3 **Commercial buildings.** Third-party verifiers shall have one of the following minimum qualifications to conduct inspections or plan review for the energy efficiency provisions of *commercial buildings* as defined by this code:

1. ICC Commercial Energy Inspector and ICC Commercial Plans Examiner Certifications
2. Equivalent qualifications as approved by the local *code official*

Exception: Where the specific provisions of this code require additional qualifications.

SECTION RC104

INSPECTIONS

RC104.1 **General.** Construction or work, conducted under the provisions of this code, for which a permit is required shall be subject to inspection by a *third-party verifier*.

RC104.2 **Inspection requests.** It shall be the duty of the permit holder or their duly authorized agent to notify the *third-party verifier* when work is ready for inspection and to provide access to and means for inspection of such work required by this code.

RC104.3 **Fees.** The permit holder shall be responsible for all fees charged by the *third-party verifier*.

RC104.4 **Residential buildings.** A minimum of two inspections shall be conducted for each residential building. The first inspection shall be conducted prior to the closing-up of building cavities; and shall include verification of compliance with the following: insulation, fenestration, air sealing and duct insulation and sealing. The second inspection shall be conducted after the building has been substantially completed and prior to issuance of a certificate of occupancy. The second inspection shall include verification of compliance with any portions of this code not verified during the first inspection.

RC104.5 **Commercial buildings.** A minimum number of inspections as determined by the *third-party verifier* shall be conducted to ensure verification of compliance with the provisions of Chapter 5 of this code or ASHRAE 90.1.

RC104.6 **Re-inspection.** A building shall be re-inspected when determined necessary by the *third-party verifier* or local *code official*.

RC104.7 **Approval report.** Inspection and verification reports shall be submitted by the *third party verifier* to the local *code official*.

(Effective January 1, 2020)

Appendix RD

Mandatory Compliance Certificate

2020 Georgia Residential Energy Code Compliance Certificate This certificate shall be permanently posted on or in the electrical distribution panel Permit# _____ House Address or Community/Lot# _____		Jurisdiction Logo and/or Contact Information Here	
Building Summary			
Builder Company Name		Signature	Contact (email/phone)
Date			
Compliance Pathway (check one)		Building Envelope (when multiple values per component, list value covering largest area)	
<input checked="" type="checkbox"/> Prescriptive: R401-404		Ceiling/Roof R-value	Above-grade mass wall R-value
<input checked="" type="checkbox"/> UA Trade-off: R402.1.5		Sloped/vaulted ceiling R-value	Cantilevered floors R-value
<input checked="" type="checkbox"/> RESCheck: Keyed to 2015 IECC		Exterior wall R-value	Window/Glass Door SHGC
<input checked="" type="checkbox"/> Simulated Performance: R405		Kneewall (cavity and/or continuous) R-value	Window/Glass Door U-factor
<input checked="" type="checkbox"/> Energy Rating Index (ERI): R406		Foundation (cavity and/or continuous) R-value	Skylight SHGC
ERI Score		Floors over unconditioned R-value	Skylight U-factor
Mechanical Summary			
HVAC Company Name		Contact (email/phone)	Date
Heating System Type	Efficiency (AFUE, HSPF, COP or other)	Cooling System Type	Efficiency (SEER, EER or other)
<input type="checkbox"/> Gas		<input type="checkbox"/> Air conditioner	
<input type="checkbox"/> Heat pump		<input type="checkbox"/> Heat pump	
<input type="checkbox"/> Other		<input type="checkbox"/> Other:	
<input type="checkbox"/> Yes <input type="checkbox"/> No Manual J, S, D or equivalent complete?		Water Heating Type	Efficiency (EF or other)
		<input type="checkbox"/> Gas	
		<input type="checkbox"/> Electric	
		<input type="checkbox"/> Other:	
Required Mechanical Ventilation			
Type (check one)	Design Rate (check one)		
<input type="checkbox"/> Exhaust	<input type="checkbox"/> Continuous		
<input type="checkbox"/> Supply	<input type="checkbox"/> Intermittent		
<input type="checkbox"/> Balanced	If intermittent, list runtime in min. per hour		
Design Ventilation Rate (CFM)			
Duct and Envelope Tightness Testing Summary			
DET Verifier		Contact (email/phone)	DET Verifier ID
Envelope Tightness Testing (< 5 ACH50) (Envelope Tightness = Blower Door Fan Flow x 60 / Thermal Envelope Volume)			
Blower Door Fan Flow (CFM50)		Thermal Envelope Volume (ft³)	Envelope Tightness (ACH50)
If multifamily unit and conducting sampling, this unit is not required to be tested. Mark N/A.			
Duct Tightness Testing (< 6 CFM25/100 ft²) (Total Duct Leakage = 100 x Fan Flow / Area Served)			
Number of Heating and Cooling Systems			
Duct Tightness Leakage Test Results			
	System 1	System 2	System 3
If air handler and ductwork located entirely within in conditioned space, testing not required. Mark N/A.			
Location			
Fan Flow (CFM25)			
Area Served (ft²)			
Total Duct Leakage (CFM25/100 ft²)			
Rough In Total (RIT) or Post Construction Total (PCT)			

Version 1.0

Cite as Ga. Comp. R. & Regs. R. 110-11-1-.34

AUTHORITY: O.C.G.A. § 8-2-20 et seq.

HISTORY: Original Rule entitled "International Energy Conservation Code (IECC), 2015 Edition with 2020 Georgia State Amendments" adopted. F. Dec. 7, 2018; eff. Jan. 1, 2020, as specified by the Agency.

Note: Rule 110-11-1-.34 filed December 7, 2018 rescinded and refiled on February 19, 2019; eff. Jan. 1, 2020, as specified by the Agency. In February 2019, the Agency discovered that the wrong version of the Rule was inadvertently filed and contained typographical errors in the dates cited (i.e., "Revised January 1, 2019" and "(Effective January 1, 2019)"). The dates were corrected to "Revised January 1, 2020" and "(Effective January 1, 2020)", as cited in the Rule promulgated and adopted on November 3, 2018. Effective February 19, 2019.

Amended: New title, "International Energy Conservation Code (IECC), 2015 Edition with 2020 and 2022 Georgia State Amendments." F. Nov. 18, 2021; eff. Jan. 1, 2022, as specified by the Agency.

Amended: New title, "International Energy Conservation Code (IECC), 2015 Edition with 2020, 2022 and 2022 Additional Georgia State Amendments." F. Aug. 10, 2022; eff. Sep. 1, 2022, as specified by the Agency.

110-11-1-.34 [Effective 1/1/2023] International Energy Conservation Code (IECC), 2015 Edition with 2020, 2022, 2022 Additional and 2023 Georgia State Amendments



Georgia State Supplements and Amendments to the International Energy Conservation Code (2015 Edition)

Georgia Department of Community Affairs
Community Development Division
60 Executive Park South, N.E.
Atlanta, Georgia 30329-2231
(404) 679-3118
www.dca.ga.gov

Revised January 1, 2023

GEORGIA STATE MINIMUM STANDARD ENERGY CODE

(INTERNATIONAL ENERGY CONSERVATION CODE WITH GEORGIA STATE SUPPLEMENTS AND AMENDMENTS)

The INTERNATIONAL ENERGY CONSERVATION CODE, 2015 Edition, published by the International Code Council, when used in conjunction with these Georgia State Supplements, Amendments and any other Georgia State Amendments, shall constitute the official *Georgia State Minimum Standard Energy Code*.

GEORGIA STATE SUPPLEMENTS AND AMENDMENTS

SCOPE:

Each chapter of these Georgia State Supplements and Amendments corresponds with a chapter of the *International Energy Conservation Code (IECC)*.

Commercial Provisions

- Chapter 1: Scope and Administration
- Chapter 2: Definitions
- Chapter 3: General Requirements
- Chapter 4: Commercial Energy Efficiency
 - Compliance Pathways for Commercial and High-Rise Residential Construction:
 - Any of those delineated in this chapter; or
 - *COMcheck*¹
- Chapter 5: Existing Buildings
- Chapter 6: Referenced Standards

Residential Provisions

- Chapter 1: Scope and Administration
- Chapter 2: Definitions
- Chapter 3: General Requirements
- Chapter 4: Residential Energy Efficiency
 - Compliance Pathways for Low-Rise Residential Construction:
 - Any of those delineated in this chapter; or
 - *REScheck*¹
- Chapter 5: Existing Buildings
- Chapter 6: Referenced Standards
- Appendices RA, RB, RC and RD
 - Throughout the appendices, there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *IECC* for clarification.

1. *REScheck* and *COMcheck* are computer programs developed by Pacific Northwest National Laboratories for the U.S. Department of Energy (D.O.E.) to assist in demonstration of compliance with the *IECC*. They may be obtained free of charge from the D.O.E. online at www.energycodes.gov. When following the *REScheck* compliance pathway, select the 2015 *IECC* as the code version. When following the *COMcheck* compliance pathway, select either *IECC* 2015 or ASHRAE/IESNA Standard 90.1-2013.

The 'Mandatory' requirements of the *IECC* apply to all compliance methods.

Where these Georgia State Supplements and Amendments conflict with either the *IECC* or *ANSI/ASHRAE/IES Standard 90.1*, these Georgia State Supplements and Amendments shall take precedence.

Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.

It is not the intention of this code to abridge safety or health. Where the *IECC* and these Georgia State Supplements and Amendments conflict with other mandatory *State Minimum Standard Codes*, the *IECC* and these Georgia State Supplements and Amendments shall be enforced as written, provided that safety, health or environmental requirements of other mandatory *State Minimum Standard Codes* are not abridged.

APPENDICES:

Appendices are not enforceable unless they are specifically referenced in the body of the code or adopted by the Department of Community Affairs or the authority having jurisdiction.

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RESIDENTIAL PROVISIONS

IMPORTANT NOTE:

Where required by Georgia State Minimum Standard Energy Code, R6 Flexible Duct combined with an approved continuous Radiant Barrier as part of the roof assembly may be substituted for the required R8 Flexible Duct.

The use of this substitution will be valid until June 30, 2023 at the discretion of the authority having jurisdiction. (Effective September 1, 2022).

CHAPTER 4

[RE] RESIDENTIAL ENERGY EFFICIENCY

SECTION R402 BUILDING

THERMAL ENVELOPE

*Revise Table 402.1.2 'Insulation and Fenestration Requirements by Componenta' header 'Floor R-Value' and add new footnote 'j' to read as follows:

TABLE R402.1.2											
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT³											
Climate Zone	Fenestration U-Factor ^b	Skylight ^b U-Factor	Glazed Fenestration SHGC ^{b,e}	Ceiling R-Value	Wood Frame Wall R-Value	Attic Kneewall R-Value ¹	Mass Wall R-Value	Floor R-Value ^j	Wall ^c R-Value	Slab ^d R-Value & Depth	Crawl ^c Space Wall R-Value
2	0.35	0.65	0.27	38	13	18	4/6	13	0	0	0
3	0.35	0.55	0.27	38	13	18	8/13	19	5/13 ^f	0	5/13
4 except marine	0.35	0.55	0.27	38	13	18	8/13	19	10/13	0	10/13

j: Cantilevered floors over outside air shall be R-30 and the band area above the supporting wall shall be blocked; penetrations of blocking shall be air sealed.

(Effective January 1, 2023)

*Revise Table 402.1.4 'Equivalent U-Factors^a' header 'Floor U-Value' and add new footnote 'd' to read as follows:

TABLE R402.1.4								
EQUIVALENT U-FACTORS^a								
Climate Zone	Fenestration U-Factor	Skylight U-Factor	Ceiling U-Factor	Frame Wall U-Factor	Mass Wall U-Factor ^b	Floor U-Factor ^d	Basement Wall U-Factor	Crawl Space Wall U-Factor
2	0.35	0.65	0.030	0.084	0.165	0.064	0.360	0.477
3	0.35	0.55	0.030	0.084	0.098	0.047	0.091 ^c	0.136
4 except marine	0.35	0.55	0.030	0.084	0.098	0.047	0.059	0.065

d: Cantilevered floors over outside air shall be U-0.035 and the band area above the supporting wall shall be blocked; penetrations of blocking shall be air sealed.

(Effective January 1, 2023)

*Revise Underfloor Insulation in Appendix RA Georgia Insulation Installation - *Passing Grade Details* (p.45) to read as follows:

Underfloor insulation that makes up portions of the building thermal envelope shall be installed to Passing Grade quality.

Two criteria affect installed insulation grading: **voids/ gaps** (in which no insulation is present in a portion of the overall insulated surface) and **compression/incomplete fill** (in which the insulation does not fully fill out or extend to the desired depth). Cantilevered floors over outside air shall be R-30 and the band area above the supporting wall shall be blocked; penetrations of blocking shall be air sealed.

(Effective January 1, 2023)



Georgia State Supplements and Amendments to the International Energy Conservation Code (2015 Edition)

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Revised September 1, 2022

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- Chapter 1: Scope and Administration
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 - Compliance Pathways for Commercial and High-Rise Residential Construction:
 - Any of those delineated in this chapter; or
 - *COMcheck*¹
- Chapter 5: Existing Buildings
- Chapter 6: Referenced Standards

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The 'Mandatory' requirements of the *IECC* apply to all compliance methods.

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Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.

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APPENDICES:

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RESIDENTIAL PROVISIONS

*Add a new section "Important Note" beneath the "Residential Provisions" heading in the Georgia State Supplements and Amendments to the International Energy Conservation Code (2015 Edition) as follows:

IMPORTANT NOTE:

Where required by Georgia State Minimum Standard Energy Code, R6 Flexible Duct combined with an approved continuous Radiant Barrier as part of the roof assembly may be substituted for the required R8 Flexible Duct.

The use of this substitution will be valid until June 30, 2023 at the discretion of the authority having jurisdiction. (Effective September 1, 2022).



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Air infiltration accounts for substantial heat loss, heat gain and moisture migration in a building. Proper sealing around all doors, windows and other envelope penetrations through the walls, ceiling and foundation is as important to code compliance as are proper insulation R-values and component U-factors.

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RESIDENTIAL PROVISIONS

CHAPTER 4 [RE] RESIDENTIAL ENERGY EFFICIENCY

SECTION R402 BUILDING THERMAL ENVELOPE

*Add new Section R402.1.2.1 'Indirectly conditioned attics' to read as follows:

R402.1.2.1 (N1102.1.2.1) Indirectly conditioned attics. Where table N1102.1.2 (R402.1.2) requires R-38 or Table N1102.1.4 (R402.1.4) requires a U-factor of 0.030, an air impermeable insulation installed to the underside or directly above the roof deck with a U-factor of 0.05 or R-value of R-20 shall be deemed equivalent to the provisions in N1102.2.1 (R402.2.1), with the following requirements:

1. The house shall attain a blower door test result 3 ACH50.
2. The house shall require a whole house mechanical ventilation system that does not solely rely on a negative pressure strategy (must be positive, balanced or hybrid).
3. Where insulation is installed below the roof deck and the exposed portion of roof rafters are not already covered by the R-20 depth of the air-impermeable insulation, the exposed portion of the roof rafters shall be wrapped (covered) by minimum R-3 unless directly covered by drywall / finished ceiling. Roof rafters are not required to be covered by minimum R-3 if a continuous insulation is installed above the roof deck.
4. Indoor heating, cooling and ventilation equipment (including ductwork) shall be inside the building thermal envelope.

(Effective January 1, 2022)

*Add new Section R402.2.9.1 'Rim joist insulation' to read as follows:

R402.2.9.1 Rim joist insulation. Insulation provided at the interior rim joist area shall be removable to allow access for pest control inspections.

(Effective January 1, 2022)

*Add new Section R402.2.11.1 'Crawl space walls part 2' to read as follows:

R402.2.11.1 Crawl space walls part 2. Insulation provided at the interior rim joist area shall be removable to allow access for pest control inspections.

(Effective January 1, 2022)



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COMMERCIAL PROVISIONS

CHAPTER 1 [CE]

SCOPE AND ADMINISTRATION

SECTION C101

SCOPE AND GENERAL REQUIREMENTS

*Delete Section C101.1 'Title' without substitution.

(Effective January 1, 2020)

*Add new Section C101.6 'Requirements for high-efficiency cooling towers' to read as follows:

C101.6 Requirements for high-efficiency cooling towers. Cooling towers installed in new construction shall be in compliance with ANSI/ASHRAE/IES 90.1 Standard.

(Effective January 1, 2020)

SECTION C104

INSPECTIONS

*Delete SECTION C104 'INSPECTIONS' without substitution.

(Effective January 1, 2020)

SECTION C107

FEES

*Delete SECTION C107 'FEES' without substitution.

(Effective January 1, 2020)

SECTION C108

STOP WORK ORDER

*Delete SECTION C108 'STOP WORK ORDER' without substitution.

(Effective January 1, 2020)

SECTION C109

BOARD OF APPEALS

*Delete SECTION C109 'BOARD OF APPEALS' without substitution.

(Effective January 1, 2020)

CHAPTER 2 [CE]

DEFINITIONS

SECTION C202

GENERAL DEFINITIONS

*Revise the definition for 'COEFFICIENT OF PERFORMANCE (COP) - COOLING', to read as follows:

COEFFICIENT OF PERFORMANCE (COP) - COOLING. The ratio of the rate of heat removal to the rate of energy input, in consistent units, for a complete refrigerating system or some specific portion of that system under designated operating conditions.

(Effective January 1, 2020)

*Delete definition of 'CONDITIONED SPACE' and substitute the following:

SPACE. An enclosed space within a building. The classifications of spaces are as follows for the purpose of determining building envelope requirements:

(a) **Conditioned space:** a cooled space, heated space, or indirectly conditioned space is defined as follows:

(1) **Cooled space:** an enclosed space within a building that is cooled by a cooling system whose sensible output capacity exceeds 5 Btu/h·ft² of floor area.

(2) **Heated space:** an enclosed space within a building that is heated by a heating system whose output capacity relative to the floor area is greater than or equal to 5 Btu/h·ft².

(3) **Indirectly conditioned space:** an enclosed space within a building that is not a heated space or a cooled space, containing un-insulated ducts, or containing the heating equipment or which is heated or cooled indirectly by being connected to adjacent space(s), provided that air from heated or cooled spaces is transferred (naturally or mechanically) into the space. Unvented Attic Assemblies meeting the requirements of the IRC are an approved indirectly conditioned space.

(b) **Semi-heated space:** an enclosed space within a building that is heated by a heating system whose output capacity is greater than or equal to 3.4 Btu/Lft² of floor area but is not a conditioned space.

(c) **Unconditioned space:** an enclosed space within a building that is not a conditioned space or a semi-heated space. Crawl spaces, attics, and parking garages with natural or mechanical ventilation are not considered enclosed spaces.

(Effective January 1, 2020)

*Add definition of 'COOLING TOWER' to read as follows:

COOLING TOWER. A building heat removal device used to transfer process waste heat to the atmosphere.

(Effective January 1, 2020)

* Delete definition of 'ON-SITE RENEWABLE ENERGY', and substitute the following:

ON-SITE RENEWABLE ENERGY. Energy systems that are located on the building site, are installed on the building's side of the utility service provider's meter, produce energy primarily intended for use in the building and not solely for export to utilities, and produce energy derived from any of the following sources: solar radiation, wind, waves, tides, biogas, biomass or the internal heat of the earth. Energy systems that derive energy from solar radiation shall be modeled in the orientation of the energy system.

The following description only pertains to energy systems that derive energy from solar radiation and are owned by a third-party. The Georgia Solar Power Free-Market Financing Act of 2015 (commonly referred to as "HB 57") allows a customer to purchase solar electricity generated by a solar system owned by a third-party so long as certain criteria are met. Two key criteria are that the law only authorizes solar systems that generate electricity fueled by sunlight and that the solar system must be installed on property owned or occupied by the entity purchasing the system's electricity. The definition of "property" extends to all adjacent contiguous tracts of land utilized by the entity purchasing the solar system's electricity. "Building Site" in C202 is defined as a contiguous area of land that is under the ownership or control of one entity. While this definition of "building site" is similar to HB 57's definition of "property," the key difference is that HB 57 focuses on the entity purchasing the solar system's electricity. When modeling a solar system that is owned by a third-party, it is best to refer to HB 57 to determine whether all criteria have been met.

(Effective January 1, 2020)

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CHAPTER 4 [CE] COMMERCIAL

ENERGY EFFICIENCY

SECTION C402

BUILDING ENVELOPE REQUIREMENTS

*Revise Table C402.1.3 'Opaque Thermal Envelope Insulation Component Minimum Requirements, R-Value Method^a' *Climate Zone 4* except Marine, for unheated slabs to read as follows:

TABLE C402.1.3 OPAQUE THERMAL ENVELOPE INSULATION COMPONENT MINIMUM REQUIREMENTS, R-VALUE METHOD ^a		
Climate Zone	4 EXCEPT MARINE	(remainder of table left unchanged)
	All other	
	Slab-on-grade floors	
Unheated slabs	NR	

(Effective January 1, 2020)

SECTION C403

BUILDING MECHANICAL SYSTEMS

*Delete Section C403.2.3 'HVAC equipment performance requirements' and substitute to read as follows:

C403.2.3 HVAC equipment performance requirements. Equipment shall meet the minimum efficiency requirements of Tables 6.8.1-1, 6.8.1-2, 6.8.1-3, 6.8.1-4, 6.8.1-5, 6.8.1-6, 6.8.1-7, 6.8.1-9, 6.8.1-10, 6.8.1-11, 6.8.1-12, and 6.8.1-13 of ASHRAE Standard 90.1 when tested and rated in accordance with the applicable test procedure. Plate-type liquid-to-liquid heat exchangers shall meet the minimum requirements of Table 6.8.1-8 of ASHRAE Standard 90.1. The efficiency shall be verified through certification under an *approved* certification program or, where a certification program does not exist, the equipment efficiency ratings shall be supported by data furnished by the manufacturer. Where multiple rating conditions or performance requirements are provided, the equipment shall satisfy all stated requirements. Where components, such as indoor or outdoor coils, from different manufacturers are used, calculations and supporting data shall be furnished by the designer that demonstrates that the combined efficiency of the specified components meets the requirements herein.

The above referenced tables of ASHRAE 90.1, HVAC equipment performance tables are available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2085>

(Effective January 1, 2020)

*Delete Section C403.2.8 'Kitchen Exhaust Systems' without substitution.

(Effective January 1, 2020)

*Delete Table C403.2.8 'MAXIMUM NET EXHAUST FLOW RATE, CFM PER LINEAR FOOT OF HOOD LENGTH' without substitution.

(Effective January 1, 2020)

*Delete Section C403.2.9 'Duct and plenum insulation and sealing' and substitute to read as follows:

C403.2.9 Duct and plenum insulation and sealing. Supply and return air ducts and plenums shall be insulated with a minimum of R-6 insulation where located in unconditioned spaces and where located outside the building with a minimum of R-8 insulation in *Climate Zones* 2 through 4. Where located within a building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned or exempt spaces by a minimum of R-8 insulation in *Climate Zones* 2 through 4.

Exceptions:

1. Where located within equipment.
2. Where the design temperature difference between the interior and exterior of the duct or plenum is not greater than 15°F (8°C).

Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with section C403.2.9.2 of these Georgia State Supplements and Amendments.

Exceptions:

1. Air-impermeable spray foam product shall be permitted to be applied without additional joint seals.
2. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams, and locking-type joints and seams of other than the snap-lock and button-lock types.
3. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
4. Sealing that would void product listings is not required.

(Effective January 1, 2020)

*Add new Section C403.2.9.2 'Joints, Seams and Connections' to read as follows:

C403.2.9.2 Joints, Seams and Connections. All longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in *SMACNA HVAC Duct Construction Standards - Metal and Flexible* and *NAIMA Fibrous Glass Duct Construction Standards*. All joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), masticplus-embedded-fabric systems or tapes. Without exception all closure systems shall have mastic applied that is at least 0.08 inches (2 mm) thick.

Closure systems used to seal flexible air ducts and flexible air connections shall comply with UL 181B and shall be marked "181B-FX" for pressure-sensitive tape or "181B-M" for mastic. Duct connections to flanges of air distribution systems equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25.4 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint.

Closure systems used to seal metal ductwork shall be installed in accordance with manufacturer's instructions. Round metallic ducts shall be mechanically fastened by means of at least three sheet metal screws or rivets spaced equally around the joint. Unlisted duct tape shall not be permitted as a sealant on any duct.

Exceptions:

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.

2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressure less than 2 inches (51 mm) of water column (500 Pa) pressure classification shall not require additional closure systems.

(Effective January 1, 2020)

*Revise Section C403.3 'Economizers (Prescriptive)' to read as follows:

C403.3 Economizers (Prescriptive).

Revise Section C403.3, Economizers (Prescriptive), to delete the last sentence of exception 2 and add exception number 10, Computer Room Applications, at the end.

10. Computer Room Applications.

(Effective January 1, 2020)

*Delete Section C403.4.2.6 'Pump isolation' to add a new sentence at the end to read as follows:

C403.4.2.6 Pump isolation. Chilled water plants including more than one chiller shall have the capability to reduce flow automatically through the chiller plant when a chiller is shut down. Chillers piped in series for the purpose of increased temperature differential shall be considered as one chiller.

Boiler plants including more than one boiler shall have the capability to reduce flow automatically through the boiler plant when a boiler is shut down. Flow isolation shall allow time for adequate thermal dissipation of residual heat to prevent relief before isolating boiler(s).

(Effective January 1, 2020)

SECTION C407

TOTAL BUILDING PERFORMANCE

*Delete Section C407.3 'Performance-based compliance' and substitute to read as follows:

C407.3 Performance-based compliance. Compliance based on total building performance requires that a proposed building (*proposed design*) be shown to have an annual energy cost that is less than or equal to the annual energy cost of the *standard reference design*. Energy prices shall be taken from a source *approved by the code official*, such as the Department of Energy, Energy Information Administration's *State Energy Price and Expenditure Report*. *Code officials* shall be permitted to require time-of-use pricing in energy cost calculations.

The reduction in annual energy cost of the *proposed design* associated with *on-site renewable energy* shall be not more than 5% of the total annual energy cost. The amount of renewable energy purchased from off-site sources shall be the same in the *standard reference design* and the *proposed design*.

Exception: Jurisdictions that require site energy (1 kWh = 3413 Btu) rather than energy cost as the metric of comparison.

(Effective January 1, 2020)

*Revise Section C407.4.2 'Additional documentation' to add a new item 6 to read as follows:

C407.4.2 Additional documentation.

6. Documentation of the reduction in annual energy use associated with on-site renewable energy.

(Effective January 1, 2020)

SECTION C408

SYSTEM COMMISSIONING

*Revise Section C408 'System Commissioning' to read as follows:

Strike the words "commission" and "commissioning" wherever they appear and replace with "functional performance testing" throughout the entire Section C408 SYSTEM COMMISSIONING as required.

(Effective January 1, 2020)

*Delete Section C408.2.4.1 'Acceptance of report' without substitution.

(Effective January 1, 2020)

CHAPTER 6 [CE]

REFERENCED STANDARDS

*Revise Chapter 6 'Referenced Standards' to add the following new Standards to read as follows:

UL	UL LLC 333 Pfingsten Road Northbrook, IL 60062-2096	
	Standard reference number	Title
		Referenced in code section number
	181-2013	Factory-made Air Ducts and Air Connectors-with Revisions through May 2003.....
181A-2013	Closure Systems for Use with Rigid Air Ducts and Air Connectors-with Revisions through December 1998.....	C403.2.9.2
181B-2013	Closure Systems for Use with Flexible Air Ducts and Air Connectors-with Revisions through August 2003.....	C403.2.9.2

(Standards not listed to remain unchanged)

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RESIDENTIAL PROVISIONS

CHAPTER 1 [RE]

SCOPE AND ADMINISTRATION

SECTION R101

SCOPE AND GENERAL REQUIREMENTS

*Delete Section R101.1 'Title' without substitution.

(Effective January 1, 2020)

SECTION R103

CONSTRUCTION DOCUMENTS

*Delete SECTION R103 'CONSTRUCTION DOCUMENTS' without substitution.

(Effective January 1, 2020)

SECTION R104

INSPECTIONS

*Delete SECTION R104 'INSPECTIONS' without substitution.

(Effective January 1, 2020)

SECTION R107

FEES

*Delete SECTION R107 'FEES' without substitution.

(Effective January 1, 2020)

SECTION R108

STOP WORK ORDER

*Delete SECTION R108 'STOP WORK ORDER' without substitution.

(Effective January 1, 2020)

SECTION R109

BOARD OF APPEALS

*Delete SECTION R109 'BOARD OF APPEALS' without substitution.

(Effective January 1, 2020)

CHAPTER 2 [RE]

DEFINITIONS

*Add definition of 'ATTIC KNEEWALL' to read as follows:

ATTIC KNEEWALL. Any vertical or near-vertical wall in the building envelope that has conditioned space on one side and unconditioned attic space on the other side. If the envelope features the insulation installed along the sloped ceiling, the vertical wall is considered an interior wall and thus does not require insulation.

(Effective January 1, 2020)

*Add new definition of 'CERTIFIED DUCT AND ENVELOPE TIGHTNESS (DET) VERIFIER' to read as follows:

CERTIFIED DUCT AND ENVELOPE TIGHTNESS (DET) VERIFIER. A certified DET verifier shall be a certified Home Energy Rating Systems (HERS) rater, or be a Building Performance Institute (BPI) Analyst, or be an Infiltration Duct Leakage (IDL) Certified, or successfully complete a certified DET verifier course that is approved by the Georgia Department of Community Affairs.

(Effective January 1, 2020)

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(a) **Conditioned space:** a cooled space, heated space, or indirectly conditioned space is defined as follows:

(1) **Cooled space:** an enclosed space within a building that is cooled by a cooling system whose sensible output capacity exceeds 5 Btu/h·ft² of floor area.

(2) **Heated space:** an enclosed space within a building that is heated by a heating system whose output capacity relative to the floor area is greater than or equal to 5 Btu/h·ft².

(3) **Indirectly conditioned space:** an enclosed space within a building that is not a heated space or a cooled space, containing un-insulated ducts, or containing the heating equipment or which is heated or cooled indirectly by being connected to adjacent space(s), provided that air from heated or cooled spaces is transferred (naturally or mechanically) into the space. Unvented Attic Assemblies meeting the requirements of the IRC are an approved indirectly conditioned space.

(b) **Semi-heated space:** an enclosed space within a building that is heated by a heating system whose output capacity is greater than or equal to 3.4 Btu/h·ft² of floor area but is not a conditioned space.

(c) **Unconditioned space:** an enclosed space within a building that is not a conditioned space or a semi-heated space. Crawl spaces, attics, and parking garages with natural or mechanical ventilation are not considered enclosed spaces.

(Effective January 1, 2020)

*Add definition of 'ON-SITE RENEWABLE ENERGY' to read as follows:

ON-SITE RENEWABLE ENERGY. Energy systems that are located on the building site, are installed on the building's side of the utility service provider's meter, produce energy primarily intended for use in the building and not solely for export to utilities, and produce energy derived from any of the following sources: solar radiation, wind, waves, tides, biogas, biomass or the internal heat of the earth. Energy systems that derive energy from solar radiation shall be modeled in the orientation of the energy system.

The following description only pertains to energy systems that derive energy from solar radiation and are owned by a third-party. The Georgia Solar Power Free-Market Financing Act of 2015 (commonly referred to as "HB 57") allows a customer to purchase solar electricity generated by a solar system owned by a third-party so long as certain criteria are met. Two key criteria are that the law only authorizes solar systems that generate electricity fueled by sunlight and that the solar system must be installed on property owned or occupied by the entity purchasing the system's electricity. The definition of "property" extends to all adjacent contiguous tracts of land utilized by the entity purchasing the solar system's electricity. "Building Site" in R202 is defined as a contiguous area of land that is under the ownership or control of one entity. While this definition of "building site" is similar to HB 57's definition of "property," the key difference is that HB 57 focuses on the entity purchasing the solar system's electricity. When modeling a solar system that is owned by a third-party, it is best to refer to HB 57 to determine whether all criteria have been met.

(Effective January 1, 2020)

CHAPTER 4 [RE] RESIDENTIAL

ENERGY EFFICIENCY

SECTION R401

GENERAL

*Revise Section R401.2 'Compliance' to read as follows:

R401.2 **Compliance.** Projects shall comply with all provisions of Chapter 4 labeled "Mandatory" and one of the following:

1. Sections R401 through R404.
2. Section R405.
3. Section R406.
4. The most recent version of REScheck, keyed to the 2015 IECC.

*Revise Section R401.3 'Certificate (Mandatory)' by revising first sentence and adding at end as follows:

R401.3 **Certificate (Mandatory).** A permanent certificate shall be completed by the builder or registered design professional and posted on or near the electrical distribution panel or air handler. Where located on ... (Middle of section left unchanged) ... water heating equipment. Refer to Appendix RD for the Mandatory Compliance Certificate that shall be used. (Remainder of section left unchanged)

(Effective January 1, 2020)

The above referenced form, Mandatory Compliance Certificate is available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2090>

SECTION R402

BUILDING THERMAL ENVELOPE

*Revise Table R402.1.2 'Insulation and Fenestration Requirements by Component^a' as follows:

TABLE R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT ³											
Climate Zone	Fenestration <i>U</i> -Factor ^b	Skylight <i>U</i> -Factor ^b	Glazed Fenestration SHGC ^{b,e}	Ceiling <i>R</i> -Value	Wood Frame Wall <i>R</i> -Value	Attic Kneewall <i>R</i> -Value ⁱ	Mass Wall <i>R</i> -Value	Floor <i>R</i> -Value	Basement ^c Wall <i>R</i> -Value	Slab ^d <i>R</i> -Value & Depth	Crawl Space ^c Wall <i>R</i> -Value
2	0.35	0.65	0.27	38	13	18	4/6	13	0	0	0
3	0.35	0.55	0.27	38	13	18	8/13	19	5/13 ^f	0	5/13
4 except marine	0.35	0.55	0.27	38	13	18	8/13	19	10/13	0	10/13

(Remainder of footnotes left unchanged) (Effective January 1, 2020)

*Revise Table R402.1.4 'Equivalent *U*-Factors^a' as follows:

TABLE R402.1.4 EQUIVALENT <i>U</i> -FACTORS ³								
Climate Zone	Fenestration <i>U</i> -Factor	Skylight <i>U</i> -Factor	Ceiling <i>U</i> -Factor	Frame Wall <i>U</i> -Factor	Mass Wall <i>U</i> -Factor ^b	Floor <i>U</i> -Factor	Basement Wall <i>U</i> -Factor	Crawl Space Wall <i>U</i> -Factor
2	0.35	0.65	0.030	0.084	0.165	0.064	0.360	0.477
3	0.35	0.55	0.030	0.084	0.098	0.047	0.091 ^c	0.136
4 except marine	0.35	0.55	0.030	0.084	0.098	0.047	0.059	0.065

Table footnote left unchanged

(Effective January 1, 2020)

*Add a new Section R402.1.6 'Compliance Alternative Constraints (Mandatory)' to read as follows:

R402.1.6 Compliance Alternative Constraints (Mandatory). Where Compliance Alternative Pathways are used, the minimum *R*-values, maximum *U*-factors, and maximum SHGCs for thermal envelope components in projects complying under this code (including the use of REScheck) shall be according to Table 402.1.6. Compliance Alternative Pathways include Total UA Alternative, Simulated Performance Alternative, and Energy Rating Index Alternative.

*Add a new Table R402.1.6, 'Minimum Insulation *R*-Values for Envelope Components When Trade-offs Are Used' to read as follows:

Table R402.1.6 MINIMUM INSULATION R-VALUES FOR ENVELOPE COMPONENTS WHEN TRADE-OFFS ARE USED										
Climate Zone	Wood ^a Framed Walls	Mass ^{a, b} Wall	Attic ^{a, c} Kneewall	Basement ^a Wall	Crawl ^a Wall	Floor Over Unheated Spaces	Ceilings with Attic Space	Vaulted ^{c, d} Unvented Attic Roofline Air-impermeable	Vaulted ^{c, d} Unvented Attic Roofline Air-permeable	Cathedralized ^{c, d} Vented Ceiling Roofline Air-permeable
2	13	4	18	0	0	13	30	20	20+5*	20
3	13	5	18	5	5	13	30	20	20+5*	20
4	13	5	18	5	5	13	30	20	20+15*	20
Window U-Factor 0.5 max with SHGC 0.30 max								* Air-impermeable as per IRC 806.5		
^a : Weather-stripped hinged vertical doors (minimum R-5 insulation or maximum U-0.20), weather-stripped hatches/scuttle hole covers (minimum R-19 insulation or maximum U-0.05), or weather-stripped and disappearing/pull-down stairs (minimum R-5 insulation or maximum U-0.20) shall be deemed to meet the minimum insulation R-values of the corresponding envelope element. ^b : Any mass wall (masonry, CMU, etc.) ^c : Attic kneewall for the purpose of this code is defined as any vertical or near vertical wall in the building envelope that has conditioned space on one side and attic space on the other side. Exception: When the building roofline is insulated, the former kneewall is classified as an interior wall. ^d : Examples of air-impermeable insulation include spray foam and rigid foam board. Examples of air-permeable insulation include fiberglass batts and cellulose. See 'Roofline Installed Insulation Options' in Appendix RA, of these Georgia State Supplements and Amendments for details.										

(Effective January 1, 2020)

*Revise Section R402.2.1 'Ceilings with attic spaces' to read as follows:

R402.2.1 Ceilings with attic spaces. Where Section R402.1.2 would require R-38 insulation in the ceiling, installing R-30 over 100 percent of the ceiling area requiring insulation shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends completely over the wall top plate at the eaves. This reduction shall not apply to the U-factor alternative approach in Section R402.1.4 and the total UA alternative in Section R402.1.5.

For HVAC attic platforms used for locating and servicing equipment, R-19 (maximum *U*-Factor 0.047) shall be deemed to meet the requirements of R-38 (maximum *U*-Factor 0.027) in the ceiling. R-19 is deemed acceptable for up to 32 square feet of attic decking per HVAC system. R-19 shall be deemed acceptable for a maximum 32 inch wide passage to the HVAC system as referenced under M1305.1.2 of the International Residential Code.

(Effective January 1, 2020)

*Delete Section R402.2.3 'Eave baffle' and substitute to read as follows:

R402.2.3 Eave baffle. For air permeable insulation in vented attics, baffles shall be installed adjacent to soffit and eave vents. A minimum of a 1-inch of space shall be provided between the insulation and the roof sheathing and at the location of the vent. The baffle shall extend over the top of the insulation inward until it is at least 4 inches vertically above the top of the insulation. Any solid material such as cardboard or thin insulating sheathing shall be permissible as the baffle. (See Appendix RA for further clarification.)

(Effective January 1, 2020)

*Delete Section R402.2.4 'Access hatches and doors' and substitute to read as follows:

R402.2.4 Access hatches and doors. Access doors from conditioned spaces to unconditioned spaces (e.g. attics, unconditioned basements and crawl spaces) shall be weather-stripped and insulated in accordance with the following insulation values:

1. Hinged vertical doors shall have a maximum *U*-Factor of U-0.20 (R-5 minimum);
2. Hatches/scuttle hole covers shall have a maximum *U*-Factor of U-0.05 (R-19 minimum); and
3. Pull down stairs shall have a maximum *U*-Factor of U-0.20 with a minimum of 75 percent of the panel area having (R-5 minimum) insulation.

Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed *R*-value of the loose fill insulation.

(Effective January 1, 2020)

*Delete Section R402.2.11 'Crawl space walls' and substitute to read as follows:

R402.2.11 Crawl space walls. As an alternative to insulating floors over crawl spaces, crawl space walls shall be permitted to be insulated when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to within 9 inches (229 mm) of the finished interior grade adjacent to the foundation wall. A 3-inch (76 mm) inspection/view strip immediately below the floor joists shall be provided to permit inspections for termites. Exposed earth in unvented crawl space foundations shall be covered with a continuous Class 1 vapor retarder in accordance with the *International Building Code*. All joints of the vapor retarder shall overlap by 6 inches (152 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152 mm) up the stem wall and shall be attached and sealed to the stem wall.

(Effective January 1, 2020)

*Revise Section R402.3.4 'Opaque door exemption' to read as follows:

R402.3.4 Opaque door exemption. One side-hinged opaque door assembly up to 24 square feet (2.22 m²) in area is exempted from the *U*-factor requirement in Section R402.1.4. This exemption shall not apply to Attic Access Doors or the *U*-factor alternative approach in Section R402.1.4 and the total UA alternative in Section R402.1.5.

(Effective January 1, 2020)

*Revise R402.4.1.1 'Installation' to read as follows:

R402.4.1.1 Installation. The components of the building thermal envelope shall be installed in accordance with the manufacturer's instructions and the criteria listed on page 1 of Appendix RA of the 2020 Georgia State Supplements and Amendments, as applicable to the method of construction. Where required by the *code official*, an *approved* third party shall inspect all components and verify compliance. See Appendix RA 'AIR BARRIER AND INSULATION INSTALLATION COMPONENT GUIDE' of these Georgia State Supplements and Amendments for a graphical representation of the items listed above.

(Effective January 1, 2020)

*Revise Section R402.4.1.2 'Testing' to read as follows:

R402.4.1.2 Testing. All one and two-family dwelling units shall be tested and verified to less than five air changes per hour at 50 Pascals (ACH50) for Climate Zones 2, 3, and 4. Testing shall be conducted in accordance with ASTM E 779 or ASTM E 1827 or ANSI/RESNET/ICC 380 and reported at a pressure of 0.2 inch w.g. (50 Pascals). A written report of the results of the test shall be signed by the party conducting the test and provided to the *code*

official. Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope*. Testing shall be conducted by a *certified duct and envelope tightness (DET) verifier*.

(Remainder of section left unchanged)

(Effective January 1, 2020)

*Add a new Section R402.4.1.3 'Low-rise R-2 multifamily testing' to read as follows:

R402.4.1.3 Low-rise R-2 multifamily testing. Low-rise R-2 multifamily dwellings shall be tested to less than 7 air changes per hour at 50 Pascals (ACH50).

As an alternative to ACH50, compliance for Low-rise R-2 dwellings may be attained by achieving an Envelope Leakage Ratio at 50 Pascals (ELR50) of less than 0.35 (ELR50 0.35, where $ELR50 = CFM50 / \text{Envelope Shell Area, in square feet}$).

(Effective January 1, 2020)

*Add a new Section R402.4.1.3.1 'Low-rise multifamily testing protocol (Optional)' to read as follows:

R402.4.1.3.1 Low-rise multifamily testing protocol (Optional). Where a residential building is classified as R-2, envelope testing may (optionally) employ either one or both of the following testing protocols:

1. Utilize multiple fans in adjacent units (commonly referred to as Guarded Blower Door testing) to minimize effect of leakage to adjacent units (not required).
2. Envelope testing of less than 100 percent shall be acceptable assuming a maximum sampling protocol of 1 in 4 units per floor (if sampled unit passes, the remaining up to three units are deemed to comply; if sampled unit fails, it must be sealed and retested and the remaining up to three units shall also be tested).

(Effective January 1, 2020)

SECTION R403

SYSTEMS

*Revise Section R403.1.2 'Heat pump supplementary heat (Mandatory)' to add a new sentence at the end to read as follows:

R403.1.2 Heat pump supplementary heat (Mandatory). Heat pumps having supplementary electric-resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load. Except in emergency heating mode, the supplementary electric-resistance heat in heat pump systems installed in new construction may not energize unless the outdoor temperature is below 40° F (4°C).

(Effective January 1, 2020)

*Add new Section R403.1.2.3 'Primary heat source' to read as follows:

R403.1.2.3 Primary heat source. For new dwelling unit central HVAC systems, or replacement HVAC systems installed in dwelling units that were originally permitted after January 1, 1996, electric-resistance heat shall not be used as the primary heat source. Primary heat source is defined as the heat source for the original dwelling unit system.

(Effective January 1, 2020)

*Revise Section R403.3.2 'Sealing (Mandatory)' to read as follows:

R403.3.2 Sealing (Mandatory). Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with Section R403.3.6 of these Georgia State Supplements and Amendments.

Exceptions:

1. Air-impermeable spray foam product shall be permitted to be applied without additional joint seals.
2. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams, and locking-type joints and seams of other than the snap-lock and button-lock types.
3. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
4. Sealing that would void product listings is not required.

*Revise Section R403.3.3 'Duct testing (Mandatory)' to read as follows:

R403.3.3 Duct testing (Mandatory). Ducts shall be pressure tested to determine air leakage by one of the following methods:

1. Rough-in test: Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure. All registers shall be taped or otherwise sealed during the test.
2. Post-construction test: Total leakage shall be measured with a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. Registers shall be taped or otherwise sealed during the test.

Exceptions:

1. A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.
2. Duct tightness testing is not required for existing duct systems unless more than 50% of the duct system is modified.
3. If the air handler, furnace or evaporator coil is replaced on an existing system, all joints, seams and connections from equipment to duct system and duct system connections to plenums within 5 feet from the new work shall meet the sealing requirements of this code and be verified by a visual inspection by the state licensed conditioned air contractor or by a DET Verifier.

A report of the results of the test shall be signed by the party conducting the test and provided to the owner or the owner's agent and, if requested, to the *code Official*.

(Effective January 1, 2020)

*Revise Section R403.3.4 'Duct leakage (Prescriptive)' to read as follows:

R403.3.4 Duct leakage (Mandatory). The total leakage of the ducts, where measured by one of the following methods in accordance with Section R403.3.3 shall be as follows:

1. Rough-in test: The total leakage shall be less than or equal to 6 cubic feet per minute (113.3 L/min) per 100 square feet (9.29 m²) of conditioned floor area where the air handler is installed at the time of the test.

2. Post-construction test: Total leakage shall be less than or equal to 6 cubic feet per minute (113.3 L/min) per 100 sq. feet (9.29 m²) of conditioned floor area.

Exceptions:

1. A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.
2. Duct tightness testing is not required for existing duct systems unless more than 50% of the duct system is modified.
3. If the air handler, furnace or evaporator coil is replaced on an existing system, all joints, seams and connections from equipment to duct system and duct system connections to plenums within 5 feet from the new work shall meet the sealing requirements of this code and be verified by a visual inspection by the state licensed conditioned air contractor or by a DET Verifier.

(Effective January 1, 2020)

*Add a new Section R403.3.6 'Joints, seams and connections' to read as follows:

R403.3.6 Joints, seams and connections. All longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in *SMACNA HVAC Duct Construction Standards - Metal and Flexible* and *NAIMA Fibrous Glass Duct Construction Standards*. All joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), masticplus-embedded-fabric systems or tapes. Without exception all closure systems shall have mastic applied that is at least 0.08 inches (2 mm) thick.

Closure systems used to seal flexible air ducts and flexible air connections shall comply with UL 181B and shall be marked "181B-FX" for pressure-sensitive tape or "181B-M" for mastic. Duct connections to flanges of air distribution systems equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25.4 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint.

Closure systems used to seal metal ductwork shall be installed in accordance with manufacturer's instructions. Round metallic ducts shall be mechanically fastened by means of at least three sheet metal screws or rivets spaced equally around the joint. Unlisted duct tape shall not be permitted as a sealant on any duct.

Exceptions:

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressure less than 2 inches (51 mm) of water column (500 Pa) pressure classification shall not require additional closure systems.

(Effective January 1, 2020)

*Revise Section R403.5.4 'Drain water heat recovery units' to read as follows:

R403.5.4 Drain water heat recovery units. Drain water heat recovery units shall comply with CSA B55.2 or IAPMO PS 92. Vertical drain water heat recovery units shall be tested in accordance with CSA B55.1 and have a minimum effectiveness of 42 percent when tested in accordance with CSA B55.1. Sloped drain water heat recovery

units shall be tested in accordance with IAPMO IGC 346 and have a minimum rated effectiveness of 42 percent when tested in accordance with IAPMO IGC 346 at the minimum slope specified in the Georgia plumbing code. Potable water-side pressure loss of vertical drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of vertical drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers. Potable water-side pressure loss of sloped drain water heat recovery units shall be less than 4 psi (20.7 kPa).

(Effective January 1, 2020)

*Revise Section R403.6 'Mechanical Ventilation' to read as follows:

R403.6 Mechanical ventilation (Mandatory). Where required, the building shall be provided with ventilation that meets the requirements of the *International Residential Code* or *International Mechanical Code*, as applicable, or with ASHRAE 62.2-2016, *Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings* (in entirety) or with other approved means of ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

(Remainder of section left unchanged)

(Effective January 1, 2020)

*Revise Section R403.7 'Equipment sizing and efficiency rating (Mandatory)' by adding the following sentence at the end:

R403.7 Equipment sizing and efficiency rating (Mandatory). (The beginning of the section left unchanged) For automatically modulating capacity heating and cooling equipment, the system shall be deemed to comply with appropriate portions of Manual S provided the lowest output capacity of the equipment is less than the peak design load as determined by Manual J.

(Effective January 1, 2020)

*Add new Section R403.13 'Electric power attic ventilators' to read as follows:

R403.13 Electric powered attic ventilators. In new construction, electric powered attic ventilators shall not be connected to the Service supply premise wiring system. Solar photovoltaic (PV) powered attic ventilators shall be permitted.

(Effective January 1, 2020)

SECTION R406

ENERGY RATING INDEX

COMPLIANCE ALTERNATIVE

*Revise Section R406.3 'Energy Rating Index' to read as follows:

R406.3 Energy Rating Index. The Energy Rating Index (ERI) shall be determined in accordance with ANSI/RESNET/ICC 301 except for buildings constructed in accordance with the International Residential Code, where the ERI reference design ventilation rate shall be in accordance with the following:

Ventilation rate = $(0.01 \times \text{total square foot area of house}) + (7.5 (N_{br} + 1))$

Equation 4-1 where,

Ventilation rate is defined in units of cubic feet per minute N_{br} = Number of bedrooms

The ERI shall consider all energy used in the *residential building* including *on-site renewable energy*. Energy used to recharge or refuel a vehicle for on-road (and off-site) transportation purposes shall not be included in the ERI *reference design* or the *rated design*.

(Effective January 1, 2020)

*Delete Section R406.3.1 'ERI reference design' without substitution.

(Effective January 1, 2020)

*Revise Table R406.4 'MAXIMUM ENERGY RATING INDEX' to read as follows:

TABLE R406.4
MAXIMUM ENERGY RATING INDEX

Climate Zone	ENERGY RATING INDEX
2	57
3	57
4	62

(Effective January 1, 2020)

*Revise Section R406.6.1 'Compliance software tools' to read as follows:

R406.6.1 Compliance software tools. The ERI shall be determined using Approved Software Rating Tools in accordance with ANSI/RESNET/ICC 301.

(Effective January 1, 2020)

*Delete Section R406.7 'Calculation software tools' without substitution.

(Effective January 1, 2020)

*Delete Section R406.7.1 'Minimum capabilities' without substitution.

(Effective January 1, 2020)

*Revise and rename Section R406.7.2 'Specific approval' to read as follows:

R406.6.4 Specific approval. Performance analysis tools meeting the applicable sections of Section R406 shall be *approved*. Documentation demonstrating the approval of performance analysis tools in accordance with Section R406.6.1 shall be provided to the *code official*. The *code official* shall approve tools for a specified application or limited scope.

(Effective January 1, 2020)

*Revise and rename Section R406.7.3 'Input values' to read as follows:

R406.6.5 Input values. Where calculations require input values not specified by Sections R402, R403, R404 and R405, those input values shall be taken from ANSI/RESNET/ICC 301.

(Effective January 1, 2020)

CHAPTER 5 [RE]

EXISTING BUILDINGS

SECTION R502

ADDITIONS

*Revise Section R502.1.1.2 'Heating and cooling systems' to delete the exception and substitute to read as follows:

R502.1.1.2 Heating and cooling systems. New heating, cooling and duct systems that are part of the addition shall comply with Sections R403.1, R403.2, R403.3, R403.5 and R403.6.

Exception: Duct tightness testing is not required for existing duct systems unless more than 50% of the existing duct system is modified.

(Effective January 1, 2020)

SECTION R503

ALTERATIONS

*Revise Section R503.1.2 'Heating and cooling systems' to read as follows:

R503.1.2 Heating and cooling systems. New heating, cooling and duct systems that are part of the alteration shall comply with Sections R403.1, R403.2, R403.3 and R403.6.

Exception: Duct tightness testing is not required for existing duct systems unless more than 50% of the existing duct system is modified.

(Effective January 1, 2020)

CHAPTER 6 [RE]

REFERENCED STANDARDS

*Revise Chapter 6 'Referenced Standards' to add the following new Standards to read as follows:

UL			UL LLC 333 Pfingsten Road Northbrook, IL 60062-2096
Standard reference number	Title	Referenced in code section number	
181-2013	Factory-made Air Ducts and Air Connectors—with Revisions through May 2003.....	R403.3.6	
181A-2013	Closure Systems for Use with Rigid Air Ducts and Air Connectors—with Revisions through December 1998.....	R403.3.6	
181B-2013	Closure Systems for Use with Flexible Air Ducts and Air Connectors—with Revisions through August 2003.....	R403.3.6	

ASHRAE

American Society of Heating,
Refrigerating and Air-Conditioning
Engineers, Inc.
1791 Tullie Circle, NE
Atlanta, GA 30329-2305

Standard reference number	Title	Referenced in code section number
ASHRAE 62.2 - 2016	Ventilation and Acceptable Indoor Air Quality in Low- Rise Residential Buildings	R403.6

ANSI/RESNET /ICC 301

Residential Energy Services Network, Inc.
P.O. Box 4561.
Oceanside, CA 92052-4561
International Code Council,
500 New Jersey Avenue, NW, 6th Floor.
Washington, D.C. 20001

Standard reference number	Title	Referenced in code section number
ANSI/RESNET/ICC 301- 2014	Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index	R406

IAPMO PS 92

IAPMO
4755 E. Philadelphia St.
Ontario, CA 91761 - USA

Standard reference number	Title	Referenced in code section number
IAPMO PS 92-2013	Heat Exchangers and Indirect Water Heaters	R403.5.4
IAPMO IGC 346	Test Method for Measuring the Performance of Drain Water Heat Recovery Units	R403.5.4

(Standards not listed to remain unchanged)

APPENDICES

Throughout these appendices there is information that may be helpful in meeting and understanding the *Georgia State Minimum Standard Energy Code*. In cases of conflict, refer to the *2015 International Energy Conservation Code* for clarification.

APPENDIX RA

*Delete APPENDIX RA 'RECOMMENDED PROCEDURE FOR WORST-CASE TESTING OF ATMOSPHERIC VENTING SYSTEMS UNDER R402.4 OR R405 CONDITIONS $\leq 5\text{ACH}50'$, entirely and substitute with new APPENDIX RA 'AIR SEALING KEY POINTS'.

(Effective January 1, 2020)

APPENDIX RC

*Add new APPENDIX RC 'THIRD PARTY VERIFICATION'.

(Effective January 1, 2020)

APPENDIX RD

*Add new APPENDIX RD 'MANDATORY COMPLIANCE CERTIFICATE'.

(Effective January 1, 2020)

The above referenced form, Mandatory Compliance Certificate is available to download for free from DCA's webpage located at: <https://dca.ga.gov/node/3522/documents/2090>

Appendix RA Air Sealing and Insulation Key Points Air Barrier and Insulation Installation Component Guide

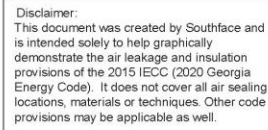
	COMPONENT	AIR BARRIER CRITERIA	INSULATION INSTALLATION CRITERIA
1	General requirements	A continuous air barrier shall be installed in the building envelope. The exterior thermal envelope contains a continuous air barrier. Breaks or joints in the air barrier shall be sealed.	Air-permeable insulation shall not be used as a sealing material.
2	Ceiling/attic	The air barrier in any dropped ceiling/soffit shall be aligned with the insulation and any gaps in the air barrier shall be sealed. Access openings, drop down stairs or knee wall doors to unconditioned attic spaces shall be sealed.	The insulation in any dropped ceiling/soffit shall be aligned with the air barrier.
3	Walls	The junction of the foundation and sill plate shall be sealed. The junction of the top plate and the top of exterior walls shall be sealed. Knee walls shall be sealed.	Cavities within corners and headers of frame walls shall be insulated by completely filling the cavity with a material having a thermal resistance of R-3 per inch minimum. Exterior thermal envelope insulation for framed walls shall be installed in substantial contact and continuous alignment with the air barrier.
4	Windows, skylights and doors	The space between window/door jambs and framing, and skylights and framing shall be sealed.	
5	Rim joists	Rim joists shall include the air barrier.	Rim joists shall be insulated.
6	Floors (including above garage and cantilevered floors)	The air barrier shall be installed at any exposed edge of insulation.	Floor framing cavity insulation shall be installed to maintain permanent contact with the underside of subfloor decking, or floor framing cavity insulation shall be permitted to be in contact with the top side of sheathing, or continuous insulation installed on the underside of floor framing and extends from the bottom to the top of all perimeter floor framing members.
7	Crawl space walls	Exposed earth in unvented crawl spaces shall be covered with a Class I vapor retarder with overlapping joints taped.	Where provided instead of floor insulation (unvented crawl spaces), insulation shall be permanently attached to the crawlspace walls.
8	Shafts, penetrations	Duct shafts, utility penetrations, and flue shafts opening to exterior or unconditioned space shall be sealed.	Capped chases shall be insulated to surrounding ceiling R-values (maintain clearance from combustion flues).
9	Narrow cavities		Batts in narrow cavities shall be cut to fit, or narrow cavities shall be filled by insulation that on installation readily conforms to the available cavity space.
10	Garage separation	Air sealing shall be provided between the garage and conditioned spaces.	Band area shall be blocked, sealed and insulated.
11	Recessed lighting	Recessed light fixtures installed in the building thermal envelope shall be sealed to the drywall.	Recessed light fixtures installed in the building thermal envelope shall be air tight and IC rated.
12	Plumbing and wiring	Wiring and plumbing penetrations shall be sealed.	Batt insulation shall be cut neatly to fit around wiring and plumbing in exterior walls, or insulation that on installation readily conforms to available space shall extend behind piping and wiring.
13	Shower/tub on exterior wall	The air barrier installed at exterior walls adjacent to showers and tubs shall separate them from the showers and tubs.	Exterior walls adjacent to showers and tubs shall be insulated.
14	Electrical/phone box on exterior walls	The air barrier shall be installed behind electrical or communication boxes or airsealed boxes shall be installed.	
15	HVAC register boots	HVAC register boots shall be sealed to the subfloor or drywall.	Boots in unconditioned spaces shall be insulated. Recommend insulating boots in conditioned spaces for condensation control.
16	Concealed sprinklers	When required to be sealed, concealed fire sprinklers shall only be sealed in a manner that is recommended by the manufacturer. Caulking or other adhesive sealants shall not be used to fill voids between fire sprinkler cover plates and walls or ceilings.	
17	Blocking between framing	Blocking shall be sealed to framing.	Insulation shall be in contact with blocking.

	COMPONENT	AIR BARRIER CRITERIA	INSULATION INSTALLATION CRITERIA
	(e.g. beneath knee walls, cantilevered floors, garage separation walls)		
18	Common walls	Air barrier is installed in common wall between dwelling units.	
19	Fireplaces	New wood-burning fireplaces shall have tight-fitting flue dampers or doors, and outdoor combustion air.	Fireplace chase insulation shall be restrained to stay in place.

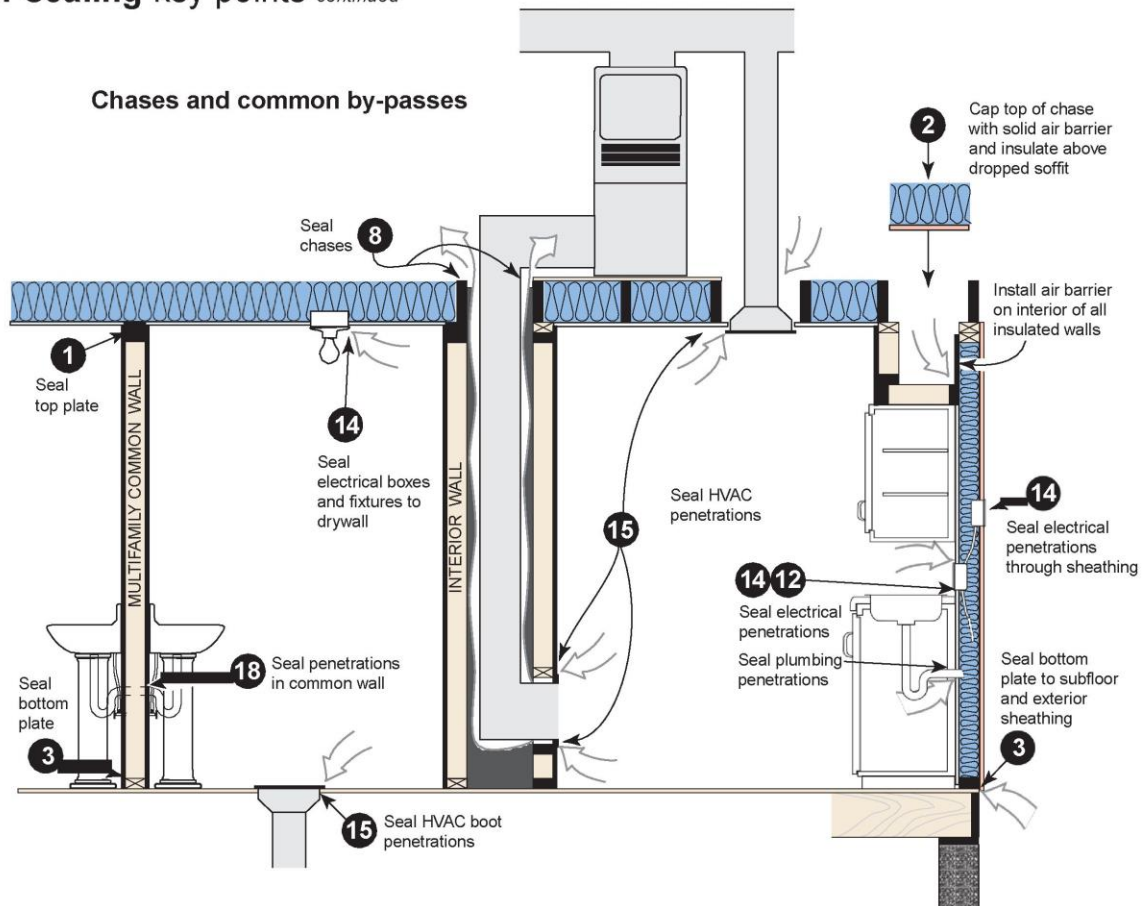
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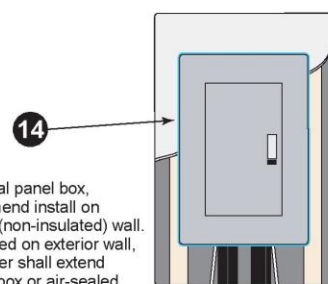
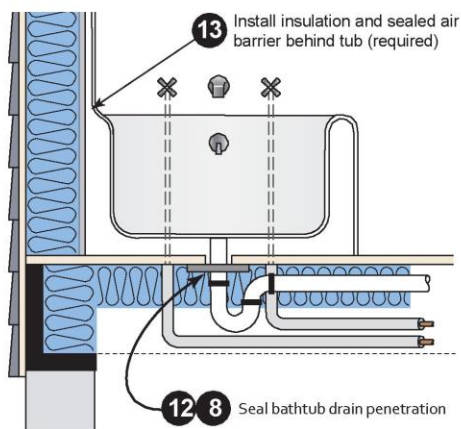
Georgia Bulletin - Aug 2022



Air sealing key points *continued*

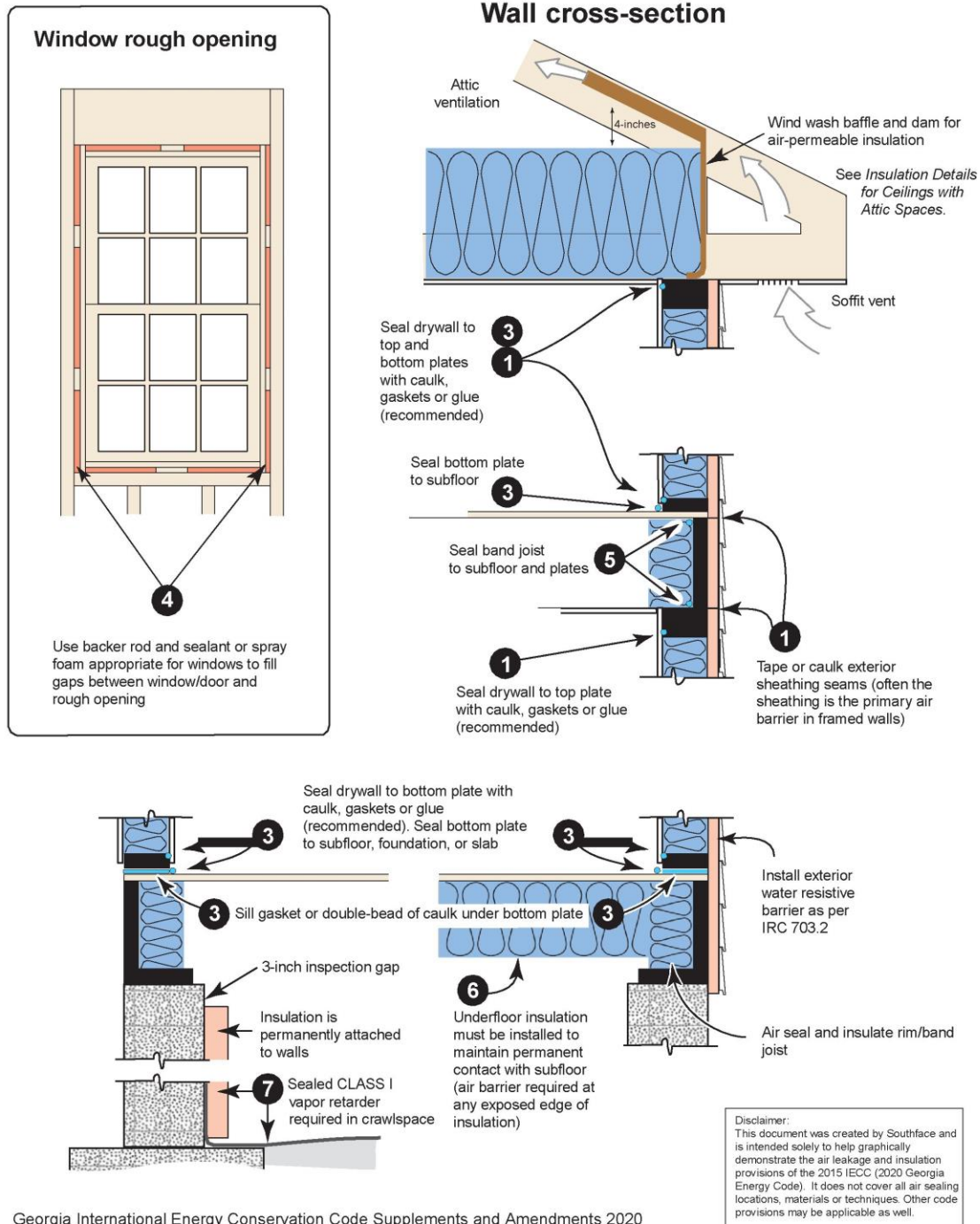


Shower/tub drain rough opening



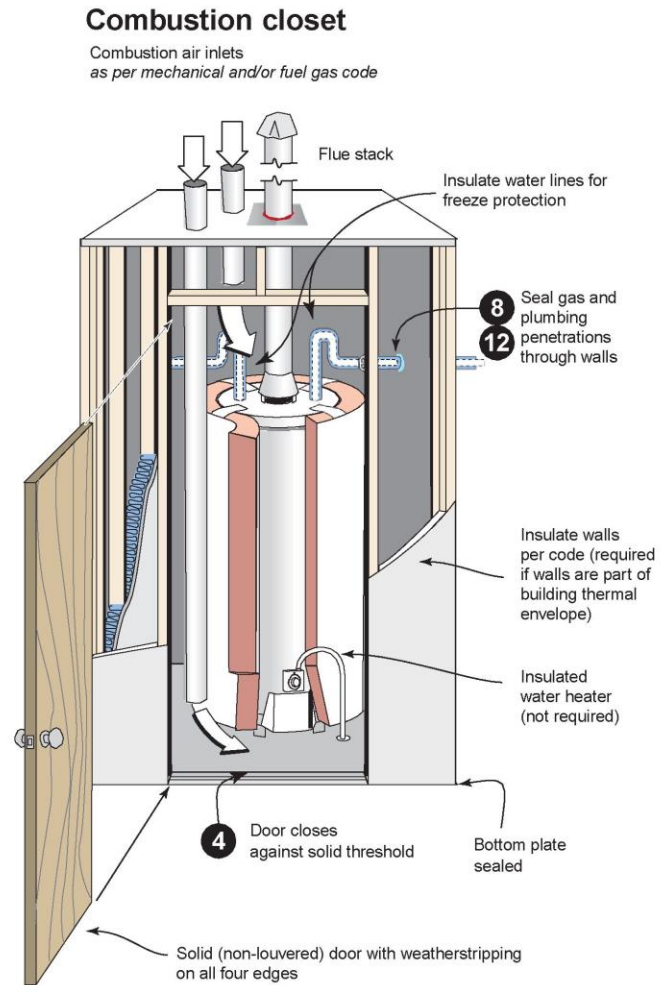
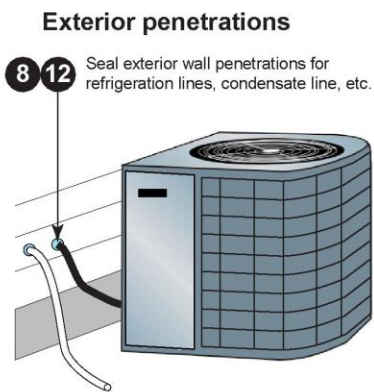
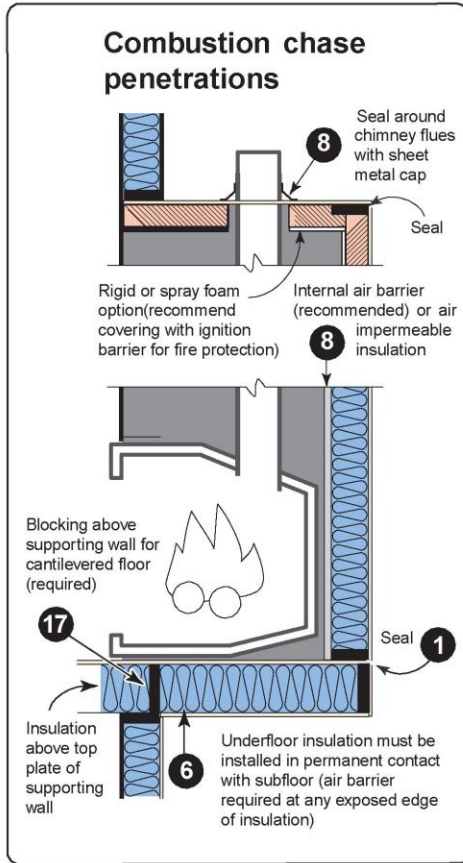
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Air sealing key points *continued*



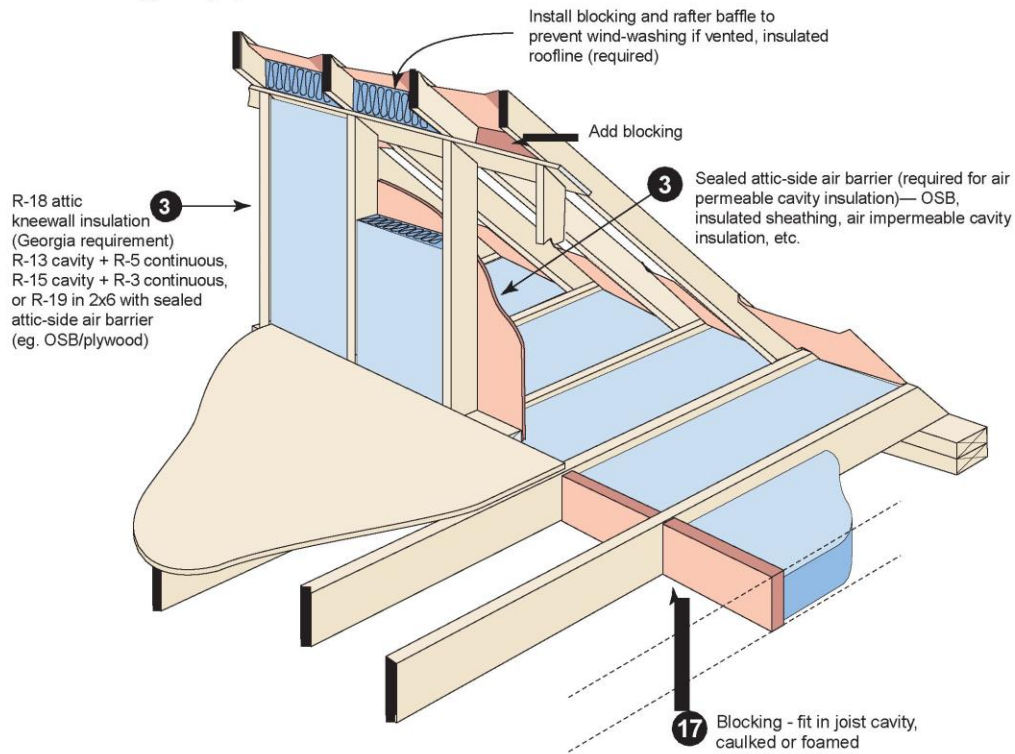
Georgia International Energy Conservation Code Supplements and Amendments 2020

Air sealing key points *continued*

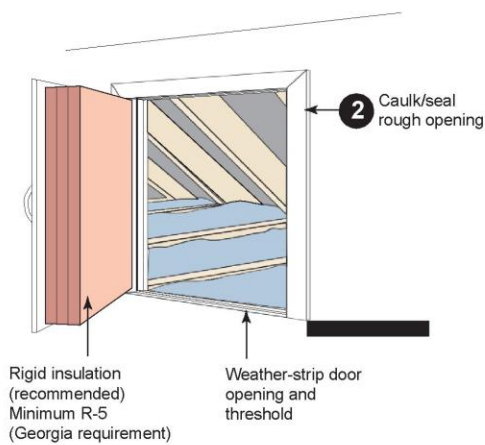


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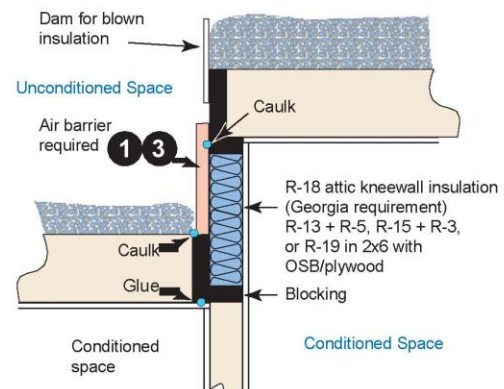
Air sealing key points *continued*



Attic knee-walls



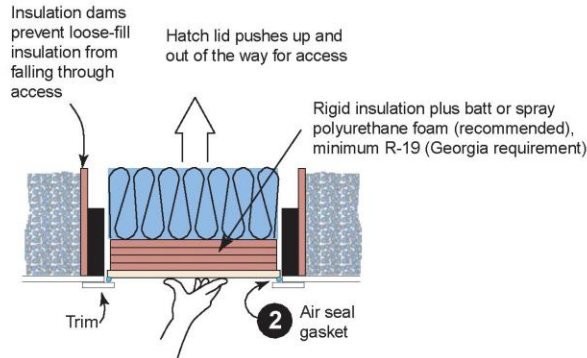
Two-level attic



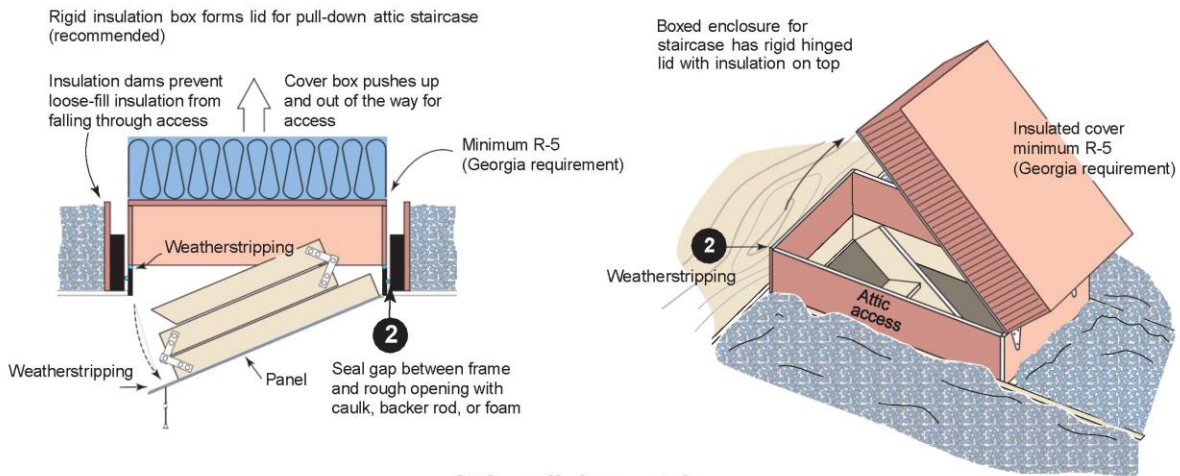
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Air sealing key points *continued*

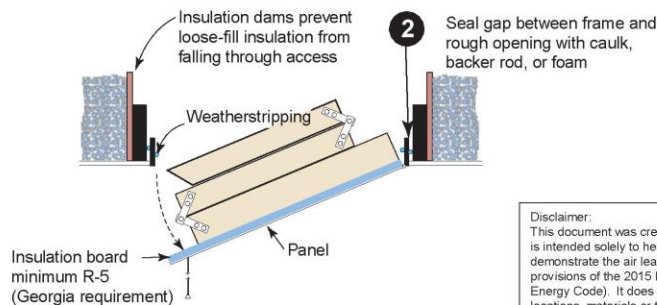
Attic scuttle



Attic pull-down stairs



Attic pull-down stairs

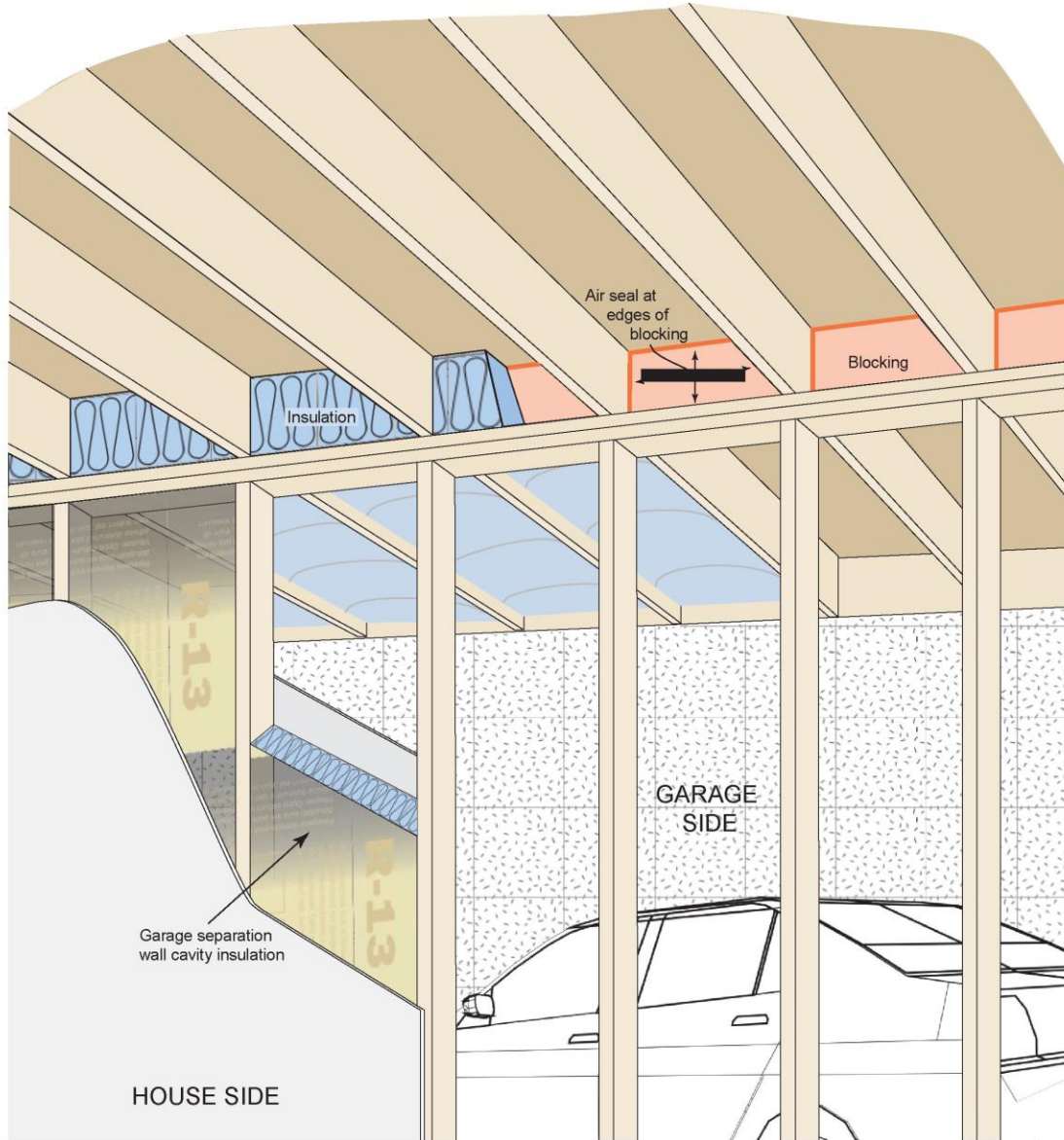


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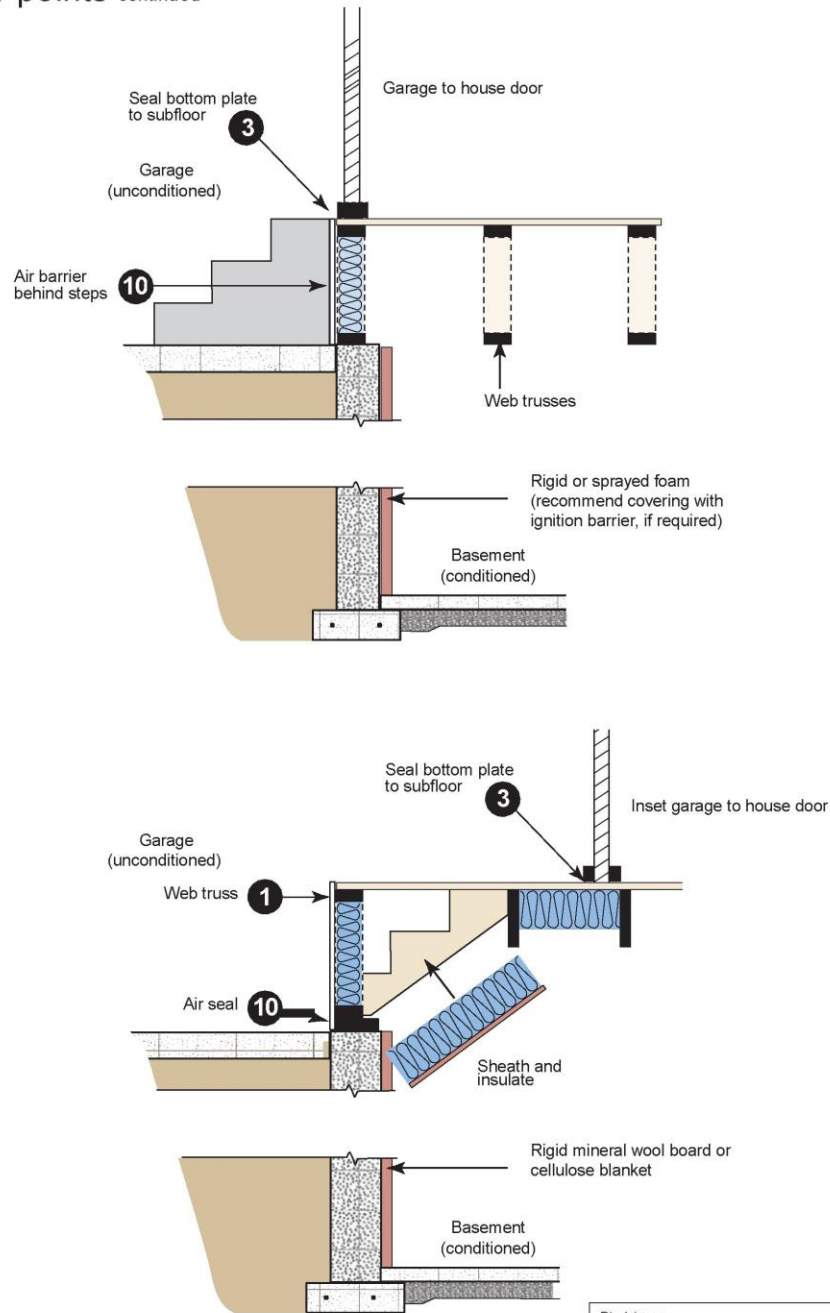
Garage blocking and sealing key points

Blocking, air sealing and insulation required above garage separation wall



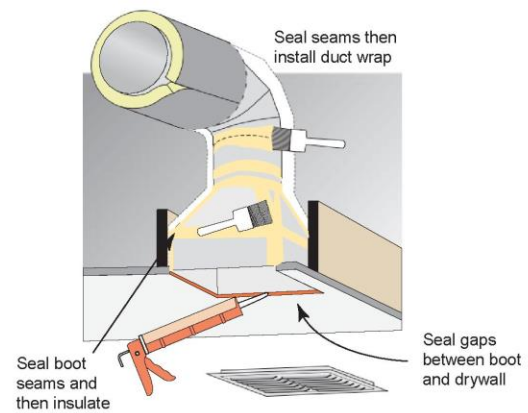
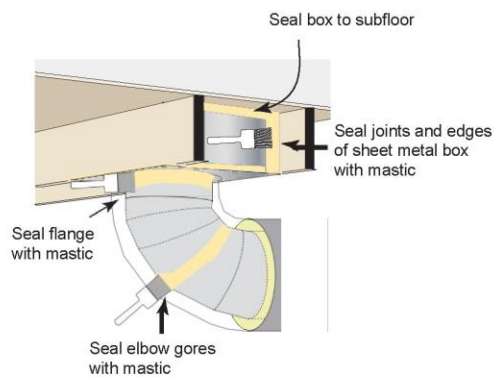
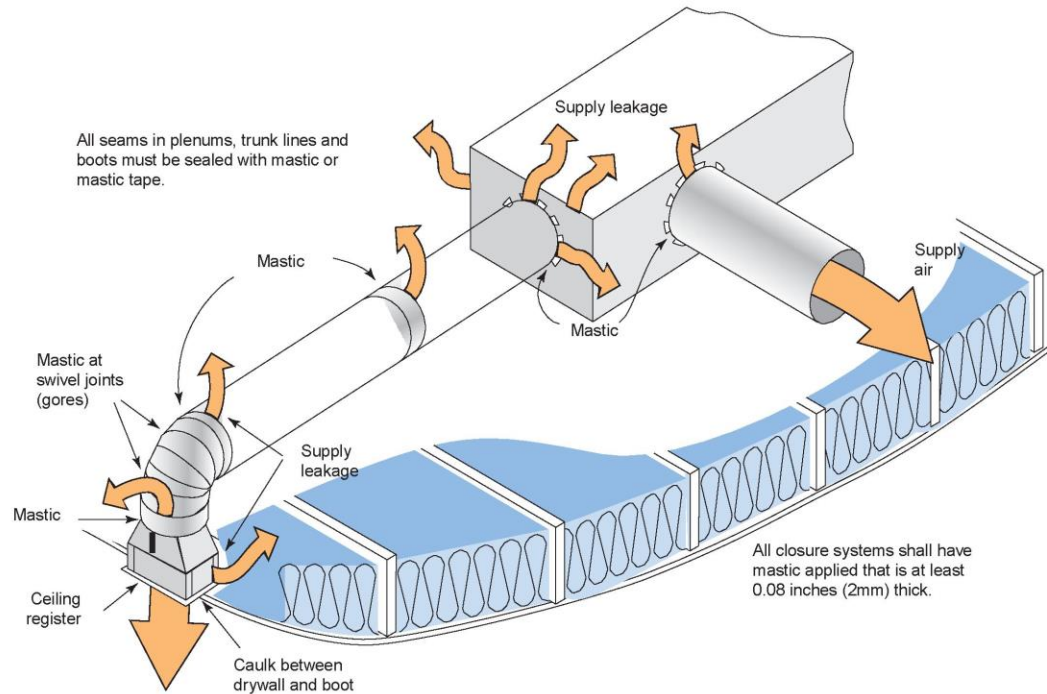
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Air sealing key points *continued*



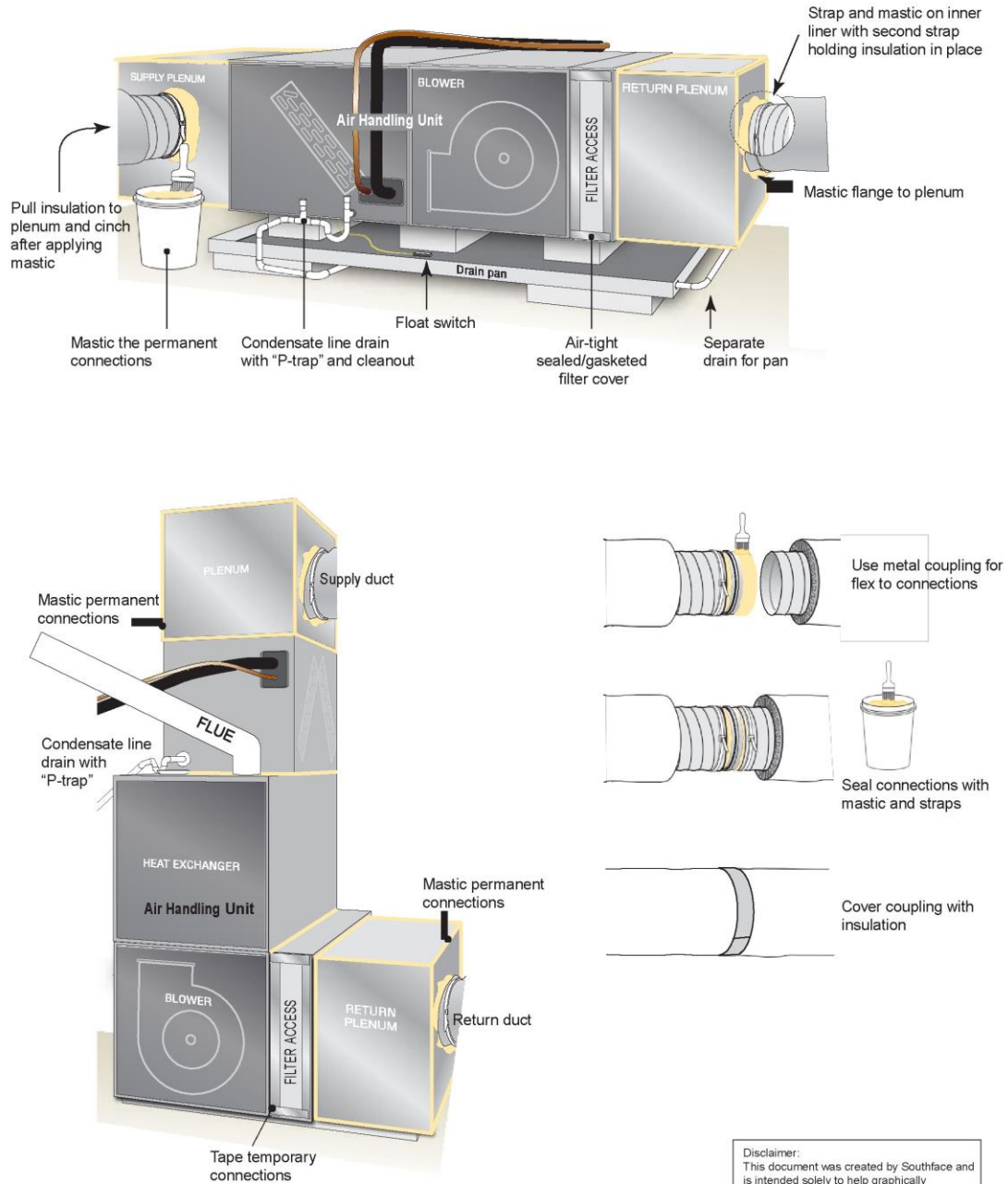
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Duct Sealing key points



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Air Handler Sealing key points



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Air sealing key points *continued*

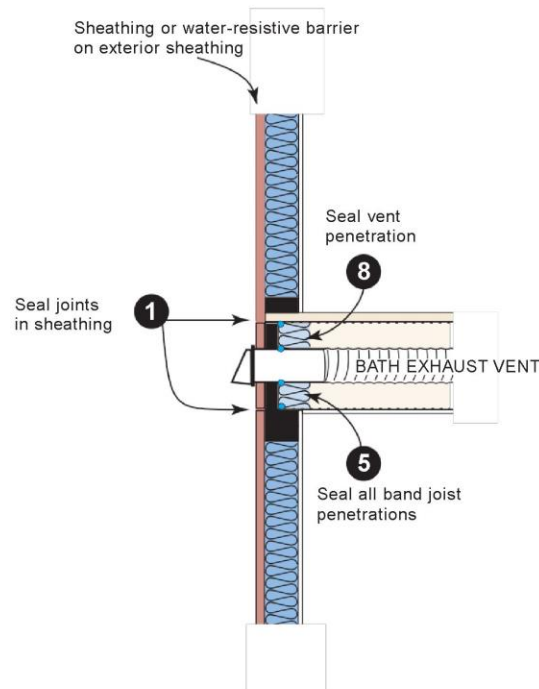
Multifamily

Multifamily Air-sealing Details

- 8 Cap and seal all chases including chases for grouped utility lines and radon vents

Seal penetrations in mechanical closet including penetrations for the:

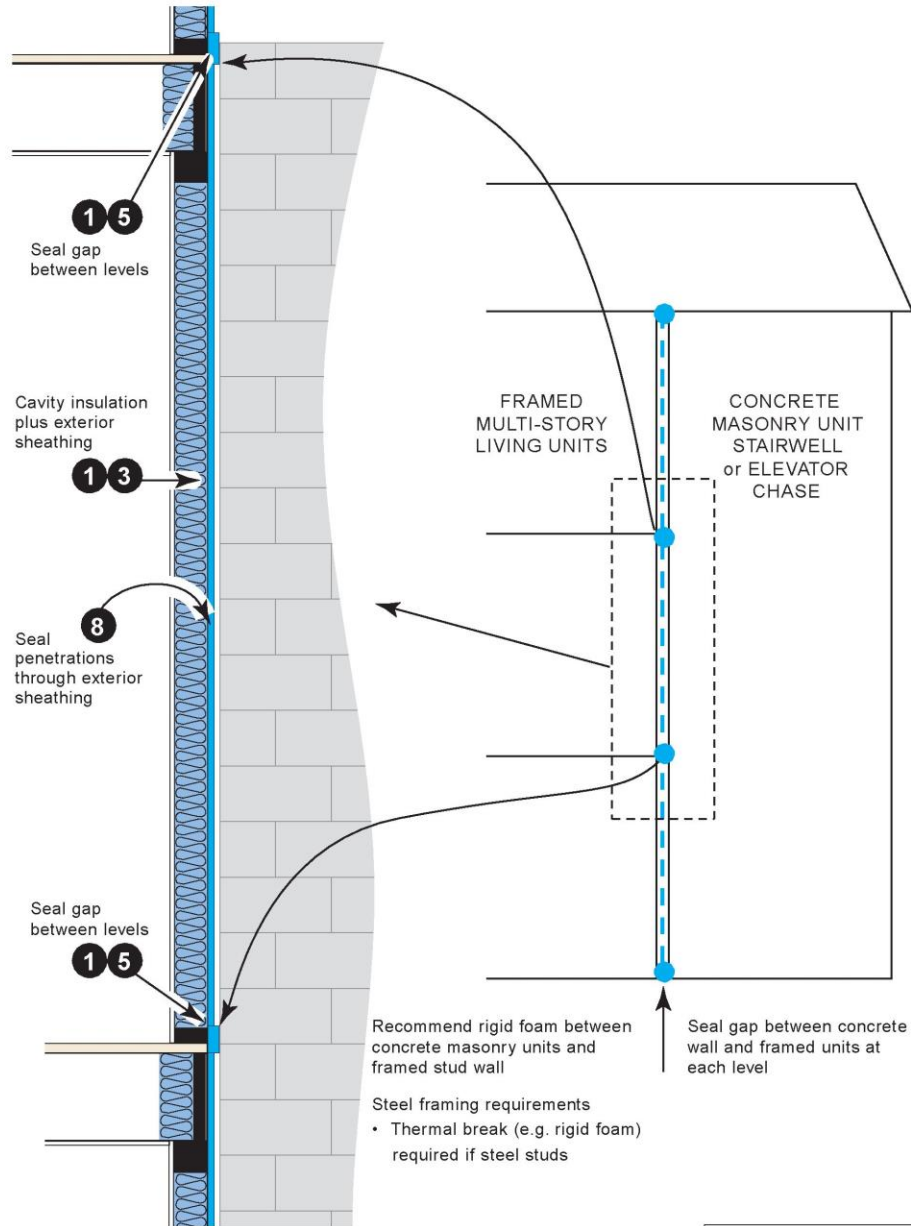
- 8 supply plenum
 - 8 outside air ventilation
 - 8 12 refrigerant line
 - 12 plumbing
 - 12 14 electrical
 - 12 gas fuel
- 5 Seal band area at exterior sheathing side and all penetrations through band
 - 1 3 UL-compliant air sealing at drywall finishing for any wall adjacent to stairwell or elevator. Air seal this gap at every change in floor level
 - 8 Seal miscellaneous clustered penetrations through building envelope (e.g. refrigerant lines)



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Air sealing key points *continued*

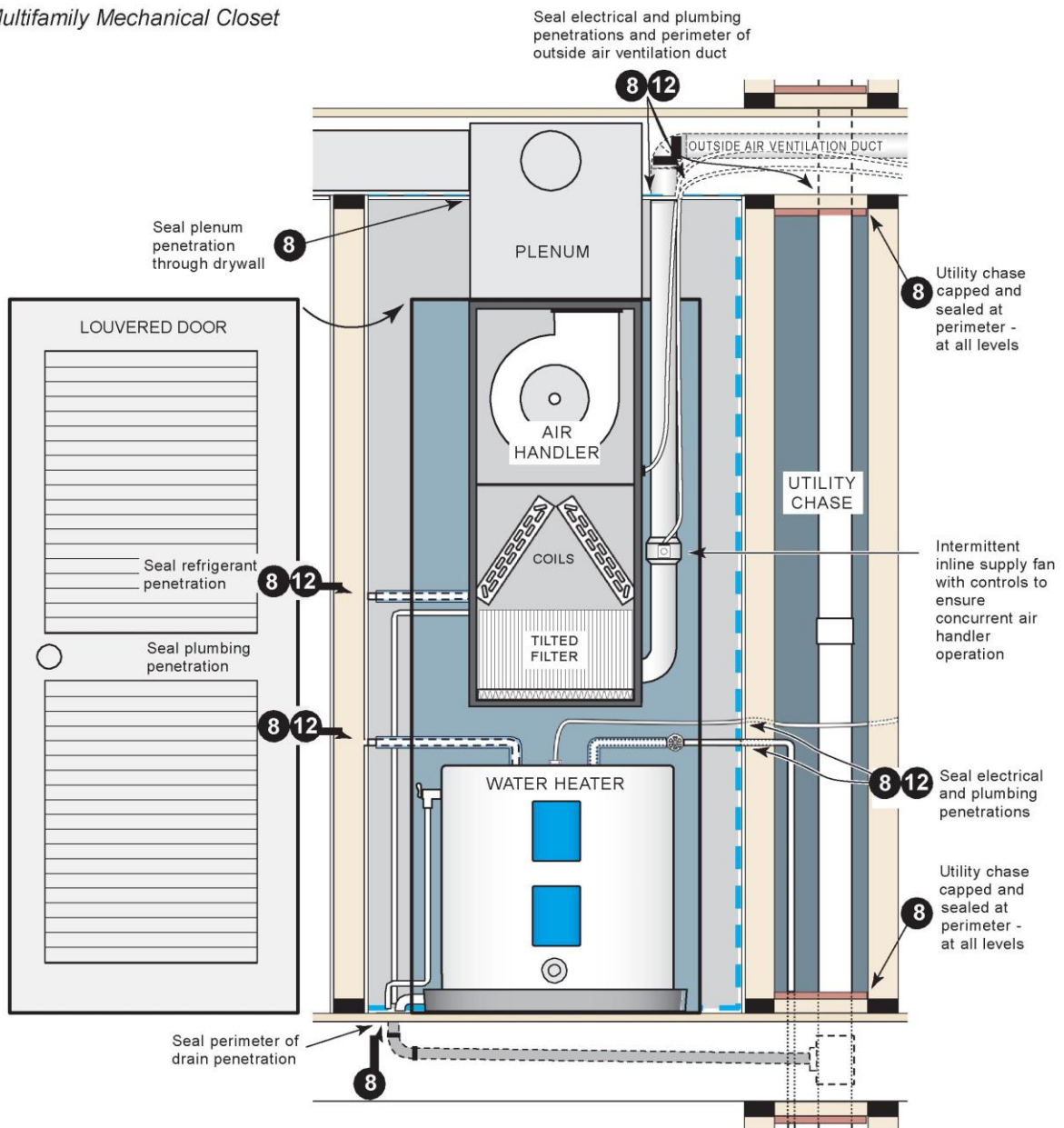
Multifamily



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Air sealing key points *continued*

Multifamily Mechanical Closet



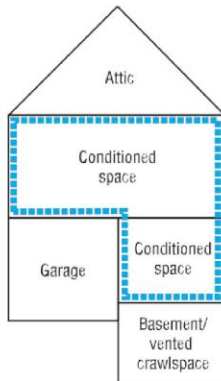
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Building Thermal Envelope

— The basement walls, exterior walls, floor, roof, and any other building element that enclose conditioned space. This boundary also includes the boundary between conditioned space and any exempt or unconditioned space. —2015 IECC

The *building thermal envelope* is the barrier that separates the conditioned space from the outside or unconditioned spaces. The building envelope consists of two parts - an air barrier and a thermal barrier that must be both continuous and contiguous (touching each other). In a typical residence, the building envelope consists of the roof, walls, windows, doors, and foundation. Examples of unconditioned spaces include attics, vented crawlspaces, garages, and basements with ceiling insulation and no HVAC supply registers.

Example 1 – Prescriptive Compliance

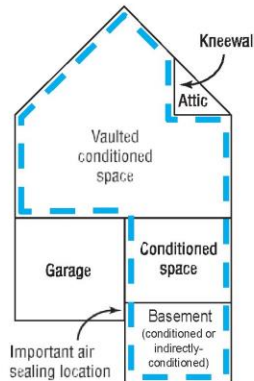


This is a conventional approach that likely locates all ductwork in unconditioned spaces.

Prescriptive R-values

- ☐ Flat ceiling: R-38
- ☐ Exterior walls: R-13
- ☐ Floor over garage and basement/crawl: R-19 (climate zones 3 & 4)
- ☐ Ductwork sealed with mastic and insulated to R-8 in attic, R-6 in basement/crawlspace
- ☐ Garage⁵, attic and basement/crawl are unconditioned spaces

Example 2 – Alternate Compliance

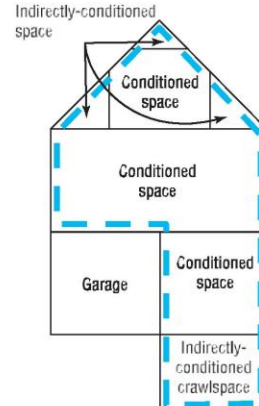


If supply registers deliver conditioned air to basement, it is considered conditioned. With no supply air, it is considered an indirectly-conditioned space.

Example R-values¹

- ☐ Flat ceiling: R-38
- ☐ Kneewalls: R-18 (required)² (R-13+ R-5, R-15 + R-3, R-19 in 2x6)
- ☐ Vaulted ceiling: R-20 air-permeable insulation plus R-5 rigid foam board³
- ☐ Exterior walls: R-13
- ☐ Basement masonry walls: R-5
- ☐ Basement slab: R-0⁴
- ☐ Ductwork sealed with mastic and insulated to R-8 in attic, R-6 in basement
- ☐ Garage⁵ and attic are unconditioned spaces

Example 3 – Alternate Compliance



The top conditioned floor functions as a vaulted ceiling with interior walls although it appears to have kneewalls and a flat ceiling. An advantage of this approach is that all upstairs ductwork is located inside the building envelope.

The crawlspace walls are insulated and do not contain vents. The crawlspace ground is covered with 100% plastic and functions as a "mini-basement."

Example R-values¹

- ☐ Vaulted ceiling: R-20 air-impermeable foam insulation³
- ☐ Exterior walls: R-13 + R-5 sheathing
- ☐ Crawlspace walls: R-5
- ☐ Ductwork sealed with mastic and insulated to R-6
- ☐ Garage⁵ is unconditioned space

¹ R-values shown are examples and not necessarily prescriptive code requirements. Refer to the Georgia Energy Code for specific prescriptive insulation requirements.

² An attic kneewall is any vertical wall that separates conditioned space from an unconditioned attic. In Georgia, kneewalls must be insulated to R-18. A sealed attic-side air barrier (OSB, foil-faced sheathing, etc.) is required when using air permeable insulation.

³ Requires trade-off since prescriptive ceiling requirement is R-38, see roofline installed insulation options and section 806.5 of the 2012 IRC.

⁴ Slab insulation is not required in Georgia due to termite risk.

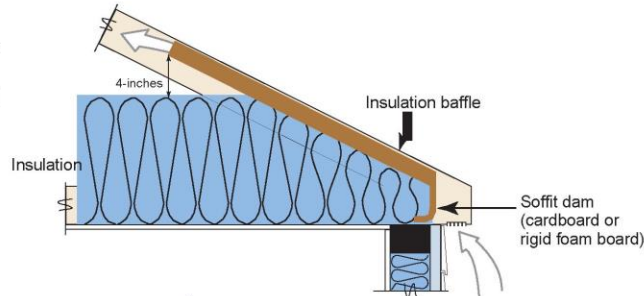
⁵ Although there is nothing to prevent the garage walls from being insulated, due to indoor air quality concerns, the garage should never be considered inside the building

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Insulation Details for Ceilings with Attic spaces

Rafter and Truss

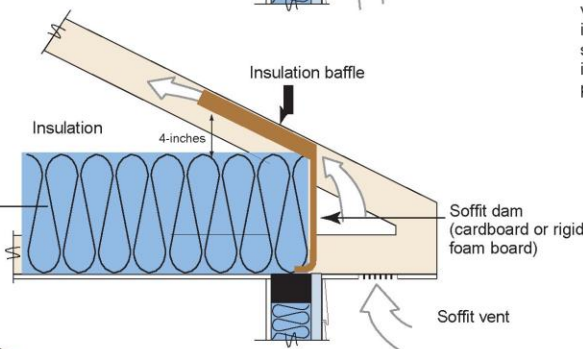
Standard Truss with tapered insulation depth



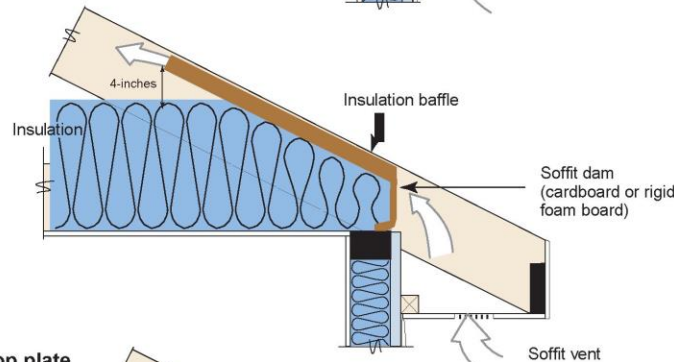
Note: Wind wash baffle and air-permeable insulation dam. For air permeable insulation in vented attics, baffles shall be installed adjacent to soffit and eave vents. A minimum of a 1-inch of space shall be provided between the insulation and the roof sheathing and at the location of the vent. The baffle shall extend over the top of the insulation inward until it is at least 4 inches vertically above the top of the insulation. Any solid material such as cardboard or thin insulating sheathing shall be permissible as the baffle.

Energy Truss with full height insulation (recommended)

NOTE:
R-30 complete coverage is deemed equivalent to prescriptive R-38

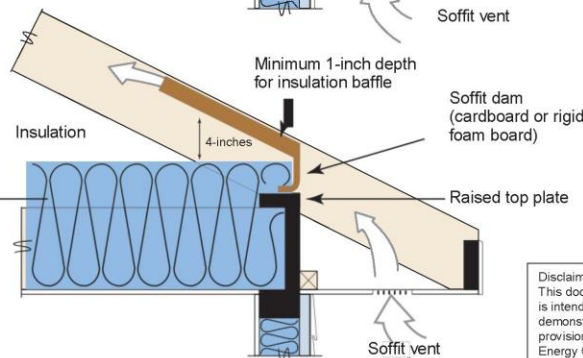


Standard rafter and top plate with tapered insulation depth



Rafter on raised top plate with full height insulation (recommended)

NOTE:
R-30 complete coverage is deemed equivalent to prescriptive R-38

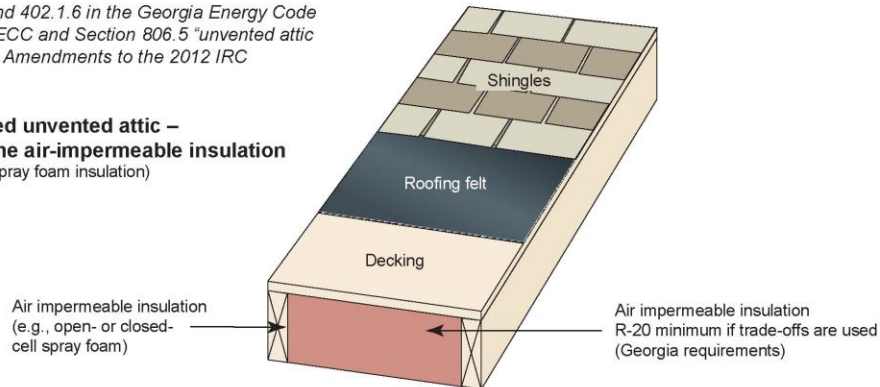


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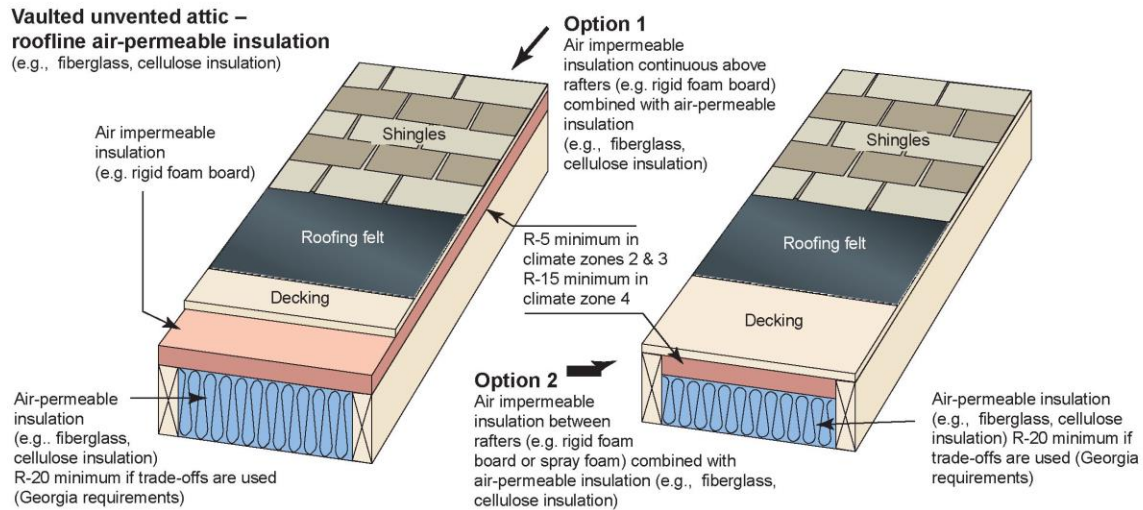
Roofline Installed Insulation Options

Reference Table 402.1.1 and 402.1.6 in the Georgia Energy Code amendments to the 2015 IECC and Section 806.5 "unvented attic assemblies" in the Georgia Amendments to the 2012 IRC

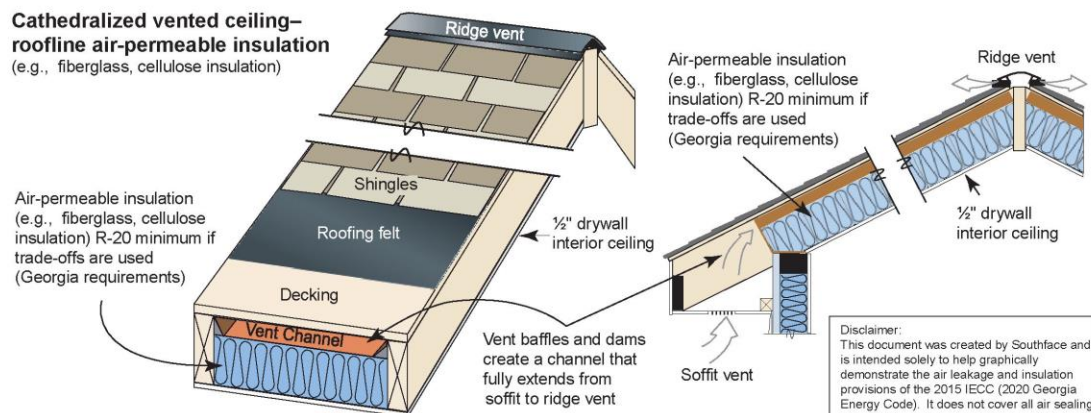
Vaulted unvented attic – roofline air-impermeable insulation (e.g., spray foam insulation)



Vaulted unvented attic – roofline air-permeable insulation (e.g., fiberglass, cellulose insulation)



Cathedralized vented ceiling– roofline air-permeable insulation (e.g., fiberglass, cellulose insulation)



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Appendix RA

Georgia Insulation Installation - *Passing Grade Details*

Wall and ceiling insulation that makes up portions of the building thermal envelope shall be installed to Passing Grade quality.

Two criteria affect installed insulation grading: **voids/gaps** (in which no insulation is present in a portion of the overall insulated surface) and **compression/incomplete fill** (in which the insulation does not fully fill out or extend to the desired depth).

Voids/Gaps

- Voids or gaps in the insulation are < 1 % of overall component surface area (only occasional and very small gaps allowed for Passing Grade)

Compression/Incomplete Fill

- Compression/Incomplete Fill for both *air permeable insulation* (e.g., fiberglass, cellulose) and *air impermeable insulation* (e.g., spray polyurethane foam) must be less than 1 inch in depth or less than 30% of the intended depth, whichever is more stringent. The allowable area of compression/incomplete fill must be less than 2% of the overall insulated surface to achieve a Passing Grade.
- Any compression/incomplete fill with a **depth** greater than the above specifications (up to 1" or 30% of the intended depth, whichever is more stringent) shall not achieve a Passing Grade.

Additional Wall Insulation Requirements

- All vertical air permeable insulation shall be installed in substantial contact with an air barrier on all six (6) sides.

Exception: Unfinished basements, rim/band joist cavity insulation and fireplaces (insulation shall be restrained to stay in place).

For unfinished basements, air permeable insulation and associated framing in a framed cavity wall shall be installed less than ¼" from the basement wall surface.

- Attic knee wall details - Attic knee walls shall be insulated to a total R-value of at least R-18 through any combination of cavity and continuous insulation. Air permeable insulation shall be installed with a fully sealed attic-side air barrier (e.g., OSB with seams caulked, rigid insulation with joints taped, etc.). Attic knee walls with air impermeable insulation shall not require an additional attic-side air barrier.

Underfloor insulation that makes up portions of the building thermal envelope shall be installed to Passing Grade quality.

Two criteria affect installed insulation grading: **voids/ gaps** (in which no insulation is present in a portion of the overall insulated surface) and **compression/incomplete fill** (in which the insulation does not fully fill out or extend to the desired depth).

Voids/Gaps

- Voids or gaps in the insulation are minimal for Passing Grade (< 2% of overall component surface area)

Compression/incomplete Fill

- Compression/incomplete Fill for both *air permeable insulation* (e.g., fiberglass, cellulose) and *air impermeable insulation* (e.g., spray polyurethane foam) must be less than 1 inch in depth or less than 30% of the intended depth, whichever is more stringent. The allowable area of compression/incomplete fill must be less than 10% of the overall insulated surface to achieve a Passing Grade.
- Any compression/incomplete fill with a **depth** greater than the above specifications (up to 1" or 30% of the intended depth, whichever is more stringent) shall not achieve a Passing Grade.
- Air-permeable underfloor insulation shall be permanently installed against the subfloor decking. Adequate insulation supports (e.g., wire staves) for air permeable insulation shall be installed at least every 18-24".

Exception: The floor framing-cavity insulation shall be permitted to be in contact with the topside of sheathing or continuous insulation installed on the bottom side of floor framing where combined with insulation that meets or exceeds the minimum wood frame wall R-value and that extends from the bottom to the top of all perimeter floor framing members.

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Appendix RA

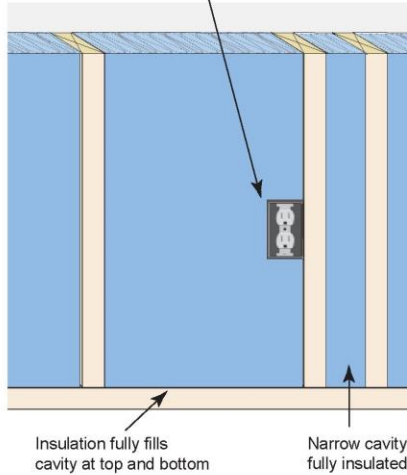
Wall Insulation key points

Appendix RA

Voids / Gaps

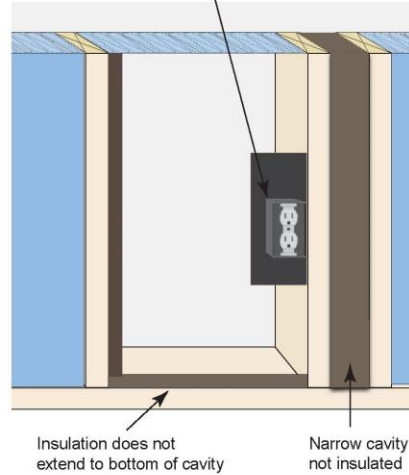
Passing Grade

Insulation is notched and completely surrounds electrical box



Unacceptable Installation

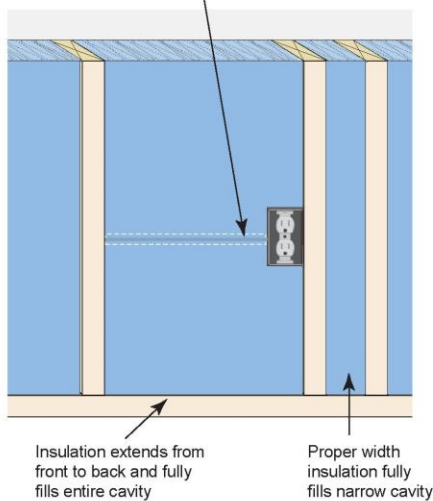
Incomplete insulation coverage around electrical box



Compression / Incomplete Fill

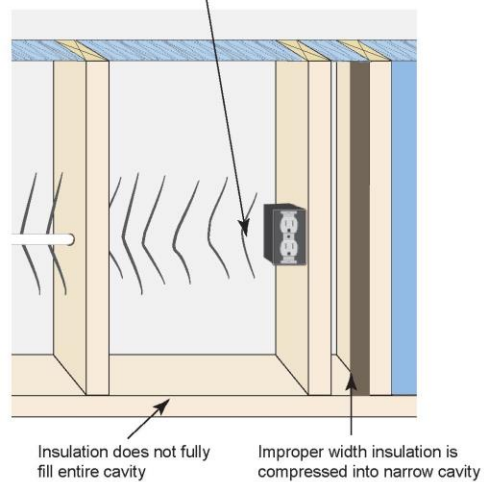
Passing Grade

Insulation is slit around electrical wire



Unacceptable Installation

Insulation is compressed behind electrical wire



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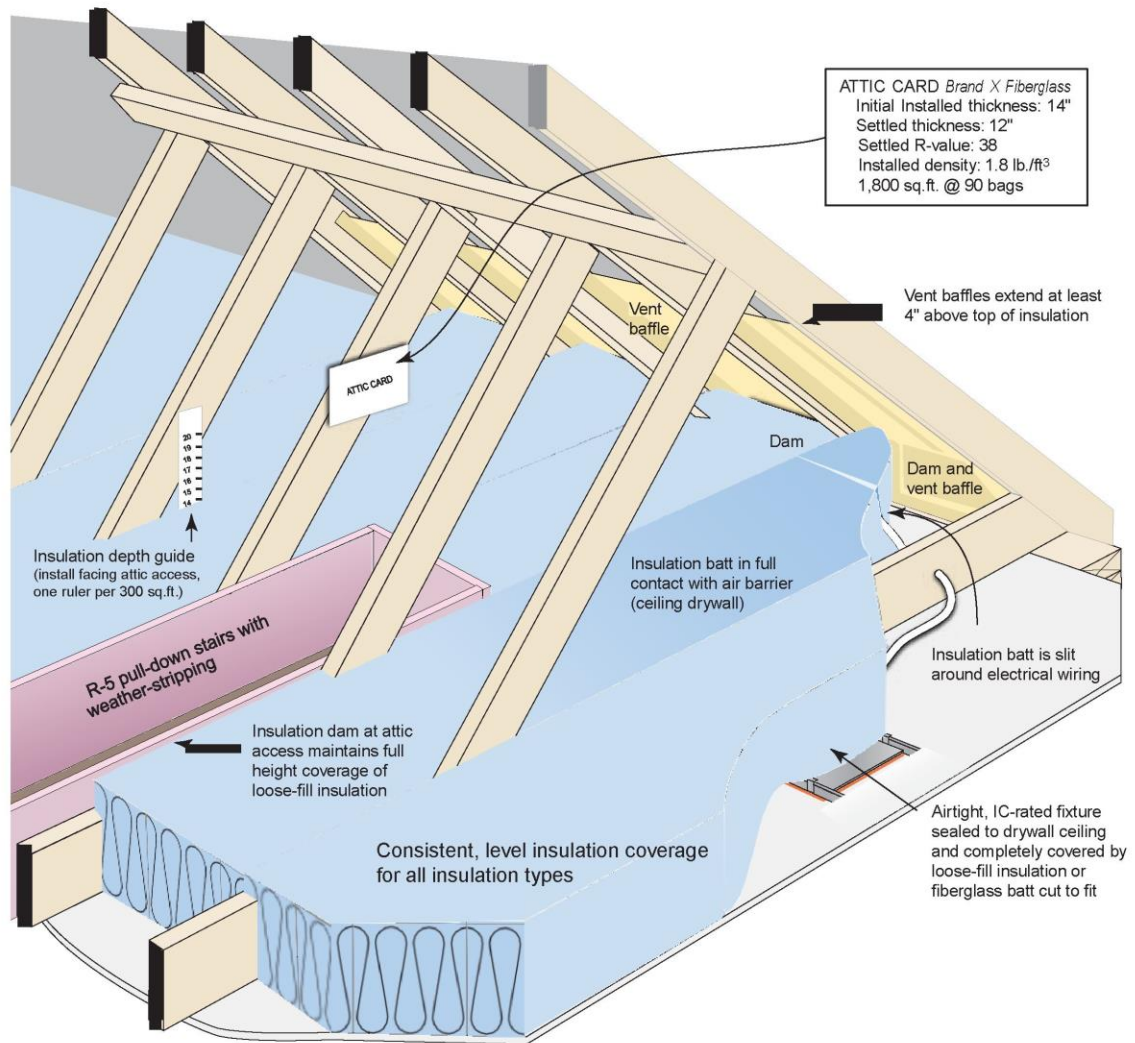
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Appendix RA

Ceiling Insulation key points

Appendix RA

Passing Grade 

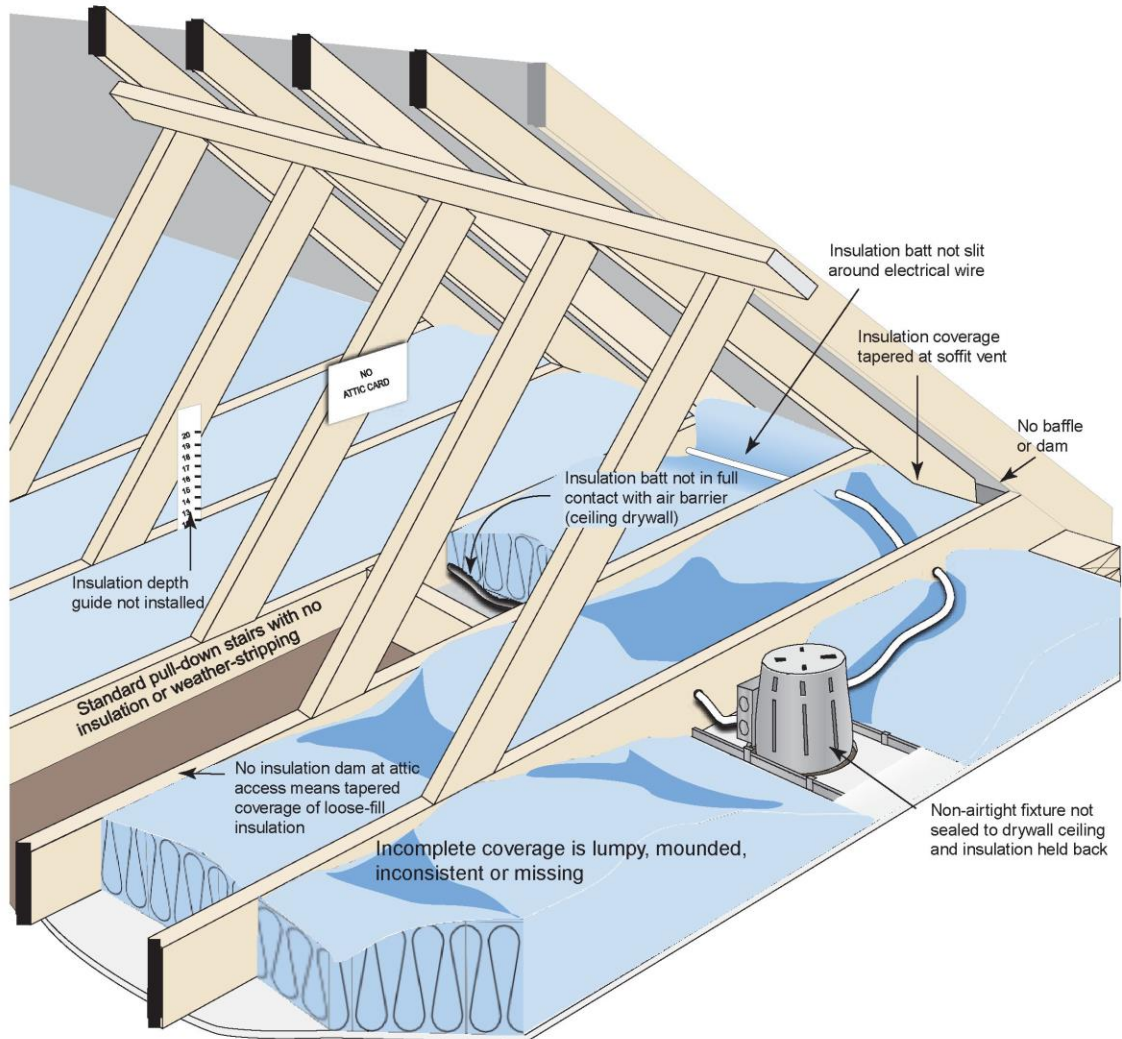


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Ceiling Insulation key points

Unacceptable installation ❌



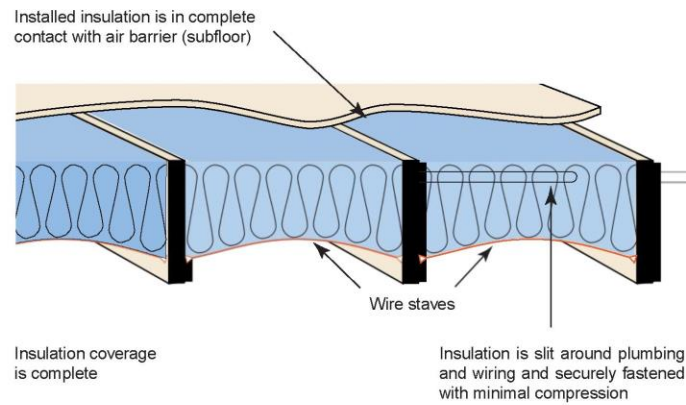
Disclaimer:
This document was created by Southface and is intended solely to help graphically demonstrate the air leakage and insulation provisions of the 2015 IECC (2020 Georgia Energy Code). It does not cover all air sealing locations, materials or techniques. Other code provisions may be applicable as well.

Appendix RA

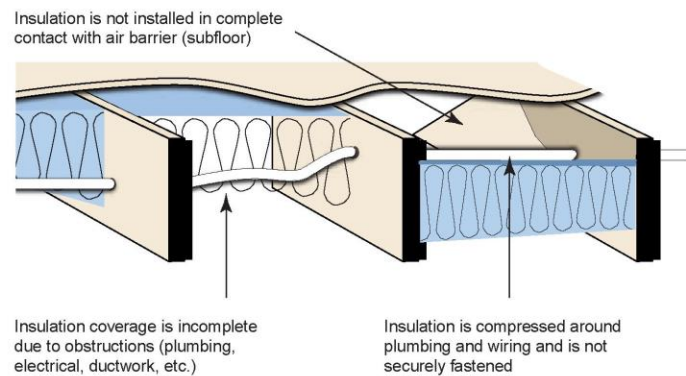
Floor Insulation key points

Appendix RA

Passing Grade



Unacceptable Installation



Disclaimer:
This document was created by Southface and is intended solely to help graphically demonstrate the air leakage and insulation provisions of the 2015 IECC (2020 Georgia Energy Code). It does not cover all air sealing locations, materials or techniques. Other code provisions may be applicable as well.

Georgia International Energy Conservation Code Supplements and Amendments 2020

APPENDIX RC

THIRD PARTY VERIFICATION

SECTION RC101

GENERAL

RC101.1 **Scope.** The provisions of this appendix govern the requirements for third-party verification of this code.

RC101.2 **Adoption.** The authority having jurisdiction may adopt this appendix to utilize third-party verification of this code.

SECTION RC102

DEFINITIONS

THIRD-PARTY VERIFIER. An independent person or firm responsible for conducting inspections and/or testing and plan review to verify a project's compliance with the provisions of this code.

SECTION RC103

QUALIFICATIONS

RC103.1 **General.** It shall be the responsibility of the permit holder to retain a qualified *third-party verifier*. The *third-party verifier* shall not be an employee of the owner or builder or have a financial interest in the project.

RC103.2 **Residential buildings.** Third-party verifiers shall have one of the following minimum qualifications to conduct inspections or plan review for the energy efficiency provisions of *residential buildings* as defined by this code:

1. Accredited HERS Rater
2. ICC Residential Energy Inspector/Plans Examiner Certification
3. EarthCraft House Technical Advisor
4. Building Performance Institute (BPI) Analyst
5. Equivalent qualifications as approved by the local *code official*

Exception: Where the specific provisions of this code require additional qualifications.

RC103.3 **Commercial buildings.** Third-party verifiers shall have one of the following minimum qualifications to conduct inspections or plan review for the energy efficiency provisions of *commercial buildings* as defined by this code:

1. ICC Commercial Energy Inspector and ICC Commercial Plans Examiner Certifications
2. Equivalent qualifications as approved by the local *code official*

Exception: Where the specific provisions of this code require additional qualifications.

SECTION RC104

INSPECTIONS

RC104.1 **General.** Construction or work, conducted under the provisions of this code, for which a permit is required shall be subject to inspection by a *third-party verifier*.

RC104.2 **Inspection requests.** It shall be the duty of the permit holder or their duly authorized agent to notify the *third-party verifier* when work is ready for inspection and to provide access to and means for inspection of such work required by this code.

RC104.3 **Fees.** The permit holder shall be responsible for all fees charged by the *third-party verifier*.

RC104.4 **Residential buildings.** A minimum of two inspections shall be conducted for each residential building. The first inspection shall be conducted prior to the closing-up of building cavities; and shall include verification of compliance with the following: insulation, fenestration, air sealing and duct insulation and sealing. The second inspection shall be conducted after the building has been substantially completed and prior to issuance of a certificate of occupancy. The second inspection shall include verification of compliance with any portions of this code not verified during the first inspection.

RC104.5 **Commercial buildings.** A minimum number of inspections as determined by the *third-party verifier* shall be conducted to ensure verification of compliance with the provisions of Chapter 5 of this code or ASHRAE 90.1.

RC104.6 **Re-inspection.** A building shall be re-inspected when determined necessary by the *third-party verifier* or local *code official*.

RC104.7 **Approval report.** Inspection and verification reports shall be submitted by the *third party verifier* to the local *code official*.

(Effective January 1, 2020)

2020 Georgia Residential Energy Code Compliance Certificate This certificate shall be permanently posted on or in the electrical distribution panel Permit# _____ House Address or Community/Lot# _____		Jurisdiction Logo and/or Contact Information Here	
Building Summary			
Builder Company Name		Signature	Contact (email/phone)
			Date
Compliance Pathway (check one)		Building Envelope (when multiple values per component, list value covering largest area)	
<input checked="" type="checkbox"/> Prescriptive: R401-404		Ceiling/Roof R-value	Above-grade mass wall R-value
<input type="checkbox"/> UA Trade-off: R402.1.5		Sloped/vaulted ceiling R-value	Cantilevered floors R-value
<input type="checkbox"/> RESCheck: Keyed to 2015 IECC		Exterior wall R-value	Window/Glass Door SHGC
<input type="checkbox"/> Simulated Performance: R405		Kneewall (cavity and/or continuous) R-value	Window/Glass Door U-factor
<input type="checkbox"/> Energy Rating Index (ERI): R406		Foundation (cavity and/or continuous) R-value	Skylight SHGC
ERI Score		Floors over unconditioned R-value	Skylight U-factor
Mechanical Summary			
HVAC Company Name		Contact (email/phone)	Date
Heating System Type	Efficiency (AFUE, HSPF, COP or other)	Cooling System Type	Efficiency (SEER, EER or other)
<input type="checkbox"/> Gas		<input type="checkbox"/> Air conditioner	
<input type="checkbox"/> Heat pump		<input type="checkbox"/> Heat pump	
<input type="checkbox"/> Other		<input type="checkbox"/> Other:	
<input type="checkbox"/> Yes <input type="checkbox"/> No Manual J, S, D or equivalent complete?			
Required Mechanical Ventilation			
Type (check one)		Design Rate (check one)	
<input type="checkbox"/> Exhaust		<input type="checkbox"/> Continuous	
<input type="checkbox"/> Supply		<input type="checkbox"/> Intermittent	
<input type="checkbox"/> Balanced		If intermittent, list runtime in min. per hour	
		Design Ventilation Rate (CFM)	
Duct and Envelope Tightness Testing Summary			
DET Verifier		Contact (email/phone)	DET Verifier ID
Envelope Tightness Testing (< 5 ACH50) (Envelope Tightness = Blower Door Fan Flow x 60 / Thermal Envelope Volume)			
Blower Door Fan Flow (CFM50)		Thermal Envelope Volume (ft ³)	Envelope Tightness (ACH50)
If multifamily unit and conducting sampling, this unit is not required to be tested. Mark N/A.			
Duct Tightness Testing (< 6 CFM25/100 ft³) (Total Duct Leakage = 100 x Fan Flow / Area Served)			
Number of Heating and Cooling Systems			
Duct Tightness Leakage Test Results		System 1	System 2
If air handler and ductwork located entirely within in conditioned space, testing not required. Mark N/A.			
Location			
Fan Flow (CFM25)			
Area Served (ft ²)			
Total Duct Leakage (CFM25/100 ft ³)			
Rough In Total (RIT) or Post Construction Total (PCT)			

Version 1.0

Cite as Ga. Comp. R. & Regs. R. 110-11-1-.34

AUTHORITY: O.C.G.A. § 8-2-20 et seq.

HISTORY: Original Rule entitled "International Energy Conservation Code (IECC), 2015 Edition with 2020 Georgia State Amendments" adopted. F. Dec. 7, 2018; eff. Jan. 1, 2020, as specified by the Agency.

Note: Rule 110-11-1-.34 filed December 7, 2018 rescinded and refiled on February 19, 2019; eff. Jan. 1, 2020, as specified by the Agency. In February 2019, the Agency discovered that the wrong version of the Rule was inadvertently filed and contained typographical errors in the dates cited (i.e., "Revised January 1, 2019" and "(Effective January 1, 2019)"). The dates were corrected to "Revised January 1, 2020" and "(Effective January 1, 2020)", as cited in the Rule promulgated and adopted on November 3, 2018. Effective February 19, 2019.

Amended: New title, "International Energy Conservation Code (IECC), 2015 Edition with 2020 and 2022 Georgia State Amendments." F. Nov. 18, 2021; eff. Jan. 1, 2022, as specified by the Agency.

Amended: New title, "International Energy Conservation Code (IECC), 2015 Edition with 2020, 2022 and 2022 Additional Georgia State Amendments." F. Aug. 10, 2022; eff. Sep. 1, 2022, as specified by the Agency.

Amended: New title, "International Energy Conservation Code (IECC), 2015 Edition with 2020, 2022, 2022 Additional and 2023 Georgia State Amendments." F. Aug. 10, 2022; eff. Jan. 1, 2023, as specified by the Agency.

Department 110. RULES OF GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

Chapter 110-37. HISTORIC PRESERVATION

Subject 110-37-6. GEORGIA STATE INCOME TAX CREDIT PROGRAM FOR REHABILITATED HISTORIC PROPERTY

110-37-6.01 Definitions

For the purpose of this chapter, the following definitions shall apply:

- (a) "Certified rehabilitation" as defined in O.C.G.A. Sec. 48-7-29.8 means "repairs or alterations to a certified structure which are certified by the Department as meeting the United States Secretary of Interior's Standards for Rehabilitation or the Georgia Standards for Rehabilitation" as provided in this chapter.
- (b) "Certified structure" as defined in O.C.G.A. Sec. 48-7-29.8 means "a historic building or structure that is located within a national historic district, individually listed in the National Register of Historic Places, individually listed in the Georgia Register of Historic Places, or is certified by the Department as contributing to the historic significance of a Georgia Register Historic District."
- (c) "Department" means the Department of Community Affairs.
- (d) "Division" means the Historic Preservation Division of the Department of Community Affairs.
- (e) "Final certification" means approval of a completed rehabilitation associated with review of a Rehabilitated Historic Property Application Form Part B and which meets the requirements of a certified rehabilitation.
- (f) "Functionally related historically" means a group of buildings and/or structures judged by the Department to have been directly associated to serve an overall purpose or share an associative relationship within a designated or identifiable historic or operational period. Buildings and/or structures that are functionally related historically may or may not exhibit the same or similar functions, but will exhibit usages that are related within their historic contexts.
- (g) "Georgia Register of Historic Places" or "Georgia Register" means the Georgia Register of districts, sites, buildings, structures, and objects significant in Georgia history, architecture, engineering, and culture. For the purposes of this chapter, reference to the Georgia Register shall also denote reference to the National Register of Historic Places.
- (h) "Georgia State Income Tax Credit Program for Rehabilitated Historic Property" means the program established by O.C.G.A. Sec. 48-7-29.8.
- (i) "Historic building" or "historic structure" means a building or structure that is listed individually in the Georgia Register, or is located within a Georgia Register listed historic district and is certified by the Department, at the time of Rehabilitated Historic Property Application Form Part A evaluation, as contributing to the historic significance of that district. For purposes of the chapter, reference to "property" shall be interchangeable with historic building and historic structure where applicable within the context of a rule.
- (j) "Historic District" means a geographically definable area, urban or rural, that possesses a significant concentration, linkage or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

(k) "Historic Home" as defined in O.C.G.A. Sec. 48-7-29.8 means "a certified structure which, or any portion of which is or will, within a reasonable period, be owned and used as the principal residence of the person claiming the tax credit allowed under O.C.G.A. Sec. 48-7-29.8. Historic home shall include any structure or group of structures that constitute a multifamily or multipurpose structure, including a cooperative or condominium. If only a portion of a building is used as such person's principal residence, only those qualified rehabilitation expenditures that are properly allocable to such portion shall be deemed to be made to a historic home."

(l) "Internal Revenue Code of 1986" is defined in O.C.G.A. Sec. 48-1-2.

(m) "National historic district" means a historic district that is listed in the National Register of Historic Places.

(n) "Net Profit of the Sale" means the gain upon the sale determined based upon the Internal Revenue Code of 1986 with any adjustments required by Chapter 7 of Title 48 of the O.C.G.A. In the event the gain is deferred and or exempted based on provisions of the Internal Revenue Code of 1986, the deferral and or exemption shall be disregarded in determining the net profit of the sale.

(o) "Potential historic district" means a historic district that appears to meet Georgia Register criteria and possesses historic integrity based on current information, and for which listing in the Georgia Register is imminent.

(p) "Preliminary certification" means approval of a proposed rehabilitation, with conditions as applicable, associated with review of a Rehabilitated Historic Property Application Form Part A.

(q) "Principal residence" means the principal domicile of the taxpayer and not a secondary residence of the taxpayer.

(r) "Qualified rehabilitation expenditure" as defined in O.C.G.A. Sec. 48-7-29.8 means "qualified rehabilitation expenditure as defined by Section 47(c)(2) of the Internal Revenue Code of 1986 and any amount properly chargeable to a capital account expended in the substantial rehabilitation of a structure that by the end of the taxable year in which the certified rehabilitation is completed is a certified structure. This term does not include the cost of acquisition of the certified structure, the cost attributable to enlargement or additions to an existing building, site preparation, or personal property." For purposes of this chapter, for a historic home qualified rehabilitation expenditures shall include expenditure types defined by Section 47(c)(2) of the Internal Revenue Code of 1986 and allowed by Internal Revenue Service Regulation 1.48-12. Expenditures directly associated with the rehabilitation not incurred by the owner of the certified structure are not considered qualified rehabilitation expenditures.

(s) "Reasonable period" means a period not to exceed six months following the completion of the certified rehabilitation.

(t) "Receiving the Credit" means the last day of the taxable year in which the certified rehabilitation is completed.

(u) "Rehabilitated Historic Property" means property that qualifies for the credit provided by O.C.G.A. Sec. 48-7-29.8.

(v) "Rehabilitation" means the process of returning or bringing a building or buildings to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the building(s) which are significant to its historic, architectural and cultural values. Repairs or alterations exclusively or principally associated with additions, updating kitchens and/or bathrooms, cosmetic finish treatments, or replacing building components at the end of their expected service life are not rehabilitations within the meaning of this definition.

(w) "Standards for Rehabilitation" or "Standards" means the United States Department of Interior's Standards for Rehabilitation provided by 36 CFR Part 67.7 or the Georgia Standards for Rehabilitation provided by Department of Community Affairs' rules.

(x) "State Historic Preservation Officer" (SHPO) means the official designated by the Governor of Georgia to administer the state's historic preservation program under the National Historic Preservation Act and O.C.G.A. Sec.

12-3-50.1(c)(13). SHPO may also refer to the agency that carries out the functions of the State Historic Preservation Officer, which for Georgia is the Historic Preservation Division of the Georgia Department of Community Affairs.

(y) "Substantial rehabilitation" as defined in O.C.G.A. Sec. 48-7-29.8 means "rehabilitation of a certified structure for which the qualified rehabilitation expenditures, at least 5 percent of which must be allocable to the exterior during the 24 month period selected by the owner ending with or within the taxable year, exceed:

(A) For a historic home, the lesser of \$25,000 or 50 percent of the adjusted basis of the property at the beginning of the 24 month period as defined in subparagraph (a)(1)(B) of O.C.G.A. Sec. 48-5-7.2, which is the fair market value as determined by the county tax assessor; or, in the case of a historic home located in a target area, \$5,000; or

(B) For any other certified structure, the greater of \$5,000 or the adjusted basis of the property at the beginning of the 24 month period."

(C) For purposes of this chapter, substantial rehabilitation and substantially rehabilitated may also generally refer to project costs as meeting minimum expenditure requirements as defined in O.C.G.A. Sec. 48-7-29.8 and as provided in this chapter.

(z) "Target area" as defined in O.C.G.A. Sec. 48-7-29.8 means "a qualified census tract under Section 42 of the Internal Revenue Code of 1986, found in the United States Department of Housing and Urban Development document number N-94-3821; FR-3796-N-01." For purposes of this chapter, the Department of Housing and Urban Development may also be referred to as HUD.

Cite as Ga. Comp. R. & Regs. R. 110-37-6-.01

AUTHORITY: O.C.G.A. § 48-7-29.8.

HISTORY: Original Rule entitled "Definitions" adopted. F. July 17, 2020; eff. August 6, 2020.

Amended: F. Aug. 16, 2022; eff. Sep. 5, 2022.

110-37-6-.03 Program Benefits and Limitations; Substantial Rehabilitation

(1) The amount of the credit shall be determined pursuant to O.C.G.A. Sec. 48-7-29.8.

(a) For all certified rehabilitations the amount of the credit equals 25% of qualified rehabilitation expenditures.

(b) For certified rehabilitation of a historic home in a HUD designated target area the amount of the credit equals 30% of qualified rehabilitation expenditures.

(2) Effective for tax years beginning on or after January 1, 2009:

(a) The amount of the credit for a certified rehabilitation of a historic home may not exceed \$100,000 in any 120 month (10-year) period.

1. If only a portion of a historic home is used as the owner's principal residence, only those qualified rehabilitation expenditures that are properly allocable to such portion shall be deemed to be made to a historic home. The expenditures that then are allocable to the remainder of the building are not eligible for the credit.

2. In the case of a certified rehabilitation of a historic home that is a unit of a multifamily or multipurpose structure or group of structures the credit for the entire certified structure is limited to \$100,000. In this situation the \$100,000 credit shall be allocated between the owners based upon the qualified rehabilitation expenditures of each owner.

(b) The amount of the credit for a certified rehabilitation of a certified structure, excluding historic homes, may not exceed \$300,000 in any 120 month (10-year) period.

1. Individual buildings within a group of buildings listed in the Georgia Register as an individual property/building(s), judged by the Department to be functionally related historically and with distinct primary/secondary hierarchical and proportional relationships, are collectively a single certified structure. Accordingly, the credit for the certified structure in aggregate is limited to \$300,000.

2. Individual buildings within a group of buildings listed in the Georgia Register as an individual property/building(s), judged by the Department to be functionally related historically and without distinct primary/secondary hierarchical and proportional relationships, may be separately eligible for the credit.

3. Individual buildings within a group of buildings determined to be contributing to a Georgia Register listed historic district, judged by the Department to be functionally related historically and with distinct primary/secondary hierarchical and proportional relationships, are collectively a single certified structure. Accordingly, the credit for the certified structure in aggregate is limited to \$300,000.

4. Individual buildings within a group of buildings determined to be contributing to a Georgia Register-listed historic district, judged by the Department to be functionally related historically and without distinct primary/secondary hierarchical and proportional relationships, may be separately eligible for the credit.

5. In the case of a certified rehabilitation of a certified structure with multiple units and ownership, the credit for the entire certified structure is limited to \$300,000. In this situation the \$300,000 credit shall be allocated between the owners based upon the qualified rehabilitation expenditures of each owner.

(c) The aggregate amount of credits for certified rehabilitations, including historic homes, earning and applying for \$300,000 or less in credits may not exceed \$5,000,000 in calendar year 2022.

1. Assignment and award of credits shall be in accordance with rules and procedures established by the Department of Revenue.

2. Determination and assignment of actual amount of available credit for an individual project shall be in accordance with rules and procedures established by the Department of Revenue

(3) Effective for certified rehabilitations completed on or after January 1, 2017 and on or before December 31, 2027:

(a) The amount of the credit for a certified rehabilitation of a certified structure, excluding historic homes, may not exceed \$5,000,000 in any 120 month (10-year) period during which time only a single application for any individual certified structure may be approved if the amount of credits received is greater than \$300,000.

1. Individual buildings within a group of buildings listed in the Georgia Register as an individual property/building(s), judged by the Department to be functionally related historically and with distinct primary/secondary hierarchical and proportional relationships, are collectively a single certified structure. Accordingly, the credit for the certified structure in aggregate is limited to \$5,000,000.

2. Individual buildings within a group of buildings listed in the Georgia Register as an individual property/building(s), judged by the Department to be functionally related historically and without distinct primary/secondary hierarchical and proportional relationships, may be separately eligible for the credit.

3. Individual buildings within a group of buildings determined to be contributing to a Georgia Register listed historic district, judged by the Department to be functionally related historically and with distinct primary/secondary hierarchical and proportional relationships, are collectively a single certified structure. Accordingly, the credit for the certified structure in aggregate is limited to \$5,000,000.

4. Individual buildings within a group of buildings determined to be contributing to a Georgia Register-listed historic district, judged by the Department to be functionally related historically and without distinct primary/secondary hierarchical and proportional relationships, may be separately eligible for the credit.

5. In the case of a certified rehabilitation of a certified structure with multiple units and ownership, the credit for the entire certified structure is limited to \$5,000,000. In this situation the \$5,000,000 credit shall be allocated between the owners based upon the qualified rehabilitation expenditures of each owner.

(b) The amount of the credit for a certified rehabilitation of a certified structure, excluding historic homes, where the project creates 200 or more full-time, permanent jobs or \$5,000,000 in annual payroll within two years of the placed in service date may not exceed \$10,000,000 in any 120 month (10-year) period during which time only a single application for any individual certified structure may be approved.

1. Individual buildings within a group of buildings listed in the Georgia Register as an individual property/building(s), judged by the Department to be functionally related historically and with distinct primary/secondary hierarchical and proportional relationships, are collectively a single certified structure. Accordingly, the credit for the certified structure in aggregate is limited to \$10,000,000.

2. Individual buildings within a group of buildings listed in the Georgia Register as an individual property/building(s), judged by the Department to be functionally related historically and without distinct primary/secondary hierarchical and proportional relationships, may be separately eligible for the credit.

3. Individual buildings within a group of buildings determined to be contributing to a Georgia Register-listed historic district, judged by the Department to be functionally related historically and with distinct primary/secondary hierarchical and proportional relationships, are collectively a single certified structure. Accordingly, the credit for the certified structure in aggregate is limited to \$10,000,000.

4. Individual buildings within a group of buildings determined to be contributing to a Georgia Register-listed historic district, judged by the Department to be functionally related historically and without distinct primary/secondary hierarchical and proportional relationships, may be separately eligible for the credit.

5. In the case of a certified rehabilitation of a certified structure with multiple units and ownership, the credit for the entire certified structure is limited to \$10,000,000. In this situation the \$10,000,000 credit shall be allocated between the owners based upon the qualified rehabilitation expenditures of each owner.

(4) The aggregate amount of credits may not exceed:

(a) \$25,000,000 in each calendar year 2017 through 2022 for certified rehabilitations earning and applying for more than \$300,000 in credits

(b) \$5,000,000 in calendar year 2022 for certified rehabilitations earning and applying for \$300,000 or less in credits, including historic homes

(c) \$5,000,000 in each calendar year 2023 and 2024 for certified rehabilitations earning and applying for \$100,000 or less in credits for historic homes

(d) \$30,000,000 in each calendar year 2023 through 2027 for certified rehabilitations, excluding historic homes.

(5) Assignment and award of credits shall be in accordance with rules and procedures established by the Department of Revenue.

(6) Determination and assignment of actual amount of available credit for an individual project shall be in accordance with rules and procedures established by the Department of Revenue.

(7) Assignment, sale, or transfer of tax credits provided by O.C.G.A. Sec. 48-7-29.8 shall be in accordance with rules and procedures established by the Department of Revenue.

(8) Substantial rehabilitation of a certified structure requirements:

(a) Qualified rehabilitation expenditures for substantial rehabilitation purposes must be expended during a continuous 24 month period selected by the taxpayer.

1. For phased projects a 60 month period may be substituted for the 24 month period.

(i) Phased projects must be identified at preliminary certification application.

(b) A minimum of 5 percent of qualified rehabilitation expenditures for substantial rehabilitation purposes must be allocable to the exterior of the certified structure.

(c) For a historic home the qualified rehabilitation expenditures for substantial rehabilitation purposes must exceed the lesser of \$25,000 or 50 percent of the adjusted basis of the property at the beginning of the 24 month period, as defined in subparagraph (a)(1)(B) of O.C.G.A. Sec. 48-5-7.2, which is the fair market value of the building (exclusive of the land) as determined by the county tax assessor.

1. For a historic home located in a target area the qualified rehabilitation expenditures for substantial rehabilitation purposes must be at least \$5,000.

(d) For any other certified structure the qualified rehabilitation expenditures for substantial rehabilitation purposes must exceed the greater of \$5,000 or the adjusted basis of the property as of the beginning of the 24 month period (60 month period for phased projects). For purposes of this subparagraph, the term "adjusted basis of the property" means the same as used in the Internal Revenue Code of 1986 (exclusive of the land), which is the basis used to determine gain or loss upon sale or disposition exclusive of the land.

(e) Qualified rehabilitation expenditures may only be counted once in determining substantial rehabilitation or determining the amount of the credit.

1. More than one entity may not claim a credit for the same qualified rehabilitation expenditures.

(9) For purposes of the Georgia State Income Tax Credit Program for Rehabilitated Historic Property, no costs pertaining to new additions to the certified structure(s) or new construction adjacent to or related to the certified structure(s) shall be considered a qualified rehabilitation expenditure or be recoverable as a tax credit.

Cite as Ga. Comp. R. & Regs. R. 110-37-6-.03

AUTHORITY: O.C.G.A. § 48-7-29.8.

HISTORY: Original Rule entitled "Program Benefits and Limitations; Substantial Rehabilitation" adopted. F. July 17, 2020; eff. August 6, 2020.

Amended: F. Aug. 16, 2022; eff. Sep. 5, 2022.

110-37-6-.11 Fees for Processing Certification Requests

(1) For applications received by the Division prior to January 1, 2016:

(a) Fees are charged for reviewing Part A - Preliminary Certification Applications. The fee for review of proposed, ongoing, or completed rehabilitation projects is \$50.00. If the applicant is applying for the Georgia Preferential Property Tax Assessment Program provided by O.C.G.A. 48-5-7.2 and the Georgia State Income Tax Credit Program provided by O.C.G.A. 48-7-29.8, then the fee for review of proposed, ongoing, or completed rehabilitation projects is \$75.00 for both programs.

(b) Payment shall be made when the application is submitted to the Division for review. Fees are payable only by a cashier's check or money order. Checks should be made payable to the Georgia Department of Natural Resources. Preliminary Certification decisions will not be issued on an application until the appropriate remittance is received. All fees are non-refundable.

(c) Each rehabilitation of an individual certified structure will be considered a separate project for purposes of computing fees.

(d) In the case of a rehabilitation project which includes more than one building where the buildings are judged by the Department to have been functionally related historically and with distinct primary/secondary hierarchical and proportional relationships and so collectively are a single certified structure, the fee is \$50.00 or \$75.00, whichever is applicable.

(2) For applications received by the Division on or after January 1, 2016 or for projects that are applying for credits allowed by O.C.G.A. Sec. 48-7-29.8(c)(2):

(a) Fees are charged for reviewing Part A - Preliminary Certification and Part B - Final Certification applications in accordance with the following schedule:

Project Qualified Rehabilitation Expenditures (QRE)	Part A - Preliminary Certification Review Fee	Part B - Final Certification Review Fee
\$100,000 or under	\$250	None
Over \$100,000 up to \$500,000	0.375% of estimated QRE	0.125% of actual QRE
Over \$500,000	\$1875 plus 0.75% of estimated QRE exceeding \$500,000	\$625 plus 0.25% of actual QRE exceeding \$500,000
Maximum Total Fee for any single project shall not exceed \$25,000 All projects over \$100,000: 75% of the total review fee will be collected at Part A and the remainder (25%) will be collected at Part B		

(b) Payment shall be made upon invoice by the Division. Fees are payable only by a cashier's check or money order. Checks should be made payable to the Georgia Department of Community Affairs.

1. Certification decisions will not be issued on an application until the appropriate remittance is received.

2. All fees are non-refundable.

(3) Each rehabilitation of an individual certified structure will be considered a separate project for purposes of computing fees.

(a) In the case of a rehabilitation project which includes more than one building where the buildings are judged by the Department to have been functionally related historically and with distinct primary/secondary hierarchical and proportional relationships and so collectively are a single certified structure, the fee is computed using total qualified rehabilitation expenditures of all the buildings.

(4) For Part A - Preliminary Certification applications received prior to January 1, 2016 for projects where the completion date will be on or after January 1, 2017, Part A - Preliminary Certification review fees will be charged in accordance with paragraph (1) of this rule and Part B - Final Certification review fees will be charged in accordance with paragraph (2) of this rule.

Cite as Ga. Comp. R. & Regs. R. 110-37-6-.11

AUTHORITY: O.C.G.A. § 48-7-29.8.

HISTORY: Original Rule entitled "Fees for Processing Certification Requests" adopted. F. July 17, 2020; eff. August 6, 2020.

Amended: F. Aug. 16, 2022; eff. Sep. 5, 2022.

Department 111. RULES OF DEPARTMENT OF COMMUNITY HEALTH

Chapter 111-3. MEDICAL ASSISTANCE

Subject 111-3-14. AMBULANCE PROVIDER MATCHING PAYMENT PROGRAM

111-3-14-.01 Definitions

As used in this Chapter 111-3-14:

- (1) "Board" means the Board of Community Health, the body created under O.C.G.A. § 31-2-3, appointed by the Governor, that establishes the general policy to be followed by the Department of Community Health.
- (2) "Department" means the Department of Community Health established under O.C.G.A. § 31-2-1.
- (3) "Ambulance Service" for the purpose of this rule means a private entity performing services as defined in O.C.G.A. § 31-11-2 (4)(A), specifically, for providing emergency care and transportation on the public streets and highways of this state for a wounded, injured, sick, invalid, or incapacitated human being to or from a place where medical or hospital care is furnished, and where such private entity is licensed by the Department of Public Health and is a 911 responding ambulance provider, either designated as a 911 provider or providing services under a service delivery contract for a designated 911 provider.
- (4) "Net Patient Revenue" means the total gross patient revenue of an Ambulance Service less contractual adjustments, charity care, bad debt, or any other write-offs.
- (5) "Provider Matching Payment" means payment assessed by the Department pursuant to this Chapter on providers which operate a Private Ambulance Service.
- (6) "Private Ambulance Service" means an Ambulance Service, as defined in this Chapter, other than:
 - (a) An Ambulance Service owned and operated by the Federal government
 - (b) An Ambulance Service owned and operated by a unit of State government
 - (c) An Ambulance Service owned and operated by a unit of Local (non-state) government
- (7) "Segregated Account" means an account for the dedication and deposit of Provider Matching Payments which is established within the Trust Fund.
- (8) "State Plan Amendment" means all documentation submitted by the Commissioner, on behalf of the Department, to and for approval by the Secretary of Health and Human Services pursuant to the Title XIX of the Federal Social Security Act of 1935, as amended.
- (9) "Trust Fund" means the Indigent Care Trust Fund created by article 6 of Chapter 8 of Title 31.
- (10) "Waiver" means a waiver of the requirements for permissible health care related taxes, as provided for in [42 C.F.R. §433.68](#).

Cite as Ga. Comp. R. & Regs. R. 111-3-14-.01

AUTHORITY: O.C.G.A. § 31-11-31.2.

HISTORY: Original Rule entitled "Definitions" adopted. F. Aug. 15, 2022; eff. Sep. 4, 2022.

111-3-14-.02 Payments to the Segregated Account

(1) There is established within the Trust Fund a Segregated Account for revenues raised through the imposition of the Provider Matching Payment. Any Provider Matching Payment assessed pursuant to this Chapter shall be deposited into the Segregated Account. No other funds shall be deposited into the Segregated Account. All funds shall be invested in the same manner as authorized for investing other moneys in the state treasury.

(2) Each Private Ambulance Service shall be assessed a Provider Matching Payment in an amount that shall not exceed the amount necessary for this program to obtain federal financial participation allowable under Title XIX of the Social Security Act.

(3) The Provider Matching Payment shall be paid quarterly by each Private Ambulance Service to the Department. Payment of the Provider Matching Payment shall be due on the last day of the last month of each calendar quarter; the first payment shall be due on September 30, 2022, or 30 calendar days after Board approval of this rule, whichever is later.

(4) The Department shall prepare and distribute a form on which each Ambulance Service shall submit information to comply with this Chapter.

(5) Each Ambulance Service shall keep and preserve for a period of seven (7) years such books and records as may be necessary to determine the amount for which it is liable under this Chapter. The Department shall have the authority to inspect and copy the records of an Ambulance Service for purposes of auditing the calculation of the Provider Matching Payment. All information obtained by the Department pursuant to this Chapter shall be confidential and shall not constitute a public record.

(6) The Department may impose a penalty of up to six percent (6%) for any Ambulance Service that fails to pay a Provider Matching Payment within the time required by the Department for each month or fraction thereof that the Provider Matching Payment is overdue. If a required Provider Matching Payment has not been received by the Department by the last day of the last month of the calendar quarter, the Department may withhold an amount equal to the Provider Matching Payment and penalty owed from any medical assistance payment due such Ambulance Service under the Medical program. Any Provider Payment assessed pursuant to this Chapter shall constitute a debt due the state and may be collected by civil action and the filing of tax liens in addition to such methods provided for in this Chapter. Any penalty that accrues pursuant to this Rule shall be credited to the Segregated Account.

(7) If the Department determines that an Ambulance Service has underpaid the Provider Payment, the Department shall notify the Ambulance Service of the balance of the Provider Payment that is due. Such payment shall be due within thirty (30) days of the Department's notice.

Cite as Ga. Comp. R. & Regs. R. 111-3-14-.02

AUTHORITY: O.C.G.A. § 31-11-31.2.

HISTORY: Original Rule entitled "Payments to the Segregated Account" adopted. F. Aug. 15, 2022; eff. Sep. 4, 2022.

111-3-14-.03 Use of Provider Payments

(1) The Department shall collect the Provider Matching Payments imposed pursuant to this Chapter. All revenues collected pursuant to this Chapter shall be deposited into the Segregated Account. Such funds shall be dedicated and used for the sole purpose of obtaining federal financial participation for medical assistance payments to Private Ambulance Service providers on behalf of Medicaid recipients pursuant to Article 7 of Chapter 4 of Title 49.

(2) Revenues appropriated to the Department by the General Assembly pursuant to Article 6C of Chapter 8 of Title 31, shall be used to match federal funds that are available for the purpose for which such funds have been appropriated.

Cite as Ga. Comp. R. & Regs. R. 111-3-14-.03

AUTHORITY: O.C.G.A. § 31-11-31.2.

HISTORY: Original Rule entitled "Use of Provider Payments" adopted. F. Aug. 15, 2022; eff. Sep. 4, 2022.

111-3-14-.04 Effective Date

Upon the adoption by the Board, Chapter 111-3-14 shall become effective on July 1, 2022.

Cite as Ga. Comp. R. & Regs. R. 111-3-14-.04

AUTHORITY: O.C.G.A. § 31-11-31.2.

HISTORY: Original Rule entitled "Effective Date" adopted. F. Aug. 15, 2022; eff. Sep. 4, 2022.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-2. RULES OF COMMISSIONER OF INSURANCE

**Subject 120-2-3. REGULATIONS REGARDING AGENTS,
SUBAGENTS, COUNSELORS, ADJUSTERS, SURPLUS LINES
BROKERS, AND AGENCIES**

120-2-3-.05 Licensure of Agencies

- (1) For the purposes of O.C.G.A. § [33-23-3](#), a principal office of an agency shall be defined as the primary location of an agency or agency organization with multiple locations. An agency or organization with multiple locations seeking licensure must designate one agency location as the principal office of such organization. A branch office of an agency shall be defined as all other locations of the agency or agency organization.
- (2) In order to be eligible for an agency license issued in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.
- (3) In accordance with O.C.G.A. § [33-23-3](#), an application for an agency license must be accompanied by the appropriate form containing the designation of the principal office of the agency. For filings regarding an agency branch office location, the name and address of the agency's principal office location will be required.
- (4) Each principal office and branch office shall remit the fee prescribed in O.C.G.A. § [33-8-1](#) with the agency licensing application. Effective July 1, 2012, all new agency licenses will be issued on a biennial basis.
- (5) Each agency location must have at least one licensed agent whose primary place of business is that agency location.
- (6) A business entity must be licensed as an agency if it employs an individual who is required to be licensed as an agent pursuant to O.C.G.A. § [33-23-1](#) et seq. and this Regulation, and such individual is selling, soliciting, or negotiating insurance on behalf of that business entity.
- (7) The lines of authority of an agency cannot be greater than the lines of authority held by the agent or agents whose primary place of business is that agency location.
- (8) An agency license does not eliminate the need for an agent license for any individual that sells, solicits, or negotiates insurance.
- (9) License renewal:
- (a) All agency licenses issued prior to July 1, 2012 expire on December 31 of the year issued; an agency is required to renew the license prior to expiration on forms prescribed by the Commissioner. The appropriate fee as prescribed in O.C.G.A. § [33-8-1](#) must accompany the renewal application.
- (b) The appropriate fee as prescribed in O.C.G.A. § [33-8-1](#) must accompany the renewal application. Beginning July 1, 2012, upon renewal, all agency licenses will be converted to a biennial license.

(c) Agency may file a late renewal with appropriate late fee within 15 days of the expiration date of the agency license.

(10) A licensed entity under Chapter 3 of Title 7 of the Official Code of Georgia Annotated shall be deemed licensed under this Regulation.

(11) The license issued in accordance with this Rule must be available for public inspection in the agency location.

Cite as Ga. Comp. R. & Regs. R. 120-2-3-.05

AUTHORITY: O.C.G.A. §§ [33-2-9](#), [33-8-1](#), [33-23-1](#), [33-23-2](#), [33-23-3](#), [33-23-44](#).

HISTORY: Original Rule entitled "Examinations for License; Passing Grade; Waiting Period Between Examinations" adopted. F. and eff. July 20, 1965.

Repealed: New Rule entitled "Examinations for Licenses; Passing Grades; Waiting Between Examinations" adopted. F. July 1, 1970; eff. July 21, 1970.

Repealed: New Rule entitled "Registration of Agency" adopted. F. Sept. 10, 1992; eff. Sept. 30, 1992.

Amended: F. Aug. 9, 1996; eff. Aug. 29, 1996.

Repealed: New Rule entitled "Licensure of Agencies" adopted. F. July 23, 1998; eff. August 12, 1998.

Repealed: New Rule of same title adopted. F. Jan. 15, 2003; eff. Feb. 4, 2003.

Repealed: New Emergency Rule adopted. F. Jun. 28, 2012; eff. Jun. 28, 2012, as specified by the agency.

Repealed: New Rule of same title adopted. F. Sep. 10, 2012; eff. Sept. 30, 2012.

Amended: F. Jan. 25, 2018; eff. Feb. 14, 2018.

Amended: F. Aug. 31, 2022; eff. Sep. 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-2. RULES OF COMMISSIONER OF INSURANCE

Subject 120-2-14. GEORGIA AUTOMOBILE INSURANCE PLAN

120-2-14-.04 Administration of the Plan

(1) The Plan shall be administered by a Governing Committee and Manager. The Committee may consist of twelve (12) representatives. Eight (8) representatives will be elected from among Plan subscriber companies, from each of the following classes of companies: two (2) from Georgia Association of Property and Casualty Insurance Companies, four (4) from American Property Casualty Insurers Association, and two (2) from Non-Affiliated Insurance Companies. Each of the eight (8) shall be submitted to the Commissioner for approval prior to election.

Two (2) representatives will be appointed by the Committee from the users of the Plan for a two (2) year term. These two (2) nominees selected by the Committee shall be approved by the Commissioner prior to being appointed. These two representatives will not have the right to vote in matters pertaining to the determination and fulfillment of quotas, Commercial Automobile Insurance Procedure participation, nor the cost to administer the Plan.

Two (2) representatives may be appointed at the discretion of the Commissioner from subscribers, users of the Plan, or the public. The users of the Plan and public representatives will not have the right to vote in matters pertaining to the determination and fulfillment of quotas, Commercial Automobile Insurance Procedure participation, nor the cost to administer the Plan.

(2) For voting purposes, a quorum shall consist of a majority of the members currently serving on the Committee. If the Committee consists of an even number of members, however, a majority shall constitute one-half of those members but shall not be less than five members.

(3) Each subscriber company serving on the Committee shall designate a representative to act on its behalf. This representative shall be either (1) a salaried employee or officer of the named subscriber company or (2) a salaried employee or officer of another subscriber company from a group of companies under the same management as the named subscriber company. A salaried employee or officer of the holding company of the named subscriber company may also be designated as the representative. No more than one (1) company in a group under the same management shall serve on the Committee at the same time. A company leaving its class of companies shall resign its seat at the next meeting of the Committee.

(4) Biennially, on a date fixed by the Committee, such respective class of companies heretofore described shall elect its representatives to the Committee to serve for a period of two (2) years or until a successor is elected. Similarly, those elected representatives shall biennially, on a date fixed by the Committee, appoint the two representatives from among the users of the Plan.

(5) A majority of such subscriber companies shall constitute a quorum and voting by proxy shall be permitted. A company may not appoint more than one (1) company in its class of companies to exercise its proxy.

(6) The notice of each biennial meeting shall be accompanied by an agenda for such meeting. At the biennial meeting, a company may cast one (1) vote for each vacant seat on the Committee for its class of companies and it may not cast two (2) votes for one seat. Forty-five (45) days notice of the biennial meeting shall be given in writing to all companies which are subscribers to the Plan.

(7) A vacancy on the Committee shall be filled by the respective organization (Georgia Association of Property and Casualty Insurance Companies or American Property Casualty Insurers Association) who shall appoint a successor to serve until the next biennial meeting. If a non-affiliated company vacancy occurs, a successor to serve until the next biennial meeting shall be elected by the non-affiliated companies. If a user of the Plan representative vacancy occurs, a successor to serve until the next biennial meeting shall be appointed by the committee.

(8) A subscriber company seat not appointed by the Georgia Association of Property and Casualty Insurance Companies, Non-Affiliated Insurance Companies, or American Property Casualty Insurers by the appointment deadline shall be filled as determined by the Committee.

Cite as Ga. Comp. R. & Regs. R. 120-2-14-.04

AUTHORITY: O.C.G.A. §§ [33-2-9](#), [40-9-100](#).

HISTORY: Original Rule entitled "Convictions" adopted. F. and eff. July 20, 1965.

Repealed: New Rule entitled "Cost of Administration" adopted. F. Apr. 30, 1975; eff. May 20, 1975.

Repealed: New Rule entitled "Administration" adopted. F. Sept. 2, 1981; eff. Sept. 22, 1981.

Repealed: New Rule entitled "Administration of the Plan" adopted. F. Oct. 5, 1984; eff. Nov. 1, 1984, as specified by the Agency.

Amended: F. Sept. 5, 1997; eff. Sept. 25, 1997.

Repealed: New Rule of same title adopted. F. Jan. 28, 2005; eff. Feb. 17, 2005.

Amended: F. Oct. 1, 2015; eff. Oct. 21, 2015.

Amended: F. Aug. 31, 2022; eff. Sep. 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-2. RULES OF COMMISSIONER OF INSURANCE

**Subject 120-2-52. FAIR AND EQUITABLE SETTLEMENT OF FIRST
PARTY PROPERTY DAMAGE CLAIMS**

**120-2-52-.03 Standards for Prompt and Fair Settlements of First Party Property
Damage Claims**

(1) Every insurer, upon receiving notification of a claim shall, within fifteen (15) days, acknowledge the receipt of such notice by the insured, unless payment is made within that time period. If an acknowledgment is made by means other than writing, a notation of the acknowledgment shall be made in the claim file of the insurer and dated. Notification of a claim given to an agent of an insurer shall be notification to the insurer.

(2) Every insurer, upon receiving notification of a claim shall, within fifteen (15) days, provide the insured with the proof of loss forms, if applicable, with reasonable explanations regarding their use. The providing of these forms will constitute an acknowledgement of receipt of the claim referred to in paragraph (1) above.

(3) The insurer shall affirm or deny liability on claims within fifteen (15) days of receiving the completed proof of loss from the insured for losses arising from motor vehicle policies, and sixty (60) days of receiving the completed proof of loss from the insured for losses arising from fire or extended coverage type policies. If the insurer does not require the proof of loss to be completed, a coverage investigation as is reasonably necessary to affirm or deny shall take place within thirty (30) days from the day communication of the claim was received by the insurer.

(4) Payment shall be tendered within ten (10) days after coverage is confirmed and the full amount of the claim is determined and not in dispute. In claims where multiple coverages are involved, payments for individual coverages, which are not in dispute and where the payee is known, shall be tendered within ten (10) days, if such payment would terminate the insurer's known liability under that individual coverage.

(5) If the insurer needs more time than that specified in paragraph (3) above, to determine whether a first party claim should be accepted or denied, it shall notify the claimant within five (5) business days after the time limitation has elapsed in paragraph (3) above giving the reason that more time is needed and an estimate of additional time needed to establish liability. This can be accomplished in writing or if by other means, a proper notation shall be made in the claim file and dated. The total time the insurer has to accept or deny liability shall not exceed 60 days from the company being notified of the claim, unless the company has documented the claim file where information that has been requested necessary to determine liability has not been submitted.

(6) If the insurer has affirmed liability on a claim, or affirmed liability for individual coverages where the claim involves multiple coverages and the amount payable is in dispute, the insured, or the insurer, may submit to the Commissioner a request for their case to be arbitrated. The request must be in writing and must include the facts of the case to include where each party currently stands in the negotiations. The Commissioner may establish a panel of arbitrators consisting of attorneys authorized to practice law in this State and insurance adjusters licensed to act as such in this State. The arbitrators will be charged with the duty of establishing a fair and equitable monetary settlement of the case. If an arbitration panel has been established, three (3) individuals from the panel of arbitrators, at least one of whom shall be an attorney authorized to practice law in this State and at least one of whom shall be an insurance adjuster licensed to act as such in this State, will be designated to hear each request for arbitration. Any claim settled pursuant to this Chapter shall be binding on both parties and fulfill any arbitration provision currently contained in the motor vehicle insurance policy, but shall not preclude or waive any other rights either party has

under common law. The decision of the arbitration panel shall in no way be construed as a decision of the Commissioner. If an arbitration panel has been established, the Commissioner shall forward the written request for arbitration to the three (3) individuals selected to hear such request. The cost of the arbitration shall be borne equally by the parties to the arbitration.

(7) No insurer shall deny a claim on the grounds of a specific policy provision, condition or exclusion unless reference to such provision, condition, or exclusion is included in the denial. The denial shall be given to the insured in writing and the claim file of the insurer shall contain documentation of the denial.

(8) The insurer shall pay according to the terms of its policy for the covered loss up to the actual cash value to repair or to replace the damaged or stolen property subject to any deductibles. However, the insured has the right to choose the place of repair and pay the difference in cost, if the cost of the repair shop selected by the insured is greater than that obtained by the insurer.

(a) Unless permitted pursuant to the provisions of the policy of insurance, no insurer shall require an insured to utilize a particular person, firm, or corporation to repair a motor vehicle in order to settle a first party claim if the insured can obtain the repair work on the motor vehicle at the same cost from another source.

Cite as Ga. Comp. R. & Regs. R. 120-2-52-.03

AUTHORITY: O.C.G.A. §§ [33-2-9](#), [33-34-6](#), [33-34-8](#).

HISTORY: Original Rule entitled "Standards for Prompt and Fair Settlements of First Party Property Damage Claims" adopted. F. Mar. 29, 1994; eff. Apr. 18, 1994.

Amended: F. Sept. 5, 1997; eff. Sept. 25, 1997.

Amended: F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

Note: Correction of non-substantive typographical error in paragraph (2), "... *referred to in paragraph (1) above*. 18, 1994." corrected to "... *referred to in paragraph (1) above*.", as requested by the Agency. Effective August 12, 2022.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-2. RULES OF COMMISSIONER OF INSURANCE

Subject 120-2-58. CERTIFICATION OF PRIVATE REVIEW AGENTS

120-2-58-.09 Severability Provision

If any rule or portion of a rule in this Chapter of the Rules and Regulations of the Office of Commissioner of Insurance or the applicability thereof to any particular person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the rules or the applicability of such provisions to other persons or circumstances shall not be affected thereby.

OFFICE OF COMMISSIONER OF INSURANCE

STATE OF GEORGIA

ATLANTA, GEORGIA

APPLICATION FOR CERTIFICATION AS A PRIVATE REVIEW AGENT

(Typewritten Only)

If you are an individual with a disability and wish to acquire this application in an alternative format, please contact the ADA Coordinator at the Georgia Insurance Department, 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334 (404) 656-2056 / TDD (404) 656-4031. Application is hereby made for certification to operate as a Private Review Agent pursuant to the Laws of Georgia. In support thereof, the following information and documentary evidence is Submitted:

Date of filing:_____

Name of organization:_____

Mailing address:_____

Street address:_____

Office building:_____ Room number:_____

City:_____ County:_____

State:_____ Zip:_____

Telephone number: (____) _____ Fax number: (____) _____

Name of Attorney or Principal filing this application:

Mailing address:_____

Street address: _____

City: _____ State: _____

Zip: _____

Telephone number: (____) _____ Fax number: (____) _____

NOTE: ANSWER THE FOLLOWING QUESTIONS AND PROVIDE THE INFORMATION REQUESTED ON SEPARATE SHEETS IDENTIFYING EACH BY THE CORRESPONDING NUMBER ON THIS APPLICATION.

1. Submit all applicable organizational documents including an organizational chart. The following documents MUST BE an original copy or a certified copy of the original: partnership agreement; articles of incorporation certified by your Secretary of State; trade name certificate; trust agreement; any other applicable documents; and all amendments to those documents.
2. Provide one copy of the bylaws, rules and regulations or similar documents regulating the affairs of the private review agent certified by the principal partners or the president and secretary and containing the corporate seal.
3. List the names, addresses, and official titles of positions held by individuals who are responsible for the conduct of the affairs of the private review agent in Georgia.
4. Submit one copy of the Biographical Affidavit on Form GID-65(UR) for each of the persons listed in item 3.
5. Indicate if the private review agent plans to utilize a fictitious or "dba" name. If so, attach a certified copy of the recorded application received from the Clerk of the Superior Court in the county where doing business.
6. Submit all other items required under Rule [120-2-58-.03\(6\)](#).

DIRECTIONS FOR ATTESTING TO THIS APPLICATION:

- a. If applicant is a sole proprietor, the application must be sworn by the sole proprietor.
- b. If applicant is a partnership, the application must be sworn by the principal partners or by all officers and directors.
- c. If applicant is a corporation, the application must be sworn by the president and secretary.

=====

THE FOLLOWING ATTESTATION FORM SHALL BE USED:

I do solemnly swear or affirm that I am familiar with the Laws of Georgia relating to Private Review Agents; that I have complied with all of the requirements of O.C.G.A. §§ [33-46-4](#)., 33-46-5 and Chapter 39 of Title 33 of the Official Code of Georgia Annotated; that all the foregoing information and documentary evidence submitted is true, complete, and correct to the best of my knowledge and belief. I understand that my certification is subject to administrative action if false information is contained herein.

Organization

Signature of Affiant

Name (typewritten)

Title (typewritten)

Sworn to and subscribed before me this _____ day of _____, 19_____.

(Notary Public)

OFFICE OF COMMISSIONER OF INSURANCE

STATE OF GEORGIA

ATLANTA, GEORGIA

Biographical Affidavit

(Typewritten Only)

If you are an individual with a disability and wish to acquire this affidavit in an alternative format, please contact the ADA Coordinator at the Georgia Insurance Department, 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334 (404) 656-2056 / TDD (404) 656-4031. Full Name and Address of Private Review Agent (Do Not Use Group Names).

In connection with the above-named private review agent, I herewith make representations and supply information about myself as herein-after set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any question fully.) IF ANSWER IS "NO" or "NONE", SO STATE.

1. Affiant's Full Name (Initials Not Acceptable)._____

2. a. Have you ever had your name changed? - If yes, give the reason for the change._____

b. Other names used at any time

3. Affiant's Business Address_____

4. Present or Proposed Position with the Applicant Organization

5. Present employer may be contacted.

Yes No (Circle One)

6. List any professional licenses issued by any public or governmental licensing agency or regulatory authority which you presently hold or have held in the last ten (10) years (state date license issued, issuer of license, date terminated, reasons for termination).

7. Has the certificate of authority or license to do business of any private review agent of which you were an officer or director or key management person ever been suspended or revoked while you occupied such position?

_____ If yes, give details:

Dated and signed this _____ day of _____ at

_____. I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

(Signature of Affiant)

State of _____ County
of _____ Personally appeared before me the above
named _____ personally known to me, who, being duly sworn, deposes and says that he/she
executed the above instrument and that the statements and answers contained therein are true and correct to the best
of his/her knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 19_____.

(Notary Public)

(SEAL) My Commission Expires _____

OFFICE OF COMMISSIONER OF INSURANCE

STATE OF GEORGIA

ATLANTA, GEORGIA

CHECKLIST OF APPLICATION DOCUMENTS

FOR CERTIFICATION OF PRIVATE REVIEW AGENTS

Name of organization: _____

(Please file your documents in the same order as the checklist) (check or n/a)

_____ 1. Are all applicable organizational documents (original copy or certified copy of the original) including all amendments to those documents attached?

_____ a. Partnership Agreement

_____ b. Articles of Incorporation (certified by your Secretary of State)

_____ c. Trade Name Certificate

_____ d. Trust Agreement

_____ e. Other _____

_____ 2. Are the bylaws, rules and regulations or similar documents regulating the affairs of the private review agent certified by the principal partners or the president and secretary and containing the corporate seal attached?

_____ 3. Is one copy of the Biographical Affidavit (GID-65(UR)) for each of the individuals responsible for the conduct of the affairs of the private review agent attached?

_____ 4. Is the private review agent using a fictitious or "dba" name? If so, is a certified copy of the recorded application received from the Clerk of the Superior Court in the county where doing business attached?

_____ 5. Was the private review agent operating in Georgia prior to the effective date of this Regulation?

_____ yes _____ no

If so, was the certification applied for within sixty (60) days of such effective date?

_____ yes _____ no

_____ 6. Have the original license or certificate fee and application fee been enclosed? (Please make checks payable to the Commissioner of Insurance)

_____ 7. If a renewal, was it applied for no sooner than ninety (90) days prior to the certification expiration date?

_____ a. Was the application for renewal submitted on Forms GID-57, GID-65(UR) and GID- 72?

_____ b. Has the renewal license or certificate fee been received?

_____ 8. Is the utilization review plan attached?

_____ 9. Is a statement or documentation that the private review agent has received full accreditation by URAC attached?

_____ 10. If your organization is not fully accredited by URAC, have you attached the reasons why full accreditation has not been obtained?

_____ 11. Is a description of the type, qualifications and number of the personnel, either employed or under contract, to perform utilization review attached?

_____ 12. Is a copy of the materials designed to inform applicable patients and health care providers of the requirements of the utilization review plan attached?

_____ 13. Is a written description of an ongoing quality assessment program attached?

_____ 14. Are the written policies and procedures to ensure that a representative of the private review agent is reasonably accessible to patients and providers five (5) days a week during normal business hours in this state attached?

_____ 15. Are the written policies and procedures to ensure compliance with all state laws and regulations to protect the confidentiality of information obtained in the course of utilization review attached?

_____ 16. Are the written policies and procedures for establishing and maintaining a complaint system attached?

_____ 17. Is a sample John Doe copy of each type of contract or agreement to be executed between the private review agent and payor, employer, claim administrator, or other entity with certification that no incentive payment provision exists in these contracts or agreements for the private review agent based on reduction of services or the charges thereof, reduction of length of stay, or utilization of alternative treatment settings to reduce amounts of necessary or appropriate medical care attached?

_____ 18. Is the Application for Certification as a Private Review Agent **Form GID- 57** completed and attached?

_____ 19. Are the Biographical Affidavits on Form GID-65(UR) completed and attached?

_____ 20. Is the Checklist of Application Documents Form GID-72 completed and attached?

_____ 21. Are all the appropriate areas in the application signed and notarized or certified? If you are an individual with a disability and wish to acquire this document in an alternative format, please contact the ADA Coordinator, Office of Commissioner of insurance, 2 Martin Luther King, Jr., Dr., Atlanta, Georgia 30334 (404) 656-2056 - TDD (404) 656-4031.

OFFICE OF COMMISSIONER OF INSURANCE STATE OF GEORGIA

ATLANTA, GEORGIA

ANNUAL REPORT INFORMATION FOR UTILIZATION

REVIEW ACTIVITIES

FOR THE YEAR ENDED _____

(Typewritten Only)

If you are an individual with a disability and wish to acquire this application in an alternative format, please contact the ADA Coordinator at the Georgia Insurance Department, 2 Martin Luther King, Jr. Drive, Atlanta, Georgia 30334 (404) 656-2056 / TDD (404) 656-4031. This information is necessary for the annual report which is required under *O.C.G.A. Section 33- 46-14* to assess utilization review operations and the extent to which these practices actually affect patients in Georgia. This form is distributed to each private review agent. The information obtained will be summarized providing an overall picture of the "State of Utilization Review in Georgia."

Background Information

1. Legal name and address of private review agent:

2. Telephone number: (____)_____

Fax number: (____)_____

3. Name, title and phone number of designated contact person responsible for this information:

4. Indicate the year in which your organization was established:_____Indicate the year in which your organization began operations in Georgia:_____

5. Is your organization independently owned or is it a subsidiary of or owned by another organization?
Independently owned_____(SKIP TO NEXT SECTION)

A subsidiary of or owned by another organization_____

6. Does the parent organization or any of its subsidiaries provide direct patient care?

yes_____no_____

7. Is the parent organization or any of its subsidiaries a health insurer?

yes_____no_____

8. Has the parent organization or any of its subsidiaries ever purchased any of your utilization review services?

yes_____no_____

Services Performed

1. Indicate the estimated percentage distribution of clinical services reviewed:

2. Indicate the total acute care hospital admissions reviewed:

3. Indicate the percent of proposed admissions diverted for outpatient care:

4. Indicate the volume of reviews annually performed: prospective (precertification) _____concurrent
(continued stay) _____retrospective_____other _____

5. Indicate the total number of Georgia lives covered for each entity for whom the private review agent performs utilization review services:

Entity # Georgia lives covered

a. Employers _____

b. Payors (Insurers) _____

c. Claim administrators _____

d. Others _____

6. Indicate if your organization performs the following types of review and the percentage performed telephonically and/or on-site;

Telephonic On site

Prospective Review yes no _____ % _____ %

Concurrent Stay Review yes no _____ % _____ %

Discharge Planning yes no _____ % _____ %

Case Management yes no _____ % _____ %

7. How many reviews does your organization conduct on average, per episode of care?

prospective _____

concurrent _____

retrospective _____

other _____

Utilization Review Staff

1. Personnel who conduct reviews.

(A) For each type, please indicate if, at any phase of the utilization review process, any of that staff type made decisions about the necessity or the appropriateness of requested medical or surgical care for your organization for the preceding calendar year.

(B) If "yes," please enter the total number of staff of each type that made these decisions, and the number of staff that were full-time employees of your organization, part-time employees of your organization who worked on the premises of your organization, part-time employees of your organization who worked off the premises of your organization, and consultants/advisors to your organization. (IF NONE, ENTER "o")

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2. List the board specialties (as recognized by the American Board of Medical Specialists) for the number of staff physicians and the number of consultants/advisors for the organization. (i.e. Family Practice, Internal Medicine, Pediatrics, etc.) Also, indicate the same for staff recognized by the Advisory Board of Osteopathic Specialist.

Utilization Review and Appeals

1. CASE MANAGEMENT

a. During the preceding calendar year, did your organization review any catastrophic medical or surgical cases to determine the need for case management services; that is, determine the need for coordinated care for patients requiring expensive or extended care?

yes _____ no _____ (SKIP TO QUESTION 2)

b. How many cases did you screen for case-management? _____

c. How many of these cases were recommended for case-management?

d. How many were ultimately case-managed?

2. Please list the top five surgeries or procedures that your organization most often did not authorize during the preceding calendar year because of unsubstantiated medical need.

3. Indicate the number and outcome by clinical service (i.e. medical, surgical, maternity, etc.) of each appeal as addressed in Rule [120-2-58-.05](#), entitled "Requirements for Utilization Review", paragraph (6)(b).

4. The average number of days required to complete each level of appeal:

ACKNOWLEDGEMENT

The Office of Commissioner of Insurance expresses its gratitude and appreciation to the United States General Accounting Office for granting permission to use some material from their study entitled "Information on Utilization Review Organizations." GAO/HRD-93-22FS.

Cite as Ga. Comp. R. & Regs. R. 120-2-58-.09

AUTHORITY: O.C.G.A. §§ [33-2-9](#), [33-46-1](#), [33-46-11](#).

HISTORY: Original Rule entitled "Severability Provision" adopted. F. May 23, 1996; eff. June 12, 1996.

Amended: F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

Note: Correction of non-substantive typographical errors, **Services Performed** paragraph, number 4., "*restrospective*" corrected to "*retrospective*," **Utilization Review Staff** paragraph, number 2., "*Osteophatic*" corrected to "*Osteopathic*," as requested by the Agency. Effective August 12, 2022.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER

**Subject 120-3-3. RULES AND REGULATIONS FOR THE STATE
MINIMUM FIRE SAFETY STANDARDS**

120-3-3-.04 State Minimum Fire Safety Standards with Modifications

(1) Unless otherwise stated in this chapter, the edition of the *International Fire Code (IFC)*, and the following editions of the codes, standards, recommended practices, guides and methods, as published in the *National Fire Codes (NFC)* by the National Fire Protection Association (NFPA), as adopted and modified in this Chapter, shall be the state minimum fire safety standards. Where any of the adopted publications of the NFPA references NFPA 1 or NFPA 5000, or any fire code or building code, it shall be construed that such references apply to the *International Fire Code (IFC)* or the *International Building Code (IBC)* respectively, as adopted by this Chapter 120-3-3, and the Georgia Department of Community Affairs. Where the *IFC* or *IBC* does not specifically address the referenced issue, NFPA 1 or NFPA 5000 may be applied subject to the approval of the authority having jurisdiction.

(2) Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities, assisted living homes, memory care units or other health care type occupancies or facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though the codes and standards or the editions of codes and standards adopted by that agency may not be specifically addressed or included in this chapter. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations.

(3) *International Fire Code (IFC)*, 2018 Edition

Modifications:

(a) Modifications to Chapter 1:

1. Delete section 101.1 in its entirety and substitute in its place the following:

101.1 "**Title.** The *International Fire Code*, 2018 edition, published by the *International Code Council*, when used in conjunction with this Chapter, shall be known as a *Georgia State Minimum Fire Prevention Code*, hereafter referred to as 'this *Code*'."

2. Delete section 101.3 in its entirety and substitute in its place the following:

101.3 "**Purposes and Intents of This Code.** The primary purpose of this *Code*, as adopted, is to provide, along with other adopted codes and standards, for the reasonable minimum protection of life and property from the hazards created by fire, smoke, explosion, or panic created from a fear of fire or smoke. It is intended that the purposes of this *Code* be accomplished by:

(1) Coordinating application and enforcement of its provisions with those of other applicable laws, rules, regulations, codes, and standards; and,

(2) By coordinating the application of its provisions, where possible, with educational programs or efforts designed to bring about changes in high risk attitudes and behaviors that are the root causes of most fire related problems in Georgia; and

(3) By encouraging or requiring informational and awareness programs designed to make the citizens of Georgia aware of their responsibilities for compliance with this *Code* as well as the other Rules and Regulations of the Safety Fire Commissioner. The intent of this *Code* is to establish the minimum requirements, consistent with nationally recognized good practice, for providing a reasonable level of life safety and property protection from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises and to provide safety to fire fighters and emergency responders during emergency operations."

3. Add an exception to section 102.1 to read as follows:

"Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure."

4. Add an exception to section 102.2 to read as follows:

"Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure."

5. Delete section 102.3 in its entirety and substitute in its place the following:

102.3 **"Change of use or occupancy.** No change shall be made in use or occupancy of any building or structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this *Code*, as may be applicable, as well as those of the *International Building Code (IBC)*, as adopted by the Department of Community Affairs. Pursuant to O.C.G.A. [25-2-14](#), due to a change of use or occupancy of a building or structure the building or structure shall be treated as a proposed (new) building. (Refer to 103.3 of this *Code* regarding the requirements applicable to proposed (new) buildings and structures.)"

6. Delete section 102.4 in its entirety and substitute in its place the following:

102.4 **"Application of the building code.** The design and construction of proposed (new) buildings and structures shall comply with the *International Building Code (IBC)*, as modified and adopted by the Georgia Department of Community Affairs. Repairs, alterations, additions, changes in use or occupancy classification, or changes in buildings or structures required by provisions of the *IFC*, and which are within the scope of the *IBC*, shall be made in accordance with the *IBC*, for purposes of this Chapter."

7. Add a new 102.5.1 to read as follows:

102.5.1 "The provisions of 102.5 shall apply to local authorities having jurisdiction unless there is a change of use or occupancy that would apply under 102.3 and which would bring the new use or occupancy under the jurisdiction of O.C.G.A. [25-2-13\(b\)\(1\)](#)"

8. Delete section 102.6 in its entirety and insert in its place the following:

102.6 **"Historic Buildings, General.** O.C.G.A 25-2-13(a)(2) defines a "Historic building or structure" as "any individual building which contributes to the historic character of a historic district, so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources, or so designated pursuant to the provisions of Article 2 of Chapter 10 of Title 44, the "Georgia Historic Preservation Act."

(A) Refer to 102.1 and 102.2 regarding the application of this *Code* to existing buildings. Except to the extent required by applicable laws of Georgia (O.C.G.A. [25-2-13\(b\)\(3\)\(D\) and \(E\)](#)), the provisions of this *Code* are not mandatory for buildings or structures identified and classified by the state, or as appropriate, a local jurisdiction, as historic buildings when such buildings or structures are judged by the fire code official to be safe and in the public

interest of health, safety and welfare, based on the criteria established by the referenced provisions of the Official Code of Georgia Annotated. When evaluating the safety of historic buildings the fire official should consult O.C.G.A. Title 8, Chapter 2, Article 3 entitled, 'Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings,' and the provisions of O.C.G.A. Sections [25-2-13\(b\)\(3\)](#) & 25-2-13(b)(4), and NFPA Standard 914, *Code for Fire Protection of Historic Structures*, as adopted by this Chapter as a recommended practice."

9. Delete section 102.7 in its entirety and substitute in its place the following:

102.7 **"Referenced codes and standards.** Where the provisions of this *Code* or the standards referenced thereby and in Chapter 45 of this *Code* do not apply to the specific subjects, situations or conditions encountered that involve risks to life and property from the hazards of fire, panic from fear of fire or smoke, or related hazards, compliance with the applicable chapters of the Rules and Regulations of the Safety Fire Commissioner shall be evidence of compliance with this *Code*."

10. Add a new section 102.13 to read as follows:

102.13 **"Coordination of provisions.** This *Code* shall apply to all buildings, structures and facilities as provided in subsections 102.1 and 102.2, and shall be utilized in conjunction with codes and standards specified in **Table 102.13** entitled, **"CODES REFERENCE GUIDE."**

Table 102.13 Codes Reference Guide		
Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types, including allowable height, allowable building area, and the requirements for sprinkler protection related to minimum building construction types	IBC	LSC
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinklers Systems minimum construction standard	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke alarms & Smoke Detection Systems	State Statute & LSC	NONE
Portable Fire Extinguishers	IFC	NONE
Cooking Equipment	LSC & NFPA 96	NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

11. Delete section 103 and all sections there-under in their entirety and substitute in its place the following:

SECTION 103 **"GENERAL PROVISIONS FOR EXISTING AND PROPOSED (NEW) BUILDINGS.**

103.1 **General Provisions.** The administration, enforcement and penalty provisions of O.C.G.A. Title 25, Chapter 2, and the administrative provisions of the various chapters of the Rules and Regulations of the Safety Fire

Commissioner shall apply to and regulate the application and enforcement of this *Code* by the Safety Fire Division of the Office of the Safety Fire Commissioner.

NOTE: Nothing herein shall be construed as prohibiting any local jurisdiction from adopting the deleted portions of Chapter 1 of this *Code* for local purposes, provided, however, local amendments shall not be less restrictive than this *Code*, and other codes and standards as adopted by the various chapters of the Rules and Regulations of the Safety Fire Commissioner.

103.1.1 The provisions of O.C.G.A. Title 25, Chapter 2, and other applicable state laws, and the applicable provisions of various chapters of the Rules and Regulations of the Safety Fire Commissioner regarding the requirements for certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. shall apply and are in addition to any requirements of local jurisdictions. Local authorities having jurisdiction need to be consulted to determine if rules and regulations of the local jurisdiction regarding the requirements for local certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. also apply.

103.1.1.1 The administrative, operational, and maintenance provisions of this *Code*, with regard to the Safety Fire Division of the Office of the Georgia Safety Fire Commissioner, shall be limited to the scope and intents and purposes of the Official Code of Georgia Annotated (O.C.G.A.) Title 25, Chapter 2, and the Commissioner's Rules and Regulations.

103.1.1.1.1 Pursuant to O.C.G.A. [25-2-13\(d\)](#), every person who owns or controls the use of any building, part of a building, or structure described in O.C.G.A. 25-2-13(b)(1), which because of floor area, height, location, use or intended use as a gathering place for large groups, or use or intended use by or for the aged, the ill, the incompetent, or the imprisoned, constitutes a special hazard to property or to the life and safety on account of fire or panic from fear of fire, must so construct, equip, maintain, and use such building or structure as to afford every reasonable and practical precaution and protection against injury from such hazards. No person who owns or controls the use or occupancy of such a building or structure shall permit the use of the premises so controlled for any such specially hazardous use unless he has provided such precautions against damage to property or injury to persons by these hazards as are found and determined by the Commissioner in the manner described in O.C.G.A. [25-2-13\(d\)](#) to be reasonable and practical.

103.2 **Existing buildings.** Every building and structure existing as of April 1, 1968, which building or structure is listed in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 shall comply with the minimum fire safety standards in the Rules and Regulations of the Safety Fire Commissioner promulgated pursuant to O.C.G.A. 25-2 which were in effect at the time such building or structure was constructed.

Exception 1: Any nonconformance noted under the electrical standards adopted at the time such building or structure was constructed shall be corrected in accordance with the current electrical standards adopted pursuant to O.C.G.A. 25-2.

Exception 2: A less restrictive provision contained in any subsequently adopted minimum fire safety standard pursuant to O.C.G.A. 25-2, may be applied to any existing building or structure.

103.2.1 Existing buildings to be deemed a proposed building. For the purposes of O.C.G.A. [25-2-14\(b\)](#), any existing building or structure listed in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which comes under the jurisdiction of the Office of the Safety Fire Commissioner, pursuant to O.C.G.A. [25-2-12](#), shall be deemed to be a proposed (new) building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy, or a change to the occupant load or structure issued as a condition of occupancy. The term "substantial renovation", for purposes of this subsection means any construction project involving exits or internal features of such building or structure costing more than the building's or structure's assessed value according to county tax records at the time of such renovation (O.C.G.A. [25-2-14](#)). Where a change of classification is involved, also refer to 102.3 of this *Code*.

103.3 **Proposed (new) buildings and additions to existing buildings:**

103.3.1 Pursuant to O.C.G.A. [25-2-14.1\(b\)](#), every proposed building and structure listed in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) shall comply with the adopted minimum fire safety standards that were in effect on the date that plans and specifications therefore were received by the state fire marshal, the proper local fire official marshal, or state inspector for review and approval. Complete plans for proposed (new) buildings and structures recorded as received by the authority having jurisdiction for review prior to the effective date of this Chapter, may be reviewed under the codes, standards, and Rules and Regulations of the Safety Fire Commissioner in force prior to the effective date of this Chapter.

103.3.1.1 Projects receiving a construction permit under earlier editions of the codes and standards must start construction no later than 360 days from the issue date of the permit in order not to require resubmittal for review under the newer adopted codes and standards.

103.3.2 Plans and specifications for all proposed buildings which come under classification in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which come under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. [25-2-12](#) shall be submitted to and receive approval by either the state fire marshal, the proper local fire marshal, or state inspector before any state, municipal, or county building permit may be issued or construction started (O.C.G.A. [25-2-14\(a\)](#)). All such plans and specifications submitted as required by O.C.G.A. [25-2-14\(a\)](#) shall be accompanied by a fee in the amount provided in O.C.G.A. [25-2-4.1](#) and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner.

103.3.3 Pursuant to O.C.G.A. [25-2-37\(a\)](#), it shall be unlawful for any person to begin construction on any proposed building or structure which comes under the classification in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. [25-2-12](#) without first having plans approved in accordance with O.C.G.A. [25-2-14](#).

103.4 Proposed building construction and completion. Pursuant to O.C.G.A. [25-2-14\(b\)](#), a complete set of plans and specifications approved as set forth in 103.3.3 shall be maintained on the construction site, and construction shall proceed in compliance with the state minimum fire safety standards under which such plans and specifications were approved. The owner of any such building or structure or his authorized representative shall notify the state fire marshal, the proper local fire marshal, or state inspector upon completion of approximately 80 percent of the construction thereof and shall apply for a certificate of occupancy when construction of such building or structure is completed.

103.5 **Certificate of occupancy required.** Pursuant to O.C.G.A. [25-2-14\(c\)](#), every building or structure which comes under classification in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. [25-2-12](#) shall have a certificate of occupancy issued by the state fire marshal, the proper local fire marshal, or state inspector before such building or structure may be occupied. Such certificates of occupancy shall be issued for each business establishment within the building, shall carry a charge in the amount provided in O.C.G.A. [25-2-4.1](#), shall state the occupant load for such business establishment or building, shall be posted in a prominent location within such business establishment or building, and shall run for the life of the building, except as provided in O.C.G.A. [25-2-14\(d\)](#). (See 103.2.1 of the *IFC*, as adopted by this Chapter.)"

12. The provisions of section 105, PERMITS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes. Refer to section 103.3 with regard to permits required by the Rules and Regulations of the Safety Fire Commissioner.

13. The provisions of section 109, BOARD OF APPEALS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

14. Delete section 110.4 and all sections there-under in their entirety and substitute in its place the following:

110.4 **"Violation penalties.** Persons who shall violate a provision of this *Code* or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this *Code*, shall

be guilty of violation of Section [25-2-37](#) of the Official Code of Georgia Annotated. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.1 **Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises."

15. The provisions of section 113, SERVICE UTILITIES, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

(b) Modifications to Chapter 2:

1. Delete section 201.3 in its entirety and substitute in its place the following:

201.3 **"Terms defined in other codes.** Where terms are not defined in [120-3-3-.03](#) of Chapter 120-3-3 or other applicable chapters of the Rules and Regulations of the Safety Fire Commissioner, or this *Code* and are defined in the *International Building Code (IBC)*, the *International Fuel Gas Code (IFGC)*, the *International Mechanical Code (IMC)*, or the codes and standards of the National Fire Protection Association (NFPA), as adopted by this Chapter and other Rules and Regulations of the Safety Fire Commissioner, such terms shall have the meanings ascribed to them as in those codes and standards."

2. Delete Institutional Group I-2 in its entirety and replace with:

Institutional Group I-2. Institutional Group I-2 occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are not capable of self-preservation. This group shall include, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals

Nursing homes

Psychiatric hospitals

Assisted Living Communities

Memory Care Units

Limited Care Facilities (Limited Healthcare)

(c) Modifications to Chapter 3:

1. Delete section 303.5 in its entirety and substitute in its place the following:

303.5 **"Portable Fire Extinguishers.** There shall be at least one portable fire extinguisher complying with Section 906 and with a minimum 2-A:40-B:C rating within 25 feet (7620 mm) of each asphalt (tar) kettle during the period such kettle is being utilized, and a minimum of one additional portable fire extinguisher with a minimum 3-A:40-B:C rating on the roof being covered."

2. Add new exceptions 4, 5, 6, 7 and 8 to section 308.3 to read as follows:

"Exception #4:

In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

Exception #5:

In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

Exception #6

On stages and platforms as a necessary part of a performance in public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

Exception #7

In Group A public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

Exception #8:

In public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display."

3. Delete section 310.1 'General' its entirety and substitute in its place the following:

310.1 **"General.** The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in areas indicated in Sections 310.2 through 31.8, buildings, structures, or areas, or portions of buildings, structures, or areas, as indicated is this in any other code or standard as adopted by the Rules and Regulations of the Safety Fire Commissioner, or where prohibited in accordance Chapter 12A of Title 31 of the O.C.G.A."

4. Delete section 319.1 'General' its entirety and substitute in its place the following:

319.1 **General.** Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors shall comply with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3 and this section.

5. Delete section 319.3 'Exhaust hood' in its entirety and substitute in its place the following:

319.3 Exhaust hood. Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood that complies with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.

6. Delete section 319.4 'Fire protection' in its entirety and substitute in its place the following:

319.4 **Fire protection.** Fire protection shall be provided in accordance with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.3 -3 of the Rules and Regulations of the Safety Fire Commissioner."

(d) Modifications to Chapter 4:

(4) Add section 403.1.1 to read as follows:

403.1.1 "**Caregiver training.** A minimum of three hours' initial fire safety training for receipt of a certificate of training for successful completion shall be required for all directors, operators and all staff members of day-care facilities (adult and children), and for administrator's, directors, operators and all staff of Group I-1 and Group R-4, assisted living communities, assisted living facilities, community living arrangements, memory care units, personal care homes, and residential board and care homes, as defined in Chapter 2 of this *Code* or as defined by the *Life Safety Code*, and or as adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. The curriculum for the fire safety training shall receive written approval by the State Fire Marshal's Office and be taught by an instructor registered with the Safety Fire Commissioner's Office. All persons as required herein to obtain such required training shall receive this training within 90 days from receipt of a license, being commissioned or the opening of a new facility. Such new persons shall receive a minimum of three hours' initial fire safety training and recommendation for receipt of a certificate of training for successful completion of the training within 90 days of employment. In addition, a minimum of two hours of fire safety refresher training shall be required for receipt of a certificate of training for successful completion of the refresher training. The refresher training shall be required for all persons coming under 403.1.1, every three years from the date initial training is received. Registered instructors shall deliver the training based on policies and direction from the State Fire Marshal's Office. Instructors found not to be delivering the training in accordance with the said policies and direction shall be removed from the registry and prohibited from delivering future training."

2. Delete section 403.8.2 in its entirety and substitute in its place the following:

403.8.2 **Group I-2 occupancies.** Group I-2 occupancies to include Assisted Living Communities, Memory Care Units and Limited Care Facilities (Limited Healthcare) shall comply with Sections 401, 403.8.2.1 through 403.8.2.3 and 404 through 406.

(e) Modifications to Chapter 5:

1. Add a new section 501.5 to read as follows:

501.5 "Where buildings or facilities fall under the jurisdiction of the Georgia Safety Fire Commissioner as set forth in the Official Code of Georgia Annotated (O.C.G.A.), Title 25, Chapter 2, except for State owned facilities and State occupied facilities, it is intended that the provisions of Chapter 5 that primarily relate to fire department response, access to facilities, access to building interiors, key boxes, premises identification, fire department connection locations, and fire hydrant locations be administered by the local Fire Chief and/or Fire Code Official

responsible for providing fire or other emergency response to the buildings or facilities. With regard to State owned State occupied facilities, that are not provided with a facility fire department, it is intended that the local Fire Chief and/or Fire Code Official providing fire protection to such facilities shall have input in the planning of facilities with regard to the noted provisions covered by Chapter 5."

2. Delete section 503.1.1 in its entirety and substitute in its place the following:

503.1.1 "**Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction as determined by the local Fire Chief and/or Fire Code Official of the responding fire department or agency. The fire apparatus access road shall comply with the requirements of this section and Appendix D of this *Code*. The fire apparatus access road shall extend to within 150 feet (45.7 m) of all portions of the facility or any portion of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The local Fire Chief and/or Fire Code Official of the responding fire department or agency is authorized to increase the dimension of 150 feet (45.7 m) where:

1. *The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.*
2. *The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.*
3. *There are not more than two Group R-3 or Group U occupancies."*

3. Add a new section 504.1.1 to read as follows:

504.1.1 "**Access Doors.** For fire department emergency access purposes, there shall be at least one access door in each 100 linear feet (30.5 m) or major fraction thereof of the exterior walls which face the access roadways required by Section 503, unless otherwise required in this code section. In exterior walls designed with continuous rolling dock doors, which face access roadways, there shall be at least one access door in each 200 linear feet (61 m) or fraction thereof. Required access doors shall be a minimum of 3 feet (0.9 m) wide and 6 feet 8 inches (2 m) high and shall be accessible without use of a ladder. Rolling doors are acceptable for such purposes in buildings protected throughout by an approved automatic sprinkler system(s) unless otherwise approved for unsprinklered buildings by the local Fire Chief and /or Fire Code Official."

Exception: The local Fire Chief and / or Fire Code Official of the responding fire department or agency is authorized to increase the 100 linear feet.

4. Delete section 507.5.1 in its entirety and substitute in its place the following:

507.5.1 "**Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet (152 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrant and mains shall be provided where required by the local Fire Chief and/or Fire Code Official of the responding fire department or agency.

Exceptions:

1. *For group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).*
2. *For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m)."*

5. Delete subsection 507.5.1.1 in its entirety without substitution. Refer to section 905 of this *Code*.

6. **Add a new section, Appendix D 107.1, as follows:**

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:

1. Enhanced turning radii to meet local responding fire department requirements; and/or
2. Increased road widths to meet local responding fire department requirements; or
3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

(f) Modifications to Chapter 6:

1. Add exception number 3 to 603.4 to read as follows:

3. *In emergency conditions, when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction. Such devices shall be supervised during their period of operation by the establishment of a fire watch system based on the definition of "Fire Watch" in Chapter 2 of this Code. Persons assigned to perform fire watch duties shall be instructed as to their duties.*

2. Delete section 604.4 in its entirety and substitute in its place the following:

604.4 "Multiplug adapters & Relocatable Power Taps (RPT's).

604.4.1 **Multiplug adapters.** The use of multiplug electrical outlet adapters, such as but not limited to cube adapters or plug strips, or any other similar device that is not UL listed and is not equipped with overcurrent protection shall be prohibited. Such devices that are UL listed and are equipped with overcurrent protection shall only be used in accordance with the UL listing and in accordance with the manufacturer's instructions. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*. Where there is any conflict between the UL listing and the manufacturer's instructions, the UL listing provisions shall prevail. The suitability for the use of RTP's shall be based, by the user, on 110.3(A)(1) of the *National Electrical Code*.

604.4.2 **Relocatable Power Taps (RPT's):**

604.4.2.1 Relocatable Power Taps (RPT's) shall be UL listed and labeled in accordance with UL1363. They shall be of the polarized or grounded type, and be equipped with overcurrent protection. RPT's shall be used in accordance with their UL listing and the manufacturer's instructions. [NEC, 110.3(B)] Where there is any conflict between the UL listing and the manufacturer's instructions, the UL listing provisions shall prevail. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*.

604.4.2.2 **RPT power supply.** RPT's shall be directly connected to a permanently installed electrical receptacle. An RPT shall not be plugged into another RPT or into an extension cord or flexible cord. A UL listed extension cord or flexible cord having only one outlet and serving only one device may be plugged into an RPT so long as the arrangement does not cause an overcurrent condition in the RPT.

604.4.2.3 **RPT power cords.** Power cords of RPT's shall not be extended through holes in walls, structural ceilings, or floors. Such cords shall not be run under doors or floor coverings. They shall not be run through doorways, windows, or similar openings.

604.4.2.4 **Protection from physical damage.** RPT's shall be mounted off floors to a wall or fixture so as to be protected against physical damage. The method of mounting shall not be permanent so that the devices may be easily relocated as need dictates.

604.4.2.5 **Restricted use in Health Care Occupancies.** "Hospital grade" RPT's listed, based on UL 1363A, for use in "patient care" or "patient sleeping rooms" of a hospital, limited care facility, nursing home, hospice, or ambulatory health care facility may be used in such locations, unless such use is specifically prohibited by this Code, NFPA 70, *National Electrical Code*, NFPA 101, *Life Safety Code*, NFPA 99, *Health Care Facilities Code*, or other applicable State or Federal rule or regulation."

3. Insert an Informational Note following section 604.4.2.4 to read as follows:

"Informational Note: Based on UL1363, RPT's are intended for indoor use as an extension of a grounding alternating-current branch circuit for general use. Where such devices are used or intended to be used for voltage surge suppression, the RPT is also required by UL1363 to meet the provisions of UL1449 for Transient Voltage Surge Suppressors. UL1363 incorporates this compliance. Such devices may be utilized for the protection of personal or laptop computers, computer related devices, word processors, memory typewriters, and other low load devices. They are not intended for use with high load equipment such as, but not limited to, refrigerators, coffee pots, microwave ovens, toasters, toaster ovens, space heaters, and other high power load devices. The labeling and

manufacturer's information and instructions need to be consulted to determine if the RPT is also listed for transient voltage suppression. In addition, some RPT devices have additional options included in the device such as "electrical noise" filtration. UL1363 would also require and ensure that component would meet UL1283. The safety requirements relative RPT's regardless of the various extras that may be included in a device covered by UL1363 and the RPT manufacturer's instructions. RPT's have also been referred to as "Temporary Power Taps (TPT's)", "power strips", "Surge/Spike Protectors", or "Portable Outlets" among other designations. NFPA 70, *National Electrical Code* (NEC), 2011 edition, does not utilize the term "Relocatable Power Tap or RPT, however, for safety provisions similar to those utilized by UL, reference can be made to NEC Article 400, Flexible Cords and Cables, Article 406, Receptacles, Cord Connectors, and Attachment Plugs (CAPS), and Article 517 Health Care Facilities."

4. Delete section 604.10 and the exception thereto, and substitute in its place the following: Sections 604.10.1 through 604.10.4 remain unchanged.

604.10 "Portable, electric space heaters. Portable, electric heaters are prohibited in all portions of occupancies in Groups A, E (including day care), I-1, I-3, R-1, R-2, and R-4. Where not prohibited by other chapters of this *Code*, or by provisions of NFPA 101, *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, portable, electrical space heaters shall be permitted to be used in all other occupancy groups. Where use is permitted, portable electric space heaters shall comply with Sections 604.10.1 through 604.10.5 and 604.10.6 where applicable."

5. Add a new section 604.10.6 to read as follows:

604.10.6 "Oil filled radiator type, portable electric space heaters that have a maximum surface temperature restriction of 250° F, may be permitted to be used in staff and employee areas that are located on floors not occupied by patient or staff sleeping areas and that are totally sprinkler protected in I-2 occupancies as defined in Chapter 2 of this *Code*. For single story I-2 occupancies, such devices may be used in staff and employee non-sleeping areas that are totally sprinkler protected and that are separated from staff and patient sleeping room areas by 1-hour fire rated construction. Such space heaters shall comply with 604.10.1 through 604.10.5."

6. Add a new 604.12 to read as follows:

604.12 "**Separation from Transformers.** Space separation for transformers shall be as follows:

(1) Transformer pad locations shall be a minimum of 10 feet (3 m) from any building, building overhangs, canopies, exterior walls, balconies, exterior stairs and/or walkways connected to the building.

(2) Transformer pad edges shall be not less than 14 feet (4.3 m) from any doorway.

(3) Transformer pad edges shall be not less than 10 feet (3 m) from any window or other opening.

(4) If the building has an overhang, the 10 foot (3 m) clearance shall be measured from a point below the edge of the overhang only if the building is three stories or less. If the building is four stories or more, the 10 foot (3 m) clearance shall be measured from the outside building wall.

(5) Fire escapes, outside stairs, and covered walkways attached to or between buildings, shall be considered as part of the building.

604.12.1 Transformer pads may be located closer to noncombustible walls than the above required minimum clearances in 605.12(1) upon written approval of the authority having jurisdiction, however, in no case shall the transformer location be less than 3 feet (0.9 m) from the building.

604.12.2 Transformer pads existing prior to December 31, 1994, are exempted from the requirements of 605.11. When buildings are modified, reductions in space separations may be less than the above required minimum clearances upon written approval of the authority having jurisdiction."

7. Delete section 607 in its entirety and substitute in its place the following:

607.1 "General. Commercial kitchen exhaust hoods and residential cooking appliances in commercial and public buildings shall comply with the requirements of NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, as adopted by this Chapter 120-3-3."

7. Delete section 609.2 in its entirety and substitute in its place the following:

607.2 "**Where required.** A commercial hood complying with NFPA 96, as adopted by this Chapter 120-3-3, shall be installed in any occupancy at or above all commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors.

607.2.1 The provisions of 607.2 shall not apply where provided for in the scoping provisions of subsection 1.1.4 of NFPA 96, as adopted by this Chapter 120-3-3."

8. Delete 607.3 in its entirety and substitute in its place the following:

607.3 "**Operations and maintenance.** Commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors, and all components of ventilation systems serving such appliances shall be installed, operated and maintained in accordance with the provisions of NFPA 96 as adopted by this Chapter 120-3-3."

(g) **Modifications to Chapter 7:**

1. Add a new 701.2.2 to read as follows:

701.2.2 "**Barrier Identification.** All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Suggested wording is, "() Hour Fire and Smoke Barrier-Protect All Openings."

(h) **Modifications to Chapter 8:**

1. Delete section 801.1 in its entirety and substitute in its place the following:

SECTION 801 "**GENERAL,**

801.1

Scope. The provisions of this *Code*, as adopted by this Chapter shall govern furniture, furnishings, decorative vegetation, and decorative materials, as defined in Chapter 2 of this *Code*, in buildings and structures. Section 803 shall be applicable to all existing buildings, structures, or spaces constructed and issued the required certificate of occupancy prior to the effective date of this Chapter 120-3-3. Sections 804 through 808 shall be applicable to such existing buildings, structures, and or spaces, and to proposed (new) buildings, structures, or spaces. For the purposes of this *Code*, wall padding, wall mounted gym pads, crash pads, or other pads mounted or secured to walls shall meet the provisions of this NFPA 101, *Life Safety Code* applicable to interior finish materials. Gym pads or other pads used on floors shall be considered as furnishings. Interior finish and trim in proposed (new) buildings shall be regulated by NFPA 101, *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(i) **Modifications to Chapter 9:**

1. Delete section 901.3 in its entirety and substitute in its place the following:

901.3 **"Approvals and Permits.** Fire protection systems shall be approved as set forth by the authority having jurisdiction. Local authorities having jurisdiction may require permits as required and set forth in 105.6 and 105.7 of this *Code*."

2. Delete section 901.4.1 in its entirety and substitute in its place the following:

901.4.1 "Required fire protection systems. Fire suppression systems required by this *Code*, the *International Building Code*, the *Life Safety Code*, or other codes and standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner, shall be installed, operated, tested, repaired and maintained in accordance with this *Code* and applicable standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner."

3. Delete section 901.4.2 in its entirety and substitute in its place the following:

901.4.2 "Provisions in excess of the minimum code requirements shall, as a minimum, be installed to meet the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation. Any non-required fire protection system which is added onto, interconnected with, any required fire protection system (of a similar type), shall be designed, installed, and maintained in accordance with the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation.

901.4.2.1 The provisions of 901.4.2 shall not apply to other installations not conforming with the provisions of the currently adopted code(s) and/or standard(s) applicable to the provision at the time of its installation if such installations are reported and filed with the local responding fire department and the authority having jurisdiction. In addition such systems shall be identified as required by the authority having jurisdiction.

901.4.2.2 The provisions of 901.4.2 shall not apply for non-required systems designed, reviewed, installed and approved in accordance with local codes and/or ordinances."

4. Delete section 903.2 in its entirety and substitute in its place the following:

903.2 **"Where required.**

(a) Approved automatic sprinkler systems for proposed (new) buildings and structures approved for construction as set forth in 103.3.1 of this *Code*, or where specifically required for existing buildings and structures, shall as the minimum level of protection, be that required by the applicable provisions of NFPA 101, *Life Safety Code* and applicable provisions of other codes and standards adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner, and this *Code* section; provided, however, the *International Building Code (IBC)* shall govern the requirements for sprinkler protection that are related to minimum building construction types, or to increases in building area and height limitations imposed by the *IBC*." (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

(b) Where a new automatic sprinkler system is required by this *Code* or other code, standard, rule or regulation, the system shall be designed and installed in accordance with the requirements applicable to systems in proposed (new) buildings and structures.

(c) In addition, an automatic sprinkler system may be required for new or existing buildings, structures, spaces, or conditions by other NFPA standards adopted by this Chapter 120-3-3, or other Rules and Regulations of the Safety Fire Commissioner.

(d) The requirements for the installation, design, and testing of automatic sprinkler systems shall be as applicable, NFPA 13, *Standard for the Installation of Sprinkler Systems*, NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*; and NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, or as adopted and modified by this Chapter 120-3-3.

903.2.1 The sprinkler protection provision of 903.2 shall not be mandatory for spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with a supervised automatic fire alarm system, and are separated from the remainder of the building by fire barriers consisting of walls and floor/ceiling assemblies having a fire resistance rating of not less than 2-hours.

NOTE: NFPA 76, *Fire Protection of Telecommunications Facilities*, should be consulted. Refer to the edition adopted by this Chapter 120-3-3."

5. Delete section 903.3.7 of this *Code* in its entirety and substitute in its place the following:

903.3.7 "**Fire department connections.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this *Code*, adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

6. Delete section 904.2.2 in its entirety and substitute in its place the following:

904.2.2 "**Commercial hood and duct systems.** Each required commercial kitchen exhaust hood and duct system required by Section 607 to have a commercial hood complying with NFPA 96, shall be protected with an approved automatic fire-extinguishing system installed in accordance with this *Code* and applicable provisions of NFPA 96."

7. Delete section 904.12 in its entirety and substitute in its place the following: "904.12 Fire Protection for Commercial Cooking Operations.

904.12.1 The requirements for, as well as the design, installation, protection and maintenance of cooking equipment, shall be as required by NFPA 101, *Life Safety Code* and NFPA 96, Standard for the Ventilation Control and Fire Protection of Commercial Cooking Operations, as adopted by this Chapter 120-3-3." (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

904.12.2 Fire suppression systems approved for the protection of commercial cooking appliances shall be designed, installed, and maintained in accordance with the applicable standards adopted in this Chapter.

904.12.3 Portable fire extinguishers for commercial cooking appliances. Portable fire extinguishers shall be installed in kitchens or other commercial cooking areas in accordance with NFPA 10 and NFPA 96, as adopted by this Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. Class K portable fire extinguishers and the required operation sequence signage required by NFPA 10, shall be located between 5 feet and 10 feet from the manual release device(s) of the kitchen exhaust hood fire suppression system(s)."

8. Delete section 905.1 in its entirety and substitute in its place the following:

905.1 "**General.** The State's minimum requirements for standpipe systems shall be as required by the *International Building Code (IBC)* or This *Code*. Standpipe systems shall be designed, installed and tested in accordance with NFPA 14, *Standard for the Installation of Standpipe, and Hose Systems* as adopted by this Chapter 120-3-3. (Refer to **Table 102.13, CODE REFERENCE GUIDE**)"

9. Insert a new subsection 905.13 to read as follows:

905.13 "**Fire department connections.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this *Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

10. Delete section 906.1 in its entirety and substitute in its place the following:

906.1 "Portable Fire Extinguishers - General. Portable fire extinguishers shall be installed in all buildings, structures and facilities falling under this *Code* and O.C.G.A. 25-2. For any other building, structure, facility, or condition or special hazard, portable fire extinguishers shall be provided as may be required by this *Code* in Table 906.1, or by

various codes and standards adopted by this Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)."

11. Delete section 906.2 in its entirety and substitute in its place the following:

906.2 "**General requirements.** The selection, distribution, installation, and maintenance of portable fire extinguishers shall comply with NFPA 10, *Standard for Portable Fire Extinguishers*, as adopted by this Chapter 120-3-3.

906.2.1 The maximum travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

906.2.2 Thirty-day inspections shall not be required and maintenance shall be allowed to be once every three years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

- (a) Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
- (b) Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
- (c) The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
- (d) Electronic monitoring devices and supervisory circuits shall be tested every three years when extinguisher maintenance is performed.
- (e) A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to ensure that hydrostatic tests are conducted at the frequency required by NFPA 10.

906.2.3 In Group E - Educational occupancies, in lieu of locating fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, *Standard for Portable Fire Extinguishers*, fire extinguishers may be located in rooms that open directly onto such corridors and pathways provided all of the following are met:

- (a) The room in which such extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; *Standard for Portable Fire Extinguishers*,
- (b) A sign which states in white letters at least one inch in height on a red background, 'FIRE EXTINGUISHER LOCATED IN THIS ROOM,' is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;
- (c) The rooms in which such extinguishers are placed shall be constantly supervised during school hours; and,
- (d) Those rooms cannot be subject to being locked at any time the building is occupied."

12. Delete sections 906.3 through 906.10 without substitution (Refer to NFPA 10).

13. Delete section 907.1 in its entirety and substitute in its place the following, while retaining existing subsections:

907.1 "**Fire Alarm Systems - General.**

- (a) The State's minimum requirements for fire alarm systems in proposed (new) buildings and structures approved as set forth in 103.3.1 of this *Code* shall be as required by NFPA 101, *Life Safety Code*, as adopted by this Chapter 120-3-3. Fire alarm systems shall be designed, installed, tested, and maintained in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, as adopted by this Chapter 120-3-3. (b) New fire alarm systems to be

installed in existing buildings shall be designed, installed, and maintained in accordance with NFPA 72, as adopted by this Chapter 120-3-3. (Refer to **Table 102. 13 CODES REFERENCE GUIDE**)"

17. Delete sections 907.2 through 907.6.6.2 in their entirety and without substitution.

18. Delete section 909.1 in its entirety and substitute in its place the following:

909.1 **"Scope and purpose.** This section applies to mechanical or passive smoke control systems when they are required for proposed (new) buildings or portions thereof by provisions of the *Life Safety Code* (LSC) or this *Code*, as adopted by this Chapter 120-3-3, or by provisions of the *International Building Code* (IBC), as adopted by the Department of Community Affairs. The purpose of this section is to establish minimum requirements for the design, installation, and acceptance testing of smoke control systems that are intended to provide a tenable environment for the evacuation or relocation of occupants. These provisions are not intended for the preservation of contents, the timely restoration of operations, or for assistance in fire suppression or overhaul activities. Smoke control systems regulated by this section serve a different purpose than the smoke and heat venting provisions found in Section 910. Mechanical smoke control systems shall not be considered exhaust systems under Chapter 5 of the *International Mechanical Code* (IMC)."

19. Delete section 909.2 in its entirety and substitute in its place the following:

909.2 **"General design requirements.** Buildings, structures, or portions thereof required by provisions of the *Life Safety Code* (LSC) or this *Code*, as adopted by this Chapter, or by provisions of the *International Building Code*, as adopted by the Department of Community Affairs, to have a smoke control system or systems shall have such systems designed in accordance with the applicable requirements of Section 909 of this *Code* and the generally accepted and well established principles of engineering relevant to the design. The construction documents shall include sufficient information and detail to describe adequately the elements of the design necessary for the proper implementation of the smoke control systems. These documents shall be accompanied with sufficient information and analysis to demonstrate compliance with these provisions."

20. Add a new section 909.2.1 to read as follows:

909.2.1 "Smoke Control. For the purposes of 909.2 the following publications shall be considered as providing the generally accepted and well established principals of engineering relevant to design of required smoke control systems.

(1) NFPA 92, *Standard for Smoke Control Systems*

(2) NFPA SPP-53, *Smoke Control in Fire Safety Design*

(3) ASHRAE/SFPE, *Design of Smoke Management Systems*

(4) ASHRAE, *Guideline 5: Guideline for Commissioning Smoke Management Systems*"

(5) NFPA 101, *Life Safety Code* (For non-mandatory guidance involving systems for existing detention and correction facilities refer to A.23.3.1.3 of the 2012 Edition)

21. Add a new section 909.2.1 to read as follows:

909.2.1 **"Deactivation of Mechanical Pressurization Systems.** The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke."

22. Add a new subsection 912.2.3 to read as follows:

912.2.3 **"Location of fire department connections.** The location of fire department connections for automatic sprinkler systems shall be as approved by the Fire Chief as set forth in accordance with Section 912 and Section 501.5 of this *Code*, as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

23. Add a new section 914.7.3 to read as follows:

914.7.3 **"Limited Use Special Amusement Buildings:** Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. "NO SMOKING" signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;
7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request."

(j) **Modifications to Chapter 10:**

1. Delete sections 1001 through 1030 in their entirety and substitute in their place the following:

1001.1 **"General.**

(A) Proposed (new) buildings or portions thereof approved for construction as set forth in 103.3 of this *Code*, shall be provided with means of egress and related safeguards as set forth by NFPA 101, *Life Safety Code*, as adopted this Chapter. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

(B) Buildings and structures existing and approved prior the effective date of this Chapter 120-3-3, as set forth in 103.3 of this *Code*, having means of egress and related safeguards conforming to NFPA 101, *Life Safety Code*, under which they were approved and constructed shall be considered as complying with this *Code*. Means of egress and related safeguards in existing buildings constructed without approval, may be considered as complying with this

code section if, in the judgment of the authority having jurisdiction, they do not constitute a distinct hazard to life. Where, in the judgment of the authority having jurisdiction, the means of egress or related safeguards provided constitute a distinct hazard to life, the hazardous condition or conditions shall be remedied based on the provisions for existing buildings of the *Life Safety Code* as adopted by this Chapter 120-3-3.

(C) Exit discharge termination dispersal areas may be utilized where authorized and designed in accordance with 7.7.1.5 of the *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

2. Add the following section 1001.2 to read as follows:

1001.2 **"Overcrowding and Life Safety Hazard Prevention.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. It is the responsibility of the manager and the person in charge of a building, structure, or portion thereof not to allow an overcrowded condition or any condition which constitutes a life safety hazard to exist, and to take prompt action to remedy an overcrowded condition or life safety hazard when evidence of such a condition is noted, or when advised or ordered by the Fire Code Official or his/her representative. (Refer to 107.6)

1001.2.1 **Decreases in the Occupant Load.** For authorized decreases in the occupant load approved by the fire code authority having jurisdiction, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

1001.2.2 **Increases in the Occupant Load.** For approved increases in the occupant load by the fire code authority having jurisdiction, refer to 7.3.1.5 of Subsection 7.3.1 of NFPA 101, *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

1001.2.3 **Overcrowded Condition or Life Safety Hazard Determined.** The fire code official, upon finding any overcrowded conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected. In addition, a structure, building, room or designated portion thereof shall be deemed overcrowded if the total of occupants exceeds the exit capacity of the structure, building, room or area involved."

(k) **Modifications to Chapter 11:**

1. Delete 1101.1 and substitute in its place the following:

1101.1 **"Scope.** The provisions of this chapter shall apply to existing buildings constructed prior to the effective date of this Chapter 120-3-3.

2. Delete 1101.2 and substitute in its place the following:

1101.2 **"Intent.** The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying buildings by providing for existing building rehabilitation activities including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings.

3. Delete 1101.3 and substitute in its place the following:

1101.3 **"Permits.** Construction permits for buildings falling under State jurisdiction, as set forth in O.C.G.A. 25-2.13, shall be required for the activities noted in 4601.1 when the criteria of O.C.G.A. [25-2-14\(d\)](#) for an existing building to be classified as a proposed (new) building or structure are met. For local jurisdictions, permits shall be required as set forth in Section 105.7 of this *Code* and the *International Building Code*.

4. Delete Sections 1102 through 1104 and substitute in their place a new 1102 to read as follows:

SECTION 1102 "FIRE AND LIFE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS AND STRUCTURES"

1102.1 **"General.** The intents and purposes of this section shall be met through the application of the applicable provisions of this *Code*, the *Life Safety Code*, and other codes and standards as adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner, as they apply to existing conditions and routine maintenance of fire and life safety protection systems and devices. For building rehabilitation activities, including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings, the definitions and requirements of Chapter 43, of the *Life Safety Code*, adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner shall apply."

(l) Modifications to Chapter 20:

1. Delete section 2003.5 in its entirety and substitute in its place the following:

2003.5 "Dispensing of flammable and combustible liquids. No dispensing, transfer or storage of flammable or combustible liquids shall be permitted inside any building or structure.

Exceptions:

1. *As provided in Chapter 57 of this Code, provided, the provisions are not less protective than the provisions of any applicable Codes and standards adopted by the Rules and Regulations of the Safety Fire Commissioner.*

2. *When the procedures used follow the guidelines and requirements set forth in NFPA 410 - Standard for Aircraft Maintenance, adopted by this Chapter 120-3-3."*

2. Delete sections 2006.1 through 2006.21.1 in their entirety and substitute in their place a new paragraph 2006.1 to read as follows:

2006.1 "Aircraft motor vehicle fuel-dispensing stations and Airport Fuel Systems. All aircraft motor vehicle fuel-dispensing stations and airport fuel systems shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids.'"

3. Delete section 2007.1 in its entirety and substitute in its place the following:

2007.1 **"General.** Helistops and heliports shall be maintained in accordance with Section 2007. Helistops and heliports on buildings or structures shall be constructed in accordance with the *International Building Code* and the requirements set forth by NFPA 418, Standard for Heliports, adopted by this Chapter 120-3-3."

(m) Modification to Chapter 23.

1. Delete sections 2301.1 through 2301.6 in their entirety and substitute in their place a new paragraph 2301.1 to read as follows:

2301.1 **"Scope.** Automotive motor fuel-dispensing facilities, marine motor fuel dispensing facilities, fleet vehicle motor fuel-dispensing facilities and repair garages shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids'."

Exception: This chapter shall apply to hydrogen motor fuel-dispensing and generation facilities as specified in section 2309 and repair garages where referenced by subsection 406.6, entitled, 'Repair Garages,' of the International Building Code.

2. Delete sections 2303 through 2308 and all other paragraphs there-under, and section 2310 and all other paragraphs thereunder in their entirety without substitution.

(n) Modification to Chapter 31:

1. Delete 3106.5.2 in its entirety and substitute in its place the following:

3106.5.2 "Cooking Operations. Cooking operations shall be evaluated and comply with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(o) Modification to Chapter 50:

1. Add two new exceptions 12 and 13 to section 5001.1 to read as follows:

12. "Storage, transportation, use, dispensing, mixing and handling of Flammable and combustible liquids as outlined in Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, "Rules and Regulations for Flammable and Combustible Liquids.

13. Storage, handling, and transportation of liquefied petroleum gas (LP-Gas) and the installation of LP-gas equipment pertinent to systems for such use as outlined Chapter 120-3-16 Rules and Regulations of the Safety Fire Commissioner entitled, "Rules and Regulations for Liquefied Petroleum Gases."

2. In Table 5003.11.1, add superscript "k" to Oxidizers in the Material column and add the following footnote "k" to read as follows:

k. "Group M occupancies with Class 2 and Class 3 oxidizers exceeding these quantities shall comply with the applicable provisions of NFPA 400, *Hazardous Materials Code* as adopted by this Chapter 120-3-3."

(p) Modifications to Chapter 56:

2. Delete sections 5601 through 5607 and all related paragraphs there under in their entirety and substitute in their place the following:

5601. "**Explosives and blasting.** The provisions of Chapter 120-3-10 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Explosives and Blasting Agents' shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials and small arms ammunitions."

3. Delete section 5608.1 in its entirety and substitute in its place the following:

5608.1 "GENERAL PROVISIONS. In addition to the requirements of this Section for the display of fireworks the provisions of O.C.G.A. Title 25, Chapter 2, and Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, shall apply. Where there may be a conflict between a provision of this Section and a provision of the above referenced law or regulation, the provision of the above referenced law or regulation shall apply. Nothing in this chapter shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for the signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports or for the use by military organizations."

2. Insert a new section 5608.11 to read as follows:

5608.11 "Retail display and sale. (a) Fireworks as defined in the Official Code of Georgia (O.C.G.A.) Title 25, Chapter 10 in 25-10-1(a)(1) shall not be made available for sale at retail or wholesale, except as provided in O.C.G.A. 25-10. (b) Non-explosive sparkling devices as defined in O.C.G.A. [25-10-1\(b\)](#) are permitted for retail sales to the public, provided, however, it is unlawful for any such devices to be sold to any person under 18 years of age (O.C.G.A. [25-10-2\(b\)\(1\)](#)). In addition, it is unlawful to sell such items to any person by any means other than an in-person, face-to-face sale. Further, such person shall provide proper identification to the seller at the time of such purchase. The term 'proper identification' means any document issued by a governmental agency containing a description of the person, such person's photograph, or both, and giving such person's date of birth and includes without being limited to, a passport, military identification card, driver's license, or an identification card authorized

under O.C.G.A. Sections [40-5-100](#) through [40-5-104](#). (c) In areas where devices are stored or displayed for retail sales, at least one pressurized-water type portable fire extinguisher complying with NFPA 10, as adopted by this Chapter shall be located not more than 20 feet and not closer than 15 feet from the storage or display location. In addition, "NO SMOKING" signs complying with Section 310 shall be conspicuously posted in areas of such storage or display, unless in a building where smoking is clearly marked as prohibited."

(q) Modification to Chapter 57:

1. Add a new non-applicability paragraph number 12 to section 5701.2 to read as follows:

12. "The storage, transportation, use, dispensing, mixing and handling of Flammable and Combustible Liquids as outlined in Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids.'"

(r) Modifications to Chapter 61:

1. Delete Chapter 61 in its entirety and substitute in its place the following:

"CHAPTER 61 LIQUEFIED PETROLEUM GASES. The provisions relating to the storage and handling of liquefied petroleum gases shall be those in NFPA 58, *Liquefied Petroleum Gas Code*, as adopted by Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)"

(s) Modifications to Chapter 80:

1. Add an Explanatory Note at the start of the Chapter to read:

"Replace the NFPA Standard Reference numbers with the year edition with the same NFPA Standard Reference numbers and titles however; each year edition shall be those as adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner Chapters 102-3-3, 120-3-10, 120-3-11 and 120-3-12."

(4) NFPA 2, 2020 Edition Hydrogen Technologies Code

Modifications: None

(5) NFPA 3, 2018 Edition, Guide for the Commissioning and Integrated Testing of Fire Protection and Life Safety Systems Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice for fire prevention and fire protection. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, and it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

(6) NFPA 10, 2018 Edition, Standard for Portable Fire Extinguishers

Modifications:

(a) Modification to Chapter 6:

1. Delete 6.1.3.8.1 in its entirety and insert in its place the following (6.1.3.8.2 and 6.1.3.8.3 remain unchanged:

6.1.3.8.1 "Portable fire extinguishers having a gross weight not exceeding 40 lb. (18.14 kg) shall be installed so that the top of the extinguisher is not more than 48 in (1.19 m) above the floor."

2. Delete 6.1.3.10.5 in its entirety and substitute in its place the following:

6.1.3.10.5 Cabinets or wall recesses for fire extinguishers shall be installed that the top of the opening for the fire extinguisher is at 50 in. (1.27 m) above the finished floor.

6.1.3.10.5.1 The provisions of 6.1.3.10.5 shall not apply to existing installations.

(b) Modifications to Chapter 7:

1. Delete 7.1.2.1* in its entirety and insert in its place the following:

7.1.2.1 "Persons performing maintenance and recharging of extinguishers shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated."

2. Delete subparagraphs 7.1.2.1.1 thru 7.1.2.1.5 in their entirety without substitution.

3. Delete subparagraph 7.1.2.3 in its entirety without substitution.

4. Delete subsection 7.3.4.1.1 in its entirety and substitute in its place the following:

7.3.4.1.1 "Tags shall comply the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

5. Delete subsection 7.3.4.2 in its entirety and substitute in its place the following:

7.3.4.2 "**Verification-of-Service Collar (Maintenance or Recharging)**. Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 7.3.6.5.3 in its entirety and substitute in its place the following:

7.3.6.5.3 "The 6 year Maintenance internal examination label shall be blue in color and shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

7. Delete subsection 7.11.3 in its entirety and substitute in its place the following:

7.11.3 "Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

(c) Modifications to Chapter 8:

1. Delete subsection 8.1.2.1 in its entirety and substitute in its place the following:

8.1.2.1 "Hydrostatic testing shall be performed by persons who are, licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, trained in pressure testing procedures and safeguards complying with 7.1.2, who have testing equipment, facilities, and an appropriate manufacturer's service manual(s) available."

2. Delete subsection 8.1.2.1.2 in its entirety without substitution.

3. Delete subsection 8.1.2.1.3 in its entirety and substitute in its place the following:

8.1.2.1.3 **"Where hydrostatic testing is subcontracted to a facility described in 8.1.2.1.1, the secondary firm actually performing the hydro testing must be listed on the primary firms license(s) application on file in the Georgia State Fire Marshal's Office."**

4. Delete subsection 8.7.2.2 in its entirety and substitute in its place the following:

8.7.2.2 "The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

(7) NFPA 11, 2016 Edition, Standard for Low-, Medium-, and High-Expansion Foam

Modifications: None

(8) NFPA 12, 2018 Edition, Standard on Carbon Dioxide Extinguishing Systems

Modifications: None

(9) NFPA 12A, 2018 Edition, Standard on Halon 1301 Fire Extinguishing Systems

Modifications: None

(10) NFPA 13, 2019 Edition, Standard for the Installation of Sprinkler Systems

Modifications:

(a) Modification to Chapter 4:

1. Add a new Section 4.2.1 to read as follows:

4.2.1.1 **"Modification of Existing Sprinkler Systems.** In existing sprinkler systems, heads may be relocated from original installation locations. All alterations or modifications to existing branch lines shall be submitted with hydraulic calculations if work is outside of scope of subsections 4.4.1 through 4.4.4. New hydraulic data nameplate shall be placed on any modified system at the riser or sectional valve along with the existing hydraulic data nameplate.

4.2.1.2 One additional sprinkler may be added to an original installation location if the additional sprinkler is in a remotely located or non-communicating compartment from the existing or relocated sprinkler.

4.2.1.3 Two sprinklers may be added to an existing branch line if the additional sprinklers are in remotely located or non-communicating compartments from the existing or relocated sprinkler.

4.2.1.4 New branch lines added to existing cross mains shall be sized the same as the existing branch lines.

4.2.1.5 No more than two heads shall be supplied from 1 inch (25.4 mm) pipe unless the existing system was calculated to supply more than two heads. In such case, the calculated maximum for 1 inch (25.4 mm) pipe shall take precedence."

(b) Modification to Chapter 5:

1. Add a new paragraph 5.2.2.3 to read as follows:

5.2.2.3 "A water test taken to determine the period of highest demand and made not more than six months prior to plan submittal shall be submitted to the authority having jurisdiction with all new system designs."

(c) Modification to Chapter 9:

1. Delete the Annex note A.9.3.5.1 to 9.3.5.1* and insert a revised A.9.3.5.1 to read follows: "A.9.3.5.1 It is the intent of this section to apply the requirement for draft stops and closely spaced sprinklers to openings in fire rated floor/ceiling assemblies. It is not the intent of this section to require draft stops and closely spaced sprinklers to the perimeter around mezzanines, raised platforms, lofts or other places where stairs or escalators ascend to a floor or landing that is open to the space below.

2. Insert a new 9.3.5.2.1 to read as follows:

9.3.5.2.1 "Draft stops required by Section 8.15.4.1 shall not be required in Light and Ordinary Hazard Occupancies utilizing quick response sprinklers throughout."

(d) Modification to Chapter 16:

1.) Delete paragraph 16.12.5.7 in its entirety and substitute in its place the following. The annex note shall remain.

16.12.5.7 **"FDC Locations.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsections 501.5 and 912 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there may be conflict between subsection 501 or 912 of the *IFC* and section 8.17.2 of this *Code*, the provisions of 501 and 912 of the *IFC* shall prevail."

(e) Modification to Chapter 27:

1. Add a new 27.1.2.1 to read as follows:

27.1.2.1 "Where plan review notes returned with submitted plans or comments on submitted plans by the authority having jurisdiction (AHJ), indicating the need for corrections, such corrections shall be made by the Fire Protection Sprinkler Designer. Only after the needed corrections are made and shown on corrected plans shall changes by installation personnel be allowed. Corrected plans shall be kept at the project site and shall be firmly attached to the set of plans stamped as approved with comments by the AHJ. Submitted plans returned without the approval stamp of the AHJ shall have corrections made and be resubmitted to the AHJ for review and approval. The installation of a system shall not be allowed where plans have been returned without an approval stamp until corrected plans have been submitted, reviewed, and stamped as approved by the AHJ."

2. Add new items (48) through (51) to subsection 27.1.3 to read as follows:

(48) "Type of construction, (i.e., obstructed or unobstructed as defined in Section 3.7), and the distance between the sprinkler deflector and the structure in exposed structure areas.

(49) Indicate the system is a NFPA 13 designed system.

(50) Owner's Certificate, provided in accordance with Section 4.2.

(51) Name, number and signature of the Certificate of Competency holder & Designer."

3. Add a new subsection 27.2.4.11.2.1 to read as follows:

27.2.4.11.2.1 "There shall be a minimum 10 psi (0.69 bar) cushion between the hydraulically calculated sprinkler system demand and supply when there is a backflow prevention device present.

27.2.4.11.2.1.1 The 10 psi (0.69 bar) cushion may be lowered to not less than 7 psi with written approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building."

4. Add a new subparagraph 27.2.4.11.3 to read as follows:

27.2.4.11.3 "There shall be a minimum 15 psi (1.03 bar) cushion between the hydraulically calculated sprinkler system demand and supply in systems that do not have a backflow prevention device.

27.2.4.11.3.1 The 15 psi (1.05 bar) cushion may be lowered to not less than 7 psi with approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building."

(i) **Modification to Chapter 28:**

1. Add a new item (5) to 28.1 to read as follows:

(5) "Attach an initial **"GREEN"** inspection tag to the sprinkler system riser.

(a) After installation, acceptance testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.

(b) Inspection Tags must be **GREEN** in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:

1. **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL."** This order shall be in a minimum of 10pt capital letters.

2. The license number, name, and physical address of the licensed Fire Sprinkler Contractor.

3. The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.

4. The properly punched day, month and year the system was inspected and placed in a state of operational readiness.

5. The name and physical address, including tenant space designation, as applicable of the facility."

2. Add a new Section 28.7 Document Accessibility.

28.7.1 With every new system, a documentation cabinet shall be installed in the system riser room or at another approved location at the protected premises.

28.7.2 The documentation cabinet shall be sized so that it can contain all necessary documentation.

28.7.3 Required minimum documentation shall include copies of Approved Hydraulic calculations, Approved Plans, Above and Below ground contractors test, and Inventory of sprinkler heads.

28.7.4 Where the documentation cabinet is not in the sprinkler riser room, its location shall be identified at the system control valve.

28.7.5 The documentation cabinet shall be prominently labeled **SPRINKLER SYSTEM DOCUMENTS**.

28.7.6 The contents of the cabinet shall be accessible by authorized personnel only.

(11) **NFPA 13D, 2019 Edition, *Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes***

Modifications: None

(12) NFPA 13R, 2019 Edition, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height

Modifications:

(a) Modification to Chapter 1:

Delete Section 1.1 in its entirety and substitute in its place the following. Subsection 1.1.1 and 1.1.2 shall remain.

1.1 "**Scope.** This standard deals with the design and installation of automatic sprinkler systems for protection against fire hazards in residential occupancies, personal care homes, day-care centers and group day-care homes, up to and including four stories in height. When a single-story open-air parking structure of fire-restrictive construction having a rating greater than 2-hours is below a four-story residential occupancy, the structure is considered within this scope."

1. Delete Section 1.2 in its entirety and substitute in its place the following:

1.2 "**Purpose.** The purpose of this standard is to provide design and installation requirements for a sprinkler system to aid in the detection and control of fires in residential occupancies, day-care centers, group day-care homes, and personal care homes, and thus provide improved protection against injury, loss of life, and property damage. A sprinkler system designed and installed in accordance with this standard is expected to prevent flashover (total involvement) in the room of fire origin, where sprinklered, and to improve the chance for occupants to escape or be evacuated. This standard shall not be applied to "new assisted living communities" or new "memory care units" as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and as regulated by Chapter 34 or 35, as applicable, of the *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(b) Modification to Chapter 3:

1. Delete subsection 3.3.10 in its entirety and substitute in its place the following:

3.3.10 "**Residential Occupancies.** Residential Occupancies, as specified in the scope of this standard and for the purposes of this standard, include the following, as defined by State law, or by the Rules and Regulations of the Georgia Safety Fire Commissioner: (1) Apartment buildings, (2) Lodging and rooming houses, (3) Board and care facilities, (4) Hotels, motels, and dormitories, (5) Personal care homes (prompt and slow evacuation type only), (6) Day-care centers and group day-care homes."

2. Add a new paragraph 3.3.9.1 to read as follows:

3.3.10.1 "Day-care Center - For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where more than 12 clients receive care. A day-care center is within the definition of a dwelling unit."

3. Add a new paragraph 3.3.10.2 to read as follows:

3.3.10.2 "**Group Day-care Home** - For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where at least seven but not more than 12 clients receive care. A group day-care home is within the definition of a dwelling unit."

4. Add a new paragraph 3.3.10.3 to read as follows:

3.3.10.3 "**Dwelling** - For purposes of NFPA 13R, any building which contains not more than one or two 'dwelling units' intended to be used, rented, leased, hired out to be occupied for habitation purposes, or for use as a day-care center, a group day-care home, or as a personal care home or community living arrangement."

5. Add a new paragraph 3.3.10.4 to read as follows:

3.3.10.4 **"Outside Dwelling Unit** - Any area such as, but not limited to, storage, mechanical and equipment rooms and/or other area(s) that, in the opinion of the authority having jurisdiction, constitutes a fire hazard in excess of the hazards normally found within the dwelling unit."

6. Add a new paragraph 3.3.10.5 to read as follows:

3.3.10.5 **"Personal Care Home** - For the purposes of NFPA 13R, any building or part thereof that is used as defined in Chapter 120-3-3 in [120-3-3-.03\(11\)](#) of the Rules and Regulations of the Safety Fire Commissioner."

(c) Modification to Chapter 4:

1. Add a new Section 4.6 to read as follows:

4.6 **"Minimum Pipe Sizes.** Minimum pipe sizes shall be ¾ inch (19.1 mm) for copper and 1-inch (25.4 mm) for steel. For other approved pipe or tubing used, a minimum size of ¾ inch (19.1 mm) for those with a Hazen-Williams 'C' value of 150 or more and 1 inch (19.1 mm) for those less than 150."

(d) Modification to Chapter 6:

1. Delete paragraph 6.6.1 in its entirety and substitute in its place the following:

6.6.1 "Sprinklers shall be installed in all areas except where omission is permitted by 6.6.2 through 6.6.9 excluding day-care facilities. Sprinklers shall be installed in all areas of day-care facilities except where omission is permitted by 6.6.4 and 6.6.5."

2. Add a new paragraph 6.8.11 to read as follows:

6.8.11 "A non-multipurpose piping system shall be isolated from the domestic water system by not less than two spring-loaded check valves or equivalent."

3. Add a new paragraph 6.8.12 to read as follows:

6.8.12 "All valves controlling water supplies for sprinkler systems or portions thereof, including floor control valves, shall be easily accessible to authorized persons. Water supply connections shall not extend into or through a building unless such connection is under control of an outside listed indicating valve or an inside listed indicating valve located near an outside wall of the building."

(e) Modification to Chapter 9:

1. Delete subsection 9.6.2.1 in its entirety and substitute in its place the following:

"Where a waterflow test is used for the purpose of system design, the test shall be conducted no more than 6 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction."

2. Add a new subsection 9.7.2.1 to read as follows:

9.7.2.1 "A fire pump not meeting NFPA 20, *Standard for the Installation of Stationary Pumps for Fire Protection*, may be acceptable for small community living arrangements, day-care centers, day-care homes, and small personal care homes based upon documentation and subject to written approval of the authority having jurisdiction."

(f) Modification to Chapter 10:

1. Add a new subsection 10.1.5 to read as follows:

10.1.5 "Upon completion of the acceptance test as set forth in this section, the installer shall attach an initial **"GREEN"** inspection tag to the sprinkler system riser.

(a) After installation, testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.

(b) Inspection Tags must be GREEN in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:

(1) **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL."** This order shall be in a minimum of 10pt capital letters.

(2) The license number, name, and physical address of the licensed Fire Sprinkler Contractor.

(3) The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.

(4) The properly punched day, month and year the system was inspected and placed in a state of operational readiness.

(5) The name and physical address (including tenant space as applicable) of the facility."

(13) **NFPA 14, 2019 Edition, *Standard for the Installation of Standpipe, and Hose Systems***

Modifications:

(a) **Modifications to Chapter 1:**

1. Delete Section 1-1 in its entirety and substitute in its place the following:

1-1 **"Scope.** The State's minimum requirements for standpipes shall be established by the *IBC* (Refer to **Table 102.13, CODES REFERENCE GUIDE**) of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner). In addition, the requirements for occupant hoses are eliminated for new and existing buildings subject to the approval of the authority having jurisdiction. Where the installation of standpipes and /or hose systems is required, this standard covers the minimum requirements for the installation of standpipes and hose systems for buildings and structures. This standard does not cover requirements for periodic inspection, testing, and maintenance of standpipe systems. (See NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*.)"

(b) **Modification to Chapter 7:**

1. Delete 7.8 in its entirety and substitute in its place the following:

7.8 "Minimum and Maximum Pressure Limits

7.8.1 Hydraulically designed standpipe systems shall be designed to provide the waterflow rate required by Section 7.10 at a minimum residual pressure of 100 psi (6.9 bar) at the outlet of the hydraulically most remote 2-1/2 inch (65 mm) hose connection and 65 psi (4.5 bar) at the outlet of the hydraulically most remote 1-1/2 (38 mm) hose connection.

7.8.1.1 Where the local Fire Chief or local Fire Code Official having fire suppression jurisdiction permits lower than 100 psi (6.9 bar) for 2-1/2 inch (65 mm) hose connections, based upon local suppression tactics, the pressure shall be permitted to be reduced to not less than 65 psi (4.5 bar).

7.8.1.2 Where the building is protected throughout by a supervised automatic sprinkler system and the building is not a high-rise, as defined in 3.3.5, the minimum residual pressure provisions shall not be mandatory when the standpipe system piping is a minimum of eight inches (8") nominal diameter.

7.8.1.3 Existing high-rise buildings, as defined in 3.3.5, that are protected throughout by a supervised automatic sprinkler system shall be permitted a reduction of the minimum residual pressure requirement of 100 psi (6.9 bar) at the hydraulically most remote 2-1/2 inch (63.5 mm) hose connection to 65 psi (4.5 bar).

7.8.1.4 Manual standpipe systems shall be designed to provide 100 psi (6.9 bar) at the topmost outlet with the calculations terminating at the fire department connection."

2. Insert a new subsection 7.12.3.4 to read as follows:

7.12.3.4 "**Location.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(c) Modification to Chapter 10:

1. Add a new subsection 10.3 to read as follows:

10.3 "A letter certifying that all pressure restricting and pressure reducing equipment is installed and set per NFPA requirements and manufacturer's instructions shall be presented to the inspector along with test certificates at the time of final inspection."

(d) Modification to Annex A:

1. Add a New Annex Note A.7.8.1.4 to read as follows:

A.7.8.1.4 "It is not the intent of this standard to provide an automatic water supply for manual standpipe systems. Manual standpipe systems are designed (sized) to provide 100 psi (6.9 bar) at the topmost outlet using a fire department pumper as the source of flow and pressure."

(14) NFPA 15, 2012 Edition, *Standard for Water Spray Fixed Systems for Fire Protection*

Modifications: None

(15) NFPA 16, 2019 Edition, *Standard for the Installation of Foam-Water Sprinkler and Foam- Water Spray Systems*

Modifications: None

(16) NFPA 17, 2017 Edition, *Standard for Dry Chemical Extinguishing Systems*

Modifications:

(a) Modification to Chapter 1:

1. Delete Section 1.6 in its entirety and substitute in its place the following:

1.6 "***Qualifications.** Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical systems."

(b) Modification to Chapter 11:

1. Delete subsection 11.1.3 in its entirety and substitute in its place the following:

11.1.3 "Only persons trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical extinguishing systems, in accordance with this standard and the manufacturer's instructions."

2. Delete paragraph 11.1.3.1 in its entirety without substitution.

3. Delete subparagraph 11.3.1.2.4 in its entirety and substitute in its place the following:

11.3.1.2.4 "The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

4. Delete subparagraph 11.3.1.2.7 in its entirety and substitute in its place the following:

11.3.1.2.7 "The collar shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

5. Delete paragraph 11.3.1.10 in its entirety and substitute in its place the following:

11.3.1.10 "Each dry chemical system shall have the required tags or labels complying with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner after each service has been conducted on the system. Only the current applicable tag or label shall remain on the system."

6. Delete subsection 11.4.2 in its entirety and substitute in its place the following:

Systems shall be recharged by persons who are properly trained and licensed under the requirements of Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, in accordance with the manufacturer's listed installation and maintenance manual."

(17) NFPA 17A, 2013 Edition, *Standard for Wet Chemical Extinguishing Systems*

Modifications:

(a) Modification to Chapter 1:

1. Delete Section 1.7 in its entirety and substitute in its place the following:

1.7 **"*Qualifications.** Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service wet chemical systems."

(b) Modification to Chapter 7:

1. Delete subsection 7.3.1 in its entirety and substitute in its place the following:

7.3.1 "A service technician who performs maintenance on an extinguishing system shall be trained and shall possess a license and/or be permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated."

2. Delete paragraph 7.3.1.1 in its entirety without substitution.

3. Delete subparagraph 7.3.3.6.1 in its entirety and substitute in its place the following:

7.3.3.6.1 "The owner or owner's representative shall retain all maintenance reports for a period of 3 years after the next maintenance of that type required by the standard."

4. Delete paragraph 7.3.3.7 in its entirety and substitute in its place the following:

7.3.3.7 "*Each wet chemical system shall have a tag or label securely attached, complying with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner. Only the current tag or label shall remain in place."

5. Add a new paragraph 7.5.2.4 to read as follows:

7.5.2.4 "Each stored pressure system agent cylinder that has undergone maintenance or hydrostatic testing that includes internal examination, or that has been recharged shall have 'Verification of Service' collar located around the neck of the cylinder. The collar shall contain a single circular piece of uninterrupted material forming a hole of a size that will not permit the collar assembly to move over the neck of the cylinder unless the valve is completely removed. The collar shall not interfere with the operation and actuation of the system cylinder. The 'Verification of Service' collar shall comply with the requirements of NFPA 10, *Standard for Portable Fire Extinguishers*, as adopted by Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner.

7.5.2.4.1 The provisions of 7.5.2.4 do not apply to stored pressure system cylinders undergoing maintenance before March 1, 2002.

7.5.2.4.2 Non-stored pressure cylinders such as cartridge cylinders for cartridge-operated systems do not require a 'Verification of Service' collar for the cartridge."

(18) **NFPA 18, 2017 Edition, *Standard on Wetting Agents***

Modifications: None

(19) **NFPA 18A, 2017 Edition, *Standard on Water Additives for Fire Control and Vapor Mitigation***

Modifications: None

(20) **NFPA 20, 2019 Edition, *Standard for the Installation of Stationary Pumps for Fire Protection***

Modifications:

(a) **Modification to Chapter 4:**

1. Add new paragraphs 4.6.2.3.4 and 4.6.2.3.5 to read as follows:

4.6.2.3.4 "At 150% rated capacity or below, the pump suction supply shall not drop below 20 psi (1.38 bar).

4.6.2.3.5 Suction supply pressure may be lowered upon approval of the authority having jurisdiction."

(21) **NFPA 22, 2018 Edition, *Standard for Water Tanks for Private Fire Protection***

Modifications: None

(22) **NFPA 24, 2019 Edition, *Standard for the Installation of Private Fire Service Mains and Their Appurtenances***

Modifications:

(a) **Modifications to Chapter 4:**

1. Delete 4.1.3 (10) in its entirety and substitute in its place the following:

(10) "Size, location, and piping arrangement of fire department connections as approved by the local Fire Chief having jurisdiction as set forth in 501.5 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(b) Modifications to Chapter 13:

1. Delete Section 13.1 in its entirety and substitute in its place the following: "13.1* Private Service Mains.

13.1.1 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant or one hydrant on dead end mains over 500 feet (152 m).

13.1.2 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply one hydrant and automatic extinguishing systems.

13.1.3 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant and automatic extinguishing systems on looped mains over 1,000 feet (305 m)."

2. Add the following in Annex A, A13.1:

A.13.1 "Pipe sizing should be based upon good engineering practices based on the projected water demand, firefighting capabilities and water supply characteristics. Pipe sizes other than those specified in 13.1 may be acceptable in new or existing installations with the written approval of the authority having jurisdiction."

(23) NFPA 25, 2017 Edition, *Standard for the Inspection, Testing, and Maintenance of Water- Based Fire Protection Systems*

Modifications:

(a) Modifications to Chapter 4:

1. Add a new Subsection 4.3.1.2 to read as follows:

4.3.1.2 "On non-compliant or impaired systems, a copy of the inspection report shall be forwarded to the authority having jurisdiction by the owner and/or the occupant."

2. Delete 4.3.3* in its entirety and substitute in its place the following:

4.3.3 "*Records shall be maintained by the property owner for a period of at least three years."

3. Delete Section 4.3.5 and replace with the following:

4.3.5 "Subsequent records shall be retained for a period of 3 years after the next inspection of that type required by the standard."

4. Add a new subsection 4.3.6 to read as follows:

4.3.6 "Tagging.

4.3.6.1 Inspection Tag.

(a) After inspection and testing, an Inspection Tag shall be completed indicating all work that has been done, and then attached to the system in such a position as to permit convenient inspection and not hamper its activation or operation. A new Inspection Tag shall be attached to each system each time an inspection and test service is performed.

(b) Inspection Tags must be GREEN in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;

3. The license number of the Fire Sprinkler Contractor;

4. The license number of the fire sprinkler inspector;

5. The licensed fire sprinkler inspector's signature;

6. The day, month and year (to be punched);

7. The facility name and address.

(d) Inspection Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) An Inspection Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor.

(f) Should impairments or noncompliance items be found, the licensed inspector shall notify the building owner or his representative and the authority having jurisdiction in writing of all noncompliance items and/or impairments found. A fire sprinkler system compliance Inspection Tag shall not be installed on each system until the impairments or noncompliance items have been corrected and each system has been re-inspected and found to be in a state of operational readiness.

4.3.6.2 Noncompliance Tag.

(a) If a fire sprinkler system is found in noncompliance with the applicable NFPA standards, a completed Noncompliance Tag shall be attached to the main control valve of each system to indicate that corrective action is necessary.

(b) Noncompliance Tags must be YELLOW in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Noncompliance Tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL-SYSTEM NOT IN COMPLIANCE WITH NFPA STANDARDS.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;

3. The license number of the Fire Sprinkler Contractor;

4. The license number of the fire sprinkler inspector;

5. The licensed fire sprinkler inspector's signature;

6. The day, month and year (to be punched);

7. The noncompliance issue(s);

8. The facility name and address.

(d) Noncompliance Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) The signature of the licensee on a Noncompliance Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) A Noncompliance Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.

(g) A letter of noncompliance conditions shall be sent to the building owner or authorized representative within five working days of the date of the inspection.

4.3.6.3 Impairment Tag.

(a) Should impairments constitute an emergency impairment as defined in this standard, then the inspector shall complete and attach an Impairment Tag to the main control valve of each system and the fire department connection to indicate that corrective action is necessary.

(b) Impairment Tags must be RED in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Impairment Tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;

3. The license number of the Fire Sprinkler Contractor;

4. The license number of the fire sprinkler inspector;

5. The licensed fire sprinkler inspector's signature;

6. The day, month and year (to be punched);

7. The emergency impairment(s);

8. The facility name and address.

(d) Impairment Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) The signature of the licensee on an Impairment Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) An Impairment Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.

(g) A letter of emergency impairment conditions shall be sent to the building owner or authorized representative and to the occupant within 24 hours of the time of the inspection. The building owner and/or occupant shall notify the authority having jurisdiction within 24 hours of the time of the impairment notification."

(b) Modifications to Chapter 6:

1. Add a new 6.1.1.1.1 to read as follows:

6.1.1.1.1 "In new and existing buildings, the requirements for hose for occupant use are eliminated, subject to the approval of the local Fire Chief or local Fire Code Official having fire suppression jurisdiction."

(24) NFPA 30, *Flammable and Combustible Liquids Code*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(25) NFPA 30A, *Code for Motor Fuel Dispensing Facilities and Repair Garages*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(26) NFPA 30B, *Code for the Manufacture and Storage of Aerosol Products*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(27) NFPA 31, *Standard for the Installation of Oil-Burning Equipment*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(28) NFPA 32, *Standard for Drycleaning Plants*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(29) NFPA 33, *Standard for Spray Application Using Flammable or Combustible Materials*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(30) NFPA 34, *Standard for Dipping, Coating and Printing Processes Using Flammable or Combustible Liquids*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(31) NFPA 35, *Standard for the Manufacture of Organic Coatings*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(32) NFPA 36, *Standard for Solvent Extraction Plants*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(33) NFPA 37, *Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(34) NFPA 40, 2019 Edition, *Standard for the Storage and Handling of Cellulose Nitrate Film*

Modifications: None

(35) NFPA 45, 2019 Edition, *Standard on Fire Protection for Laboratories Using Chemicals*

Modifications:

(a) **Modification to Chapter 10:**

1. Delete paragraph 10.2.3.4 in its entirety and substitute in its place the following:

10.2.3.4 **"Emergency shutoff valves for laboratories.** In addition to point of use manual shutoff valves required by 10.2.3, each laboratory space containing two or more gas outlets installed on tables, benches, or in hoods in business, educational, healthcare, research, commercial, and industrial occupancies shall have a single valve through which all such gas outlets are supplied. This emergency shutoff valve shall be accessible, located within the laboratory or adjacent to the laboratory's primary egress door, and clearly identified by approved signage stating at the least, 'GAS SHUTOFF'."

(36) NFPA 51, 2018 Edition, *Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes*

Modifications:

(a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(37) NFPA 51B, 2019 Edition, *Standard for Fire Prevention During Welding, Cutting, and Other Hot Work*

Modifications:

(a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(38) NFPA 52, 2019 Edition, *Gaseous Vehicular Fuel Systems Code*

Modifications:

(a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(39) NFPA 53, 2016 Edition, *Materials, Equipment, and Systems Used in Oxygen-Enriched Atmospheres*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.3.1 to read as follows:

1.3.1 "This document is recognized strictly as a recommended practice that may be used in evaluating fire hazards in oxygen-enriched atmospheres. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone code or standard, however, it may be used in conjunction with and in the support of the applicable provisions of other adopted codes or standards."

(40) NFPA 54, 2018 Edition, *National Fuel Gas Code*

Modifications:

(a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, and Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

(41) NFPA 55 2020 Edition, *Compressed Gases and Cryogenic Code*

Modifications: None

(43) NFPA 56, 2017 Edition, *Standard for Fire and Explosion Prevention During Cleaning and Purging of Flammable Gas Piping Systems*

Modifications: None

(44) NFPA 58, 2017 Edition, *Liquefied Petroleum Gas Code*

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(45) NFPA 59, *Utility LP-Gas Plant Code (LNG)*

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(46) NFPA 59A, 2019 Edition, *Standard for the Production, Storage, and Handling of Liquefied Natural Gas*

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(47) NFPA 61, 2017 Edition, *Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(48) NFPA 68, 2018 Edition, *Standard on Explosion Protection by Deflagration Venting*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(49) NFPA 69, 2019 Edition, *Standard on Explosion Prevention Systems*

Modifications: None

(50) NFPA 70, 2020 Edition, *National Electrical Code*

Modifications:

(a) Modifications to Article 110, I:

1. Add a new section 110.29 to read as follows:

110.29 "Relocatable Power Tap's (RPT's). Relocatable power taps (RPT's) shall comply with the provisions of 605.4.2 of the *International Fire Code (IFC)* as adopted by this Chapter."

(51) NFPA 70B, 2019 Edition, *Electrical Equipment Maintenance*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice that may be used in evaluating the effectiveness of electrical equipment within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(52) NFPA 70E, 2018 Edition, *Standard for Electrical Safety Requirements for Employee Workplaces*

Modifications:

(a) Modifications to Article 90 Introduction:

1. Delete 90.1 in its entirety and substitute in its place the following:

90.1 "This standard addresses those electrical safety requirements for employee workplaces that are necessary for practical safeguarding of employees in their pursuit of gainful employment. This document is recognized strictly as a recommended practice that may be used in evaluating electrical safety requirements for employee workplaces."

Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard covers:

- (a) Electrical conductors and equipment installed within or on buildings or other structures, including mobile homes and recreational vehicles, and other premises such as yards, carnival, parking and other lots, and industrial substations.
- (b) Conductors that connect the installations to a supply of electricity.
- (c) Other outside conductors on the premises."

(53) NFPA 72, 2019 Edition, *National Fire Alarm and Signaling Code*

Modifications:

(a) Modification to Chapter 1:

- 1. Delete Section 1.1.1 in its entirety and substitute in its place the following:

1.1.1 **"Scope.** This *Code* covers the application, installation, location, performance, inspection, testing, and maintenance of fire alarm systems, supervising station alarm systems, public emergency alarm reporting systems, fire and carbon monoxide detection and warning equipment, and emergency communications systems (ECS), and their components, whether such system or component is required or not.

1.1.1.1 Where the requirements of this *Code* have technical differences and requirements from those established, as applicable, by Chapter 120-3-20 or 120-3-20A, of the Safety Fire Commissioner's Rules and Regulations for Accessibility to Buildings and Facilities, the technical provisions and requirements of Chapter 120-3-20 and 120-3-20A shall take precedence over the requirements of this *Code* where applicable."

(b) Modifications to Chapter 7:

- 1. Add a new paragraph (5) to 7.5.3 to read as follows:

(5) "For software-based systems, all access codes and passwords to grant access to the software by authorized personnel."

(c) Modifications to Chapter 10:

- 1. Add a new subsection 10.4.7 to read as follows:

10.4.7 "Protection shall not be required in Existing building installations acceptable to the authority having jurisdiction."

(d) Modifications to Chapter 17:

- 1. Add a new subparagraph 17.7.3.1.4 to read as follows:

17.7.3.1.4 "Alternate locations of smoke detectors as allowed by the *International Fire Code*, or where applicable, the *Life Safety Code*, and acceptable to the authority having jurisdiction, may be utilized and may be considered to be in compliance with this *Code*."

(e) Modification to Annex A:

- 1. Add a new Annex note A.18.4.4.2 to read as follows:

A.18.4.4.2 "For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time may be lost while trying to calm such children. Also, audible alarms at or near locations, where clear communications is required, may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction."

(54) NFPA 75, 2017 Edition, *Standard for the Protection of Electronic Computer/Data Processing Equipment*

Modifications: None

(55) NFPA 76, 2016 Edition, *Standard for Fire Protection of Telecommunications Facilities*

Modifications: None

(56) NFPA 77, 2019 Edition, *Recommended Practice on Static Electricity*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.9 to read as follows:

1.1.9 "This document is recognized strictly as a recommended practice that may be used in evaluating systems or devices installed for the purposes of safeguarding life and/or property against the hazards of static electricity. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(57) NFPA 78, 2020 Edition, *Guide on Electrical Inspections*

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.4 to read as follows:

1.1.4 "This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard is not meant to add any requirements not found in the NEC, nor change the intent of the requirements found in the NEC. If any conflict occurs between this standards and the NEC, the NEC shall control."

(58) NFPA 79, 2019 Edition, *Electrical Standard for Industrial Machinery*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard is not meant to add any requirements not found in the *NEC*, nor change the intent of the requirements found in the *NEC*. If any conflict occurs between this standards and the *NEC*, the *NEC* shall control."

(59) NFPA 80, 2019 Edition, *Standard for Fire Doors and Other Opening Protectives*

Modifications: None

(60) NFPA 80A, 2017 Edition, *Protection of Buildings from Exterior Fire Exposures*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice that may be used in evaluating the exterior fire exposure risks of buildings. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand- alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(61) NFPA 82, 2019 Edition, *Standard on Incinerators and Waste and Linen Handling Systems and Equipment*

Modifications: None

(62) NFPA 85, 2019 Edition, *Boiler and Combustion Systems Hazards Code*

Modifications: None

(63) NFPA 86, 2019 Edition, *Standard for Ovens and Furnaces*

Modifications: None

(64) NFPA 87, 2018 Edition, *Standard for Fluid Heaters*

Modifications: None

(65) NFPA 88A, 2019 Edition, *Standard for Parking Structures*

Modifications: None

(66) NFPA 90A, 2018 Edition, *Standard for the Installation of Air-Conditioning and Ventilating Systems*

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90A with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living homes or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically

included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to **Table 102.13, CODES REFERENCE GUIDE** in the *International Fire Code* adopted by this Chapter 120-3-3.)

(67) NFPA 90B, 2018 Edition, *Standard for the Installation of Warm Air Heating and Air- Conditioning Systems*

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90B with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to **Table 102.13, CODES REFERENCE GUIDE** in the *International Fire Code* adopted by this Chapter 120-3-3.)

(68) NFPA 91, 2015 Edition, *Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids*

Modifications: None

(69) NFPA 92, 2018 Edition, *Standard for Smoke Control Systems*

Modifications: None

[Note: Also see 909.2.1 (1) of the *International Fire Code*]

(70) NFPA 96, 2017 Edition, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*

Modifications:

(a) Modification to Chapter 1:

1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:

1.1.3 "This standard shall apply to all commercial cooking equipment used for commercial cooking operations."

2. Delete subsection 1.1.4 in its entirety and substitute in its place the following:

1.1.4 "This standard shall not apply to residential cooking equipment located in a single dwelling unit or to cooking equipment in facilities where all of the following are met:

(1) Only residential cooking equipment such as: stoves, ranges or cooking surfaces traditionally used in dwelling units are being utilized.

(2) The defined residential cooking equipment contains a maximum of four standard surface cooking elements and is not used for frying operations.

(3) The defined residential equipment is used for food warming, limited cooking, rehabilitation training or in a home economic education classroom setup.

(4) The residential cooking equipment is protected by a listed self-contained residential fire suppression system located in an approved residential hood which is vented directly to the outside and providing protection to each cooking surface. The self-contained fire suppression system for the defined residential cooking equipment need not be provided where protection is provided by an approved automatic sprinkler system protecting the cooking surface, subject to approval of the authority having jurisdiction. The self-contained residential fire suppression system shall automatically disconnect electric power to electric stoves, and shut off the gas supply and electric power to gas fueled stoves, provided, however, this provision shall not be retroactive for installations approved prior to the effective adoption date of this standard.

(5) The facility is not an assembly occupancy, provided, this shall not apply to church facilities with a single residential stove or range complying with (2) above.

(6) Fire Extinguishers are located in all kitchen areas in accordance with NFPA 10, *Standard for Portable Fire Extinguishers*, and this *Code*, as adopted with modifications."

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This standard, except for operational and maintenance provisions, shall not apply for conditions existing prior to March 9, 2010, subject to the approval of the authority having jurisdiction, and where a notarized statement that no frying operations will be performed is provided. This approval shall be void for cause when the authority having jurisdiction finds cooking operations involve frying operations. (See also 1.4.1)"

(b) Modification to Chapter 10:

1. Delete subsection 10.2.6 in its entirety and substitute in its place the following:

10.2.6 "Automatic fire extinguishing systems shall be installed by competent personnel meeting Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, licensing and permit requirements. In addition, such systems shall be installed in accordance with the terms of their listing, the manufacturer's instructions, and the following applicable standard(s):

(1) NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*

(2) NFPA 13, *Standard for the Installation of Sprinkler Systems*

(3) NFPA 17, *Standard for Dry Chemical Extinguishing Systems*

(4) NFPA 17A, *Standard for Wet Chemical Extinguishing Systems*"

2. Add a New Subsection 10.4.4.1 to read as follows:

10.4.4.1 Shut off devices shall be located below any ceiling and be accessible.

(c) Modification to Chapter 13:

1. Delete Section 13.2 in its entirety and substitute in its place the following:

13.2 "**Design Restrictions.** All recirculating systems shall comply with the requirements of Section

13.2. Recirculating systems shall be limited to outdoor vending areas or rooms that are fully sprinklered."

(d) Add a New Chapter 16:

Chapter 16: Mobile and Temporary Cooking Operations

16.1 General Requirements

16.1.1 Annex B shall be adopted as mandatory requirements for mobile and temporary cooking operations.

16.1.2 Cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, tents or any form of roofed enclosure shall comply with this chapter.

(71) NFPA 99, 2018 Edition, *Standard for Health Care Facilities*

Modifications: None

NOTE: Hospitals, hospices, ambulatory surgical centers, nursing homes, or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to [120-3-3-.03](#) of Chapter [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner for definitions of "assisted living communities" and "memory care units. Such facilities are regulated, as appropriate by Chapters 34 or 35 of the *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.)

(72) NFPA 99B, 2018 Edition, *Standard for Hypobaric Facilities*

Modifications: None

(73) NFPA 101, 2018 Edition, *Life Safety Code*

Modifications:

The 2018 Edition of the *Life Safety Code* is adopted with modifications so as to be applicable to proposed (new) and existing buildings and structures. Unless noted otherwise herein, operational provisions such as fire drills, emergency egress and relocation drills, development of fire or emergency plans, and regulation of decorations and contents of building and structures of the various provisions of NFPA 101, *Life Safety Code* shall not be applicable to proposed (new) or existing buildings, structures, facilities, or conditions. The operational provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall apply to proposed (new) and existing buildings, structures, facilities, and conditions, unless such provisions are less protective than or are in conflict with the rules and regulations of the Centers for Medicare and Medicaid Services (CMS) as they apply to health care related occupancies.

(a) Modifications to Chapter 1:

1. Delete paragraph (1) of subsection 1.1.9 in its entirety and substitute in its place the following:

(1) "General fire prevention or building construction features are normally a function of fire prevention codes and building codes. The *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and the *International Building Code (IBC)*, as adopted by the Georgia Department of Community Affairs, are applicable, and their use along with other codes and standards shall be coordinated with this *Code*, as set forth in 1.4.4 and Table 1.4.4, **CODES REFERENCE GUIDE**

2. Add a new subsection 1.4.4 to read as follows:

1.4.4 **"Code Coordination.** This *Code* shall apply to all proposed (new) and existing buildings, structures and facilities, except as herein provided, and shall be utilized in conjunction with the *IBC*, the *IFC*, the *IMC*, and the *IFGC*, to the degree provided in Table 102.13 **CODES REFERENCE GUIDE**.

1.4.4.1 This *Code* does not apply to one- and two-family dwellings or one- and two-family row houses (townhouses) separated by a 2-hour firewall, except as specified in Chapters 26, 30 and 31."

Table 102.13: CODES REFERENCE GUIDE		
Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.	IBC	LSC
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinkler Systems minimum	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke alarms & Smoke Detection Systems	State Statute &	NONE
Cooking Equipment	LSC & NFPA 96	NONE
Portable Fire Extinguishers		NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

(b) Modification to Chapter 3:

[Note: Refer to [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner for modified or special definitions that apply to this *Code*, unless otherwise advised by the various chapters of this *Code*.]

(c) Modification to Chapter 4:

1. Delete Section 4.7 in its entirety (4.7.1 through 4.8.2.3) and substitute in its place the following: "SECTION 4.7 Fire Safety and Evacuation Plans and Emergency Evacuation Drills.

4.7.1 Fire Safety and Evacuation Plans. Fire safety and evacuation plans shall be developed, made available, and maintained in various occupancies as required by Section 404 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

4.7.1.1 Resources for Development of Fire Safety and Evacuation Plans. The provisions of A.4.7, A.4.7.2, A.4.7.4, A.4.7.6, A.4.8.2.1, and Table A.4.8.2.1(3), and as applicable, A.12.7.6, A.7.7, A.12.7.7.3, A.13.7.6, A.13.7.7, A.14.7.2.1, A.15.7.2.1, A.16.7.1, A.16.7.2.1, A.17.7.1, A.18.7, A.18.7.2.1, A.19.7, A.19.7.2.1, A.20.7, A.20.7.2.1, A.21.7, A.21.7.2.1, A.22.7.1.3, A.23.7.1.3, A.28.7.1.1, and A.29.7.1.1 of this *Code* shall be deemed acceptable resources for use in the development of fire safety and evacuation plans required by the *IFC*, as set forth by the provisions of 4.7.1 of this *Code*.

4.7.2 Emergency Evacuation Drills. Emergency evacuation drills shall be conducted in various occupancies as required by Section 405 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

4.7.3 Employee Training and Response Procedures. Employees in various occupancies shall be trained in fire emergency procedures and evacuation procedures as required by Section 406 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(d) Modifications to Chapter 6:

1. Delete subparagraph 6.1.14.4.1 in its entirety and substitute in its place the following:

6.1.14.4.1 "Where separated occupancies are provided, each part of the building comprising a distinct occupancy as described in this chapter, shall be completely separated from other occupancies by fire resistive assemblies as specified in 6.1.14.4.2, and in Section 508 of the *International Building Code*, adopted by the Georgia Department of Community Affairs, as applicable to "separated occupancies", unless separation is provided by approved existing separations."

2. Delete subparagraph 6.1.14.4.3 in its entirety without substitution.

3. Delete Table 6.1.14.4.1(a) in its entirety without substitution.

4. Delete Table 6.1.14.4.1(b) in its entirety without substitution.

(e) Modifications to Chapter 7:

1. Add a new item (8) to subparagraph 7.2.1.4.1 to read as follows:

(8) "For conditions or circumstances not covered herein, vertical fire shutters, roll down fire doors, or similar assemblies shall not be installed in means of egress, except where expressly permitted due to special hazards or circumstances by other chapters of this *Code*, or by approval of the Office of the State Fire Marshal for buildings coming under O.C.G.A. [25-2-13](#), or by the fire authority having jurisdiction over other buildings."

2. Add a new subparagraph 7.2.1.8.2.1 to read as follows:

7.2.1.8.2.1 "Where fire doors are used within the means of egress, they shall comply with the applicable provisions of 7.2.1. Spring loaded hinges or spring operated self-closing devices not listed for use with rated fire door assemblies are prohibited for use as closing devices for fire rated doors.

7.2.1.8.2.1.1 Existing applications utilizing spring loaded hinges in existing buildings may be continued in use where acceptable to the authority having jurisdiction.

7.2.1.8.2.1.2 Spring loaded hinges or spring operated self-closing devices shall not be permitted for use on fire-rated smoke doors, provided, however, spring loaded hinges may be used on non-rated doors designed and installed to resist the passage of smoke, unless otherwise specified in Chapters 11 through 43.

7.2.1.8.2.1.3 Existing installations in existing buildings of spring loaded hinges on fire-rated smoke doors may be continued in use where acceptable to the authority having jurisdiction."

3. 3. Revise 7.2.2.2.1.1 (1) to read as follows.

(1) New stairs shall be in accordance with Table 7.2.2.2.1.1(a) and 7.2.2.2.1.2 and the following shall apply:

(a) Risers shall be solid

4. Revise 7.2.2.2.1.1 (3) to read as follows.

(3) Approved existing stairs shall be permitted to be rebuilt in accordance with the following:

(a) Dimensional criteria of table 7.2.2.2.1.1 (b)

(b) Other stair requirements of 7.2.2

(c) Risers shall be solid

5. Add a new subparagraph 7.2.3.10.3 to read as follows:

7.2.3.10.3 "**Deactivation of Mechanical Pressurization Systems.** The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke."

6. Add a new paragraph 7.3.1.2.1 to read as follows:

7.3.1.2.1 "Where substantial evidence and documentation is provided, the authority having jurisdiction may decrease the occupant load for some occupancy use areas. The determined occupant load capacity shall be posted at an obvious location indicating the total occupant load capacity."

7. Add to Table 7.3.1.2 entitled "Occupant Load Factor" the additional use areas to read as follows:

"Locker Rooms	15	(1.4)
Free Weight Rooms	20	(1.9)
Running Tracks	50	(4.7)
Art Museums	30	(2.8)
Pool Halls	75	(6.9)
Multi-Purpose room	7	(0.65)
Airport terminals:		
Concourse	100	(9.3)
Waiting area	15	(1.4)
Baggage Claim	20	(1.9)
Baggage Handling	300	(27.9)"

8. Add a new subparagraph 7.4.1.1.1 to read as follows:

7.4.1.1.1 "Egress stairways from mezzanines shall conform to the requirements of Chapter 7 of this *Code*. They may be open to the floor of the room in which they are located provided all of the following conditions are met:

(1) The space beneath the mezzanine is totally open and unencumbered by partitioned rooms or spaces. The space beneath the mezzanine may be enclosed provided the enclosed space is protected throughout with a smoke detection system installed in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, which sounds an alarm in the mezzanine.

(2) The travel distance from the most remote point on the floor of the mezzanine to the building exit or to a protected egress corridor, exit court, horizontal passageway, enclosed stair, or exterior exit balcony does not exceed the travel distance limitations of Chapters 11 through 42.

(3) The occupant load of the mezzanine is added to the occupant load of the story or room in which it is located for the purposes of determining the minimum egress requirements.

(4) The mezzanine is not occupied for sleeping purposes unless there are exterior windows accessible to the mezzanine and located not more than two stories above grade."

9. Add a new paragraph 7.7.1.5 to subsection 7.7.1 to read as follows:

7.7.1.5 "Where the exit discharge termination cannot be at a public way, or the authority having jurisdiction determines it to be a significant hardship to provide the termination at a public way, the authority having jurisdiction may approve the exit discharge termination to be a safe dispersal area that complies with the following:

(1) The area shall be of an area that accommodates at the least 5 square feet (0.46 m²) for each person calculated to be served by the exit(s) for which the dispersal area is provided.

(2) The dispersal area shall be located on the same lot at least 50 feet (15240 mm) away from the building requiring egress. A greater distance may be required by the authority having jurisdiction based on the evaluated fire severity or other risk from the building requiring egress.)

(3) The area shall be clearly identified and permanently maintained as a safe dispersal area.

(4) The area shall be provided with a clearly identified and unobstructed exit discharge route, and comply with the applicable provisions of 7.1.6 of this *Code*.

(5) The exit discharge route and the dispersal area shall be illuminated by normal and emergency lighting, where the building requiring egress is occupied during periods of darkness."

10. Add a new subsection 7.7.7 to read as follows:

7.7.7 "Discharge from exits into fenced or walled courtyards or yards.

7.7.7.1 For occupancies covered by Chapters 14, 15, 16, 17, 32 and 33, exits shall be permitted to discharge into fenced or walled courtyards or yards, provided the courtyard or yard is provided with a gate at least 32 inches (0.81 m) in clear width. Where the population served exceeds 50, two gates shall be provided. There shall be adequate exit capacity provided for the population served. The requirements of 7.4.1.2 shall apply. Gates are permitted to be locked if adequate provisions are made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to the staff at all times that is approved by the authority having jurisdiction. Only one locking device shall be permitted on each gate.

7.7.7.2 The provisions of 7.7.7.1 shall not be construed as prohibiting the use of fenced or walled courtyards as components of the discharge of exits as set forth in Chapters 22 and 23.

7.7.7.3 The provisions of 7.7.7.1 may be applied, as approved by the authority having jurisdiction, to an "Assisted Living Community" or "Memory Care Unit" as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

7.7.7.4 The provisions of various occupancy chapters dealing with a "lock-up", as defined in 3.3.164, shall not be construed as applying to the exit discharge provisions of 7.7.7.1, provided, however, exits from approved lock-ups may discharge into fenced or walled areas complying with the provisions of Chapter 22 or 23 as may be applicable, and as approved by the authority having jurisdiction."

(f) Modification to Chapter 8:

1. Delete paragraph 8.2.1.2* in its entirety and substitute in its place the following:

8.2.1.2 "*" The *International Building Code (IBC)* as adopted by the Department of Community Affairs (DCA) shall be used to determine the requirements for the construction classification."

2. Add a new subparagraph 8.2.1.2.1 and Table 8.2.1.2.1 to read as follows:

8.2.1.2.1 "**Construction Conversion Table.** The table noted herein provides a comparison of acceptable construction types as defined in NFPA Standard 220 and the *International Building Code (IBC)*."

Table 8.2.1.2.1 Conversion Table for the IBC and NFPA 220 Construction Types										
NF PA 220	Type I (443)	Type I (332)	Type II (222)	Type II (111)	Type II (000)	Type III (211)	Type III (200)	Type IV (2 HH)	Type V (111)	Type V (000)
<i>IBC</i>	---	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB

3. Add a new to sub-paragraph 8.2.2.2.1 to read as follows:

8.2.2.2.1 "Fire barriers/walls required for tenant separation by the *IBC* may terminate at exit access corridors with a lower fire rating including a non-rated smoke resistive barrier, if such barriers are allowed by the requirements for the protection rating of exit access corridors."

4. Delete paragraph 8.2.2.5 and replace with a new paragraph 8.2.2.5

8.2.2.5 Fire and/or Smoke Barrier Identification. All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7 m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Wording shall be similar to the following: '(4)' Hour Fire and Smoke Barrier-Protect All Openings. Where signs are utilized, they shall be designed and installed to resist peeling or detaching from the barrier. Other methods acceptable to the authority having jurisdiction shall be deemed approved.

8.2.2.5.1 Existing stenciling, acceptable to the authority having jurisdiction, shall be permitted to remain in use. Existing signs that are not peeling or detaching from the barrier shall be permitted to remain in use, subject to the approval of the authority having jurisdiction.

5. Add a new paragraph 8.3.1.2.1 to read follows:

8.3.1.2.1 2-hour fire barriers shall occur at the junction of new and existing construction when the existing construction does not meet the minimum requirements of the code for existing facilities. Such barriers shall not be extended into the new construction.

6. Add a new 8.3.3.6.12 to read as follows:

8.3.3.6.12 Tested and listed fire-rated glazing material installed in separately tested fire-rated frame assemblies not tested in a single unit with fire-rated glazing material may be permitted to be used subject to approval of the authority having jurisdiction in fire-rated barriers that are not part of an exit enclosure or enclosures around unsprinklered hazardous areas not containing flammable liquids or gases, combustible liquids, or other materials having the potential for rapid oxidation or explosion potential.

7. Delete 8.7.3.1 in its entirety and substitute in its place the following:

8.7.3.1 The use, handling and storage of flammable or combustible liquids, flammable gases, or other materials deemed hazardous to the safety of life shall be in accordance with the applicable provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner, or in accordance with the applicable codes or standards adopted by other Chapters of the Rules and Regulations of the Safety Fire

8. Add a new paragraph 8.3.1.2.1 to read follows:

8.3.1.2.1 "2- hour fire barriers shall occur at the junction of new and existing construction when the existing construction does not meet the minimum requirements of the code for existing facilities. Such barriers shall not be extended into the new construction."

9. Add new paragraph 8.3.1.5 to read as follows:

8.3.1.5 "All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7 m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Wording shall be similar to the following: '() Hour Fire and Smoke Barrier-Protect All Openings. Where signs are utilized, they shall be designed and installed to resist peeling or detaching from the barrier."

8.3.1.5.1 Existing stenciling, acceptable to the authority having jurisdiction, shall be permitted to remain in use. Existing signs that are not peeling or detaching from the barrier shall be permitted to remain in use, subject to the approval of the authority having jurisdiction."

10. Add a new 8.3.3.6.12 to read as follows:

8.3.3.6.12 "Tested and listed fire-rated glazing material installed in separately tested fire-rated frame assemblies not tested in a single unit with fire-rated glazing material may be permitted to be used subject to approval of the authority having jurisdiction in fire-rated barriers that are not part of an exit enclosure or enclosures around unsprinklered hazardous areas not containing flammable liquids or gases, combustible liquids, or other materials having the potential for rapid oxidation or explosion potential."

11. Delete 8.7.3.1 in its entirety and substitute in its place the following:

8.7.3.1 " The use, handling and storage of flammable or combustible liquids, flammable gases, or other materials deemed hazardous to the safety of life shall be in accordance with the applicable provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner, or in accordance with the applicable codes or standards adopted by other Chapters of the Rules and Regulations of the Safety Fire Commissioner."

(g) Modification to Chapter 9:

1. Delete 9.1.1 in its entirety and insert in its place the following:

9.1.1 "Gas. Equipment using gas and related gas piping shall be in accordance with the *International Fuel Gas Code (IFGC)*, NFPA 54, National Fuel Gas Code, or NFPA 58, *Liquefied Petroleum Gas Code*, as may be applicable and as adopted by the applicable Chapters of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**. Existing installations, subject to approval of the authority having jurisdiction, shall be permitted to be continued in service."

2. Delete 9.2.1 in its entirety and substitute in its place the following:

9.2.1 "Air Conditioning, Heating, Ventilating, Ductwork, and Related Equipment. Air conditioning, heating, ventilating ductwork, and related equipment shall be in accordance with the *International Mechanical Code (IMC)*, as adopted by the Georgia Department of Community Affairs. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**)"

3. Delete section 9.3 in its entirety and substitute in its place the following:

9.3.1 **"*General.** Smoke control systems, where required or permitted by Chapters 11 through 42, shall be designed, installed, tested, and maintained in conformance with Section 909 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

4. Add a new subsection 9.3.2 to read as follows:

9.3.2 "Detention, holding or processing cell(s) which are used for the containment of an individual for not more than two hours in a 12-hour period shall not be required to be provided with vent openings, smoke shafts, or an engineered smoke control system to provide ventilation provided each cell is monitored by closed circuit television or dedicated personnel located outside the holding area and which have visual supervision of the cell(s)."

5. Delete subsection 9.4.2.1 in its entirety and substitute in its place the following:

9.4.2.1 "New elevators, escalators, dumbwaiters, and moving walks shall be installed in accordance with the requirements of ANSI/ASME A17.1, Safety Code for Elevators and Escalators. The elevator lobby of the designated floor and the alternate floor specified by Rule 211.3(a), and determined by the Fire Chief of the fire department having emergency response jurisdiction, shall be separated from the remainder of the building by 1-hour fire-rated construction. In buildings equipped with automatic sprinkler protection, smoke partitions in accordance with Section 8.4 may be used in lieu of 1-hour fire rated construction. Except health care occupancies as approved by the AHJ, openings in the elevator lobby shall be limited to those required for access to the elevators from exit access corridors or exits only. Elevator lobbies may be used as part of the means of egress from the building.

Exception No. 1: Elevator lobbies are not required within an atrium.

Exception No. 2: Elevator lobbies are not required where elevators are installed on open exterior walls.

Exception No. 3: Elevator lobbies are not required where elevators are installed in open air parking structures.

Exception No 4: Elevator lobbies are not required in buildings three stories or less with vertical openings protected in accordance with the applicable occupancy chapter.

Exception No 5: Elevator lobbies are not required in mercantile occupancies that have properly protected openings for escalators or stairs.

Exception No 6: Existing installations acceptable to the authority having jurisdiction."

6. Add a new subparagraph 9.6.2.10.8.1 to read as follows:

9.6.2.10.8.1 "Existing battery-powered smoke alarms as permitted by other sections of this *Code* shall be permitted to remain in use provided the following criteria are met:

1. The device is no older than 10 years of the manufactures date on the device; and,
2. The device is installed in a facility that was legally permitted before July 1, 1987, as a residential occupancy; and,
3. The facility has demonstrated to the authority having jurisdiction that the testing, maintenance, and battery replacement program will ensure reliability of power to the smoke alarms,

7. Add a new subparagraph 9.6.2.10.8.2 to read as follows:

9.6.2.10.8.2 "Existing battery-powered smoke alarms as permitted by other sections of this *Code* and which meet the provisions of subparagraph 9.6.2.10.8.1 shall be replaced with smoke alarms whose device housing is tamper resistant and is powered by a non-replaceable, non-removable energy source capable of powering the alarm for a minimum of ten years from the manufacture's date on the device when any of the following apply:

1. The device is replaced for any reason; or,
2. The provisions of subparagraph 9.6.2.10.8.1 or not met; or,
3. There is no manufactures date that exist on the device; or,
4. The device does not meet all of the provisions of subparagraph 9.6.2.10.8.1.

8. Delete 9.6.3.6.3 and its place substitute the following:

9.6.3.6.3 "*Where occupants are incapable of evacuating themselves because of age, dependence on verbal communication with caregivers, physical or mental disabilities, or physical restraint, the private operating mode as described in NFPA 72, *National Fire Alarm and Signaling Code*, shall be permitted to be used. Only attendants, caregivers, and other personnel that are required to relocate or assist in the relocation occupants from a zone, area, floor, or building shall be required to be notified. The notification shall include means to readily identify the zone, area, floor, or building in need of evacuation. Where approved by the authority having jurisdiction, the requirements for audible signaling shall be permitted to be further reduced or eliminated when visible signaling is provided in accordance with NFPA 72.

9. Add an Annex Note to 9.6.3.6.3 to read as follows:

A.9.6.3.6.3 "For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time may be lost while trying to calm such children. Also, audible alarms at or near locations where clear communications is required may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction."

10. Add a new subparagraph 9.7.1.1.1 to read as follows:

9.7.1.1.1 "NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Heights*, shall be permitted for use as specifically referenced in Chapters 24 through 33 of this *Code*. This standard shall also be permitted for the design and installation of automatic sprinkler systems in personal care homes, community living arrangements, day-care centers, and day-care homes in buildings up to and including four stories. When a single-story open-air parking structure of fire- restrictive construction is below a four-story residential occupancy the structure is considered within this scope. NFPA 13R automatic sprinkler systems shall not be permitted in assisted living communities or memory care units, as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, unless authorized by the State Fire Marshal's Office."

11. Delete paragraph 9.9* in its entirety and substitute in its place the following:

9.9 "*Portable fire extinguishers shall be installed in all buildings, structures and facilities as set forth in this *Code* and as established in 906.1 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**)

12. Delete paragraph 9.10 in its entirety and substitute in its place the following:

9.10 "Where required by either the provisions of another section of this *Code*, the *International Building Code (IBC)* as adopted by the Department of Community Affairs or the *International Fire Code (IFC)* as adopted by Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner, standpipe and hose systems shall be provided in accordance with NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*. Where standpipe and hose systems are installed in combination with automatic sprinkler systems, installation shall be in accordance with the appropriate provisions established by NFPA 13, *Standard for the Installation of Sprinkler Systems*, and NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*."

(h) Modifications to Chapter 10:

1. Delete SECTION 10.3 in its entirety and substitute in its place the following:

SECTION 10.3 "Decorations and Furnishings.

10.3.1 The use of decorative materials (vegetative and non-vegetative), as defined in Chapter 2 of the *International Fire Code*, and furnishings in proposed (new) and existing buildings shall be regulated as set forth by Sections 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(i) **Modifications to Chapter 11:**

1. Delete subsection 11.1.6 in its entirety and substitute in its place the following:

11.1.6 "**Minimum Construction requirements.** The minimum construction requirements for the location of occupants of health care and ambulatory health care occupancies shall be as specified in accordance with the applicable occupancy chapter."

2. Delete paragraph 11.3.3.5 in its entirety and substitute in its place the following:

11.3.3.5 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all enclosed and normally occupied towers in accordance with 9.9 of this *Code*."

3. Add a new item (4) to paragraph 11.7.3.4 to read follows:

(4) "This requirement shall not apply to existing windowless or underground structures, excluding Chapter 15, with an occupant load of 100 or fewer persons in the windowless or underground portions of the structure."

4. Delete subsection 11.8.2.3 in its entirety and substitute in its place the following:

11.8.2.3 "**Smoke Proof Enclosures.** High-rise buildings shall be provided with smoke proof exit enclosures in accordance with 7.2.3."

5. Add a new paragraph 11.8.3.3 to read as follows:

11.8.3.3 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all high-rise buildings in accordance with 9.9."

6. Add a new subsection 11.9.6 to read as follows: "11.9.6 Extinguishing Equipment:

11.9.6.1 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all permanent membrane structures in accordance with 9.9."

7. Delete subsection 11.10.3 in its entirety and substitute in its place the following: "11.10.3 Extinguishing Equipment.

11.10.3.1 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all temporary membrane structures in accordance with 9.9."

8. Delete subsection 11.11 Tents and all subsections thereunder in its entirety and substitute in its place the following:

11.11.5.1 **Tents.** Tents shall comply with all applicable requirements of Chapter 31 of the International Fire Code as adopted in the Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-3."

(j) **Modification to Chapter 12:**

1. Add a new subparagraph 12.1.1.2.1 to read as follows:

12.1.1.2.1 "Pursuant to O.C.G.A. [25-2-13\(b\)\(1\)\(F\), \(G\)](#) and G.1) and 25-2-14(c), "Racetracks, stadiums, grandstands, theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls and other places of public assembly having an occupant load of 300 or more, except that the occupant load shall be 100 or more persons where alcoholic beverages are served, shall have a certificate of occupancy issued by the appropriate authority having jurisdiction. For churches the occupant load requirement is 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on the total occupant load of the building or structure."

2. Reserved.

3. Add a new paragraph 12.3.5.5 to read as follows:

12.3.5.5 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9"

4. Add a note following Table 12.4.2.3 to read as follows:

"**Note:** See 12.4.2.6 for factors A, B and C in Tables 12.4.2.3 and 12.4.2.4."

5. Delete paragraph 12.4.6.11 in its entirety and substitute in its place the following:

12.4.6.11 "**Scenery, Decorations, and Furnishings.** Combustible decorations and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as set forth in SECTION 10-3 of this Code. Scenery and stage properties not separated from the audience by proscenium openings shall be either noncombustible or limited-combustible."

6. Add a new subparagraph 12.4.8.9 to read as follows:

12.4.8.9 "Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);

6. **"NO SMOKING"** signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;

7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.

8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout."

7. Delete subsection 12.7.3 in its entirety and substitute in its place the following:

12.7.3 **"Open Flame and Pyrotechnics.** No open flame devices or pyrotechnic devices shall be used in any assembly occupancy, unless otherwise provided by 12.7.3.1 through 12.7.3.4.

12.7.3.1 As set forth in the exceptions to 308.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

12.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

12.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.1.

12.7.3.4 Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials."

8. Delete subsection 12.7.4 in its entirety and substitute in its place the following:

12.7.4 **"Scenery, Decorations, and Furnishings.** Combustible decorations, curtains, draperies, similar furnishings, and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as set forth in SECTION 10-3 of this *Code*. The authority having jurisdiction shall impose additional controls, as he or she deems necessary, on the quantity and arrangement of combustible contents in assembly occupancies to provide an adequate level of safety to life from fire. (Refer to the definition for "decorative materials" in Chapter 2 of the *International Fire Code*."

9. Delete section 12.7.5.4 and subsections 12.7.5.4.1 through 12.7.5.4.4 and substitute in its place the following:

"12.7.5.4 **Vehicles.** Vehicles on display indoors or within an exhibition facility shall comply with 2018 International Fire Code Section 314.4 as adopted in rules and regulations of the Safety Fire Commissioner Chapter 120-3-3.?"

10. Delete subsection 12.7.6 in its entirety and substitute in its place the following:

12.7.6 **"Crowd Managers.** Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

11. Delete subsection 12.7.13 in its entirety and substitute in its place the following:

12.7.13 **"Emergency Planning and Preparedness.** Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(k) Modification to Chapter 13:

1. Add a new subparagraph 13.3.5.1.1 to read as follows:

13.3.5.1.1 "The provisions of 13.3.5.1 shall not apply to locations that were approved for occupancy prior to the adoption of the 2012 edition of the *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, adopted 1/1/2014, and provided the conditions approved have not been modified without subsequent required review and approval by the authority having jurisdiction, and provided the provisions of 13.1.1.4 and 13.1.1.5 of this *Code*, as applicable, and the provisions of Section 103 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner, and as applicable to existing buildings are met."

2. Add a new paragraph 13.3.5.5 to read as follows:

13.3.5.5 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9."

3. Add a note following Table 13.4.2.3 to read as follows:

"**Note:** See 12.4.2.6 for factors A, B and C in Tables 13.4.2.3 and 13.4.2.4.1."

4. Add a new paragraph 13.4.8.9 to read as follows:

13.4.8.9 "Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. "**NO SMOKING**" signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;
7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.

8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout."

5. Delete subsection 13.7.3 in its entirety and substitute in its place the following:

13.7.3 **"Open Flame and Pyrotechnics.** No open flame devices or pyrotechnic devices shall be used in any assembly occupancy.

13.7.3.1 This requirement shall not apply as set forth in the exceptions to 308.3.1 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

13.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

13.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.2.

13.7.3.4 Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials."

6. Delete section 13.7.5.4 and subsections 13.7.5.4.1 through 13.7.5.4.4 and substitute in its place the following:

"13.7.5.4 Vehicle. Vehicles on display indoors or within an exhibition facility shall comply with 2018 International Fire Code Section 314.4 as adopted in rules and regulations of the Safety Fire Commissioner Chapter 120-3-3."

7. Delete subsection 13.7.6 in its entirety and substitute in its place the following:

13.7.6 **"Crowd Managers.** Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

8. Delete subsection 13.7.7 in its entirety and substitute in its place the following:

13.7.7 **"Emergency Planning and Preparedness.** Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(l) **Modifications to Chapter 14:**

1. Add a new paragraph 14.1.1.6 to read as follows:

14.1.1.6 **"Mobile/Portable Classrooms.** Each mobile/portable classroom shall not be occupied until the required Certificate of Occupancy has been authorized by the State Fire Marshal's Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A Section [25-2-12](#)."

2. Add a new subparagraph 14.1.1.6.1 to read as follows:

14.1.1.6.1 **"Classification.** Mobile/portable classroom structures, as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall also be classified as Group E - Educational occupancies and shall comply with the provisions of this section and other sections applicable to Group E - Educational occupancies, except as may be provided otherwise elsewhere in this *Code* or in Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner.

3. Add a new paragraph 14.1.1.6.2 to read as follows:

14.1.1.6.2 "Plans and specifications for proposed (new) mobile/portable classrooms shall be submitted to and receive approval by either the State Fire Marshal's Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A 25-2-12 prior to construction. A Georgia registered architect or engineer must place his or

her seal on the plans submitted. Submitted plans must include a site plan that is drawn to scale and showing clearances from other mobile/portable classroom structures and other structures. Such site plan shall also show the exit discharge route(s) to a public way in accordance with this *Code*, or where such is not possible, to an approved area of refuge."

4. Add a new paragraph 14.1.1.6.3 to read as follows:

14.1.1.6.3 "Proposed (new) mobile/portable classrooms shall comply with the various provisions of this *Code* applying to classrooms in educational occupancies (Group E - Educational), unless otherwise specified."

5. Add a new paragraph 14.1.1.5.4 to read as follows:

14.1.1.6.4 "Locating Mobile/Portable Classroom Structures. Mobile/portable classrooms shall not be installed within 25 feet (7.6 m) of any exposed building or structure, or within 10 feet (3.05 m) of another exposed mobile/portable classroom unit. The mobile/portable classroom unit shall not be connected to any other unit, or to other buildings or structures by a canopy of combustible construction. The distance between a mobile/portable classroom unit and an exposed building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior wall is of noncombustible construction, and there are no windows or doors in the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hours and without openings within 25 feet of the exposing mobile/portable classroom unit."

6. Add a new paragraph 14.2.1.4.1, to read as follows:

14.2.1.4.1 "The provisions of 14.2.1.2 and 14.2.1.3 shall not apply to educational facilities that meet the requirements of 16.1.6."

7. Add a new subparagraph 14.2.2.2.2.1 to read as follows:

14.2.2.2.2.1 "Doors serving as exits from mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, swing outward with exit travel onto landings at least 4 feet by 4 feet (1.2 m by 1.2 m), and have steps and/or ramps complying with applicable provisions of this *Code*. This includes guardrails and graspable handrails. Steps and ramps serving fewer than 50 persons may be 36 inches (0.91m) in clear width."

8. Add a new paragraph (5) to 14.2.11.1.1 to read as follows:

(5) "Windows may open onto a court or an enclosed court provided all of the following criteria are met:

(a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.

(b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by 'B' labeled 1½-hour fire doors, whether normally occupied or not, shall open onto this required exit passageway.

(c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.

(d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).

(e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.

(f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10."

9. Add a new paragraph 14.2.11.4 to read as follows:

14.2.11.4 "School Hallway Interior Emergency Lockdown Defense (SHIELD). The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:

- (1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.
- (2) System activation shall automatically contact law enforcement authorities upon activation.
- (3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.
- (4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.
- (5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.
- (6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building's fire alarm system.
- (7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.
- (8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.
- (9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.
- (10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

14.2.11.4.1 (SHIELD) Activation. The SHIELD system shall only be activated in the following

- (1) The event of intrusion or active shooter upon school premises.
- (2) For the purposes of testing the system.
- (3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises."

10. Delete subparagraph 14.3.2.1(1)(a) in its entirety and substitute in its place the following:

(a) "Boiler and furnace rooms, unless such rooms enclose only air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 Btu. Such rooms shall not be used for any combustible storage. In addition, a minimum of 30 inches (0.76 m) shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

11. Delete the term "Laundries" from 14.3.2.1(2)(a) and substitute in its place the following:

(a) "Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

12. Add a new subparagraph 14.3.2.2.1 to read as follows:

14.3.2.2.1 "Residential type cooking equipment. Residential type cooking equipment located in food preparation areas of home economic labs may be protected by a listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside of the building. The fire suppression system shall automatically disconnect electric power to electric stoves or shut off the gas supply to gas fueled stoves. Food preparation areas located in home economics labs need not be so protected where located in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2, provided, however, the exhaust hood shall still be required to be vented to the outside of the building."

13. Add a new subparagraph 14.3.4.2.3.3 to read as follows:

14.3.4.2.3.3 "Manual fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

- (1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.
- (2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.
- (3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state "**MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM**". The sign shall have a red background and the letters shall be white and be at least one inch in height."

14. Delete subparagraph 14.3.4.3.1.1 in its entirety and substitute in its place the following:

14.3.4.3.1.1 "Occupant notification shall be by means of audible and visual alarm devices in accordance with 9.6.3 and Chapter 120-2-20, Rules and Regulations of the Safety Fire Commissioner. Where visual alarm devices are located inside classrooms the installation of an audible device or component shall not be required, provided the audible alarm signal from alarm devices located in adjacent corridors or compartments is clearly audible in the classrooms, and is subject to the approval of the authority having jurisdiction."

15. Add a new subparagraph 14.3.5.6 to read as follows:

14.3.5.6 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

14.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA Standard 10, *Standard for Portable Fire Extinguishers*, portable fire extinguishers may be located in rooms that open directly onto such corridors and paths of travel, provided, all of the following are met:

- (a) The rooms in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a portable fire extinguisher would normally be placed in accordance with NFPA Standard 10.
- (b) A sign which states, in white letters at least one inch in height on a red background, "**PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM**," is placed on the corridor wall immediately adjacent to the entrance(s) of each such room so that it can be clearly seen at all times."
- (c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours.
- (d) These rooms cannot be subject to being locked at any time the building is occupied."

16. Add a new item 6 to subsection 14.3.6 to read as follows:

6. "Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas."

17. Add a new paragraph 14.4.3.6 to read as follows:

14.4.3.6 "Corridor walls in flexible plan buildings shall comply with subsection 14.3.6 as modified.

18. Add a new paragraph 14.5.2.3 to read as follows:

14.5.2.3 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings, unless such use is permitted by 603.4 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

19. Add new subparagraph 14.7.1.1 to read as follows:

14.7.1.1 "Emergency Planning and Preparedness. Educational occupancies (Group E - Educational) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency situation. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with the applicable provisions of Chapter 4 of the *IFC*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(m) Modifications to Chapter 15:

1. Add a new subparagraph 15.1.1.1.1 to read as follows:

15.1.1.1.1 "**Existing Mobile/Portable Classroom Structures.**

(a) Existing mobile/portable classroom structures, which have been installed prior to the effective date of this *Code*, and which were deemed to be in compliance with provisions in effect at the time of their installation, shall be permitted to remain in use, if deemed to have been maintained as approved, and meet specific provisions of this chapter applicable to existing mobile/portable classroom structures.

(b) When an existing mobile/portable classroom structure is removed from a school system, the certificate of occupancy for that structure becomes void, provided, however, the structure shall retain the status of an existing structure if continued in service as a classroom structure in another school system. This shall also apply to leased or rented mobile/portable classroom structures. A new certificate of occupancy shall be required for the relocated structure, and shall be issued provided the structure meets the provisions of this *Code* that are applicable to existing mobile/portable classrooms."

2. Add a new paragraph 15.1.1.6 to read as follows:

15.1.1.6 "Existing mobile/portable classrooms shall comply with the various provisions of this *Code* applying to classrooms in existing educational occupancies, unless otherwise specified in this chapter."

3. Add a new paragraph 15.1.1.7 to read as follows:

15.1.1.7 "When relocated, a mobile/portable classroom structure shall not be placed within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. Such mobile/portable classroom structures shall not be connected to any building or other mobile classroom structure by a canopy of combustible construction. An existing canopy of combustible components may be continued in use provided no combustible components are within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. The distance between a mobile/portable classroom unit and an exposed building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior wall is of noncombustible construction, and there are no windows or doors of the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hours and without openings within 25 feet of exposing mobile/portable classroom unit."

4. Add a new paragraph 15.2.1.5 to read as follows:

15.2.1.5 "The provisions of 15.2.1.2 and 15.3.2.3 shall not apply to facilities that meet the requirements of 16.1.6."

5. Add a new subparagraph 15.2.2.2.2.1 to read as follows:

15.2.2.2.2.1 "Doors serving as exits from existing mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, unless originally approved for a clear width of not less than 28 inches. Such exit doors shall open onto landings 4 feet by 4 feet (1.2 m by 1.2 m) and have stairs and or ramps, as needed, complying with applicable provisions of this *Code*. Landings, stairs, ramps, guardrails, and handrails installed and approved prior to the effective date of this *Code*, if maintained in a state of good repair, may be continued in use. When a mobile/portable classroom structure is moved to another site at the same school or another school, landings, stairs, ramps, guardrails, and graspable handrails shall comply with the applicable requirements of this *Code* for new construction."

6. Delete paragraph 15.2.2.2.4 and replace with a new paragraph 15.2.2.2.4

15.2.2.2.4 * Locking of Classroom Doors and Other Instructional Spaces.

15.2.2.2.4.1 Classroom doors and doors to other instructional spaces shall be permitted to be locked provided that the locking means is approved, and all of the following conditions are met:

- (1) The locking means shall be capable of being engaged from the egress side of the door without opening the door.
- (2) The unlocking and unlatching from the egress side of the door shall be accomplished without the use of a key, tool, or special knowledge or effort.
- (3) * Two non-simultaneous releasing motions shall be permitted where approved by the authority having jurisdiction. The Chief Fire Official of the local responding Fire Department must approve the locking device.
- (4) The releasing mechanism for unlocking and unlatching shall be located at a height not less than 34 in. (865 mm) and not exceeding 48 in. (1220 mm) above the finished floor.
- (5) Locks, if remotely engaged, shall be unlockable from the egress side of the door without the use of a key, tool, or special knowledge or effort.
- (6) The door shall be capable of being unlocked and opened from outside the room with the necessary key or other credential.
- (7) The locking means shall not modify the door closer, panic hardware, or fire exit hardware or impair their operation.
- (8) Modifications to fire door assemblies, including door hardware, shall be in accordance with NFPA 80.
- (9) The emergency action plan, required by 15.7.1, shall address the use of the locking and unlocking means from both sides of the door.
- (10) Staff shall be drilled in the engagement and release of the locking means, from both sides of the door, as part of the emergency egress drills required by 15.7.2.

A.15.2.2.2.4.1(3) The installation of new hardware that necessitates two non-simultaneous releasing motions on existing doors in existing educational occupancies in accordance with 15.2.2.2.4.1(3) is permitted where such installation is necessary for compliance with the door locking criteria in 15.2.2.2.4.1. In accordance with 43.1.4.5, rehabilitation work performed for compliance with the Code's existing occupancy requirements is exempt from Chapter 43 and the installation of such new equipment is not subject to Section 43.5, which would require compliance with the new occupancy provisions. Where a new door is installed in an existing educational occupancy, the requirements of 14.2.2.2.4 apply.

15.2.2.2.4.2 Where existing classroom doors and doors to instructional spaces are replaced, they shall comply with the provisions of 14.2.2.2.4.

7. Add a new item (4) to paragraph 15.2.11.1 to read as follows:

(4) "Windows may open onto a court or an enclosed court provided all of the following criteria are met:

(a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.

(b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by 'B' labeled 1½-hour fire doors, whether normally occupied or not, shall open onto this required exit passageway.

(c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.

(d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).

(e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.

(f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10."

8. Add a new paragraph 15.2.11.3 to read as follows:

15.2.11.3 "School Hallway Interior Emergency Lockdown Defense (SHIELD). The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:

(1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.

(2) System activation shall automatically contact law enforcement authorities upon activation.

(3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.

(4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.

(5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.

(6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building's fire alarm system.

(7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.

(8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.

- (9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.
- (10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

15.2.11.3.1 **(SHIELD) Activation.** The SHIELD system shall only be activated in the following situations:

- (1) The event of intrusion or active shooter upon school premises.
- (2) For the purposes of testing the system.
- (3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises."

9. Delete subparagraph 15.3.2.1(1)(a) in its entirety and substitute in its place the following:

(a) "Boiler and furnace rooms, unless such rooms enclose air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

10. Delete the term "Laundries" from subparagraph 15.3.2.1(2)(a) and substitute in its place the following:

(a) "Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

11. Add a new paragraph 15.3.2.2.1 to read as follows:

15.3.2.2.1 "Food preparation areas located in home economic labs may be protected by listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction. Food preparation areas located in home economic labs need not be protected where in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2. The exhaust hood is still required to be vented to the outside if installed after July 28, 1998."

12. Add items (3) and (4) to paragraph 15.3.4.2.1 to read as follows:

(3) "Where each classroom in a mobile/portable classroom structure is provided with a two-way communication system that will permit initiation of the communication from the classroom as well as from a constantly attended location in the main administrative office of the school from which a general alarm can be sounded, if needed, and the fire department can be summoned. A telephone mounted in each classroom and equipped with speed dialing, or a similar function, to provide contact with the constantly attended location noted above, shall be acceptable as a two-way communication system for purposes of this provision. The procedure for using the system for emergency alerting shall be clearly posted near the system actuation device in each classroom and at the constantly attended location.

(4) Fire alarm alerting provisions for existing mobile/portable classroom structures approved prior to the effective date of this *Code*, and which are in a state of operational readiness. At the minimum, such provisions shall provide alerting of a fire condition in each mobile/portable classroom structure. Where alerting is by an alarm bell or horn, the sound/signal shall be distinctive from other bells or horns."

13. Add a new subparagraph 15.3.4.2.3.3 to read as follows:

15.3.4.2.3.3 "In lieu of locating manual fire alarm boxes in educational occupancies in corridors and normal paths of travel, the fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

- (1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.

(2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.

(3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state **"MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM"**. **The sign shall have a red background and the letters shall be white and be at least one inch in height."**

14. Add a new paragraph 15.3.5.6 to read as follows:

15.3.5.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

15.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, *Standard for Portable Fire Extinguishers*, portable fire extinguishers may be located in rooms that open directly onto such corridors and normal paths of travel provided all of the following are met:

(a) The room in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; *Standard for Portable Fire Extinguishers*,

(b) A sign which states in white letters at least one inch in height on a red background, **'PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM,** ' is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;

(c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours; and,

(d) Those rooms cannot be subject to being locked at any time the building is occupied."

15. Add a new item (6) to subsection 15.3.6 to read as follows:

(6) "Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas."

16. Add new paragraph 15.5.2.3 to read as follows:

15.5.2.3 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings.

15.5.2.3.1 As permitted by 603.4 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

17. Delete subsection 15.7.1 in its entirety and substitute in its place the following:

15.7.1 **"Emergency Planning and Preparedness.** Educational occupancies (Group E) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(n) **Modification to Chapter 16:**

1. Add a new 16.1.1.2.1 to read as follows:

16.1.1.2.1 "Pursuant to O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#) the term Group Day-Care Home applies to day- care facilities where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set forth by O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#), the facilities are also required to comply with the Rules and Regulations of the Safety Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. [25-2-14\(c\)](#)."

2. Add a new subparagraph 16.1.3.1.1 to paragraph 16.1.3.1 to read as follows:

16.1.3.1.1 "The provisions of 6.1.14 shall not apply to one- and two-family dwellings."

3. Delete paragraph 16.1.6.1 and its corresponding table in its entirety and substitute in its place the following:

16.1.6.1 "The location of day-care occupancies and clients of such shall be limited as shown in Table 16.1.6.1.

16.1.6.1.1 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients may be of any construction type without being protected throughout by an automatic sprinkler system.

Table 17.1.6.1 Day-Care Occupancy Location					
Type of Construction	Age Group	Number of Stories			
		(Stories are counted starting at the floor of exit)			
		1	2	3	4+
I(443), I(332) and II(222)	0 through 4	YES	YES	YES	YES+
	5 and older	YES	YES	YES	YES+
II(111), III(211) and V(111)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES	YES+	NO
IV(2HH)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
II(000)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
III(200) and V(000)	0 through 4	YES+	YES+	NO	NO
	5 and	YES	YES+	NO	NO

The types of construction in the Table are from NFPA 220, *Standard on Types of Building Construction*. Refer to 8.2.1.2 and 8.2.1.2.1 of this *Code* and the conversion chart for cross-referencing to the construction types established by the *International Building Code*.

YES: Day-care occupancy location permitted in type of construction.

YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.

NO: Day-care occupancy location not permitted in type of construction."

4. Add a new paragraph 16.1.6.3 to read as follows:

16.1.6.3 "**Day-Care Facilities Located Below the LED.** The story below the level of exit discharge shall be permitted to be used in buildings of any construction type, other than Type II(000), Type III(200) and Type V(000) provided, the building is protected throughout by an approved automatic sprinkler system."

5. Add a new subparagraph 16.1.6.3.1 to read as follows:

16.1.6.3.1 "Where the story below the level of exit discharge is occupied as a day-care center, both of the following shall apply:

(1) One means of egress shall be an outside or interior stair in accordance with 7.2.2. An interior stair, if used, shall only serve the story below the level of exit discharge. The interior stair shall be permitted to communicate with the level of exit discharge; however, the required exit route from the level of exit discharge shall not pass through the stair enclosure.

(2) The second means of egress shall be permitted to be via an unenclosed stairway separated from the level of exit discharge in accordance with 8.6.5. The path of egress travel on the level of exit discharge shall be protected in accordance with 7.1.3.1."

6. Delete subsection 16.2.9 in its entirety and substitute in its place the following:

16.2.9 **"Emergency Lighting.** Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.

2. In all normally occupied spaces

3. Emergency lighting is not required in the following locations:

(1) Administrative areas other than receptionist areas.

(2) Mechanical rooms, storage areas, and rooms or areas not normally occupied by students."

7. Delete item (a) to paragraph 16.3.2.1(1) (a) in its entirety and substitute in its place the following:

(a) "Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

8. Add an item (4) to paragraph 16.3.2.1 to read as follows:

(4) "In areas where documentation is provided indicating an unreliable water source, the authority having jurisdiction may accept separation of these areas from the remainder of the building by fire barriers having not less than a 2-hour fire-resistance rating."

9. Delete the term "Laundries" from subparagraph 16.3.2.1(2)a and substitute in its place the following:

a. "Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

10. Delete paragraph 16.3.2.3 in its entirety and substitute in its place the following:

16.3.2.3 "Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to cover the area of the cooking surface, with the exhaust hood vented directly to the outside. The fire suppression system shall automatically disconnect electric power to electric stoves or automatically shut off the gas supply to gas stoves. Such system shall be interconnected to the building fire alarm system where one is provided.

16.3.2.3.1 Subject to the approval of the authority having jurisdiction approval, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside."

11. Delete subsection 16.3.5 in its entirety and substitute in its place the following:

16.3.5 **"Extinguishment Requirements.** Buildings containing day-care occupancies shall be sprinkler protected throughout for construction types as specified in Table 16.1.6.1 entitled "Day-Care Occupancy Location Limitations" and paragraph 16.1.6.3. Any required sprinkler system based upon Table 16.1.6.1 and paragraph 16.1.6.3 shall be in accordance with 9.7."

12. Add a new paragraph 16.3.5.1 to read as follows:

16.3.5.1 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare occupancies in accordance with 9.9."

13. Add new paragraph 16.5.2.4 to read as follows:

16.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

16.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction."

14. Delete paragraph 16.6.1.6 in its entirety and substitute in its place the following:

16.6.1.6 **"Minimum Construction Requirements.** The minimum construction requirements for new day-care homes shall be limited to the types of building construction permitted by the *IBC* as specified in 8.2.1. Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 16.1.6 are met."

15. Add a new paragraph 16.6.3.6 to read as follows:

16.6.3.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare home occupancies in accordance with 9.9."

16. Delete subsections 16.7.1 and 16.7.2 in their entirety and substitute in their place the following:

16.7.1 **"Emergency Planning and Preparedness.** Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(o) **Modifications to Chapter 17:**

1. Delete paragraph 17.1.1.4 in its entirety and substitute in its place the following:

17.1.1.4 "Pursuant to O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#) the term Group Day-Care Home applies to daycare facilities where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set forth by O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#), the facilities are also required to comply with the Rules and Regulations of the Safety Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. [25-2-14\(c\)](#)."

2. Delete paragraph 17.1.1.5 in its entirety and substitute in its place the following:

17.1.1.5 "This section establishes life safety requirements for existing day-care occupancies, adult day-care facilities, and head start facilities in which more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day. An existing day-care occupancy shall be allowed the option of meeting the requirements of Chapter 16 in lieu of Chapter 17. Any day-care occupancy that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17."

3. Add a new subparagraph 17.1.3.1.1 to read as follows:

17.1.3.1.1 "The provisions of 6.1.14 shall not apply to one- and two-family dwellings."

4. Add a new subparagraph 17.1.4.1.1 to read as follows:

17.1.4.1.1 "Existing day-care centers that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15."

5. Delete subsection 17.1.6.1 and its corresponding table in its entirety and substitute in its place the following:

17.1.6.1 **"Location and Minimum Construction Requirements.** The location of day-care occupancies and clients of such shall be limited as shown in Table 17.1.6.1

17.1.6.1.2 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients may be of any construction type without being protected throughout by an automatic sprinkler system.

17.1.6.1.3 "Centers located on the level of exit discharge in buildings of any construction type without a complete approved automatic sprinkler system, may be continued in use as a child day-care center housing children ages zero through four, or non-ambulatory children, as long as at least one exit door is provided directly to the outside of the building at ground level from every room or space normally occupied by children, except restrooms. For centers existing prior to April 12, 1985, where direct access to the outside of the building is not possible from interior rooms, and such interior rooms are normally subject to occupancy by children, the interior room may continue to be used provided there are two remote exits from the rooms that provide access to two separate and distinct exits to the outside."

Table 17.1.6.1 Day-Care Occupancy Location

Table 17.1.6.1 Day-Care Occupancy Location					
Type of Construction	Age Group	Number of Stories			
		(Stories are counted starting at the floor of exit)			
		1	2	3	4+
I(443), I(332) and II(222)	0 through 4	YES	YES	YES	YES
	5 and older	YES	YES	YES	YES
II(111), III(211) and V(111)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES	YES+	NO
IV(2HH)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
II(000)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
III(200) and V(000)	0 through 4	YES+	YES+	NO	NO
	5 and older	YES	YES+	NO	NO

The types of construction in the Table are from NFPA 220, *Standard on Types of Building Construction*. Refer to 8.2.1.2 and 8.2.1.2.1 of this *Code* and the conversion chart for cross-referencing to the construction types established by the *International Building Code*.

YES: Day-care occupancy location permitted in type of construction.

YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.

NO: Day-care occupancy is not permitted in this construction type."

6. Delete paragraph 17.2.2.2.6 in its entirety and replace with a new 17.2.2.2.6

17.2.2.2.6 Locking of Classroom Doors and Doors to Other Client Care Spaces.

17.2.2.2.6.1 Classroom doors and doors to other client care spaces shall be permitted to be locked provided that the locking means is approved, and all of the following conditions are met:

(1) The locking means shall be capable of being engaged from the egress side of the door without opening the door.

(2) The unlocking and unlatching from the egress side of the door shall be accomplished without the use of a key, tool, or special knowledge or effort.

(3) *Two non-simultaneous releasing motions shall be permitted where approved by the authority having jurisdiction. The Chief Fire Official of the local responding Fire Department must approve the locking device.

(4) The releasing mechanism for unlocking and unlatching shall be located at a height not less than 34 in. (865 mm) and not exceeding 48 in. (1220 mm) above the finished floor.

(5) Locks, if remotely engaged, shall be unlockable from the egress side of the door without the use of a key, tool, or special knowledge or effort.

(6) The door shall be capable of being unlocked and opened from outside the room with the necessary key or other credential.

(7) The locking means shall not modify the door closer, panic hardware, or fire exit hardware or impair their operation.

(8) Modifications to fire door assemblies, including door hardware, shall be in accordance with NFPA 80.

(9) The emergency action plan, required by 17.7.1, shall address the use of the locking and unlocking means from both sides of the door.

(10) Staff shall be drilled in the engagement and release of the locking means, from both sides of the door, as part of the emergency egress drills required by 17.7.2.

A.17.2.2.2.6.1(3) The installation of new hardware that necessitates two non-simultaneous releasing motions on existing doors in existing day care occupancies in accordance with 17.2.2.2.6.1(3) is permitted where such installation is necessary for compliance with the door locking criteria in 17.2.2.2.6.1. In accordance with 43.1.4.5, rehabilitation work performed for compliance with the *Code's* existing occupancy requirements is exempt from Chapter 43 and the installation of such new equipment is not subject to Section 43.5, which would require compliance with the new occupancy provisions. Where a new door is installed in an existing day care occupancy, the requirements of 16.2.2.2.6 apply.

17.2.2.2.6.2 Where existing classroom doors and doors to client care spaces are replaced, they shall comply with the provisions of 16.2.2.2.6.

7. Delete subsection 17.2.9 in its entirety and substitute in its place the following:

17.2.9 **"Emergency Lighting.** Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.
2. In all normally occupied spaces.

17.2.9.1 Emergency lighting is not required in the following areas:

- (1) Administrative areas other than receptionist areas.
- (2) Mechanical rooms, storage areas, and rooms not normally occupied by students."

8. Add a new subparagraph 17.3.2.1(1)(a)(1) to read as follows:

17.3.2.1(1)(a)(1) "Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input are not required to comply with 17.3.2.1(1) provided, such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

9. Delete paragraph 17.3.2.3 in its entirety and substitute in its place the following:

17.3.2.3 "Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to cover the cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of the fuel source or power source is subject to the authority having jurisdiction. Upon receipt of a sworn affidavit, no protection is required for existing domestic cooking equipment used for limited cooking or warming of foods.

17.3.2.3.1 Subject to the approval of the authority having jurisdiction, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside."

10. Delete the term "Laundries" from subparagraph 17.3.2.1(2)(a) and substitute in its place the following:

(a) "Laundry areas utilizing commercial equipment, or multiple residential appliances, or having a floor area exceeding 100 square feet (9.3 m)."

11. Add a new paragraph 17.3.5.3.1 to read as follows:

17.3.5.3.1 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all day- care occupancies in accordance with 9.9."

12. Delete subsection 17.4.1 in its entirety and substitute in its place the following:

17.4.1 **"Windowless or Underground Buildings.** Windowless or underground buildings or structures shall comply with the applicable provisions of Section 11.7. All such buildings and structures housing a day-care occupancy shall be protected throughout by an approved automatic sprinkler system.

17.4.1.1 "Buildings or structures existing prior to January 28, 1993, and housing day-care occupancies with an occupant load not greater than 100 may remain in use without being protected throughout by an automatic sprinkler system."

13. Add a subparagraph 17.5.1.2.1 to read as follows:

17.5.1.2.1 "In existing day-care occupancies, in lieu of special protective covers, receptacles may be placed at a minimum of six feet above the finished floor."

14. Add a new paragraph 17.5.2.4 to read as follows:

17.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

17.5.2.4.1 "In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

15. Delete subparagraph 17.6.1.4.1.2 in its entirety and substitute in its place the following:

17.6.1.4.1.2 "This section establishes life safety requirements for group day-care homes, adult daycare homes and head start facilities in which at least seven but not more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day (generally within a dwelling unit). An existing day-care home shall be allowed the option of meeting the requirements of Section 16.6 in lieu of Section 17.2. Any day-care home that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17."

16. Add an exception to subsection 17.6.1.4.1 to read as follows:

17.6.1.4.1 "Existing day-care homes that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15."

17. Delete paragraph 17.6.1.6 in its entirety and substitute in its place the following:

17.6.1.6 "Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 17.1.6.1 are met."

18. Add a new paragraph 17.6.3.6 to read as follows:

17.6.3.6 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare home occupancies in accordance with 9.9."

19. Add a new subsection 17.6.3.7 to read as follows:

17.6.3.7 "In existing day-care homes in lieu of special protective covers, receptacles may be placed at a minimum of 6 feet (1.8 m) above the finished floor."

20. Delete subsections 17.7.1 and 17.7.2 in their entirety and substitute in their place the following:

17.7.1 "**Emergency Planning and Preparedness.** Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(p) **Modifications to Chapter 18:**

1. Delete subsection 18.1.1.1.8 in its entirety and in its place substitute the following:

18.1.1.1.8 "Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but that do not include services distinctive to health care occupancies (see 18.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this *Code*, such as Chapters 30, 32 or 34 based upon appropriate licensing if required."

2. Add a new subparagraph 18.1.1.4.3.4.1 to read as follows:

18.1.1.4.3.4.1 "Minor renovations, alterations, modernizations or repairs as used in 18.1.1.4.3.4 shall mean that construction is less than 40% of the floor area within a smoke compartment."

3. Add the following to the list of hazardous areas in Subparagraph 18.3.2.1.2 to read as follows:

(8) "Soiled utility rooms also used for combustible storage - 1 hour."

4. Add a new subparagraph 18.3.2.5.2.1 to read as follows:

18.3.2.5.2.1 "Where a residential stove (a maximum of four surface burners or cooking elements), is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside shall be installed to cover each cooking surface. Other protection or segregation shall not be required unless subsequent inspections reveal conditions have changed and a higher level of risk to life is deemed to exist by the authority having jurisdiction."

5. Delete subsections 18.7.1 and 18.7.2 in their entirety and substitute in their place the following:

18.7.1 **"Emergency Planning and Preparedness.** Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code (IFC)*, and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 18.7.4 in its entirety and in its place substitute the following:

18.7.4 **"*Smoking.** Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(q) Modifications to Chapter 19:

1. Delete subsection 19.1.1.1.8 in its entirety and in its place substitute the following:

19.1.1.1.8 "Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but do not include services distinctive to health care occupancies (see 19.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this *Code*, such as Chapters 31, 33 or 35 based upon appropriate licensing if required."

2. Add the following to the list of hazardous areas in subparagraph 19.3.2.1.5 to read as follows:

(9) "Soiled utility rooms used for combustible storage."

3. Add subparagraphs 19.3.2.5.2.1 to read as follows:

19.3.2.5.2.1 "Where residential stove cooking is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside and equipped with a listed self-contained residential fire suppression system shall be installed to cover each cooking surface. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction."

19.3.2.5.2.1.1 Other installations acceptable to the authority having jurisdiction shall be acceptable."

4. Add a new subparagraph 19.3.4.3.1.1 to read as follows:

19.3.4.3.1.1 "A Zoned, coded systems shall be permitted."

5. Delete subsections 19.7.1 and 19.7.2 in their entirety and substitute in their place the following:

19.7.1 **"Emergency Planning and Preparedness.** Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 19.7.4 in its entirety and in its place substitute the following:

19.7.4 **"*Smoking.** Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(r) Modification to Chapter 20:

1. Delete subsections 20.7.1 and 20.7.2 in their entirety and substitute in their place the following:

20.7.1 **"Emergency Planning and Preparedness.** Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(s) Modification to Chapter 21:

1. Delete subsections 21.7.1 and 21.7.2 in their entirety and substitute in their place the following:

21.7.1 **"Emergency Planning and Preparedness.** Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(t) Modifications to Chapter 22:

1. Delete paragraph 22.2.11.1.2 in its entirety and substitute in its place the following:

22.2.11.1.2 "Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the interior means of egress.

22.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing, and in exterior walls, which are not part of the building, from areas of refuge located outside the building."

2. Delete the words 'fuel fired' from Table 22.3.2.1.

3. Add a note to Table 22.3.2.1 to read as follows:

"[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]"

4. Delete paragraph 22.3.7.5 in its entirety and substitute in its place the following:

22.3.7.5 "Any required smoke barrier shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies."

5. Delete subsection 22.7.1 in its entirety and substitute in its place the following:

22.7.1 **"Emergency Planning and Preparedness.** Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 22.7.2 in its entirety and substitute in its place the following:

22.7.2 "Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

22.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms."

(u) Modifications to Chapter 23:

1. Delete paragraph 23.2.11.1.2 in its entirety and substitute in its place the following:

23.2.11.1.2 "Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the means of egress.

23.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing and walls from areas of refuge located outside the building."

2. Delete the words 'fuel fired' from Table 23.3.2.1.

3. Add a note to Table 23.3.2.1 to read as follows:

"[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]"

4. Delete paragraph 23.3.7.5 in its entirety and substitute in its place the following:

23.3.7.5 "Required smoke barriers shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies."

5. Delete subsection 23.7.1 in its entirety and substitute in its place the following:

23.7.1 **"Emergency Planning and Preparedness.** Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 23.7.2 in its entirety and substitute in its place the following:

23.7.2 "Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

23.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms."

(v) Modification to Chapter 24:

1. Delete the Title of Chapter 24 and retitle it to read as follows:

"Chapter 24 One- and Two-Family Dwellings/Community Living Arrangements"

2. Add a new subparagraph 24.1.1.1.1 to read as follows:

24.1.1.1.1 "In addition, this chapter establishes life safety requirements for facilities licensed by the State of Georgia as a 'Community Living Arrangement' for one to four individuals not related to the owner or administrator by blood or marriage whether the facility is operated for profit or not. Community Living Arrangements for five or more residents shall comply with the applicable requirements of Chapter 32."

3. Add a new paragraph 24.1.1.6 to read as follows:

24.1.1.6 "The use of a one- and two- family dwelling for the purposes of a Community Living Arrangement as licensed by the State, for one to four residents, shall constitute a change of occupancy sub-classification. The new sub-classification shall meet the requirements established in this Chapter for the One- and Two-Family Dwelling and the additional requirements specified under Section 24.4.

4. Add a new subparagraph 24.1.1.6.1 to read as follows:

24.1.1.6.1 The use of a one- and two- family dwelling for the purposes of a Community Living Arrangement as licensed by the State, for one to four residents shall not require automatic sprinkler protection.

5. Delete 24.2.2.1.2(2) in its entirety and substitute in its place the following:

(2) "The dwelling unit is protected throughout by an approved automatic sprinkler system in accordance with 24.3.5. This sprinkler provision shall not apply to a community living arrangement."

6. Add a new subparagraph to 24.2.4.1.1 to read as follows:

24.2.4.1.1 "Doors in the path of travel of a means of escape in Community Living Arrangement facilities shall be not less than 32 in. (81 cm) wide."

7. Add a new subparagraph 24.3.4.1.3.1 to read as follows:

24.3.4.1.3.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall apply."

8. Delete Section 24.4 in its entirety and substitute in its place the following:

24.4 "Community Living Arrangements.

24.4.1 **General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 24.4 shall prevail.

24.4.2 **Address identification.** New and Existing Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

24.4.3 Means of Egress.

24.4.3.1 A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, and that are accessible to the residents.

24.4.3.2 Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾ in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 sq. in (0.84 m2) each in area and installed in approved frames.

24.4.3.3 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

24.4.3.4 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

24.4.3.5 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

24.4.3.6 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

24.4.3.7 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or be provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

24.4.3.8 Locks.

24.4.3.8.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited to be used on the bedroom door of a resident.

24.4.3.8.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

24.4.4 Detection and Alarm Systems

24.4.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

24.4.4.2 Smoke Detection.

24.4.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10 of this *Code*. Any additional detection/alarm devices shall be as established by O.C.G.A. § [25-2-40](#).

24.4.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

24.4.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5 of this *Code*.

24.4.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

24.4.4.3 **Carbon Monoxide Detectors.**

24.4.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

24.4.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel-burning fireplace or fixed heating device is installed the residence.

24.4.5 **Protection.**

24.4.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with Section 9.9 shall be provided near hazardous areas.

24.4.5.1.1 At least one 5 lb. 2A rated multipurpose ABC portable fire extinguisher shall be provided on each occupied floor, and, where applicable, in the basement. The extinguishers shall be installed so as to be readily accessible in accordance with NFPA 10.

24.4.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a State licensed fire extinguisher technician in accordance with NFPA 10.

24.4.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

24.4.6 **Heating, Ventilation and Air Conditioning.**

24.4.6.1 Portable space heaters shall not be used. The use of heating devices and equipment shall be regulated by the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

24.4.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and fixed heaters.

24.4.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

24.4.7 **Operating Features.**

24.4.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

24.4.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. Also, training of management and staff shall comply with Chapter 4 of the adopted *International Fire Code*.

24.4.7.2 **Evacuation Capabilities.** Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in 12-3-3-.03 of Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet the prompt evacuation capability

provision shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

24.4.7.3 Drills. Fire drills shall be conducted at least quarterly on each shift at alternating times. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented and include the names of staff involved. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

24.4.7.4 Procedures. There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(w) Modification to Chapter 26:

1. Add a new subparagraph 26.3.4.5.3.1 to read as follows:

26.3.4.5.3.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

2. Add a new paragraph 26.3.6.4 to read as follows:

26.3.6.4 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all lodging or rooming house occupancies in accordance with 9.9 of this *Code*."

(x) Modification to Chapter 28:

1. Add a new subparagraph 28.2.5.5.1 to read as follows:

28.2.5.5.1 "The provisions of 28.2.5.5 apply to exterior exit access routes and interior corridors."

2. Add a new subparagraph 28.2.5.6.1 to read as follows:

28.2.5.6.1 "The provisions of 28.2.5.6 apply to exterior exit access routes and interior corridors."

3. Add a new subparagraph 28.3.2.2.1.1 to read as follows:

28.3.2.2.1.1 "The provisions of 28.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete paragraph 28.3.4.5 in its entirety and substitute in its place the following:

28.3.4.5 "A corridor smoke detection system in accordance with O.C.G.A. Sections [25-2-13\(d\)](#) & 25-2-40 shall be provided in all interior corridors, halls and passageways.

28.3.4.5.1 The provisions of 28.3.4.5 are not required in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5. Dormitory facilities shall still be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections [25-2-13\(d\)](#) and [25-2-40](#)."

5. Add a new subparagraph 28.3.4.6.1 to read as follows:

28.3.4.6.1 "A smoke alarm shall be mounted on the ceiling or wall at a point centrally located in the corridor, hall or area giving access to each group of rooms used for sleeping purposes. Such smoke alarm shall be listed and meet the

installation requirements of NFPA 72, *National Fire Alarm and Signaling Code*, and be powered from the building's electrical system. In addition, 1½-hour emergency power supply source is required for the back-up power of the smoke alarms."

6. Add a new subparagraph 28.3.4.6.2 to read as follows:

28.3.4.6.2 "Each living area within a guestroom or suite which is separated by doors or folding partitions shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10 of this *Code*. The smoke alarm shall be powered from the building's electrical system."

7. Delete subsections 28.7.1, 28.7.2, 28.7.3, and 28.7.5 in their entirety and substitute in their place the following:

28.7.1 **"Emergency Planning and Preparedness.** Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(y) Modification to Chapter 29:

1. Delete paragraph 29.2.5.3 in its entirety and substitute in its place the following:

29.2.5.3 "Exterior exit access or internal corridors shall be arranged so there are no dead ends in excess of 50 feet (15 m)."

2. Add a new subparagraph 29.3.4.5.3 to read as follows:

29.3.4.5.3 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

3. Add a new subparagraph 29.3.4.5.4 to read as follows:

29.3.4.5.4 "A corridor smoke detection system in accordance with O.C.G.A Sections [25-2-13\(d\)](#) and [25-2-40](#) shall be provided in all interior corridors, halls and passageways.

29.3.4.5.4.1 The provisions of 29.3.4.5.1 do not apply in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5.

29.3.4.5.4.2 Dormitory facilities shall be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections [25-2-13\(d\)](#) and [25-2-40](#)."

4. Delete subsections 29.7.1, 29.7.2, 29.7.3, and 29.7.5 in their entirety and substitute in their place the following:

29.7.1 **"Emergency Planning and Preparedness.** Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(z) Modification to Chapter 30:

1. Delete paragraph 30.2.1.3 in its entirety and replace with the following new 30.2.1.3

30.2.1.3 Bathtub, Bathtub-Shower Combinations and Shower Grab Bars.

30.2.1.3.1 Where bathtubs, bathtub-shower combinations, or showers are present in apartments marketed as senior apartments or apartments designated as 55 or older communities, grab bars shall be provided in accordance with the provisions of 24.2.8.

30.2.1.3.2 In apartments not marketed as senior apartments or apartments designated as 55 or older communities sufficient structural supporting shall be installed so that bathtubs, bathtub-shower combinations, or showers are adaptable to meet the provisions of 24.2.8.

30.2.1.3.3 Where requested by a tenant, the apartment owner / management shall install grab bars in accordance with 24.2.8 at no cost to the tenant.

2. Delete item (2) of subsection 30.2.4.4 in its entirety and substitute in its place the following:

(2) "The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both of which are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair."

3. Add a new subparagraph 30.3.2.1.3 to read as follows:

30.3.2.1.3 "The provisions of 30.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage, and a minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete the words 'fuel fired' from Table 30.3.2.1.1

5. Delete subparagraph 30.3.4.5 in its entirety and substitute in its place the following:

30.3.4.5 "Approved single station or multiple station detectors continuously powered from the building's electrical system shall be installed in accordance with 9.6.2.10 in every living unit within the apartment building regardless of the number of stories or number of apartments. In addition, a 1½-hour emergency power supply source is required for the back-up power of the detector. When activated, the detector shall initiate an alarm that is audible in the sleeping rooms of that unit. This individual unit detector shall be in addition to any sprinkler system or other detection system that may be installed in the building."

6. Delete paragraph 30.3.6.2.3 in its entirety and substitute in its place the following:

30.3.6.2.3 "Doors that open onto exit access corridors shall be self-closing and self-latching, with a listed pneumatic closure or three heavy-duty spring-loaded hinges."

7. Delete subsection 30.7.1 in its entirety and substitute in its place the following:

30.7.1 **"Emergency Planning and Preparedness.** Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(aa) **Modifications to Chapter 31:**

1. Delete item (2) of subsection 31.2.4.4 in its entirety and substitute in its place the following:

(2) "The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both units are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair."

2. Add a new subparagraph 31.3.4.5.2.1 to read as follows:

31.3.4.5.2.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

3. Add a new subparagraph 31.3.4.5.4.1 to read as follows:

31.3.4.5.4.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

4. Delete subsection 31.7.1 in its entirety and substitute in its place the following:

31.7.1 **"Emergency Planning and Preparedness.** Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(bb) **Modifications to Chapter 32:**

Delete paragraph 32.1.1.1 in its entirety and substitute in its place the following:

32.1.1.1 **"General.** The requirements of this chapter shall apply to new buildings or portions thereof used as residential board and care occupancies (See 3.3.196.12* and 3.3.214* and their Annex A notes). This designation shall include, but may not be limited to, a personal care home or community living arrangement, as defined in [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.1.1 **Additions, Conversions, Modernizations, Renovations, and Construction Operations.** Additions shall be separated from any existing structure not conforming to the provisions of Chapter 32 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7) Doors in fire barriers shall normally be kept closed, however, doors shall be permitted to be held open if they meet the requirements of 7.2.1.8.2, and such doors shall be released upon activation of the building fire alarm system.

32.1.1.1.1.2. **Conversion.** For purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing residential or health care occupancy.

32.1.1.1.1.3 **Change of Occupancy.** A change from a licensed personal care home to an assisted living community or memory care unit shall be considered a change of occupancy or subclassification and would be required to meet the provisions of Chapter 35 for existing construction. Such changes in occupancy classification or subclassification are considered as proposed (new) buildings and shall be subject to the applicable administrative provisions of Section 103 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.1.4. **Renovations, Alterations, and Modernizations.** (See 4.6.7)

32.1.1.1.5. **Construction, Repair, and Improvement Operations.** (See 4.6.10)"

2. Delete paragraph 32.1.1.4 in its entirety and substitute in its place the following:

32.1.1.4 **"Personal Care Homes and Community Living Arrangements with Five or More Residents.** A personal care home or community living arrangement with five or more residents, as defined in 120-3 .3-.03 of the Rules and Regulations of the Safety Fire Commissioner, shall comply with the general provisions of 32.1 of this Chapter 32, and with the applicable provisions for residential board and care occupancies as defined in 3.3.196.12 of this *Code*. The provisions of Chapter 32 for large facilities are deemed to provide for the use of "defend in place" fire response strategies should self-preservation measures not be deemed successful.

32.1.1.4.1 **Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 of this *Code* shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of origin and reducing the need for total occupant evacuation except for the room of fire origin.

32.1.1.4.2 **Total Concept.** All new personal care homes, and community living arrangements with five or more residents shall be constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

32.1.1.4.2.1 Because the safety of personal care home residents or residents of a community living arrangement cannot be adequately ensured by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate trained staff (refer to 406.2.1 of the *International Fire Code* as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner); and development of operating and maintenance procedures composed of the following:

- (1) Design, construction, and compartmentation
- (2) Provision for detection, alarm, and extinguishment
- (3) Fire protection and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building."

3. Delete paragraph 32.1.1.5 in its entirety and substitute in its place the following:

32.1.1.5 "All new facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:

- (1) Section 32.1 - General Requirements.
- (2) Section 32.2 - Small Facilities (Sleeping accommodations for not more than six residents. (Includes Personal Care Homes and Community Living Arrangements for five or six residents)
- (3) Section 32.3 - Large Facilities (Sleeping accommodations for seven or more residents. This includes Personal Care Homes, as defined in section 120-3-3-.03 of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner. It also includes Community Living Arrangements with seven or more residents.)
- (4) Section 32.4 - Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.
- (5) Section 32.5 - Community Living Arrangement Facilities (small and large) (As defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner)
- (6) Section 32.7 Operating Features."

4. Delete subsection 32.1.2 in its entirety and substitute in its place the following:

32.1.2 "**Classification of Occupancy.** See 6.1.9 and provisions of this Chapter 32, and the applicable definitions in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

5. Delete subparagraph 32.2.1.1.1 in its entirety and substitute in its place the following:

32.2.1.1.1 "**Scope.** This section applies to a community living arrangement with 5 to 6 residents and to residential board and care occupancies, including a personal care home, providing sleeping accommodations for not more than 6 residents. Where there are sleeping accommodations for more than 6 residents of a residential board and care occupancy, including a personal care home or community living arrangement, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 32.3. The provisions of 32.5 also apply to community living arrangements. (Also see 3.3.196.12.)"

6. Add a new paragraph 32.2.1.5 to read as follows:

32.2.1.5 "**Classification of Hazards of Contents.** Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2."

7. Add a new subparagraph 32.2.3.2.6 to read as follows:

32.2.3.2.6 "Residential cooking appliances such as stoves (a maximum of four surface burners or cooking elements) and griddles shall be protected by a listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3, and shall not be required to have openings protected between food preparation areas and dining areas.

32.2.3.2.6.1 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The protection authorized by 32.2.3.5.5 is acceptable for purposes of this section, provided, however, exhaust hood shall still be required to be vented to the outside.

32.2.3.2.6.2 Subject to the approval of the authority having jurisdiction, no protection is required over residential cooking appliances such as grills and stoves in facilities which have a prompt evacuation capability and having a licensed capacity as determined by the Department of Human Resources of six or less residents."

8. Add new subparagraph 32.2.3.4.5.5 to read as follows:

32.2.3.4.5.5 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons."

9. Delete subparagraph 32.2.3.5.2 in its entirety and substitute in its place the following:

32.2.3.5.2 "* In conversions, sprinklers shall not be required in small board and care homes, including personal care homes and community living arrangements serving six or fewer residents when all occupants have the ability as a group to move reliably to a point of safety within three minutes.

32.2.3.5.2.1 Where the provisions of 32.2.3.5.2 are not met and maintained, the sprinkler protection requirement may be met through the installation of a sprinkler system complying with 32.2.3.5."

10. Add a new subsection 32.2.3.5.9 to read as follows:

32.2.3.5.9 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9."

11. Delete (1) of subparagraph 32.2.3.6.1 and substitute in its place the following:

(1) "The separation walls of sleeping rooms shall be capable of resisting fire for not less than 30 minutes, which is considered to be achieved if the partitioning is finished on both sides with materials such as, but not limited to, ½ inch thick gypsum board, wood lath and plaster, or metal lath and plaster. It shall be acceptable for corridor walls to terminate at a ceiling which is constructed similar to a corridor wall capable of resisting fire for not less than 30 minutes."

12. Add new subparagraph 32.2.5.2.4 to read as follows:

32.2.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements.

32.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction."

13. Delete subparagraph 32.3.1.1 in its entirety and substitute in its place the following:

32.3.1.1.1 "This section applies to residential board and care occupancies, including licensed personal care homes and community living arrangements with more than 6 residents, as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there are sleeping accommodations for six or less residents, or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 32.2.

14. Add a new Section 32.3.1.2 to read as follows:

32.3.1.2 "Assisted Living Communities and Memory Care Units.

32.3.1.2.1 This chapter shall not apply to any building, or portion thereof, newly constructed, or substantially renovated, as defined in O.C.G.A. [25-2-14\(d\)](#), so as to be designated and licensed by the Georgia Department of Community Health as an assisted living community or memory care unit, as defined in Section 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Refer to Chapter 34 or 35 for the applicable requirements for such facilities."

15. Delete 32.3.1.2 and insert a new 32.3.1.2 to read as follows:

32.3.1.2 Requirements Based on Evacuation Capability. Definitions for the classifications of evacuation capability are defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. For purposes of Section 32.3, large facilities are assumed to have an impractical evacuation capability.

16. Add a new item 8 to subparagraph 32.3.2.2.2 to read as follows:

(9) ": Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available/accessible to the staff."

17. Add a new subparagraph 32.3.2.6.1 to read as follows:

32.3.2.6.1 "Travel distance shall not exceed 35 feet (10.7 m) in any story below the level of exit discharge occupied for public purposes."

18. Add a new subparagraph 32.3.2.6.2 to read as follows:

32.3.2.6.2 "Travel distance shall not exceed 75 feet (22.9 m) in any story below the level of exit discharge not occupied for public purposes."

19. Add a new subparagraph 32.3.2.6.3 to read as follows:

32.3.2.6.3 "Any story below the level of exit discharge occupied for public purposes shall have at least two separate exits provided from each story with a maximum dead-end corridor of 20 feet (6.1 m). Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this *Code*."

20. Delete paragraph 32.3.2.9 in its entirety and substitute in its place the following:

32.3.2.9 "Emergency lighting in accordance with Section 7.9 of the *Code* shall be provided in means of egress and common areas in all residential board and care occupancies.

32.3.2.9.1 "Where each resident room has a direct exit to the outside of the building at ground level, no emergency lighting shall be required."

21. Add a new subparagraph 32.3.2.11.1 to read as follows:

32.3.2.11.1 "Every stairwell door shall allow reentry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power."

22. Add a new subparagraph 32.3.3.1.4 to read as follows:

32.3.3.1.4 "Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite."

23. Add a new subparagraph 32.3.3.2.4 to read as follows:

32.3.3.2.4 "The provisions of Table 32.3.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

24. Delete subparagraph 32.3.3.4.7 in its entirety and substitute in its place the following:

32.3.3.4.7 "**Smoke Alarms.** Each sleeping room shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10. Approved smoke alarms shall be powered by the building's electrical system and be provided with a 1½-hour emergency power source."

32.3.3.4.7.1 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired residents in personal care homes or Community Living Arrangements."

25. Delete subparagraph 32.3.3.4.8 in its entirety and substitute in its place the following:

32.3.3.4.8 "**Smoke Detection Systems.** All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure. (Refer to 3.3.264)

32.3.3.4.8.1 Detectors may be excluded from crawl spaces beneath the building and unused and unfinished attics.

32.3.3.4.8.2 Unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times."

26. Delete subparagraph 32.3.3.5.7 in its entirety and substitute in its place the following:

32.3.3.5.7 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9."

27. Delete subparagraph 32.3.3.6.6 in its entirety and substitute in its place the following:

32.3.3.6.6 "There shall be no louvers, transfer grilles, operable transoms, or other air passages penetrating such walls or doors other than properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

32.3.3.6.6.1 Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed."

28. Add a new subparagraph 32.3.5.2.4 to read as follows:

32.3.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

32.3.5.2.4.1 "In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

29. Delete section 32.5 in its entirety and substitute in its place the following:

32.5 "Community Living Arrangement Facilities.

32.5.1 **General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 32.5 shall prevail.

32.5.2 Address identification. Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

32.5.3 Means of Egress.

32.5.3.1 **Number of Means of Escape.** In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

32.5.3.1.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

32.5.3.1.2 **Exits for the mobility impaired.** A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents."

32.5.3.2 **Bedrooms.** Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in. 2 (0.84 m2) each in area and installed in approved frames.

32.5.3.2.1 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

32.5.3.2.2 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

32.5.3.2.3 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

32.5.3.2.4 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

32.5.3.2.5 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

32.5.3.3 Locks.

32.5.3.3.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

32.5.3.3.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

32.5.4 Detection and Alarm Systems

32.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

32.5.4.2 Smoke Detection.

32.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. § [25-2-40](#).

32.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

32.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.119 and 3.3.25.5.

32.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

32.5.4.3 Carbon Monoxide Detectors.

32.5.4.3.1 Carbon monoxide detectors shall be provided in accordance with 32.3.3.4.9.

32.5.5 Protection.

32.5.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

32.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

32.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a licensed fire safety technician annually in accordance with NFPA 10.

32.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

32.5.6 Heating, Ventilation and Air Conditioning.

32.5.6.1 Portable space heaters shall not be used.

32.5.6.2 **Fire screens and protective devices shall be used with fireplaces, stoves and fixed heaters.**

32.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

32.5.7 **Operating Features.**

32.5.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

32.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (Refer to Chapter 4 of the *International Fire Code* regarding care-giver minimum training requirements.)

32.5.7.2 **Evacuation Capabilities.** Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can successfully respond to a fire or other emergency using self-preservation or assisted preservation measures as defined by [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot successfully respond shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance to the affected resident at all times.

32.5.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the *International Fire Code* regarding fire and emergency evacuation drills.)

32.5.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each resident room. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape."

30. Delete subsections 32.7.1, 32.7.2, and 32.7.3 in their entirety and substitute in their place the following:

32.7.1 **"Emergency Planning and Preparedness.** Residential board and care facilities (Group I-1 and R-4 occupancies), including personal care homes and community living arrangements shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The specific provisions of 32.5.7 shall also apply to community living arrangements."

31. Delete subsection 32.7.4 in its entirety and substitute in its place the following:

32.7.4 **"Smoking.** Smoking regulations shall be adopted and shall include the following minimal provisions.

32.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with '**NO SMOKING**' signs.

32.7.4.2 Smoking by residents classified as not responsible shall be prohibited, Exception unless the resident is under direct supervision.

32.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

32.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted."

32. Add a new paragraph 33.7.5.4 to read as follows:

32.7.5.4 "Wastebaskets and other waste containers shall be of noncombustible or other approved materials."

(cc) **Modifications to Chapter 33:**

1. Delete paragraphs 33.1.4.1 and 33.1.4.2 in their entirety and substitute in their place the following:

33.1.4.1 "**General.** For definitions see Chapter 3, Definitions and [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner (RRSFC). Where there is a difference in definitions, the definitions in [120-3-3-.03](#) shall prevail.

33.1.4.2 **Special Definitions.**

(1) Broad and Care Occupancies, Residential. See RRSFC [120-3-3-.03](#).

(2) Community Living Arrangement. See RRSFC [120-3-3-.03](#)

(3) Evacuation Capability, Impractical. See RRSFC [120-3-3-.03](#).

(4) Evacuation Capability, Prompt. See RRSFC [120-3-3.03](#).

(5) Evacuation Capability, Slow. See RRSFC [120-3-3-.03](#).

(6) Personal Care. See RRSFC [120-3-3-.03](#).

(7) Personal Care Home. See RRSFC [120-3-3-.03](#).

(8) Self-preservation. See RRSFC [120-3-3-.03](#).

2. Add new subparagraphs 33.1.1.4.1 through 33.1.1.4.3 to read as follows:

33.1.1.4.1 "Community Living Arrangements for five to six residents shall comply with the requirements of Sections 33.2 and 33.5

33.1.1.4.2 Community Living Arrangements for seven or more residents shall comply with the requirements of Sections 33.3 and 33.5.

33.1.1.4.3 Refer to [120-3-3-.03](#) for the definition of a "Community Living Arrangement."

33.1.1.4.4 Existing large personal care homes with 25 or more residents desiring to be licensed as an Assisted Living Community or as a Memory Care Unit, both as defined in [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner, shall meet the requirements for a conversion to a large residential board and care occupancy and the applicable provisions for assisted living communities or memory care units as set forth by Chapter 35 of this Code. (Also defined in RRSFC [120-3-3-.03](#)) ."

3. Delete paragraph 33.1.1.5 in its entirety and substitute in its place the following:

33.1.1.5 "All existing facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:

(1) Section 33.1 - General Requirements.

(2) Section 33.2 - Small Facilities (sleeping accommodations for not more than six residents. Includes small personal care homes and community living arrangements.)

(3) Section 33.3 - Large Facilities (sleeping accommodations for seven or more residents. This includes existing "personal care homes" as defined in section 120-3-3-.03 of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, and not licensed as an "Assisted Living Community" or "Memory Care Unit")

(4) Section 33.4 - Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.

(5) Section 33.5 - Community Living Arrangement Facilities

(6) Section 33.7 - Operating Features."

4. Add a new subsection 33.1.9 to read as follows:

33.1.9 "**Classification of Hazards of Contents.** Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2."

5. Delete paragraph 33.2.1.1 in its entirety and substitute in its place the following:

33.2.1.1 "**Scope.** This section applies to residential board and care occupancies, including community living arrangements with 5 to 6 residents and personal care homes providing sleeping accommodations for not more than six residents. Where there are sleeping accommodations for more than six residents of a residential board and care occupancy or a community living arrangement more than 6, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 33.3."

6. Add a new paragraph 33.2.1.5 to read as follows:

33.2.1.5 "**Occupant Load.** The occupant load of small Residential Board and Care occupancies (personal care occupancies) or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor on the basis of the occupant load factors of Table 7.3.1.2. (Also see 3.3.22.2.1 for Gross Floor Area.)"

7. Add a new subparagraph 33.2.3.2.6 to read as follows:

33.2.3.2.6 "Residential cooking appliances such as stoves and griddles shall be protected by listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

33.2.3.2.6.1 "Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 33.2.3.5. The exhaust hood is still required to be vented to the outside.

33.2.3.2.6.2 "No protection is required over residential cooking appliances such as grills and stoves in facilities which have prompt evacuation capability and have a licensed capacity as determined by the Department of Community Health of six or less residents."

8. Add new subparagraph 33.2.3.4.3.1 to read as follows:

33.2.3.4.3.1 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons."

9. Add a new subparagraph 33.2.3.4.3.1 to read as follows:

33.2.3.4.3.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

10. Add new subparagraph 33.2.3.4.5 to read as follows:

33.2.3.4.5 "**Carbon Monoxide Detectors.** Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence."

11. Delete subparagraph 33.2.3.5.3.7 in its entirety and substitute in its place the following:

33.2.3.5.3.7 "**Impractical and Slow Evacuation Capability.** All slow and impractical evacuation capability facilities shall be protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 33.2.3.5.3."

12. Add new subparagraph 33.2.5.2.4 to read as follows:

33.2.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements."

33.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

13. Add a new subsection 33.2.6 to read as follows:

33.2.6 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies, personal care homes or community living arrangement facilities as follows."

33.2.6.1 Portable fire extinguishers in accordance with Section 9.9 of this *Code* shall be provided near hazardous areas. Also, at least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement, and they shall be readily accessible."

33.2.6.1.2 Required portable fire extinguishers shall be inspected and maintained at least annually by a licensed fire safety technician in accordance with NFPA 10."

33.6.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition."

14. Delete paragraph 33.3.1.1.1 in its entirety and substitute in its place the following:

33.3.1.1.1 "**Scope.** This section applies to residential board and care occupancies, including personal care homes and community living arrangements providing sleeping accommodations for 7 or more residents. Where there are sleeping accommodations for six or less residents or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 33.2."

15. Delete 33.3.1.2.2* in its entirety and substitute in its place the following:

33.3.1.2.2 "***Impractical.** Large facilities classified as impractical evacuation capability shall meet the requirements of 33.3 for impractical evacuation capability, or the requirements for new large facilities in Chapter 32, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4."

16. Add a new subsection 33.3.1.4 to read as follows:

33.3.1.4 **"Occupant Load.** The occupant load of small Residential Board and Care occupancies or Personal Care occupancies or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor as determined on the basis of the occupant load factors of Table 7.3.1.2. Gross floor area shall be measured within the exterior building walls with no deductions. (See 3.3.22.2.1)."

17. Add a new subparagraph 33.3.3.1.4 to read as follows:

33.3.3.1.4 "Enclosure of stairs, smoke proof towers and exit passageways in buildings existing prior to April 15, 1986, shall be fire barriers of at least 20-minute fire-resistance rating with all openings protected in accordance with paragraph 8.3.3 of this *Code* in buildings less than three stories in height. In buildings existing prior to April 15, 1986, more than three stories in height, the enclosure shall not be less than a 1-hour fire-resistance rating with all openings protected in accordance with paragraph 8.3.4.4 of this *Code*."

18. Add a new exception to subparagraph 33.3.2.2.2(10) to read as follows:

33.3.2.2.2(10) "Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available to and accessible by the staff."

19. Delete subparagraph 33.3.2.5.4 in its entirety and substitute in its place the following:

33.3.2.5.4 "No dead-end corridor shall exceed 35 feet (10.7 m)."

20. Delete subparagraph 33.3.2.6.3.3 in its entirety and substitute in its place the following:

33.3.2.6.3.3 "Travel distance to exits shall not exceed 150 feet (45.7 m) if the exit access and any portion of the building that is tributary to the exit access are protected throughout by approved automatic sprinkler systems. In addition, the portion of the building in which the 150 feet (45.7 m) travel distance is permitted shall be separated from the remainder of the building by construction having not less than a 1-hour fire-resistance rating for buildings not greater than three stories in height and 2-hour for buildings greater than three stories in height."

21. Add a new subparagraph 33.3.2.6.3.4 to read as follows:

33.3.2.6.3.4 "No residents shall be located on floors below the level of exit discharge.

33.3.2.6.3.4.1 In facilities existing prior to April 15, 1986, any floor below the level of exit discharge occupied for public purposes shall have exits arranged such that it will not be necessary to travel more than 100 feet (30.5 m) from the door of any room to reach the nearest exit."

22. Add a new subparagraph 33.3.2.6.4 to read as follows:

33.3.2.6.4 "Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this *Code*."

23. Add a new subparagraph 33.3.2.7.1 to read as follows:

33.3.2.7.1 "At least half of the required exit capacity of upper floors, exclusive of horizontal exits, shall lead directly to the street or through a yard, court, or passageway with protected openings and separated from all parts of the interior of the building."

24. Delete paragraph 33.3.2.9 in its entirety and substitute in its place the following:

33.3.2.9 **"Emergency Lighting.** Emergency lighting in accordance with Section 7.9 of the *Code* shall be provided in means of egress and common areas in all residential board and care occupancies.

33.3.2.9.1 Where each guestroom has a direct exit to the outside of the building at ground level, no emergency lighting shall be required."

25. Delete 33.3.2.11.1 and insert a new subparagraph 33.3.2.11.1 to read as follows:

33.3.2.11.1 "Every stairwell door shall allow re-entry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power."

26. Add a new subparagraph 33.3.2.11.3 to read as follows:

33.3.2.11.3 "Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite."

27. Add a new subparagraph 33.3.3.1.4 to read as follows:

33.3.3.1.4 "Any required exit stair which is so located such that it is necessary to pass through the lobby or other open space to reach the outside of the building shall be continuously enclosed down to the lobby level, or to a mezzanine within the lobby.

33.3.3.1.4.1 In existing two-story buildings only, the second floor level may be fire stopped with a fire barrier having at least a 1-hour fire-resistance rating. Vision panels not exceeding 1,296 square inches (8361 cu cm) and installed in steel frames shall be provided in the doors of the fire barrier."

28. Add two new subparagraphs 33.3.3.2.2.1 and 33.3.3.2.2.2 to read as follows:

33.3.3.2.2.1 "The provisions of 33.3.3.2.2 shall not apply to rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

33.3.3.2.2.2 The provisions of 33.3.3.2.2 shall not apply in existing residential board and care occupancies constructed prior to April 15, 1986, with regard to the location of the equipment only."

29. Delete section 33.3.3.8 to read as follows:

33.3.3.8.1 "A personal care home having a licensed capacity as determined by the Department of Community Health of 16 or less residents shall have residential cooking appliances such as stoves and griddles protected by a listed self-contained residential fire suppression system located in residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

33.3.3.8.2 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 or less residents may have food preparation facilities in accordance with NFPA 91, Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids, 1983 edition.

33.3.3.8.3 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 residents or less may have food preparation facilities which have a ventilating hood meeting the provisions of NFPA 54, *National Fuel Gas Code*, as specified in Chapters 120-3-14

and 120-3-16, of the Rules and Regulations of the Safety Fire Commissioner, and NFPA 91, *Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids*, as specified in Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner.

33.3.3.8.4 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The exhaust hood is still required to be vented to the outside."

30. Add a new subparagraph 33.3.3.4.7.1.1 to read as follows:

33.3.3.4.7.1.1 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons located in Community Living Arrangements."

31. Delete subparagraph 33.3.3.4.7.2 in its entirety and substitute in its place the following:

33.3.3.4.7.2 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

32. Delete subparagraph 33.3.3.4.8 in its entirety and substitute in its place the following:

33.3.3.4.8 "**Smoke Detection Systems.** All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure.

33.3.3.4.8.2 Smoke detection systems may be excluded from crawl spaces beneath the building and unused and unfinished attics.

33.3.3.4.8.3 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times."

33. Delete subparagraph 33.3.3.5.2 in its entirety and substitute in its place the following:

33.3.3.5.2 "Sprinkler installation may be omitted in bathrooms where the area does not exceed 55 square feet (5.1 sq. m) and the walls and ceilings, including behind fixtures, are of noncombustible or limited combustible materials providing a 15-minute thermal barrier or in clothes closets, linen closets, and pantries within the facility where the area of the space does not exceed 24 square feet (2.2 sq. m) and the least dimension does not exceed 3 feet (0.91 m) and the walls and ceilings are surfaced with noncombustible or limited combustible materials as defined by NFPA 220, *Standard on Types of Building Construction*, as specified in Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner."

34. Delete subparagraph 33.3.3.5.1.3 in its entirety and substitute in its place the following:

33.3.3.5.1.3 "Automatic sprinklers installed in accordance with NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, 1991 edition, as modified by Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, which were in effect shall be acceptable as a complying sprinkler system."

35. Add a new subparagraph 33.3.3.5.1.4 to read as follows:

33.3.3.5.1.4 "Automatic sprinkler systems installed in existing facilities prior to November 1, 1987, may be continued in use subject to the approval of the authority having jurisdiction as defined in paragraph 3.2.2 of the Code."

36. Add new subparagraph 33.3.3.4.9 to read as follows:

33.3.3.4.9 "**Carbon Monoxide Detectors.** Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence."

37. Delete subparagraph 33.3.3.5.7 in its entirety and substitute in its place the following:

33.3.3.5.7 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a community living arrangement facility in accordance with 9.9."

38. Delete subparagraph 33.3.3.6.1 and subparagraphs to 33.3.3.6.1 in their entirety and substitute in its place the following:

33.3.3.6.1 "Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 33.3.3.6.3 through 33.3.3.6.6.3."

39. Delete subparagraph 33.3.3.6.3 in its entirety and substitute in its place the following:

33.3.3.6.3 "Fire barriers required by 33.3.3.6.1 and 33.3.3.6.2 shall have a fire-resistance rating of not less than 30 minutes. Fixed fire window assemblies in accordance with 8.3.3 shall be permitted.

33.3.3.6.3.1 The provisions of 33.3.3.6.3 shall not apply where the resident room has a door providing direct exiting at grade or to an open air balcony leading to exiting at grade."

40. Delete subparagraph 33.3.3.6.4 in its entirety and substitute in its place the following:

33.3.3.6.4 "Doors in fire barriers required by 33.3.3.6.1 or 33.3.3.6.2 shall have a fire protection rating of not less than twenty (20) minutes and shall have positive latching.

33.3.3.6.4.1 Existing 1¼ inch (44.5 mm) thick, solid bonded wood core doors shall be permitted to continue to be used. These doors shall be positive latching.

33.3.3.6.4.2 Walls that are required only to resist the passage of smoke, without a fire-resistance rating, shall be permitted to have doors that resist the passage of smoke without a fire protection rating. These doors shall be positive latching.

33.3.3.6.4.3 In existing personal care occupancies existing prior to April 15, 1986, the doors shall be constructed to resist the passage of smoke and shall be at least equal in fire protection to a 1¼ inch (31.8 mm) thick solid bonded core wood door and shall have positive latching."

41. Delete subparagraph 33.3.3.6.5 in its entirety and substitute in its place the following:

33.3.3.6.5 "Walls and doors required by 33.3.3.6.1 and 33.3.3.6.2 shall be constructed to resist the passage of fire and smoke for not less than 30 minutes. There shall be no louvers, transfer grilles, operable transoms, or other air passages penetrating such walls or doors except properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

33.3.3.6.5.1 "Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed."

42. Add new subparagraph 33.3.5.2.4 to read as follows:

33.3.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

33.3.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

43. Delete subsection 33.5 in its entirety and substitute in its place the following:

33.5 "Community Living Arrangement Facilities.

33.5.1 **General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 33.5 shall prevail.

33.5.2 **Address identification.** Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

33.5.3 Means of Egress.

33.5.3.1 A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents.

33.5.3.2 Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in. 2 (0.84 m2) each in area and installed in approved frames.

33.5.3.3 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

33.5.3.4 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

33.5.3.5 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

33.5.3.6 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

33.5.3.7 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

33.5.3.8 Locks.

33.5.3.8.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

33.5.3.8.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

33.5.3.9 Number of Means of Escape. In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

33.5.3.9.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

33.5.4 Detection and Alarm Systems

33.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be installed.

33.5.4.2 Smoke Detection.

33.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. § [25-2-40](#).

33.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

33.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5.

33.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

33.5.4.3 Carbon Monoxide Detectors.

33.5.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

33.5.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel-burning fireplace is installed the residence

33.5.5 Protection.

33.5.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

33.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

33.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a state licensed or permitted fire extinguisher technician annually in accordance with NFPA 10, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

33.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

33.5.6 Heating, Ventilation and Air Conditioning.

33.5.6.1 Space heaters shall not be used.

33.5.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and heaters.

33.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

33.5.7 Operating Features.

33.5.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

33.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.2 Evacuation Capabilities. Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet a prompt evacuation capability classification shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

33.5.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape."

44. Delete subsections 33.7.1, 33.7.2, and 33.7.3 in their entirety and substitute in their place the following:

33.7.1 **"Emergency Planning and Preparedness.** Residential board and care facilities (Group II and R-4 occupancies), including community living arrangements and personal care homes, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

45. Delete subsection 33.7.4 in its entirety and substitute in their place the following:

33.7.4 **"Smoking.** Smoking regulations shall be adopted and shall include the following minimal provisions.

33.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with **"NO SMOKING"** signs.

33.7.4.2 Smoking by residents classified as not responsible shall be prohibited.

33.7.4.2.1 Smoking is permitted by residents classified as not responsible when under direct supervision.

33.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

33.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted."

46. Add a new paragraph 33.7.5.4 to read as follows:

33.7.5.4 **"Waste Containers.** Wastebaskets and other waste containers shall be of noncombustible or other approved materials."

(dd) **Modifications to reserved Chapter 34.**

1. Insert a new Chapter 34 to read as follows:

"Chapter 34 New Assisted Living Community Occupancies

34.1 General Requirements.

34.1.1 Application.

34.1.1.1 General.

34.1.1.1.1 The requirements of this chapter shall apply to new buildings or portions thereof used as assisted living community occupancies. New buildings or portions thereof used as assisted living community occupancies shall be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 18 of this *Code* in lieu of this chapter. (See 1.3.1).

34.1.1.1.2 **Administration.** The provisions of Chapter 1, Administration, shall apply.

34.1.1.1.3 **General.** The provisions of Chapter 4, General, shall apply.

34.1.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 32 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

34.1.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this *Code* that would otherwise require means of egress to be kept unlocked.

34.1.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

34.1.1.2 ***Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

34.1.1.3 Total Concept.

34.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

34.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

(1) Design, construction, and compartmentation

(2) Provision for detection, alarm, and extinguishment

(3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building

34.1.1.4 Additions, Conversions, Modernization, Renovation, and Construction Operations.

34.1.1.4.1 Additions.

34.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 34 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

34.1.1.4.1.2 Doors in barriers required by 34.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 34.1.1.4.1.3.

34.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 34.2.2.4.

34.1.1.4.2 **Conversion.** For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing health care occupancy to an assisted living community occupancy.

34.1.1.4.3 **Changes of Occupancy.** A change from a personal care home to an assisted living community occupancy shall be considered a change in occupancy or occupancy sub-classification and would be required to meet the provisions of this Chapter for new construction.

34.1.1.4.4 **Renovations, Alterations, and Modernizations.** See 4.6.7.

34.1.1.4.5 **Construction, Repair, and Improvement Operations.** See 4.6.10.

34.1.2 **Classification of Occupancy.** See [120-3-3.03\(4\), \(14\)](#), and 34.1.4.2.

34.1.3 Multiple Occupancies.

34.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 34.1.3.2.

34.1.3.2 *Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:

(1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.

(2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

34.1.3.3 The requirement of 34.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 34.4. In such facilities, any safeguards required by Section 34.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 34.4.

34.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non-health care occupancy, unless the assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.

34.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 34.2.

34.1.3.6 Non-residential-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

34.1.4 Definitions.

34.1.4.1 **General.** For definitions, see Chapter 3, Definitions.

34.1.4.2 **Special Definitions.** A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See [120-3-3-.03\(4\)](#).

(2) Assisted self-preservation. See [120-3-3-.03\(5\)](#)

(3) Evacuation Capability, Impractical. See [120-3-3-.03\(7\)](#).

(4) Evacuation Capability, Prompt. See [120-3-3-.03\(8\)](#).

(5) Evacuation Capability, Slow. See [120-3-3-.03\(9\)](#).

(6) Personal Care Home. See [120-3-3-.03\(21\)](#).

(7) Point of Safety. See 3.3.211 of this Code.

(8) Thermal Barrier. See 3.3.31.3 of this Code.

34.1.5 **Classification of Hazard of Contents.** The classification of hazard of contents shall be as defined in Section 6.2.

34.1.6 **Minimum Construction Requirements.** Assisted living community facilities shall be limited to the building construction types specified in Table 34.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.

Table 34.1.6

Table 34.1.6	Number of Stories - See Note b					
Construction Type	Sprinklered See Note a	1	2	3	4-12	12
Type I(442) a c d	YES	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type I(332) a c d	YES	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(222) a c d	YES	X	X	X	X	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(111) a c d	YES	X	X	X	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(000) a	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(211) a	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(200) a	YES	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type IV(2HH) a	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(111) a	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.

Table 34.1.6	Number of Stories - <i>See Note b</i>					
Type V(000) <i>a</i>	YES	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.

X = Permitted if sprinklered as required by 32.3.3.5.

NP = Not permitted.

a Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout. (See requirements of 34.3.5).

b See requirements of 4.6.3.

c See requirements of 34.1.6.2.1.

d See requirements of 34.1.6.2.2.

34.1.6.1 ***Fire Resistance-Rated Assemblies.** Fire resistance-rated assemblies shall comply with Section 8.3.

34.1.6.2 Construction Type Limitations.

34.1.6.2.1 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, *Standard Test Methods for Fire Tests of Roof Coverings*, or ANSI/UL 790, *Test Methods for Fire Tests of Roof Coverings*.

(2) The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.

(3) The structural elements supporting the 2-hour fire resistance-rated floor assembly specified in 34.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

34.1.6.2.2 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, *Standard Test Methods for Fire Tests of Roof Coverings*, or ANSI/UL 790, *Test Methods for Fire Tests of Roof Coverings*.

(2) The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, *Standard on Types of Building Construction*.

(3) The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.

34.1.6.2.3 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

(1) Such levels are under the control of the assisted living community facility.

(2) Any hazardous spaces are protected in accordance with Section 8.7.

34.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

34.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

34.1.6.5 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

34.1.6.6 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

34.1.7 **Occupant Load.** The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

34.2 Means of Egress Requirements.

34.2.1 General.

34.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

34.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

34.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 34.7.3.

34.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

34.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this *Code* for assisted living community occupancies, unless otherwise permitted by 34.2.1.6.

34.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this *Code* shall be permitted, provided that the occupancy does not contain high hazard contents.

34.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this *Code* for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

34.2.2 Means of Egress Components.

34.2.2.1 **Components Permitted.** Components of means of egress shall be limited to the types described in 34.2.2.2 through 34.2.2.10.

34.2.2.2 **Doors.** Doors in means of egress shall meet all of the following criteria:

(1) Doors complying with 7.2.1 shall be permitted.

(2) Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.

(3) No door in any means of egress, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

34.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

34.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

34.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 34.2.2.2.4.

34.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 34.2.2.2.3 shall comply with both of the following:

(1) Provisions shall be made for the rapid removal of occupants by means of one of the following:

(a) Remote control of locks from within the locked smoke compartment

(b) Keying of all locks to keys carried by staff at all times

(c) Other such reliable means available to the staff at all times

(2) Only one locking device shall be permitted on each door.

34.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 34, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

34.2.2.2.6 Only one such locking device, as described in 34.2.2.2.5, shall be permitted on each door.

34.2.2.3 **Stairs.** Stairs complying with 7.2.2 shall be permitted.

34.2.2.4 **Smokeproof Enclosures.** Smokeproof enclosures complying with 7.2.3 shall be permitted.

34.2.2.5 **Horizontal Exits.** Horizontal exits complying with 7.2.4 shall be permitted.

34.2.2.6 **Ramps.** Ramps complying with 7.2.5 shall be permitted.

34.2.2.7 **Exit Passageways.** Exit passageways complying with 7.2.6 shall be permitted.

34.2.2.8 **Fire Escape Ladders.** Fire escape ladders complying with 7.2.9 shall be permitted.

34.2.2.9 **Alternating Tread Devices.** Alternating tread devices complying with 7.2.11 shall be permitted.

34.2.2.10 **Areas of Refuge.** Areas of refuge complying with 7.2.12 shall be permitted.

34.2.3 **Capacity of Means of Egress.**

34.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

34.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.

34.2.3.3 The width of corridors shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).

34.2.4 Number of Means of Egress.

34.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 34.2.4.2:

- (1) The number of means of egress shall be in accordance with Section 7.4.
- (2) Not less than two separate exits shall be provided on every story.
- (3) Not less than two separate exits shall be accessible from every part of every story.

34.2.4.2 Exit access, as required by 34.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 34.2.5.2.

34.2.5 Arrangement of Means of Egress.

34.2.5.1 **General.** Access to all required exits shall be in accordance with Section 7.5.

34.2.5.2 **Dead-end Corridors.** Dead-end corridors shall not exceed 30 ft. (9.1 m).

34.2.5.3 **Common Path.** Common paths of travel shall not exceed 75 ft. (23 m).

34.2.5.4 **Reserved.**

34.2.6 Travel Distance to Exits.

34.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 34.2.6.3.1 or 34.2.6.3.2.

34.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 150ft. (45.72m).

34.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

34.2.7 **Discharge from Exits.** Exit discharge shall comply with Section 7.7.

34.2.8 **Illumination of Means of Egress.** Means of egress shall be illuminated in accordance with Section 7.8.

34.2.9 **Emergency Lighting.** Emergency lighting in accordance with Section 7.9 shall be provided.

34.2.10 **Marking of Means of Egress.** Means of egress shall be marked in accordance with Section 7.10.

34.2.11 Special Means of Egress Features.

34.2.11.1 **Reserved.**

34.2.11.2 **Lockups.** Lockups in residential assisted living community occupancies shall comply with the requirements of 22.4.5.

34.3 **Protection.**

34.3.1 **Protection of Vertical Openings.**

34.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.

34.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.

34.3.1.3 No floor below the level of exit discharge used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

34.3.2 **Protection from Hazards.**

34.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.

34.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:

- (1) Boiler and heater rooms
- (2) Laundries
- (3) Repair shops
- (4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.

34.3.3 **Interior Finish.**

34.3.3.1 **General.** Interior finish shall be in accordance with Section 10.2.

34.3.3.2 **Interior Wall and Ceiling Finish.** Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:

- (1) Exit enclosures - Class A
- (2) Lobbies and corridors - Class B
- (3) Rooms and enclosed spaces - Class B

34.3.3.3 **Interior Floor Finish.**

34.3.3.3.1 Interior floor finish shall comply with Section 10.2.

34.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 34.3.6 shall be not less than Class II.

34.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

34.3.4 **Detection, Alarm, and Communications Systems.**

34.3.4.1 **General.** A fire alarm system shall be provided in accordance with Section 9.6.

34.3.4.2 **Initiation.** The required fire alarm system shall be initiated by each of the following:

(1) Manual means in accordance with 9.6.2

(2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees

(3) Required automatic sprinkler system

(4) Required detection system

34.3.4.3 **Annunciator Panel.** An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

34.3.4.4 **Notification.**

34.3.4.4.1 **Occupant Notification.** Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

34.3.4.4.2 **High-Rise Buildings.** High-rise buildings shall be provided with an approved emergency voice communication/alarm system in accordance with 11.8.4.

34.3.4.5 ***Emergency Forces Notification.** Fire department notification shall be accomplished in accordance with 9.6.4.

34.3.4.6 **Detection.**

34.3.4.6.1 **Smoke Alarms.** Approved smoke alarms shall be installed in accordance with 9.6.2.10 inside every sleeping room, outside every sleeping area in the immediate vicinity of the bedrooms, and on all levels within a resident unit.

34.3.4.7 **Smoke Detection Systems.**

34.3.4.7.1 Corridors, spaces open to the corridors, and other spaces outside every sleeping area in the immediate vicinity of the bedrooms other than those meeting the requirement of 34.3.4.7.2, shall be provided with smoke detectors that comply with NFPA 72, *National Fire Alarm and Signaling Code*, and are arranged to initiate an alarm that is audible in all sleeping areas.

34.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

34.3.5 **Extinguishment Requirements.**

34.3.5.1 **General.** All buildings shall be protected throughout by an approved automatic sprinkler system installed in accordance with 9.7.1.1(1) and provided with quick-response or residential sprinklers throughout.

34.3.5.5 **Supervision.** Automatic sprinkler systems shall be provided with electrical supervision in accordance with 9.7.2.

34.3.5.7 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in accordance with 9.9.

34.3.6 **Corridors and Separation of Sleeping Rooms.**

34.3.6.1 Access shall be provided from every resident use area to at least one means of egress that is separated from all sleeping rooms by walls complying with 34.3.6.3 through 34.3.6.6.

34.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, and kitchens by walls complying with 34.3.6.2 through 34.3.6.6.

34.3.6.2 Walls required by 34.3.6.1 or 34.3.6.1.1 shall be smoke partitions in accordance with Section 8.4 having a minimum 1/2-hour fire resistance rating.

34.3.6.3.5 Hazardous areas shall be separated from corridors in accordance with 34.3.2.

34.3.6.4 Doors protecting corridor openings other than from resident sleeping rooms and hazardous areas shall not be required to have a fire protection rating, but shall be constructed to resist the passage of smoke.

34.3.6.4.1 Doors protecting resident sleeping rooms shall have a minimum 20-minute fire protection rating.

34.3.6.5 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

34.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

34.3.7 **Subdivision of Building Spaces.** Buildings shall be subdivided by smoke barriers in accordance with 34.3.7.1 through 34.3.7.21.

34.3.7.1 Every story shall be divided into not less than two smoke compartments, unless it meets the requirement of 34.3.7.4, 34.3.7.5, 34.3.7.6, or 34.3.7.7.

34.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft² (2100 m²).

34.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

34.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

34.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

34.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

34.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

34.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 34.3.5.

34.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 34.3.7.9 or 34.3.7.10.

34.3.7.9 Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

34.3.7.10 Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

34.3.7.11 Not less than 15 net ft² (1.4 net m²) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

34.3.7.12 On stories not housing residents, not less than 6 net ft² (0.56 net m²) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

34.3.7.13 Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid- bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.

34.3.7.14 Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

34.3.7.15 Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

34.3.7.16 Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

34.3.7.17 Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

34.3.7.18 Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

34.3.7.19 Rabbets, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

34.3.7.20 Positive latching hardware shall not be required.

34.3.7.21 Center mullions shall be prohibited.

34.3.8 ***Cooking Facilities.** Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

34.3.9 **Standpipes.**

34.3.9.1 **General.** Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

34.3.9.2 **In High-Rise Buildings.** Class I standpipe systems shall be installed throughout all high-rise buildings.

34.3.9.3 **Roof Outlets.** Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

34.4 **Special Provisions.**

34.4.1 **High-Rise Buildings.** High-rise buildings shall comply with Section 11.8.

34.5 *Suitability of an Apartment Building to House an Assisted living community Occupancy.

34.5.1 General.

34.5.1.1 Scope.

34.5.1.1.1 Section 34.5 shall apply to apartment buildings that have one or more individual apartments used as an assisted living community occupancy. (See 34.1.3.2.)

34.5.1.1.2 The provisions of Section 34.5 shall be used to determine the suitability of apartment buildings, other than those complying with 34.5.1.1.4, to house an assisted living community facility.

34.5.1.1.3 The suitability of apartment buildings not used for assisted living community occupancies shall be determined in accordance with Chapter 30.

34.5.1.1.4 When a new assisted living community occupancy is created in an existing apartment building, the suitability of such a building for apartments not used for assisted living community occupancies shall be determined in accordance with Chapter 31.

34.5.1.2 Requirements for Individual Apartments. Requirements for individual apartments used as residential assisted living community occupancies shall be as specified in Section 34.2. Egress from the apartment into the common building corridor shall be considered acceptable egress from the assisted living community facility.

34.5.1.3 *Additional Requirements. Apartment buildings housing assisted living community facilities shall comply with the requirements of Chapter 30 and the additional requirements of Section 34.5, unless the authority having jurisdiction has determined that equivalent safety for housing an assisted living community facility is provided in accordance with Section 1.4.

34.5.1.4 Minimum Construction Requirements.

34.5.1.4.1 In addition to the requirements of Chapter 30, apartment buildings, other than those complying with 34.5.1.4.2, housing assisted living community facilities shall meet the construction requirements of 34.1.3.

34.5.1.4.2 When a new assisted living community occupancy is created in an existing apartment building, the construction requirements of 19.1.6 shall apply.

34.5.2 Means of Egress.

34.5.2.1 The requirements of Section 30.2 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.2.2.

34.5.2.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of Section 31.2 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

34.5.3 Protection.

34.5.3.1 Interior Finish.

34.5.3.1.1 The requirements of 30.3.3 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.3.1.2.

34.4.3.1.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.3 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

34.5.3.2 Construction of Corridor Walls.

34.5.3.2.1 The requirements of 30.3.6 shall apply only to corridors serving the assisted living community facility, including that portion of the corridor wall separating the assisted living community facility from the common corridor, as modified by 34.5.3.2.2.

34.5.3.2.2 If a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.6 shall apply to the corridor serving the residential assisted living community facility.

34.5.3.3 Subdivision of Building Spaces. (Reserved)

34.6 Building Services.

34.6.1 **Utilities.** Utilities shall comply with Section 9.1.

34.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

34.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.

34.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

34.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

34.6.3.2 *In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

34.6.4 Rubbish Chutes, Incinerators, and Laundry Chutes. Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

34.7 Operating Features.

34.7.1 **Emergency Planning and Preparedness.** Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 34.7 shall be incorporated into the plans, training and safety practices developed by the facility."

34.7.2 Emergency Plan.

34.7.2.1 The administration of every assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

34.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

34.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

34.7.2.4 A copy of the plan shall be readily available at all times within the facility.

34.7.3 Resident Training.

34.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

34.7.3.2 The training required by 34.7.3.1 shall include actions to be taken if the primary escape route is blocked.

34.7.3.3 If a resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

34.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.

34.7.4 **Emergency Egress and Relocation Drills.** Emergency egress and relocation drills shall be conducted in accordance with 34.7.4.1 through 34.7.4.6.

34.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels.

34.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

34.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by the *Code*.

34.7.4.3.1. The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

34.7.4.3.2. Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

34.7.4.3.3. Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

34.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this *Code* for assisted living community facilities.

34.7.4.5 Actual exiting from windows shall not be required to comply with 34.7.4; opening the window and signaling for help shall be an acceptable alternative.

34.7.4.6 Residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill. Section 18.7 shall apply in such instances.

34.7.5 **Smoking.**

34.7.5.1 *Smoking regulations shall be adopted by the administration of assisted living community occupancies.

34.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

34.7.6 ***Furnishings, Mattresses, and Decorations.**

34.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 34.7.6.1.1 and 34.7.6.1.2.

34.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 34.7.6.1.2.

34.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 34.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 34.2.3.5.

34.7.6.2 ***New upholstered furniture** within assisted living community facilities shall comply with 34.7.6.2.1 or 34.7.6.2.2.

34.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.

34.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

34.7.6.3 ***Newly introduced mattresses** within assisted living community facilities shall comply with 34.7.5.3.1 or 34.7.5.3.2.

34.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

34.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

34.7.7 **Staff.** Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

34.7.8 **Inspection of Door Openings.** Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15."

(ee) **Modifications to Chapter 35:**

1. Insert a new Chapter 35 to read as follows:

"Chapter 35 Existing Assisted Living Community Occupancies

35.1 General Requirements.

35.1.1 *Application.

35.1.1.1 General.

35.1.1.1.1 The requirements of this chapter shall apply to existing buildings or portions thereof used as assisted living community occupancies or with limited applicability for a conversion as further specific specified in Section 35.1.1.4.3 entitled Change of Occupancy.

35.1.1.1.2 **Administration.** The provisions of Chapter 1, Administration, shall apply.

35.1.1.1.3 **General.** The provisions of Chapter 4, General, shall apply.

35.1.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 33 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

35.1.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this *Code* that would otherwise require means of egress to be kept unlocked.

35.1.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

35.1.1.2 ***Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

35.1.1.3 **Total Concept.**

35.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

35.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

- (1) Design, construction, and compartmentation.
- (2) Provision for detection, alarm, and extinguishment.
- (3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building.

35.1.1.4 Additions, Conversions, Modernization, Renovation, and Construction Operations.

35.1.1.4.1 **Additions.**

35.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 35 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

35.1.1.4.1.2 Doors in barriers required by 35.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 35.1.1.4.1.3.

35.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 35.2.2.4.

35.1.1.6 **Conversion.** For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing personal care home occupancy or health care occupancy to an assisted living community occupancy.

35.1.1.4.3 **Changes of Occupancy.** A change from a personal care home, assisted living, or assisted living facility to an assisted living community occupancy shall be considered a change in occupancy or occupancy sub-classification. The requirements of this chapter shall be limited to only apply to a change of occupancy to an assisted living community from an existing personal care home, assisted living, or assisted living facility first occupied as

such with a certificate of occupancy issued prior to March 31, 2013. Such facility may be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 19 of this *Code* in lieu of this chapter.

35.1.1.4.3.1 An existing personal care home, assisted living, or assisted living facility with a certificate of occupancy dated after March 31, 2013, that is applying for a change of occupancy to an assisted living community or any other change of occupancy classification, sub-classification, shall meet the provisions of Chapter 34 New Assisted Living Community Occupancies.

35.1.1.4.4 **Renovations, Alterations, and Modernizations.** See 4.6.7.

35.1.1.4.5 **Construction, Repair, and Improvement Operations.** See 4.6.10.

35.1.2 **Classification of Occupancy.** See [120-3-3.03\(4\), \(14\)](#), and 35.1.4.2.

35.1.3 **Multiple Occupancies.**

35.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 35.1.3.2.

35.1.3.2 *Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:

(1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.

(2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

35.1.3.3 The requirement of 35.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 35.4. In such facilities, any safeguards required by Section 35.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 35.4.

35.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non-health care occupancy, unless one following conditions is met:

(1) The assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.

(2) The assisted living community occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 and is separated therefrom by construction having a minimum 1-hour fire resistance rating.

35.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 35.3.2.

35.1.3.6 Non-residential-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

35.1.4 **Definitions.**

35.1.4.1 **General.** For definitions, see Chapter 3, Definitions.

35.1.4.2 **Special Definitions.** A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See [120-3-3-.03\(4\)](#).

- (2) Assisted self-preservation. See [120-3-3-.03\(5\)](#)
- (2) Evacuation Capability, Impractical. See [120-3-3-.03\(7\)](#).
- (3) Evacuation Capability, Prompt. See [120-3-3-.03\(8\)](#).
- (4) Evacuation Capability, Slow. See [120-3-3-.03\(9\)](#).
- (5) Personal Care Home. See [120-3-3-.03\(21\)](#).
- (6) Point of Safety. See 3.3.211 of this *Code*.
- (7) Thermal Barrier. See 3.3.31.3 of this *Code*.

35.1.5 Classification of Hazard of Contents. The classification of hazard of contents shall be as defined in Section 6.2.

35.1.6 Minimum Construction Requirements. Assisted living community facilities shall be limited to the building construction types specified in Table 35.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.

Table 35.1.6

Table 35.1.6	Number of Stories - See Note b						
Construction Type	Sprinkled See Note a	1	2	3	4	5-6	>6-12
Type I(442) c d	YES	X	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type I(332) c d	YES	X	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(222) c d	YES	N.P.	X	X	X	X	X
	NO		N.P.	N.P.	N.P.	N.P.	N.P.
Type II(111) c d	YES	X	X	X ^e	X ^e	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(000) a	YES	X	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(211) a	YES	X	X	X ^e	X ^e	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(200) a	YES	X	N.P.	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type IV(2HH) a	YES	X	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(111) See note a or e	YES	X ^a	X ^a	X ^e	X ^e	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(000)a	YES	X ^a	N.P.	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.

X = Permitted if sprinklered as required by 33.3.3.5 unless otherwise noted.

NP = Not permitted.

a Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 35.3.5, and the interior walls are covered with lath and plaster or materials providing a 15-minute thermal barrier. (See requirements of 35.3.5).

b See requirements of 4.6.3.

c See requirements of 35.1.6.2.1.

d See requirements of 35.1.6.2.2.

e See requirements of 35.1.6.5.

35.1.6.1 ***Fire Resistance-Rated Assemblies.** Fire resistance-rated assemblies shall comply with Section 8.3.

35.1.6.2 **Construction Type Limitations.**

35.1.6.2.1 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings.

(2) The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.

(3) The structural elements supporting the 2-hour fire resistance-rated floor assembly specified in 35.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

35.1.6.2.2 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings.

(2) The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, Standard on Types of Building Construction.

(3) The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.

35.1.6.2.3 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

(1) Such levels are under the control of the assisted living community facility.

(2) Any hazardous spaces are protected in accordance with Section 8.7.

35.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

35.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

35.1.6.5 Any existing building of Type II(111), Type III(211), or Type V(111) construction shall be permitted however, occupants requiring assistance with evacuation from others shall be limited to occupancy on the first and second stories), unless one of the following criteria is met:

- (1) A horizontal exit in combination with a smoke barrier is provided on the third and fourth floor; or,
- (2) The building is protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout.

35.1.6.6 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

35.1.6.7 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

35.1.6.8 *Changes in Group Evacuation Capability. A change in evacuation capability to a slower level shall be permitted where the facility conforms to one of the following requirements:

- (1) The requirements of Chapter 34 applicable to new assisted living community facilities.
- (2) The requirements of Chapter 35 applicable to existing assisted living community facilities for the new evacuation capability, provided that the building is protected throughout by an approved, supervised automatic sprinkler system complying with 35.5 or an increase in staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

35.1.6.9 Requirements Based on Evacuation Capability.

35.1.6.9.1 **Prompt and Slow.** Facilities classified as prompt or slow evacuation capability, other than those meeting the requirement of 35.1.6.9.1.1 or 35.1.6.9.1.2, shall comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.1.1 *Facilities where the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.1.2 Facilities that were previously approved as complying with 35.1.6.9.2 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.2 **Impractical.** Facilities classified as impractical evacuation capability shall meet the requirements of Section 35 for impractical evacuation capability, or the requirements for limited care facilities in Chapter 19, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4.

35.1.6.9.3 Evacuation Capability Determination.

35.1.6.9.3.1 Facility management shall furnish to the authority having jurisdiction, upon request, an evacuation capability determination using a procedure acceptable to the authority having jurisdiction.

35.1.6.9.3.2 Where the documentation required by 35.1.6.9.3.1 is not furnished, the evacuation capability shall be classified as impractical.

35.1.7 **Occupant Load.** The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

35.2 Means of Egress Requirements.

35.2.1 General.

35.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

35.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

35.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 35.7.3.

35.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

35.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this *Code* for assisted living community occupancies, unless otherwise permitted by 35.2.1.6.

35.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this *Code* shall be permitted, provided that the occupancy does not contain high hazard contents.

35.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this *Code* for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

35.2.2 Means of Egress Components.

35.2.2.1 **Components Permitted.** Components of means of egress shall be limited to the types described in 35.2.2.2 through 35.2.2.10.

35.2.2.2 **Doors.** Doors in means of egress shall meet all of the following criteria:

(1) Doors complying with 7.2.1 shall be permitted.

(2) Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.

(3) No door in any means of egress, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

35.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

35.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

35.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 35.2.2.2.4.

35.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 35.2.2.2.3 shall comply with both of the following:

(1) Provisions shall be made for the rapid removal of occupants by means of one of the following:

(a) Remote control of locks from within the locked smoke compartment

- (b) Keying of all locks to keys carried by staff at all times
 - (c) Other such reliable means available to the staff at all times
- (2) Only one locking device shall be permitted on each door.

35.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 35, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

35.2.2.2.6 Only one such locking device, as described in 35.2.2.2.5, shall be permitted on each door.

35.2.2.3 **Stairs.** Stairs complying with 7.2.2 shall be permitted.

35.2.2.4 **Smokeproof Enclosures.** Smokeproof enclosures complying with 7.2.3 shall be permitted.

35.2.2.5 **Horizontal Exits.** Horizontal exits complying with 7.2.4 shall be permitted.

35.2.2.6 **Ramps.** Ramps complying with 7.2.5 shall be permitted.

35.2.2.7 **Exit Passageways.** Exit passageways complying with 7.2.6 shall be permitted.

35.2.2.8 **Fire Escape Ladders.** Fire escape ladders complying with 7.2.9 shall be permitted.

35.2.2.9 **Alternating Tread Devices.** Alternating tread devices complying with 7.2.11 shall be permitted.

35.2.2.10 **Areas of Refuge.** Areas of refuge complying with 7.2.12 shall be permitted.

35.2.3 **Capacity of Means of Egress.**

35.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

35.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.

35.2.3.3 The width of corridors serving an occupant load of 50 or more in facilities having prompt or slow evacuation capability, and all facilities having impractical evacuation capability, shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).

35.2.3.4 The width of corridors serving an occupant load of less than 50 in facilities having prompt or slow evacuation capability shall be not less than 44 in. (1120 mm).

35.2.4 **Number of Means of Egress.**

35.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 35.2.4.2:

- (1) The number of means of egress shall be in accordance with 7.4.1.1 and 7.4.1.3 through 7.4.1.5.
- (2) Not less than two separate exits shall be provided on every story.
- (3) Not less than two separate exits shall be accessible from every part of every story.

35.2.4.2 Exit access, as required by 35.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 35.2.5.2 and 35.2.5.3.

35.2.5 Arrangement of Means of Egress.

35.2.5.1 General. Access to all required exits shall be in accordance with Section 7.5.

35.2.5.2 Dead-end Corridors. Dead-end corridors shall not exceed 35 ft. (15 m).

35.2.5.3 Common Path. Common paths of travel shall not exceed 110 ft. (35.5 m).

35.2.5.4 Reserved.

35.2.6 Travel Distance to Exits.

35.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 35.2.6.3.1 or 35.2.6.3.2

35.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 200 ft. (61 m).

35.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

35.2.7 Discharge from Exits. Exit discharge shall comply with Section 7.7.

35.2.8 Illumination of Means of Egress. Means of egress shall be illuminated in accordance with Section 7.8.

35.2.9 Emergency Lighting. Emergency lighting in accordance with Section 7.9 shall be provided.

35.2.10 Marking of Means of Egress. Means of egress shall be marked in accordance with Section 7.10

35.2.11 Special Means of Egress Features.

35.2.11.1 Reserved.

35.2.11.2 Lockups. Lockups in residential assisted living community occupancies shall comply with the requirements of 23.4.5.

35.3 Protection.

35.3.1 Protection of Vertical Openings.

35.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.

35.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.

35.3.1.3 No floor below the level of exit discharge and used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

35.3.2 Protection from Hazards.

35.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.

35.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:

- (1) Boiler and heater rooms
- (2) Laundries
- (3) Repair shops
- (4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.

35.3.3 Interior Finish.

35.3.3.1 **General.** Interior finish shall be in accordance with Section 10.2.

35.3.3.2 Interior Wall and Ceiling Finish. Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:

- (1) Exit enclosures - Class A
- (2) Lobbies and corridors - Class B
- (3) Rooms and enclosed spaces - Class B

35.3.3.3 Interior Floor Finish.

35.3.3.3.1 Interior floor finish shall comply with Section 10.2.

35.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 35.3.6 shall be not less than Class II.

35.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

35.3.4 Detection, Alarm, and Communications Systems.

35.3.4.1 **General.** A fire alarm system shall be provided in accordance with Section 9.6.

35.3.4.2 **Initiation.** The required fire alarm system shall be initiated by each of the following:

- (1) Manual means in accordance with 9.6.2.
- (2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees.
- (3) Required automatic sprinkler system.

(4) Required smoke and heat detection systems, other than sleeping room smoke alarms.

35.3.4.3 Annunciator Panel. An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

35.3.4.4 Notification

35.3.4.4.1 Occupant Notification. Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

35.3.4.4.2 High-Rise Buildings. High-rise buildings shall be provided with an approved emergency voice communication/alarm system in accordance with 11.8.4.

35.3.4.5 *Emergency Forces Notification.

35.3.4.5.1 Fire department notification shall be accomplished in accordance with 9.6.4.

35.3.4.5.2 Where the existing fire alarm system does not provide for automatic emergency forces notification in accordance with 9.6.4, provisions shall be made for the immediate notification of the public fire department by either telephone or other means, or, where there is no public fire department, notification shall be made to the private fire brigade.

35.3.4.5.3 Where a new fire alarm system is installed, or the existing fire alarm system is replaced, emergency forces notification shall be provided in accordance with 9.6.4.

35.3.4.6 Detection.

35.3.4.6.1 Smoke Alarms. Smoke alarms shall be provided in accordance with 35.3.4.6.1.1, 35.3.4.6.1.2, or 35.3.4.6.1.3.

35.3.4.6.1.1 Each sleeping room shall be provided with an approved smoke alarm in accordance with 9.6.2.10 that is powered from the building electrical system.

35.3.4.6.1.2 Existing battery-powered smoke alarms, rather than building electrical service-powered smoke alarms, shall be accepted where, in the opinion of the authority having jurisdiction, the facility has demonstrated that testing, maintenance, and battery replacement programs ensure the reliability of power to the smoke alarms.

35.3.4.6.1.3 The provisions of 9.6.8.10.1 and 9.6.8.10.2.2 shall also apply.

35.3.4.7 Smoke Detection Systems.

35.3.4.7.1 All living areas, as defined in 3.3.22.5, and all corridors shall be provided with smoke detectors that comply with NFPA 72, *National Fire Alarm and Signaling Code*, and are arranged to initiate an alarm that is audible in all sleeping areas, as modified by 35.3.4.7.2.

35.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

35.3.5 Extinguishment Requirements.

35.3.5.1 *General. Where an automatic sprinkler system is installed, for either total or partial building coverage, the system shall be installed in accordance with Section 9.7, as modified by 35.3.5.1.1.

35.3.5.1.1 In buildings four or fewer stories above grade plane, systems in accordance with NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, shall be permitted.

35.3.5.1.1.1 The exemptions found in NFPA 13R for the sprinkling all closets and bathrooms regardless of size or construction shall not be applicable to assisted living community occupancies under this chapter.

35.3.5.2 **Impractical Evacuation Capability.** All facilities having impractical evacuation capability shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1) (full NFPA 13 System) or increase staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

35.3.5.3 **High-Rise Buildings.** All high-rise buildings shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 35.3.5. Such systems shall initiate the fire alarm system in accordance with Section 9.6.

35.3.5.4 Attics shall be protected in accordance with 35.3.5.4.1 or 35.3.5.4.2

35.3.5.4.1 Where an automatic sprinkler system is installed, attics or areas within attics used for living purposes, storage, or fuel-fired equipment shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.4.2 Where an automatic sprinkler system is installed, attics not used for living purposes, storage, or fuel-fired equipment shall meet one of the following criteria:

(1) Attics shall be protected throughout by a heat detection system arranged to activate the building fire alarm system in accordance with Section 9.6.

(2) Attics shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.5 **Supervision.** Automatic sprinkler systems shall be supervised in accordance with Section 9.7.

35.3.5.6 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in accordance with 9.9.

35.3.6 Corridors and Separation of Sleeping Rooms.

35.3.6.1 Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 35.3.6.1.1, 35.3.6.1.3 or 35.3.6.1.4.

35.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, kitchens and all other areas by walls having a minimum 1/2-hour fire resistance rating.

35.3.6.1.2 Prompt evacuation capability facilities in buildings two or fewer stories in height, where not less than one required means of egress from each sleeping room provides a path of travel to the outside without traversing any corridor or other spaces exposed to unprotected vertical openings, living areas, and kitchens, shall not be required to comply with 35.3.6.1.1.

35.3.6.1.3 Rooms or spaces, other than sleeping rooms and hazardous areas, shall be separated from corridors by smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.

35.3.6.2 Except for Hazardous areas, in buildings protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1), walls may be smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.

35.3.6.3 Hazardous areas shall be separated from corridors in accordance with 35.3.2.

35.3.6.4 Doors in walls required by 35.3.6.1 or 35.3.6.2 shall comply with 35.3.6.4.1 or 35.3.6.4.2.

35.3.6.4.1 Doors shall have a minimum 20-minute fire protection rating.

35.3.6.4.2 Solid-bonded wood-core doors of not less than 1 3/4 in. (44 mm) thickness shall be permitted to continue in use.

35.3.6.5 Doors in walls required by 35.3.6.1 and 35.3.6.2 shall comply with 35.3.6.5.1 and 35.3.6.6.

35.3.6.5.1 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

35.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

35.3.7 Subdivision of Building Spaces. The requirements of 35.3.7.1 through 35.3.7.6 shall be met for all sleeping floors, unless otherwise permitted by 35.3.7.7.

35.3.7.1 Every sleeping room floor shall be divided into not less than two smoke compartments of approximately the same size, with smoke barriers in accordance with Section 8.5, unless otherwise indicated in 35.3.7.4, 35.3.7.5, and 35.3.7.6

35.3.7.1.1 Smoke barriers shall not be required in buildings having prompt or slow evacuation capability where each sleeping room is provided with exterior ways of exit access arranged in accordance with 7.5.3.

35.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft² (2100 m²).

35.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

35.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

35.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

35.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

35.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

35.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1).

35.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 35.3.7.9 or 35.3.7.10.

35.3.7.9 Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

35.3.7.10 Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

35.3.7.11 Not less than 15 net ft² (1.4 net m²) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

35.3.7.12 On stories not housing residents, not less than 6 net ft² (0.56 net m²) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

35.3.7.13 Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid- bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.

35.3.7.14 Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

35.3.7.15 Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

35.3.7.16 Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

35.3.7.17 Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

35.3.7.18 Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

35.3.7.19 Rabbits, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

35.3.7.20 Positive latching hardware shall not be required.

35.3.7.21 Center mullions shall be prohibited.

35.3.8 ***Cooking Facilities.** Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

35.3.9 **Standpipes.**

35.3.9.1 **General.** Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

35.3.9.2 **In High-Rise Buildings.** Class I standpipe systems shall be installed throughout all high-rise buildings.

35.3.9.3 **Roof Outlets.** Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

35.4 **Special Provisions.**

35.4.1 **High-Rise Buildings.** High-rise buildings shall comply with Section 11.8.

35.5 **Reserved.**

35.6 **Building Services.**

35.6.1 **Heating, Ventilating, and Air-Conditioning.**

35.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

35.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.

35.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

35.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

35.6.3.2 *In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

35.6.4 **Rubbish Chutes, Incinerators, and Laundry Chutes.** Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

35.7 **Operating Features.**

35.7.1 Emergency Planning and Preparedness. Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 35.7 shall be incorporated into the plans, training and safety practices developed by the facility.

35.7.2 **Emergency Plan.**

35.7.2.1 The administration of every residential assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

35.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

35.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

35.7.2.4 A copy of the plan shall be readily available at all times within the facility.

35.7.3 **Resident Training.**

35.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

35.7.3.2 The training required by 35.7.3.1 shall include actions to be taken if the primary escape route is blocked.

35.7.3.3 If the resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

35.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.

35.7.4 **Emergency Egress and Relocation Drills.** Emergency egress and relocation drills shall be conducted in accordance with 35.7.4.1 through 35.7.4.6.

35.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies

that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels."

35.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

35.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by this *Code*.

35.7.4.3.1. The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

35.7.4.3.2. Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

35.7.4.3.3. Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

35.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this *Code* for assisted living community facilities.

35.7.4.5 Actual exiting from windows shall not be required to comply with 35.7.3; opening the window and signaling for help shall be an acceptable alternative.

35.7.4.6 If the assisted living community facility has an evacuation capability classification of impractical, those residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill.

35.7.5 **Smoking.**

35.7.5.1 *Smoking regulations shall be adopted by the administration of assisted living community occupancies.

35.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

35.7.6 ***Furnishings, Mattresses, and Decorations.**

35.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 35.7.6.1.1 and 35.7.6.1.2.

35.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 35.7.6.1.2.

35.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 35.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 35.3.6.

35.7.6.2 *New upholstered furniture within assisted living community facilities shall comply with 35.7.6.2.1 or 35.7.6.2.2.

35.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.

35.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.6.3 *Newly introduced mattresses within assisted living community facilities shall comply with 35.7.6.3.1 or 35.7.6.3.2.

35.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

35.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.7 **Staff.** Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

35.7.8 **Inspection of Door Openings.** Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15."

(ff) **Modification to Chapter 36:**

1. Add a new subparagraph 36.3.2.1.3 to read as follows:

36.3.2.1.3 "Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input shall not be subject to the provisions of 36.3.2.1. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Add a new subparagraph 36.3.5.1.1. to read as follows:

36.3.5.1.1 "Individual tenant spaces located in covered mall buildings shall be provided with electrically supervised control valves. Such control valves shall be located off supply mains to control each individual tenant space.

36.3.5.1.1.1 Multiple tenant spaces shall be permitted to be controlled by one control valve provided the total area covered by the single valve does not exceed 7,500 square feet (696.8 sq. m)."

3. Delete subparagraph 36.4.5.6 in its entirety and substitute in its place the following:

36.4.5.6 "**Emergency Planning and Preparedness.** Bulk merchandising and mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

4. Delete subsections 36.7.1, 36.7.2, 36.7.3, and 36.7.4 in their entirety and substitute in their place the following:

36.7.1 "**Emergency Planning and Preparedness.** Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

36.7.2 **Food Service Operations.** Food service operations shall comply with 12.7.2

36.7.3 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

36.7.4 Soiled Linen and Trash Receptacles. The requirements of 10.3.9 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(gg) Modification to Chapter 37:

1. Add a new subparagraph 37.3.2.1.3 to read as follows:

37.3.2.1.3 "The provisions of 37.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Delete subsections 37.7.1, 37.7.2, 37.7.3, and 37.7.4 in their entirety and substitute in their place the following:

37.7.1 "Emergency Planning and Preparedness. Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

37.7.2 Food Service Operations. Food service operations shall comply with 12.7.2

37.7.3 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

37.7.4 Soiled Linen and Trash Receptacles. The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(hh) Modification to Chapter 38:

1. Delete subparagraph 3 8.2.2.2.6 in its entirety and substitute in its place the following:

38.2.2.2.6 "Delayed egress locks complying with 7.2.1.6.1 shall be permitted, provided, however, not more than one such device shall be permitted in the means of egress path involved."

2. Delete subparagraph 38.2.2.2.7 in its entirety and substitute in its place the following:

38.2.2.2.7 "Access-controlled egress doors complying with 7.2.1.6.2 shall be permitted. For elevator lobby exit access doors see 38.2.2.2.3 and 7.2.1.6.3 (14)."

3. Add a new subparagraph 38.3.2.1.1 to read as follows:

38.3.2.1.1 "The provisions of 38.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete subsections 38.7.1, 38.7.2, 38.7.3, and 38.7.4 in their entirety and substitute in their place the following:

38.7.1 **"Emergency Planning and Preparedness.** Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

38.7.2 **Food Service Operations.** Food service operations shall comply with 12.7.2

38.7.3 **Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

38.7.4 **Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(ii) **Modification to Chapter 39:**

1. Add a new subparagraph 39.3.2.1.1 to read as follows:

39.3.2.1.1 "The provisions of 39.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Delete subsections 39.7.1, 39.7.2, 39.7.3, and 39.7.4 in their entirety and substitute in their place the following:

39.7.1 **"Emergency Planning and Preparedness.** Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

39.7.2 **Food Service Operations.** Food service operations shall comply with 12.7.2

39.7.3 **Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

39.7.4 **Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(jj) **Modification to Chapter 40:**

1. Delete subsection 40.3.5 in its entirety and insert in its place the following: "40.3.5 Extinguishment Requirements.

40.3.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all industrial occupancies classified as Group F and/or Group H occupancies as in the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, on each floor in accordance with 9.9 of this *Code*.

40.3.5.2 **Automatic fire suppression systems.** Automatic fire suppression systems shall be installed in industrial occupancies as required by the *International Building Code*, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in Table 1.4.4, **CODES REFERENCE GUIDE**. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the *International Fire Code* or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards."

2. Delete subsections 40.7.1 in its entirety and substitute in its place the following:

40.7.1 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in industrial occupancies.

3. Add new section 40.8 to read as follows: "40.8 Emergency Planning and Preparedness.

40.8.1 Emergency Planning and Preparedness. Industrial occupancies otherwise classified under Group F and/or Group H in the *International Fire Code*, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

40.8.2 Employee Training and Response Procedures. Employees in the occupancies listed in Section 404.2 of the *International Fire Code* as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be trained in the fire emergency procedures described in their fire evacuation and life safety plans. Training shall be based on these plans and as described in Section 404.3 of the noted *International Fire Code*."

(kk) Modification to Chapter 42:

1. Delete subsection 42.3.5 in its entirety and substitute in its place the following: "42.3.5 Extinguishment Requirements.

42.3.5.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all storage occupancies in accordance with 9.9.

42.3.5.2 Automatic fire suppression systems. Automatic fire suppression systems shall be installed in storage occupancies as required by the *International Building Code*, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in **Table 1.4.4, CODES REFERENCE GUIDE**. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the *International Fire Code* or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards."

2. Delete subsections 42.9.1 in its entirety and substitute in its place the following:

42.9.1 "Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in storage occupancies.

3. Add a new section 42.10 to read as follows: "42.10 Emergency Planning and Preparedness.

42.10.1 Emergency Planning and Preparedness. Storage occupancies (Group S) and High Hazard occupancies (Group H) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(ll) Modifications to Chapter 43:

1. Add a new subparagraph 43.1.4.5.1 to read as follows:

43.1.4.5.1 "The provisions of 43.1.4.5 shall specifically apply to compliance with the *International Fire Code (IFC)* and other codes and standards promulgated and adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Accessibility issues shall be addressed in accordance with Chapter

120-3-20 of the Rules and Regulations of the Safety Fire Commissioner. Where any of the provisions of this *Code* chapter require compliance with a building code, it shall be construed that compliance is required as applicable with the *International Building Code (IBC)*, as adopted by the Georgia Board of Community Affairs. Also, refer to [120-3-3-.01](#), [120-3-3-.02](#), [120-3-3-.03](#), and 120-3-3-.04(1) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

2. Add a new paragraph 43.7.2.6 to read as follows:

43.7.2.6 "The provisions of 43.7.2.4 and 43.7.2.5 shall be permitted to be modified by the authority having jurisdiction provided the intents and purposes of 102.3, 102.4, and 102.6 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met."

3. Delete subsections 43.10.1 and 43.10.2 in their entirety and substitute in their place the following:

43.10.1 **"General Requirements.** Table 43.7.3 Hazard Categories and Classifications in 43.7.3 of this *Code* may be utilized as may be deemed appropriate by the authority having jurisdiction in the evaluation of historic buildings.

43.10.2 **Application.** The provisions of Chapter 43 shall be deemed as advisory and may be applied to buildings designated as historic to the degree deemed appropriate by the authority having jurisdiction, provided, however, the application of Chapter 43 and 43.10 provisions shall be coordinated as needed to ensure compliance with the requirements, intents, and purposes of 103.3, 102.4, and 102.6 of the *International Fire Code (IFC)* as adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met."

(mm) **Modifications to Annex A:**

Add a new (4) to A.3.3.196.7 to read as follows:

(4) "Assisted Living Communities"

Delete (5) from A.3.3.196.12 in its entirety and substitute in its place the following:

(5) "Community Living Arrangements with five or more residents"

3. Delete (1) from A.3.3.196.13 in its entirety and substitute in its place the following:

(1) "One- and two-family dwellings and Community Living Arrangements with fewer than five residents (Chapter 24)"

4. Add a new (4) to A.6.1.5.1 to read as follows:

(4) "Assisted Living Communities"

5. Delete (5) from A.6.1.9.1 in its entirety and substitute in its place the following:"

(5) Community Living Arrangements with five or more residents"

(73) **NFPA 101A, 2013 Edition, Guide on Alternative Approaches to Life Safety**

Modifications:

(a) **Modifications to Chapter 1:**

1. Add a new Section 1.4 to read as follows:

1.4 "This document is recognized strictly as a guide that may be used in evaluating systems or methods to determine equivalent compliance alternatives for buildings, structures and facilities which do not conform to the minimum

requirements of the LSC adopted by this Chapter. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards including the *IFC* adopted by this Chapter."

(74) NFPA 102, 2016 Edition, *Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures*

Modifications:

1. The 2016 edition of NFPA 102 is **NOT** adopted. The basic provisions of this standard have been incorporated into the 2018 Edition of NFPA 101, *Life Safety Code* as adopted by this Chapter 120-3-3. The provisions of the adopted *Life Safety Code* shall apply, as appropriate, to new and existing bleachers, grandstands, folding and telescopic seating. The *Life Safety Code* in coordination with the applicable provisions of the adopted edition of the *International Fire Code* shall apply to tents and membrane structures.

2. The following apply to facilities constructed prior to the effective date of the current Chapter of 120-3-3 Rules and regulations of the Safety Fire Commissioner.

(a) Facilities constructed after April 1, 1968 but before January 1, 1991, shall be permitted to comply with the 1978 edition of NFPA 102, *Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures*.

(b) Facilities constructed after January 1, 1991, but before January 28, 1993, shall be permitted to comply with the 1986 edition of NFPA 102, *Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures*.

(c) Facilities constructed after January 28, 1993, but before March 09, 2010, shall be permitted to comply with the 1992 edition of NFPA 102, *Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures*.

(d) Facilities constructed after March 09, 2010, but before January 1, 2014, shall be permitted to comply with the 2006 edition of NFPA 102, which had been previously adopted."

(75) NFPA 105, 2019 Edition, *Smoke Door Assemblies and Other Opening Protectives*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.6 to read as follows:

1.6 "This document is recognized strictly as a recommended practice that may be used in evaluating the use of door assemblies in openings where the passage of smoke is to be governed. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(76) NFPA 110, 2019 Edition, *Standard for Emergency and Standby Power Systems*

Modifications: None

(77) NFPA 111, 2019 Edition, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*

Modifications: None

(78) NFPA 115, 2020 Edition, *Recommended Practice on Laser Fire Protection*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice that may be used in evaluating the minimum fire protection criteria for the design, manufacture, installation, and use of lasers and associated equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(79) NFPA 120, 2015 Edition, *Standard for Coal Preparation Plants*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(80) NFPA 122, 2015 Edition, *Standard for Fire Prevention and Control in Metal / Nonmetal Mining and Metal Mineral Processing facilities*

Modifications: None

(81) NFPA 130, 2017 Edition, *Standard for Fixed Guideway Transit and Passenger Rail Systems*

Modifications: None

(82) NFPA 140, 2018 Edition, *Standard for Motion Picture and Television Production Studio Soundstages and Approved Facilities*

Modifications: None

(83) NFPA 150, 2019 Edition, *Standard on Fire and Life Safety in Animal Housing Facilities*

Modifications: None

(84) NFPA 160, 2016 Edition, *Standard for Flame Effects Before an Audience*

Modifications: None

(85) NFPA 170, 2018 Edition, *Standard for Fire Safety Symbols*

Modifications: None

(86) NFPA 204, 2018 Edition, *Standard for Smoke and Heat Venting*

Modifications: None

(87) NFPA 211, 2019 Edition, *Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances*

Modifications: None

(88) NFPA 214, 2016 Edition, *Standard on Water-Cooling Towers*

Modifications: None

(89) NFPA 220, 2018 Edition, *Standard on Types of Building Construction*

Modifications: None

(90) NFPA 221, 2018 Edition, *Standard for Fire Walls and Fire Barrier Walls*

Modifications: None

(91) NFPA 232, 2017 Edition, *Standard for the Protection of Records*

Modifications: None

(92) NFPA 241, 2019 Edition, *Standard for Safeguarding Construction, Alteration, and Demolition Operations*

Modifications: None

(93) NFPA 252, 2017 Edition, *Standard Methods of Fire Tests of Door Assemblies*

Modifications: None

(94) NFPA 253, 2019 Edition, *Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source*

Modifications: None

(95) NFPA 257, 2017 Edition, *Standard on Fire Test for Window and Glass Block Assemblies*

Modifications: None

(96) NFPA 259, 2018 Edition, *Standard Test Method for Potential Heat of Building Materials*

Modifications: None

(97) NFPA 260, 2019 Edition, *Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture*

Modifications: None

(98) NFPA 261, 2018 Edition, *Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes*

Modifications: None

(99) NFPA 262, 2019 Edition, *Standard Method of Test for Flame Travel and Smoke of Wires and Cables for Use in Air-Handling Spaces*

Modifications: None

(100) NFPA 265, 2019 Edition, *Standard Methods of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Coverings on Full Height Panels and Walls*

Modifications: None

(101) NFPA 268, 2017 Edition, *Standard Test Method for Determining Ignitability of Exterior Wall Assemblies Using a Radiant Heat Energy Source*

Modifications: None

(102) NFPA 269, 2017 Edition, *Standard Test Method for Developing Toxic Potency Data for Use in Fire Hazard Modeling*

Modifications: None

(103) NFPA 270, 2018 Edition, *Standard Method of Test for Measurement of Smoke Obstruction Using a Conical Radiant Source in a Single Closed Chamber*

Modifications: None

(104) NFPA 274, 2018 Edition, *Standard Test Method to Evaluate Fire Performance Characteristics of Pipe Insulation*

Modifications: None

(105) NFPA 275, 2017 Edition, *Standard Test Method of Fire Tests for the Evaluation of Thermal Barriers Used Over Foam Plastic Insulation*

Modifications: None

(106) NFPA 276, 2019 Edition, *Standard Method of Fire Test for Determining the Heat Release Rate of Roofing Assemblies with Combustible Above-Deck Roofing Components*

Modifications: None

(107) NFPA 285, 2019 Edition, *Standard Method of Test for the Evaluation of Flammability Characteristics of Exterior Non-Load-Bearing Wall Assemblies Containing Combustible Components Using the Intermediate-Scale, Multistory Test Apparatus*

Modifications: None

(108) NFPA 286, 2019 Edition, *Standard Method of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth*

Modifications: None

(109) NFPA 287, 2017 Edition, *Standard Methods for Measurement of Flammability of Materials in Cleanrooms Using a Fire Propagation Apparatus (FPA)*

Modifications: None

(110) NFPA 288, 2017 Edition, *Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems*

Modifications: None

(111) NFPA 289, 2019 Edition, *Standard Method of Fire Test for Individual Fuel Packages*

Modifications: None

(112) NFPA 291, 2018 Edition, *Recommended Practice for Fire Flow Testing and Marking of Hydrants*

Modifications:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly as a recommended practice that may be used in evaluating the design of facilities for the emergency venting of products of combustion. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(113) NFPA 302, 2015 Edition, *Fire Protection Standard for Pleasure and Commercial Motor Craft*

Modifications: None

(114) NFPA 303, 2016 Edition, *Fire Protection Standard for Marinas and Boatyards*

Modifications: None

(115) NFPA 306, 2019 Edition, *Standard for the Control of Gas Hazards on Vessels*

Modifications: None

(116) NFPA 307, 2016 Edition, *Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves*

Modifications: None

(117) NFPA 312, 2016 Edition, *Standard for Fire Protection of Vessels During Construction, Repair, and Lay-Up*

Modifications: None

(118) NFPA 318, 2018 Edition, *Standard for the Protection of Semiconductor Fabrication Facilities*

Modifications: None

(119) NFPA 326, 2020 Edition, *Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning or Repair*

Modifications:

(a) Refer to Chapter 120-3-11, Rules of the Safety Fire Commissioner, for the adopted edition and any modifications.

(120) NFPA 329, 2020 Edition, *Recommended Practice for Handling Releases of Flammable and Combustible Liquids and Gases*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(121) NFPA 385, 2017 Edition, *Standard for Tank Vehicles for Flammable and Combustible Liquids*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

(122) NFPA 400, 2019 Edition, *Hazardous Materials Code*

Modifications: None

(123) NFPA 407, 2017 Edition, *Standard for Aircraft Fuel Servicing*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

(124) NFPA 408, 2017 Edition, *Standard for Aircraft Hand Portable Fire Extinguishers*

Modifications: None

(125) NFPA 409, 2016 Edition, *Standard on Aircraft Hangars*

Modifications: None

(126) NFPA 410, 2020 Edition, *Standard on Aircraft Maintenance*

Modifications: None

(127) NFPA 415, 2016 Edition, *Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways*

Modifications: None

(128) NFPA 418, 2016 Edition, *Standard for Heliports*

Modifications: None

(129) NFPA 423, 2016 Edition, *Standard for Construction and Protection of Aircraft Engine Test Facilities*

Modifications: None

(130) NFPA 424, 2018 Edition, *Guide for Airport / Community Emergency Planning*

Modifications:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly as a guide to provide information for the elements of an airport/community emergency plan. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(131) NFPA 484, 2019 Edition, *Standard for Combustible Metals*

Modifications:

(1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this standard and the adopted edition and any modifications.

(132) NFPA 495, 2018 Edition, *Explosive Materials Code*

Modifications:

(1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(133) NFPA 496, 2017 Edition, *Standard for Purged and Pressurized Enclosures for Electrical Equipment*

Modifications:

(1) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(134) NFPA 497, 2017 Edition, *Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new paragraph 1.1.6 to read as follows:

1.1.6 "This document is recognized strictly as a recommended practice for locations where flammable gases or vapors, flammable liquids, or combustible liquids are processed or handled and where their release into the atmosphere may result in their ignition by electrical systems or equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(135) NFPA 498, 2018 Edition, *Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives*

Modifications:

(a) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(136) NFPA 501A, 2017 Edition, *Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities*

Modifications: None

(137) NFPA 502, 2017 Edition, *Standard for Road Tunnels, Bridges, and Other Limited Access Highways*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice for the evaluation of the design, construction, operation, maintenance, and fire protection of limited access highways, tunnels, bridges, elevated roadways,

depressed roadways and air-right structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(138) NFPA 505, 2018 Edition, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations*

Modifications: None

(139) NFPA 520, 2016 Edition, *Standard on Subterranean Spaces*

Modifications: None

(140) NFPA 551, 2019 Edition, *Standard on Evaluation of Fire Risk Assessments*

Modifications: None

(141) NFPA 555, 2017 Edition, *Guide on Methods for Evaluating Potential for Room Flashover*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new paragraph 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly a guide for evaluating the potential for room flashover from fire involving the contents, furnishings, and the interior finish of a room. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(142) NFPA 557, 2020 Edition, *Standard for Determination of Fire Loads for Use in Structural Fire Protection Design*

Modifications: None

(143) NFPA 600, 2015 Edition, *Standard on Industrial Fire Brigades*

Modifications:

(a)

Modifications to Chapter 1:

1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:

1.1.3 "This document is recognized as a recommended practice for the establishment of the minimum requirements for organizing, operating, training and equipping industrial fire brigades. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(144) NFPA 652, 2019 Edition, *Standard on Fundamentals of Combustible Dust*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(145) NFPA 654, 2017 Edition, *Standard for the Prevention of Fire and Dust Explosions from Manufacturing, Processing, and Handling of Combustible Particulate Solids*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(146) NFPA 655, 2017 Edition, *Standard for Prevention of Sulfur Fires and Explosions*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(147) NFPA 664, 2017 Edition, *Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications if Standard industry code is specified in paragraph 1(b) of rule [120-3-24-.02](#). All other applications shall be as specified in the 2007 edition of this standard without modification.

(148) NFPA 701, 2019 Edition, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films*

Modifications: None

(149) NFPA 703, 2018 Edition, *Standard for Fire-Retardant-Treated Impregnated Wood and Fire-Retardant Coatings for Building Materials*

Modifications: None

(150) NFPA 704, 2017 Edition, *Standard System for the Identification of the Hazards of Materials for Emergency Response*

Modifications: None

(151) NFPA 705, 2018 Edition, *Recommended Practice for a Field Flame Test for Textiles and Films*

Modifications: None

(152) NFPA 720, 2015 Edition, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment*

Modifications: None

(153) NFPA 750, 2019 Edition, *Standard on Water Mist Fire Protection Systems*

Modifications: None

(154) **NFPA 780, 2020 Edition, *Standard for the Installation of Lighting Protection Systems***

Modifications: None

(155) **NFPA 790, 2018 Edition, *Standard for Competency of Third Party Field Evaluation Bodies***

Modifications: None

(156) **NFPA 791, 2018 Edition, *Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation***

Modifications: None

(157) **NFPA 801, 2014 Edition, *Standard for Fire Protection for Facilities Handling Radioactive Materials***

Modifications: None

(158) **NFPA 804, 2015 Edition, *Standard for Fire Protection for Advanced Light Water Reactor Electric Generating Plants***

Modifications: None

(159) **NFPA 805, 2015 Edition, *Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants***

Modifications: None

(160) **NFPA 806, 2015 Edition, *Performance-Based Standard for Fire Protection for Advanced Nuclear Reactor Electric Generating Plants Change Process***

Modifications: None

(161) **NFPA 820, 2020 Edition, *Standard for Fire Protection in Wastewater Treatment and Collection Facilities***

Modifications: None

(162) **NFPA 850, 2015 Edition, *Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations***

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly a recommended practice for fire prevention and fire protection for electric generating plants and high voltage direct current converter stations except as specified in 1.1. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(163) **NFPA 851, 2010 Edition, *Recommended Practice for Fire Protection for Hydroelectric Generating Plants***

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly a recommended practice for fire prevention and fire protection for hydroelectric generating plants. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(164) **NFPA 853, *Standard for the Installation of Stationary Fuel Cell Power Systems, 2020 Edition***

(a) **Modifications to Chapter 1:**

1. Add new subsection 1.1.3 to read as follows:

1.1.3 Where the requirements of this standard are in conflict with the International Building Code as adopted by the Georgia Department of Community Affairs or the International Fire Code as adopted and modified by this Chapter, the most restrictive requirements shall apply unless otherwise approved by the State Fire Marshal.

(165) **NFPA 855, *Standard for Installation for Stationary Energy Storage Systems, 2020 Edition***

(a) **Modifications to Chapter 1:**

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 Where the requirements of this standard are in conflict with the International Building Code as adopted by the Georgia Department of Community Affairs or the International Fire Code as adopted and modified by this Chapter, the most restrictive requirements shall apply unless otherwise approved by the State Fire Marshal.

(166) **NFPA 909, 2017 Edition, *Code for the Protection of Cultural Resource Properties - Museums, Libraries, and Places of Worship***

Modifications:

(a) **Modifications to Chapter 1:**

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice for fire prevention and fire protection for various cultural resources. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

(b) **Modification to Chapter 3:**

1. Delete the definition 3.3.25 for Fire Hazard and substitute in its place the following:

3.3.25 " "Fire Hazard" means for the intents and purposes of this *Code*, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction."

(167) **NFPA 914, 2019 Edition, *Code for Fire Protection of Historic Structures***

Modifications:

(a) **Modifications to Chapter 1:**

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice for fire prevention and fire protection of historic structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

(b) **Modifications to Chapter 3:**

1. Delete the definition 3.3.30 for Fire Hazard and substitute in its place the following:

3.3.30 " "Fire Hazard" means for the intents and purposes of this *Code*, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction."

(168) **NFPA 1122, 2018 Edition, *Code for Model Rocketry***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(169) **NFPA 1123, 2018 Edition, *Code for Fireworks Display***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(170) **NFPA 1124, *Code for the Manufacture, Transportation, Storage and Retail Sales of Fireworks and Pyrotechnic Articles***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(171) **NFPA 1125, 2017 Edition, *Code for the Manufacture of Model Rocket and High Power Rocket Motors***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(172) **NFPA 1126, 2016 Edition, *Standard for the Use of Pyrotechnics before a Proximate Audience***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(173) NFPA 1127, 2018 Edition, *Code for High-Power Rocketry*

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(174) NFPA 1142, 2017 Edition, *Standard on Water Supplies for Suburban and Rural Fire Fighting*

Modifications: None

(175) NFPA 1221, 2019 Edition, *Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems*

Modifications: None

(176) NFPA 1961, 2013 Edition, *Standard on Fire Hose*

Modifications: None

(177) NFPA 1962, 2018 Edition, *Standard for the Inspection, Care, and Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose*

Modifications: None

(178) NFPA 1963, 2019 Edition, *Standard for Fire Hose Connections*

Modifications: None

(179) NFPA 2001, 2018 Edition, *Standard on Clean Agent Fire Extinguishing Systems*

Modifications:

(a) Modification to Chapter 8:

1. Delete subsection 8.1.2 in its entirety and substitute in its place the following:

8.1.2 "All persons who could be expected to inspect, test, or maintain, fire extinguishing systems shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated and thoroughly trained and kept thoroughly trained in the functions they are expected to perform."

2. Delete subsection 8.4 in its entirety and substitute in its place the following:

8.4 "At least annually, all systems shall be thoroughly inspected and tested for proper operation by personnel qualified in the installation and testing of clean agent extinguishing systems and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated. Discharge tests shall not be required."

(180) NFPA 2010, 2015 Edition, *Fixed Aerosol Fire Extinguishing Systems*

Modifications: None

(181) ***International Wildland-Urban Interface Code (IWUIC), 2012 Edition***

Modifications:

(a) **Modifications to Chapter 1:**

1. Delete section 101.1 in its entirety and substitute in its place the following:

101.1 **"Title.** The *International Fire Code*, 2012 edition, published by the *International Code Council*, shall be known as a *Georgia State Wildland-Urban Interface Code*, hereafter referred to as "this *Code*"."

2. Delete section 101.2 in its entirety and substitute in its place the following:

101.2 **"Scope.** The provisions of this *Code* shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the wildland-urban interface areas designated by local jurisdictions by ordinance." (Note: See sample Ordinance on page xi of this *Code* for application and designated fire area.)

Buildings or conditions in existence at the time of the adoption of this *Code* are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this *Code*, provided such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this *Code* for new buildings or structures.

101.2.1 **Appendices.** Provisions in the appendices shall not apply unless specifically adopted by local ordinance."

Cite as Ga. Comp. R. & Regs. R. 120-3-3-.04

AUTHORITY: O.C.G.A. § [25-2-4](#).

HISTORY: Original Rule entitled "Notes" adopted. F. Feb. 8, 1979; eff. Mar. 1, 1979, as specified by the Agency.

Repealed: New Rule entitled "Request for Modification of Specific Requirements" adopted. F. Nov. 10, 1980; eff. Nov. 30, 1980.

Amended: F. July 7, 1983; eff. August 1, 1983, as specified by the Agency.

Repealed: New Rule entitled "Fire Safety Information to Be furnished in Hotels, Motels, Apartments and Dormitories" adopted. F. Sept. 30, 1987; eff. Nov. 1, 1987, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 3, 1990; eff. Jan. 1, 1991, as specified by the Agency.

Amended: F. Jan. 8, 1993; eff. Jan. 28, 1993.

Amended: F. July 9, 1998; eff. July 29, 1998.

Amended: F. Dec. 21, 1999; eff. Jan. 10, 2000.

Amended: ER. 120-3-3-0.1-.04 entitled "State Minimum Fire Safety Standards With Modifications" adopted. F. and eff. May 14, 2003, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Aug. 21, 2003; eff. Sept. 10, 2003.

Repealed: New Rule of same title adopted. F. Jan. 12, 2007; eff. Feb. 1, 2007.

Repealed: New Rule of same title adopted. F. Feb. 17, 2010; eff. Mar. 9, 2010.

Repealed: New Rule of same title adopted. F. Jan. 10, 2014; eff. Jan. 30, 2014.

Amended: F. Dec. 12, 2014; eff. Jan. 1, 2015.

Amended: F. Dec. 28, 2017; eff. Jan. 1, 2018, as specified by the Agency.

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. Jan. 13, 2022; eff. Jan. 1, 2022, as specified by the Agency.

Amended: F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

Note: Correction of non-substantive typographical errors in amendment filed June 10, 2022 (i.e., deleted extra space after quotation marks and hyphens, corrected “O.O.G.A.” to “O.C.G.A,” and “120-3-3.03” to “120-3-3-.03”) as requested by Agency. Effective August 12, 2022.

120-3-3-.04 State Minimum Fire Safety Standards with Modifications

(1) Unless otherwise stated in this chapter, the edition of the *International Fire Code (IFC)*, and the following editions of the codes, standards, recommended practices, guides and methods, as published in the *National Fire Codes (NFC)* by the National Fire Protection Association (NFPA), as adopted and modified in this Chapter, shall be the state minimum fire safety standards. Where any of the adopted publications of the NFPA references NFPA 1 or NFPA 5000, or any fire code or building code, it shall be construed that such references apply to the *International Fire Code (IFC)* or the *International Building Code (IBC)* respectively, as adopted by this Chapter 120-3-3, and the Georgia Department of Community Affairs. Where the *IFC* or *IBC* does not specifically address the referenced issue, NFPA 1 or NFPA 5000 may be applied subject to the approval of the authority having jurisdiction.

(2) Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities, assisted living homes, memory care units or other health care type occupancies or facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though the codes and standards or the editions of codes and standards adopted by that agency may not be specifically addressed or included in this chapter. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations.

(3) *International Fire Code (IFC)*, 2018 Edition

Modifications:

(a) Modifications to Chapter 1:

1. Delete section 101.1 in its entirety and substitute in its place the following:

101.1 "**Title.** The *International Fire Code*, 2018 edition, published by the *International Code Council*, when used in conjunction with this Chapter, shall be known as a *Georgia State Minimum Fire Prevention Code*, hereafter referred to as 'this *Code*'."

2. Delete section 101.3 in its entirety and substitute in its place the following:

101.3 "**Purposes and Intents of This *Code*.** The primary purpose of this *Code*, as adopted, is to provide, along with other adopted codes and standards, for the reasonable minimum protection of life and property from the hazards

created by fire, smoke, explosion, or panic created from a fear of fire or smoke. It is intended that the purposes of this *Code* be accomplished by:

- (1) Coordinating application and enforcement of its provisions with those of other applicable laws, rules, regulations, codes, and standards; and,
- (2) By coordinating the application of its provisions, where possible, with educational programs or efforts designed to bring about changes in high risk attitudes and behaviors that are the root causes of most fire related problems in Georgia; and
- (3) By encouraging or requiring informational and awareness programs designed to make the citizens of Georgia aware of their responsibilities for compliance with this *Code* as well as the other Rules and Regulations of the Safety Fire Commissioner. The intent of this *Code* is to establish the minimum requirements, consistent with nationally recognized good practice, for providing a reasonable level of life safety and property protection from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises and to provide safety to fire fighters and emergency responders during emergency operations."

3. Add an exception to section 102.1 to read as follows:

"Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure."

4. Add an exception to section 102.2 to read as follows:

"Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure."

5. Delete section 102.3 in its entirety and substitute in its place the following:

102.3 **"Change of use or occupancy.** No change shall be made in use or occupancy of any building or structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this *Code*, as may be applicable, as well as those of the *International Building Code (IBC)*, as adopted by the Department of Community Affairs. Pursuant to O.C.G.A. [25-2-14](#), due to a change of use or occupancy of a building or structure the building or structure shall be treated as a proposed (new) building. (Refer to 103.3 of this *Code* regarding the requirements applicable to proposed (new) buildings and structures.)"

6. Delete section 102.4 in its entirety and substitute in its place the following:

102.4 **"Application of the building code.** The design and construction of proposed (new) buildings and structures shall comply with the *International Building Code (IBC)*, as modified and adopted by the Georgia Department of Community Affairs. Repairs, alterations, additions, changes in use or occupancy classification, or changes in buildings or structures required by provisions of the *IFC*, and which are within the scope of the *IBC*, shall be made in accordance with the *IBC*, for purposes of this Chapter."

7. Add a new 102.5.1 to read as follows:

102.5.1 " The provisions of 102.5 shall apply to local authorities having jurisdiction unless there is a change of use or occupancy that would apply under 102.3 and which would bring the new use or occupancy under the jurisdiction of O.C.G.A. [25-2-13\(b\)\(1\)](#)"

8. Delete section 102.6 in its entirety and insert in its place the following:

102.6 **"Historic Buildings, General.** O.C.G.A 25-2-13(a)(2) defines a "Historic building or structure" as "any individual building which contributes to the historic character of a historic district, so designated by the state historic

preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources, or so designated pursuant to the provisions of Article 2 of Chapter 10 of Title 44, the "Georgia Historic Preservation Act."

(A) Refer to 102.1 and 102.2 regarding the application of this *Code* to existing buildings. Except to the extent required by applicable laws of Georgia (O.C.G.A. [25-2-13\(b\)\(3\)\(D\) and \(E\)](#)), the provisions of this *Code* are not mandatory for buildings or structures identified and classified by the state, or as appropriate, a local jurisdiction, as historic buildings when such buildings or structures are judged by the fire code official to be safe and in the public interest of health, safety and welfare, based on the criteria established by the referenced provisions of the Official Code of Georgia Annotated. When evaluating the safety of historic buildings the fire official should consult O.C.G.A. Title 8, Chapter 2, Article 3 entitled, 'Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings,' and the provisions of O.C.G.A. Sections [25-2-13\(b\)\(3\)](#) & 25-2-13(b)(4), and NFPA Standard 914, *Code for Fire Protection of Historic Structures*, as adopted by this Chapter as a recommended practice."

9. Delete section 102.7 in its entirety and substitute in its place the following:

102.7 "**Referenced codes and standards.** Where the provisions of this *Code* or the standards referenced thereby and in Chapter 45 of this *Code* do not apply to the specific subjects, situations or conditions encountered that involve risks to life and property from the hazards of fire, panic from fear of fire or smoke, or related hazards, compliance with the applicable chapters of the Rules and Regulations of the Safety Fire Commissioner shall be evidence of compliance with this *Code*."

10. Add a new section 102.13 to read as follows:

102.13 "**Coordination of provisions.** This *Code* shall apply to all buildings, structures and facilities as provided in subsections 102.1 and 102.2, and shall be utilized in conjunction with codes and standards specified in **Table 102.13** entitled, "**CODES REFERENCE GUIDE**."

Table 102.13 Codes Reference Guide		
Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types, including allowable height, allowable building area, and the requirements for sprinkler protection related to minimum building construction types	IBC	LSC
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinklers Systems minimum construction standard	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke alarms & Smoke Detection Systems	State Statute & LSC	NONE
Portable Fire Extinguishers	IFC	NONE
Cooking Equipment	LSC & NFPA 96	NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

11. Delete section 103 and all sections there-under in their entirety and substitute in its place the following:

SECTION 103 "GENERAL PROVISIONS FOR EXISTING AND PROPOSED (NEW) BUILDINGS.

103.1 General Provisions. The administration, enforcement and penalty provisions of O.C.G.A. Title 25, Chapter 2, and the administrative provisions of the various chapters of the Rules and Regulations of the Safety Fire Commissioner shall apply to and regulate the application and enforcement of this *Code* by the Safety Fire Division of the Office of the Safety Fire Commissioner.

NOTE: Nothing herein shall be construed as prohibiting any local jurisdiction from adopting the deleted portions of Chapter 1 of this *Code* for local purposes, provided, however, local amendments shall not be less restrictive than this *Code*, and other codes and standards as adopted by the various chapters of the Rules and Regulations of the Safety Fire Commissioner.

103.1.1 The provisions of O.C.G.A. Title 25, Chapter 2, and other applicable state laws, and the applicable provisions of various chapters of the Rules and Regulations of the Safety Fire Commissioner regarding the requirements for certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. shall apply and are in addition to any requirements of local jurisdictions. Local authorities having jurisdiction need to be consulted to determine if rules and regulations of the local jurisdiction regarding the requirements for local certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. also apply.

103.1.1.1 The administrative, operational, and maintenance provisions of this *Code*, with regard to the Safety Fire Division of the Office of the Georgia Safety Fire Commissioner, shall be limited to the scope and intents and purposes of the Official Code of Georgia Annotated (O.C.G.A.) Title 25, Chapter 2, and the Commissioner's Rules and Regulations.

103.1.1.1.1 Pursuant to O.C.G.A. [25-2-13\(d\)](#), every person who owns or controls the use of any building, part of a building, or structure described in O.C.G.A. 25-2-13(b)(1), which because of floor area, height, location, use or intended use as a gathering place for large groups, or use or intended use by or for the aged, the ill, the incompetent, or the imprisoned, constitutes a special hazard to property or to the life and safety on account of fire or panic from fear of fire, must so construct, equip, maintain, and use such building or structure as to afford every reasonable and practical precaution and protection against injury from such hazards. No person who owns or controls the use or occupancy of such a building or structure shall permit the use of the premises so controlled for any such specially hazardous use unless he has provided such precautions against damage to property or injury to persons by these hazards as are found and determined by the Commissioner in the manner described in O.C.G.A. [25-2-13\(d\)](#) to be reasonable and practical.

103.2 Existing buildings. Every building and structure existing as of April 1, 1968, which building or structure is listed in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 shall comply with the minimum fire safety standards in the Rules and Regulations of the Safety Fire Commissioner promulgated pursuant to O.C.G.A. 25-2 which were in effect at the time such building or structure was constructed.

Exception 1: Any nonconformance noted under the electrical standards adopted at the time such building or structure was constructed shall be corrected in accordance with the current electrical standards adopted pursuant to O.C.G.A. 25-2.

Exception 2: A less restrictive provision contained in any subsequently adopted minimum fire safety standard pursuant to O.C.G.A. 25-2, may be applied to any existing building or structure.

103.2.1 Existing buildings to be deemed a proposed building. For the purposes of O.C.G.A. [25-2-14\(b\)](#), any existing building or structure listed in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which comes under the jurisdiction of the Office of the Safety Fire Commissioner, pursuant to O.C.G.A. [25-2-12](#), shall be deemed to be a proposed (new) building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy, or a change to the occupant load or structure issued as a condition of occupancy. The term "substantial renovation", for purposes of this subsection means any construction project involving exits or internal features of such building or structure costing more than

the building's or structure's assessed value according to county tax records at the time of such renovation (O.C.G.A. [25-2-14](#)). Where a change of classification is involved, also refer to 102.3 of this *Code*.

103.3 **Proposed (new) buildings and additions to existing buildings:**

103.3.1 Pursuant to O.C.G.A. [25-2-14.1\(b\)](#), every proposed building and structure listed in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) shall comply with the adopted minimum fire safety standards that were in effect on the date that plans and specifications therefore were received by the state fire marshal, the proper local fire official marshal, or state inspector for review and approval. Complete plans for proposed (new) buildings and structures recorded as received by the authority having jurisdiction for review prior to the effective date of this Chapter, may be reviewed under the codes, standards, and Rules and Regulations of the Safety Fire Commissioner in force prior to the effective date of this Chapter.

103.3.1.1 Projects receiving a construction permit under earlier editions of the codes and standards must start construction no later than 360 days from the issue date of the permit in order not to require resubmittal for review under the newer adopted codes and standards.

103.3.2 Plans and specifications for all proposed buildings which come under classification in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which come under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. [25-2-12](#) shall be submitted to and receive approval by either the state fire marshal, the proper local fire marshal, or state inspector before any state, municipal, or county building permit may be issued or construction started (O.C.G.A. [25-2-14\(a\)](#)). All such plans and specifications submitted as required by O.C.G.A. [25-2-14\(a\)](#) shall be accompanied by a fee in the amount provided in O.C.G.A. [25-2-4.1](#) and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner.

103.3.3 Pursuant to O.C.G.A. [25-2-37\(a\)](#), it shall be unlawful for any person to begin construction on any proposed building or structure which comes under the classification in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. [25-2-12](#) without first having plans approved in accordance with O.C.G.A. [25-2-14](#).

103.4 Proposed building construction and completion. Pursuant to O.C.G.A. [25-2-14\(b\)](#), a complete set of plans and specifications approved as set forth in 103.3.3 shall be maintained on the construction site, and construction shall proceed in compliance with the state minimum fire safety standards under which such plans and specifications were approved. The owner of any such building or structure or his authorized representative shall notify the state fire marshal, the proper local fire marshal, or state inspector upon completion of approximately 80 percent of the construction thereof and shall apply for a certificate of occupancy when construction of such building or structure is completed.

103.5 **Certificate of occupancy required.** Pursuant to O.C.G.A. [25-2-14\(c\)](#), every building or structure which comes under classification in paragraph (1) of subsection (b) of O.C.G.A. [25-2-13](#) and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. [25-2-12](#) shall have a certificate of occupancy issued by the state fire marshal, the proper local fire marshal, or state inspector before such building or structure may be occupied. Such certificates of occupancy shall be issued for each business establishment within the building, shall carry a charge in the amount provided in O.C.G.A. [25-2-4.1](#), shall state the occupant load for such business establishment or building, shall be posted in a prominent location within such business establishment or building, and shall run for the life of the building, except as provided in O.C.G.A. [25-2-14\(d\)](#). (See 103.2.1 of the *IFC*, as adopted by this Chapter.)"

12. The provisions of section 105, PERMITS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes. Refer to section 103.3 with regard to permits required by the Rules and Regulations of the Safety Fire Commissioner.

13. The provisions of section 109, BOARD OF APPEALS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

14. Delete section 110.4 and all sections there-under in their entirety and substitute in its place the following:

110.4 **"Violation penalties.** Persons who shall violate a provision of this *Code* or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this *Code*, shall be guilty of violation of Section [25-2-37](#) of the Official Code of Georgia Annotated. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.1 **Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises."

15. The provisions of section 113, SERVICE UTILITIES, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

(b) Modifications to Chapter 2:

1. Delete section 201.3 in its entirety and substitute in its place the following:

201.3 **"Terms defined in other codes.** Where terms are not defined in [120-3-3-.03](#) of Chapter 120-3-3 or other applicable chapters of the Rules and Regulations of the Safety Fire Commissioner, or this *Code* and are defined in the *International Building Code (IBC)*, the *International Fuel Gas Code (IFGC)*, the *International Mechanical Code (IMC)*, or the codes and standards of the National Fire Protection Association (NFPA), as adopted by this Chapter and other Rules and Regulations of the Safety Fire Commissioner, such terms shall have the meanings ascribed to them as in those codes and standards."

2. Delete Institutional Group I-2 in its entirety and replace with:

Institutional Group I-2. Institutional Group I-2 occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are not capable of self-preservation. This group shall include, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals

Nursing homes

Psychiatric hospitals

Assisted Living Communities

Memory Care Units

Limited Care Facilities (Limited Healthcare)

(c) Modifications to Chapter 3:

1. Delete section 303.5 in its entirety and substitute in its place the following:

303.5 **"Portable Fire Extinguishers.** There shall be at least one portable fire extinguisher complying with Section 906 and with a minimum 2-A:40-B:C rating within 25 feet (7620 mm) of each asphalt (tar) kettle during the period

such kettle is being utilized, and a minimum of one additional portable fire extinguisher with a minimum 3-A:40-B:C rating on the roof being covered."

2. Add new exceptions 4, 5, 6, 7 and 8 to section 308.3 to read as follows:

"Exception #4:

In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

Exception #5:

In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

Exception #6

On stages and platforms as a necessary part of a performance in public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

Exception #7

In Group A public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

Exception #8:

In public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display."

3. Delete section 310.1 'General' its entirety and substitute in its place the following:

310.1 **"General.** The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in areas indicated in Sections 310.2 through 31.8, buildings, structures, or areas, or portions of buildings, structures, or areas, as indicated is this in any other code or standard as adopted by the Rules and Regulations of the Safety Fire Commissioner, or where prohibited in accordance Chapter 12A of Title 31 of the O.C.G.A."

4. Delete section 319.1 'General' its entirety and substitute in its place the following:

319.1 **General.** Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors shall comply with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3 and this section.

5. Delete section 319.3 'Exhaust hood' in its entirety and substitute in its place the following:

319.3 Exhaust hood. Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood that complies with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.

6. Delete section 319.4 'Fire protection' in its entirety and substitute in its place the following:

319.4 **Fire protection.** Fire protection shall be provided in accordance with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.3 -3 of the Rules and Regulations of the Safety Fire Commissioner."

(d) Modifications to Chapter 4:

(4) Add section 403.1.1 to read as follows:

403.1.1 **"Caregiver training.** A minimum of three hours' initial fire safety training for receipt of a certificate of training for successful completion shall be required for all directors, operators and all staff members of day-care facilities (adult and children), and for administrator's, directors, operators and all staff of Group I-1 and Group R-4, assisted living communities, assisted living facilities, community living arrangements, memory care units, personal care homes, and residential board and care homes, as defined in Chapter 2 of this *Code* or as defined by the *Life Safety Code*, and or as adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. The curriculum for the fire safety training shall receive written approval by the State Fire Marshal's Office and be taught by an instructor registered with the Safety Fire Commissioner's Office. All persons as required herein to obtain such required training shall receive this training within 90 days from receipt of a license, being commissioned or the opening of a new facility. Such new persons shall receive a minimum of three hours' initial fire safety training and recommendation for receipt of a certificate of training for successful completion of the training within 90 days of employment. In addition, a minimum of two hours of fire safety refresher training shall be required for receipt of a certificate of training for successful completion of the refresher training. The refresher training shall be required for all persons coming under 403.1.1, every three years from the date initial training is received. Registered instructors shall deliver the training based on policies and direction from the State Fire Marshal's Office. Instructors found not to be delivering the training in accordance with the said policies and direction shall be removed from the registry and prohibited from delivering future training."

2. Delete section 403.8.2 in its entirety and substitute in its place the following:

403.8.2 **Group I-2 occupancies.** Group I-2 occupancies to include Assisted Living Communities, Memory Care Units and Limited Care Facilities (Limited Healthcare) shall comply with Sections 401, 403.8.2.1 through 403.8.2.3 and 404 through 406.

(e) Modifications to Chapter 5:

1. Add a new section 501.5 to read as follows:

501.5 " Where buildings or facilities fall under the jurisdiction of the Georgia Safety Fire Commissioner as set forth in the Official Code of Georgia Annotated (O.C.G.A.), Title 25, Chapter 2, except for State owned facilities and State occupied facilities, it is intended that the provisions of Chapter 5 that primarily relate to fire department response, access to facilities, access to building interiors, key boxes, premises identification, fire department connection locations, and fire hydrant locations be administered by the local Fire Chief and/or Fire Code Official responsible for providing fire or other emergency response to the buildings or facilities. With regard to State owned State occupied facilities, that are not provided with a facility fire department, it is intended that the local Fire Chief and/or Fire Code Official providing fire protection to such facilities shall have input in the planning of facilities with regard to the noted provisions covered by Chapter 5."

2. Delete section 503.1.1 in its entirety and substitute in its place the following:

503.1.1 **"Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction as determined by the local Fire Chief and/or Fire Code Official of the responding fire department or agency. The fire apparatus access road shall comply with the requirements of this section and Appendix D of this *Code*. The fire apparatus access road shall extend to within 150 feet (45.7 m) of all portions of the facility or any portion of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The local Fire Chief and/or Fire Code Official of the responding fire department or agency is authorized to increase the dimension of 150 feet (45.7 m) where:

1. *The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.*

2. *The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.*

3. *There are not more than two Group R-3 or Group U occupancies."*

3. Add a new section 504.1.1 to read as follows:

504.1.1 **"Access Doors.** For fire department emergency access purposes, there shall be at least one access door in each 100 linear feet (30.5 m) or major fraction thereof of the exterior walls which face the access roadways required by Section 503, unless otherwise required in this code section. In exterior walls designed with continuous rolling dock doors, which face access roadways, there shall be at least one access door in each 200 linear feet (61 m) or fraction thereof. Required access doors shall be a minimum of 3 feet (0.9 m) wide and 6 feet 8 inches (2 m) high and shall be accessible without use of a ladder. Rolling doors are acceptable for such purposes in buildings protected throughout by an approved automatic sprinkler system(s) unless otherwise approved for unsprinklered buildings by the local Fire Chief and /or Fire Code Official."

Exception: The local Fire Chief and / or Fire Code Official of the responding fire department or agency is authorized to increase the 100 linear feet.

4. Delete section 507.5.1 in its entirety and substitute in its place the following:

507.5.1 **"Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet (152 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrant and mains shall be provided where required by the local Fire Chief and/or Fire Code Official of the responding fire department or agency.

Exceptions:

1. *For group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).*

2. *For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m)."*

5. Delete subsection 507.5.1.1 in its entirety without substitution. Refer to section 905 of this *Code*.

6. Add a new section, Appendix D 107.1, as follows:

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:

1. Enhanced turning radii to meet local responding fire department requirements; and/or
2. Increased road widths to meet local responding fire department requirements; or
3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or
4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or
5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or
6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or
7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or
8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

Add a new section, Appendix D 107.2, as follows:

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

(f) Modifications to Chapter 6:

1. Add exception number 3 to 603.4 to read as follows:

3. In emergency conditions, when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction. Such devices shall be supervised during their period of operation by the establishment of a fire watch system based on the definition of "Fire Watch" in Chapter 2 of this Code. Persons assigned to perform fire watch duties shall be instructed as to their duties.

2. Delete section 604.4 in its entirety and substitute in its place the following:

604.4 "Multiplug adapters & Relocatable Power Taps (RPTs).

604.4.1 Multiplug adapters. The use of multiplug electrical outlet adapters, such as but not limited to cube adapters or plug strips, or any other similar device that is not UL listed and is not equipped with overcurrent protection shall be prohibited. Such devices that are UL listed and are equipped with overcurrent protection shall only be used in accordance with the UL listing and in accordance with the manufacturer's instructions. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*. Where there is any conflict between the UL listing and the manufacturer's instructions, the UL listing provisions shall prevail. The suitability for the use of RTP's shall be based, by the user, on 110.3(A)(1) of the *National Electrical Code*.

604.4.2 Relocatable Power Taps (RPT's):

604.4.2.1 Relocatable Power Taps (RPT's) shall be UL listed and labeled in accordance with UL1363. They shall be of the polarized or grounded type, and be equipped with overcurrent protection. RPT's shall be used in accordance with their UL listing and the manufacturer's instructions. [NEC, 110.3(B)] Where there is any conflict between the UL listing and the manufacturer's instructions, the UL listing provisions shall prevail. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*.

604.4.2.2 RPT power supply. RPT's shall be directly connected to a permanently installed electrical receptacle. An RPT shall not be plugged into another RPT or into an extension cord or flexible cord. A UL listed extension cord or flexible cord having only one outlet and serving only one device may be plugged into an RPT so long as the arrangement does not cause an overcurrent condition in the RPT.

604.4.2.3 RPT power cords. Power cords of RPT's shall not be extended through holes in walls, structural ceilings, or floors. Such cords shall not be run under doors or floor coverings. They shall not be run through doorways, windows, or similar openings.

604.4.2.4 Protection from physical damage. RPT's shall be mounted off floors to a wall or fixture so as to be protected against physical damage. The method of mounting shall not be permanent so that the devices may be easily relocated as need dictates.

604.4.2.5 Restricted use in Health Care Occupancies. "Hospital grade "RPT's listed, based on UL 1363A, for use in "patient care" or "patient sleeping rooms" of a hospital, limited care facility, nursing home, hospice, or ambulatory health care facility may be used in such locations, unless such use is specifically prohibited by this Code, NFPA 70, *National Electrical Code*, NFPA 101, *Life Safety Code*, NFPA 99, *Health Care Facilities Code*, or other applicable State or Federal rule or regulation."

3. Insert an Informational Note following section 604.4.2.4 to read as follows:

"Informational Note: Based on UL1363, RPT's are intended for indoor use as an extension of a grounding alternating-current branch circuit for general use. Where such devices are used or intended to be used for voltage surge suppression, the RPT is also required by UL1363 to meet the provisions of UL1449 for Transient Voltage Surge Suppressors. UL1363 incorporates this compliance. Such devices may be utilized for the protection of personal or laptop computers, computer related devices, word processors, memory typewriters, and other low load devices. They are not intended for use with high load equipment such as, but not limited to, refrigerators, coffee pots, microwave ovens, toasters, toaster ovens, space heaters, and other high power load devices. The labeling and manufacturer's information and instructions need to be consulted to determine if the RPT is also listed for transient voltage suppression. In addition, some RPT devices have additional options included in the device such as "electrical noise" filtration. UL1363 would also require and ensure that component would meet UL1283. The safety requirements relative RPT's regardless of the various extras that may be included in a device covered by UL1363 and the RPT manufacturer's instructions. RPT's have also been referred to as "Temporary Power Taps (TPT's)", "power strips", "Surge/Spike Protectors", or "Portable Outlets" among other designations. NFPA 70, *National Electrical Code* (NEC), 2011 edition, does not utilize the term "Relocatable Power Tap or RPT, however, for safety provisions similar to those utilized by UL, reference can be made to NEC Article 400, Flexible Cords and Cables, Article 406, Receptacles, Cord Connectors, and Attachment Plugs (CAPS), and Article 517 Health Care Facilities."

4. Delete section 604.10 and the exception thereto, and substitute in its place the following: Sections 604.10.1 through 604.10.4 remain unchanged.

604.10 "Portable, electric space heaters. Portable, electric heaters are prohibited in all portions of occupancies in Groups A, E (including day care), I-1, I-3, R-1, R-2, and R-4. Where not prohibited by other chapters of this *Code*, or by provisions of NFPA 101, *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, portable, electrical space heaters shall be permitted to be used in all other occupancy groups. Where use is permitted, portable electric space heaters shall comply with Sections 604.10.1 through 604.10.5 and 604.10.6 where applicable."

5. Add a new section 604.10.6 to read as follows:

604.10.6 "Oil filled radiator type, portable electric space heaters that have a maximum surface temperature restriction of 250° F, may be permitted to be used in staff and employee areas that are located on floors not occupied by patient or staff sleeping areas and that are totally sprinkler protected in I-2 occupancies as defined in Chapter 2 of this *Code*. For single story I-2 occupancies, such devices may be used in staff and employee non-sleeping areas that are totally sprinkler protected and that are separated from staff and patient sleeping room areas by 1-hour fire rated construction. Such space heaters shall comply with 604.10.1 through 604.10.5."

6. Add a new 604.12 to read as follows:

604.12 "**Separation from Transformers.** Space separation for transformers shall be as follows:

- (1) Transformer pad locations shall be a minimum of 10 feet (3 m) from any building, building overhangs, canopies, exterior walls, balconies, exterior stairs and/or walkways connected to the building.
- (2) Transformer pad edges shall be not less than 14 feet (4.3 m) from any doorway.
- (3) Transformer pad edges shall be not less than 10 feet (3 m) from any window or other opening.
- (4) If the building has an overhang, the 10 foot (3 m) clearance shall be measured from a point below the edge of the overhang only if the building is three stories or less. If the building is four stories or more, the 10 foot (3 m) clearance shall be measured from the outside building wall.
- (5) Fire escapes, outside stairs, and covered walkways attached to or between buildings, shall be considered as part of the building.

604.12.1 Transformer pads may be located closer to noncombustible walls than the above required minimum clearances in 605.12(1) upon written approval of the authority having jurisdiction, however, in no case shall the transformer location be less than 3 feet (0.9 m) from the building.

604.12.2 Transformer pads existing prior to December 31, 1994, are exempted from the requirements of 605.11. When buildings are modified, reductions in space separations may be less than the above required minimum clearances upon written approval of the authority having jurisdiction."

7. Delete section 607 in its entirety and substitute in its place the following:

607.1 "General. Commercial kitchen exhaust hoods and residential cooking appliances in commercial and public buildings shall comply with the requirements of NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, as adopted by this Chapter 120-3-3."

7. Delete section 609.2 in its entirety and substitute in its place the following:

607.2 "**Where required.** A commercial hood complying with NFPA 96, as adopted by this Chapter 120-3-3, shall be installed in any occupancy at or above all commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors.

607.2.1 The provisions of 607.2 shall not apply where provided for in the scoping provisions of subsection 1.1.4 of NFPA 96, as adopted by this Chapter 120-3-3."

8. Delete 607.3 in its entirety and substitute in its place the following:

607.3 "**Operations and maintenance.** Commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors, and all components of ventilation systems serving such appliances shall be installed, operated and maintained in accordance with the provisions of NFPA 96 as adopted by this Chapter 120-3-3."

(g) **Modifications to Chapter 7:**

1. Add a new 701.2.2 to read as follows:

701.2.2 "**Barrier Identification.** All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Suggested wording is, "() Hour Fire and Smoke Barrier-Protect All Openings."

(h) **Modifications to Chapter 8:**

1. Delete section 801.1 in its entirety and substitute in its place the following:

SECTION 801 "**GENERAL,**

801.1

Scope. The provisions of this *Code*, as adopted by this Chapter shall govern furniture, furnishings, decorative vegetation, and decorative materials, as defined in Chapter 2 of this *Code*, in buildings and structures. Section 803 shall be applicable to all existing buildings, structures, or spaces constructed and issued the required certificate of occupancy prior to the effective date of this Chapter 120-3-3. Sections 804 through 808 shall be applicable to such existing buildings, structures, and or spaces, and to proposed (new) buildings, structures, or spaces. For the purposes of this *Code*, wall padding, wall mounted gym pads, crash pads, or other pads mounted or secured to walls shall meet the provisions of this NFPA 101, *Life Safety Code* applicable to interior finish materials. Gym pads or other pads used on floors shall be considered as furnishings. Interior finish and trim in proposed (new) buildings shall be

regulated by NFPA 101, *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(i) **Modifications to Chapter 9:**

1. Delete section 901.3 in its entirety and substitute in its place the following:

901.3 **"Approvals and Permits.** Fire protection systems shall be approved as set forth by the authority having jurisdiction. Local authorities having jurisdiction may require permits as required and set forth in 105.6 and 105.7 of this *Code*."

2. Delete section 901.4.1 in its entirety and substitute in its place the following:

901.4.1 "Required fire protection systems. Fire suppression systems required by this *Code*, the *International Building Code*, the *Life Safety Code*, or other codes and standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner, shall be installed, operated, tested, repaired and maintained in accordance with this *Code* and applicable standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner."

3. Delete section 901.4.2 in its entirety and substitute in its place the following:

901.4.2 "Provisions in excess of the minimum code requirements shall, as a minimum, be installed to meet the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation. Any non-required fire protection system which is added onto, interconnected with, any required fire protection system (of a similar type), shall be designed, installed, and maintained in accordance with the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation.

901.4.2.1 The provisions of 901.4.2 shall not apply to other installations not conforming with the provisions of the currently adopted code(s) and/or standard(s) applicable to the provision at the time of its installation if such installations are reported and filed with the local responding fire department and the authority having jurisdiction. In addition such systems shall be identified as required by the authority having jurisdiction.

901.4.2.2 The provisions of 901.4.2 shall not apply for non-required systems designed, reviewed, installed and approved in accordance with local codes and/or ordinances."

4. Delete section 903.2 in its entirety and substitute in its place the following:

903.2 **"Where required.**

(a) Approved automatic sprinkler systems for proposed (new) buildings and structures approved for construction as set forth in 103.3.1 of this *Code*, or where specifically required for existing buildings and structures, shall as the minimum level of protection, be that required by the applicable provisions of NFPA 101, *Life Safety Code* and applicable provisions of other codes and standards adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner, and this *Code* section; provided, however, the *International Building Code (IBC)* shall govern the requirements for sprinkler protection that are related to minimum building construction types, or to increases in building area and height limitations imposed by the *IBC*." (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

(b) Where a new automatic sprinkler system is required by this *Code* or other code, standard, rule or regulation, the system shall be designed and installed in accordance with the requirements applicable to systems in proposed (new) buildings and structures.

(c) In addition, an automatic sprinkler system may be required for new or existing buildings, structures, spaces, or conditions by other NFPA standards adopted by this Chapter 120-3-3, or other Rules and Regulations of the Safety Fire Commissioner.

(d) The requirements for the installation, design, and testing of automatic sprinkler systems shall be as applicable, NFPA 13, *Standard for the Installation of Sprinkler Systems*, NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*; and NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, or as adopted and modified by this Chapter 120-3-3.

903.2.1 The sprinkler protection provision of 903.2 shall not be mandatory for spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with a supervised automatic fire alarm system, and are separated from the remainder of the building by fire barriers consisting of walls and floor/ceiling assemblies having a fire resistance rating of not less than 2-hours.

NOTE: NFPA 76, *Fire Protection of Telecommunications Facilities*, should be consulted. Refer to the edition adopted by this Chapter 120-3-3."

5. Delete section 903.3.7 of this *Code* in its entirety and substitute in its place the following:

903.3.7 "**Fire department connections.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this *Code*, adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

6. Delete section 904.2.2 in its entirety and substitute in its place the following:

904.2.2 "**Commercial hood and duct systems.** Each required commercial kitchen exhaust hood and duct system required by Section 607 to have a commercial hood complying with NFPA 96, shall be protected with an approved automatic fire-extinguishing system installed in accordance with this *Code* and applicable provisions of NFPA 96."

7. Delete section 904.12 in its entirety and substitute in its place the following: "904.12 Fire Protection for Commercial Cooking Operations.

904.12.1 The requirements for, as well as the design, installation, protection and maintenance of cooking equipment, shall be as required by NFPA 101, *Life Safety Code* and NFPA 96, *Standard for the Ventilation Control and Fire Protection of Commercial Cooking Operations*, as adopted by this Chapter 120-3-3." (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

904.12.2 Fire suppression systems approved for the protection of commercial cooking appliances shall be designed, installed, and maintained in accordance with the applicable standards adopted in this Chapter.

904.12.3 Portable fire extinguishers for commercial cooking appliances. Portable fire extinguishers shall be installed in kitchens or other commercial cooking areas in accordance with NFPA 10 and NFPA 96, as adopted by this Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. Class K portable fire extinguishers and the required operation sequence signage required by NFPA 10, shall be located between 5 feet and 10 feet from the manual release device(s) of the kitchen exhaust hood fire suppression system(s)."

8. Delete section 905.1 in its entirety and substitute in its place the following:

905.1 "**General.** The State's minimum requirements for standpipe systems shall be as required by the *International Building Code (IBC)* or This *Code*. Standpipe systems shall be designed, installed and tested in accordance with NFPA 14, *Standard for the Installation of Standpipe, and Hose Systems* as adopted by this Chapter 120-3-3. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)"

9. Insert a new subsection 905.13 to read as follows:

905.13 "**Fire department connections.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this *Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

10. Delete section 906.1 in its entirety and substitute in its place the following:

906.1 "Portable Fire Extinguishers - General. Portable fire extinguishers shall be installed in all buildings, structures and facilities falling under this *Code* and O.C.G.A. 25-2. For any other building, structure, facility, or condition or special hazard, portable fire extinguishers shall be provided as may be required by this *Code* in Table 906.1, or by various codes and standards adopted by this Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)."

11. Delete section 906.2 in its entirety and substitute in its place the following:

906.2 "**General requirements.** The selection, distribution, installation, and maintenance of portable fire extinguishers shall comply with NFPA 10, *Standard for Portable Fire Extinguishers*, as adopted by this Chapter 120-3-3.

906.2.1 The maximum travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

906.2.2 Thirty-day inspections shall not be required and maintenance shall be allowed to be once every three years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

- (a) Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
- (b) Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
- (c) The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
- (d) Electronic monitoring devices and supervisory circuits shall be tested every three years when extinguisher maintenance is performed.
- (e) A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to ensure that hydrostatic tests are conducted at the frequency required by NFPA 10.

906.2.3 In Group E - Educational occupancies, in lieu of locating fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, *Standard for Portable Fire Extinguishers*, fire extinguishers may be located in rooms that open directly onto such corridors and pathways provided all of the following are met:

- (a) The room in which such extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; *Standard for Portable Fire Extinguishers*,
- (b) A sign which states in white letters at least one inch in height on a red background, 'FIRE EXTINGUISHER LOCATED IN THIS ROOM,' is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;
- (c) The rooms in which such extinguishers are placed shall be constantly supervised during school hours; and,
- (d) Those rooms cannot be subject to being locked at any time the building is occupied."

12. Delete sections 906.3 through 906.10 without substitution (Refer to NFPA 10).

13. Delete section 907.1 in its entirety and substitute in its place the following, while retaining existing subsections:

907.1 "**Fire Alarm Systems - General.**

(a) The State's minimum requirements for fire alarm systems in proposed (new) buildings and structures approved as set forth in 103.3.1 of this *Code* shall be as required by NFPA 101, *Life Safety Code*, as adopted by this Chapter 120-3-3. Fire alarm systems shall be designed, installed, tested, and maintained in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, as adopted by this Chapter 120-3-3. (b) New fire alarm systems to be installed in existing buildings shall be designed, installed, and maintained in accordance with NFPA 72, as adopted by this Chapter 120-3-3. (Refer to **Table 102. 13 CODES REFERENCE GUIDE**)"

17. Delete sections 907.2 through 907.6.6.2 in their entirety and without substitution.

18. Delete section 909.1 in its entirety and substitute in its place the following:

909.1 **"Scope and purpose.** This section applies to mechanical or passive smoke control systems when they are required for proposed (new) buildings or portions thereof by provisions of the *Life Safety Code* (LSC) or this *Code*, as adopted by this Chapter 120-3-3, or by provisions of the *International Building Code* (IBC), as adopted by the Department of Community Affairs. The purpose of this section is to establish minimum requirements for the design, installation, and acceptance testing of smoke control systems that are intended to provide a tenable environment for the evacuation or relocation of occupants. These provisions are not intended for the preservation of contents, the timely restoration of operations, or for assistance in fire suppression or overhaul activities. Smoke control systems regulated by this section serve a different purpose than the smoke and heat venting provisions found in Section 910. Mechanical smoke control systems shall not be considered exhaust systems under Chapter 5 of the *International Mechanical Code* (IMC)."

19. Delete section 909.2 in its entirety and substitute in its place the following:

909.2 **"General design requirements.** Buildings, structures, or portions thereof required by provisions of the *Life Safety Code* (LSC) or this *Code*, as adopted by this Chapter, or by provisions of the *International Building Code*, as adopted by the Department of Community Affairs, to have a smoke control system or systems shall have such systems designed in accordance with the applicable requirements of Section 909 of this *Code* and the generally accepted and well established principles of engineering relevant to the design. The construction documents shall include sufficient information and detail to describe adequately the elements of the design necessary for the proper implementation of the smoke control systems. These documents shall be accompanied with sufficient information and analysis to demonstrate compliance with these provisions."

20. Add a new section 909.2.1 to read as follows:

909.2.1 "Smoke Control. For the purposes of 909.2 the following publications shall be considered as providing the generally accepted and well established principals of engineering relevant to design of required smoke control systems.

(1) NFPA 92, *Standard for Smoke Control Systems*

(2) NFPA SPP-53, *Smoke Control in Fire Safety Design*

(3) ASHRAE/SFPE, *Design of Smoke Management Systems*

(4) ASHRAE, Guideline 5: *Guideline for Commissioning Smoke Management Systems*"

(5) NFPA 101, *Life Safety Code* (For non-mandatory guidance involving systems for existing detention and correction facilities refer to A.23.3.1.3 of the 2012 Edition)

21. Add a new section 909.2.1 to read as follows:

909.2.1 **"Deactivation of Mechanical Pressurization Systems.** The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan

providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke."

22. Add a new subsection 912.2.3 to read as follows:

912.2.3 "**Location of fire department connections.** The location of fire department connections for automatic sprinkler systems shall be as approved by the Fire Chief as set forth in accordance with Section 912 and Section 501.5 of this *Code*, as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

23. Add a new section 914.7.3 to read as follows:

914.7.3 "**Limited Use Special Amusement Buildings:** Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. "NO SMOKING" signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;
7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request."

(j) **Modifications to Chapter 10:**

1. Delete sections 1001 through 1030 in their entirety and substitute in their place the following:

1001.1 "**General.**

(A) Proposed (new) buildings or portions thereof approved for construction as set forth in 103.3 of this *Code*, shall be provided with means of egress and related safeguards as set forth by NFPA 101, *Life Safety Code*, as adopted this Chapter. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

(B) Buildings and structures existing and approved prior the effective date of this Chapter 120-3-3, as set forth in 103.3 of this *Code*, having means of egress and related safeguards conforming to NFPA 101, *Life Safety Code*, under which they were approved and constructed shall be considered as complying with this *Code*. Means of egress and related safeguards in existing buildings constructed without approval, may be considered as complying with this code section if, in the judgment of the authority having jurisdiction, they do not constitute a distinct hazard to life. Where, in the judgment of the authority having jurisdiction, the means of egress or related safeguards provided constitute a distinct hazard to life, the hazardous condition or conditions shall be remedied based on the provisions for existing buildings of the *Life Safety Code* as adopted by this Chapter 120-3-3.

(C) Exit discharge termination dispersal areas may be utilized where authorized and designed in accordance with 7.7.1.5 of the *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

2. Add the following section 1001.2 to read as follows:

1001.2 **"Overcrowding and Life Safety Hazard Prevention.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. It is the responsibility of the manager and the person in charge of a building, structure, or portion thereof not to allow an overcrowded condition or any condition which constitutes a life safety hazard to exist, and to take prompt action to remedy an overcrowded condition or life safety hazard when evidence of such a condition is noted, or when advised or ordered by the Fire Code Official or his/her representative. (Refer to 107.6)

1001.2.1 **Decreases in the Occupant Load.** For authorized decreases in the occupant load approved by the fire code authority having jurisdiction, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

1001.2.2 **Increases in the Occupant Load.** For approved increases in the occupant load by the fire code authority having jurisdiction, refer to 7.3.1.5 of Subsection 7.3.1 of NFPA 101, *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

1001.2.3 **Overcrowded Condition or Life Safety Hazard Determined.** The fire code official, upon finding any overcrowded conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected. In addition, a structure, building, room or designated portion thereof shall be deemed overcrowded if the total of occupants exceeds the exit capacity of the structure, building, room or area involved."

(k) **Modifications to Chapter 11:**

1. Delete 1101.1 and substitute in its place the following:

1101.1 **"Scope.** The provisions of this chapter shall apply to existing buildings constructed prior to the effective date of this Chapter 120-3-3.

2. Delete 1101.2 and substitute in its place the following:

1101.2 **"Intent.** The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying buildings by providing for existing building rehabilitation activities including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings.

3. Delete 1101.3 and substitute in its place the following:

1101.3 **"Permits.** Construction permits for buildings falling under State jurisdiction, as set forth in O.C.G.A. 25-2.13, shall be required for the activities noted in 4601.1 when the criteria of O.C.G.A. [25-2-14\(d\)](#) for an existing

building to be classified as a proposed (new) building or structure are met. For local jurisdictions, permits shall be required as set forth in Section 105.7 of this *Code* and the *International Building Code*.

4. Delete Sections 1102 through 1104 and substitute in their place a new 1102 to read as follows:

SECTION 1102 "FIRE AND LIFE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS AND STRUCTURES"

1102.1 "**General.** The intents and purposes of this section shall be met through the application of the applicable provisions of this *Code*, the *Life Safety Code*, and other codes and standards as adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner, as they apply to existing conditions and routine maintenance of fire and life safety protection systems and devices. For building rehabilitation activities, including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings, the definitions and requirements of Chapter 43, of the *Life Safety Code*, adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner shall apply."

(l) Modifications to Chapter 20:

1. Delete section 2003.5 in its entirety and substitute in its place the following:

2003.5 "Dispensing of flammable and combustible liquids. No dispensing, transfer or storage of flammable or combustible liquids shall be permitted inside any building or structure.

Exceptions:

1. *As provided in Chapter 57 of this Code, provided, the provisions are not less protective than the provisions of any applicable Codes and standards adopted by the Rules and Regulations of the Safety Fire Commissioner.*

2. *When the procedures used follow the guidelines and requirements set forth in NFPA 410 - Standard for Aircraft Maintenance, adopted by this Chapter 120-3-3."*

2. Delete sections 2006.1 through 2006.21.1 in their entirety and substitute in their place a new paragraph 2006.1 to read as follows:

2006.1 "Aircraft motor vehicle fuel-dispensing stations and Airport Fuel Systems. All aircraft motor vehicle fuel-dispensing stations and airport fuel systems shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids.'"

3. Delete section 2007.1 in its entirety and substitute in its place the following:

2007.1 "**General.** Helistops and heliports shall be maintained in accordance with Section 2007. Helistops and heliports on buildings or structures shall be constructed in accordance with the *International Building Code* and the requirements set forth by NFPA 418, Standard for Heliports, adopted by this Chapter 120-3-3."

(m) Modification to Chapter 23.

1. Delete sections 2301.1 through 2301.6 in their entirety and substitute in their place a new paragraph 2301.1 to read as follows:

2301.1 "**Scope.** Automotive motor fuel-dispensing facilities, marine motor fuel dispensing facilities, fleet vehicle motor fuel-dispensing facilities and repair garages shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids'."

Exception: This chapter shall apply to hydrogen motor fuel-dispensing and generation facilities as specified in section 2309 and repair garages where referenced by subsection 406.6, entitled, 'Repair Garages,' of the International Building Code.

2. Delete sections 2303 through 2308 and all other paragraphs there-under, and section 2310 and all other paragraphs thereunder in their entirety without substitution.

(n) Modification to Chapter 31:

1. Delete 3106.5.2 in its entirety and substitute in its place the following:

3106.5.2 "Cooking Operations. Cooking operations shall be evaluated and comply with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(o) Modification to Chapter 50:

1. Add two new exceptions 12 and 13 to section 5001.1 to read as follows:

12. "Storage, transportation, use, dispensing, mixing and handling of Flammable and combustible liquids as outlined in Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, "Rules and Regulations for Flammable and Combustible Liquids.

13. Storage, handling, and transportation of liquefied petroleum gas (LP-Gas) and the installation of LP-gas equipment pertinent to systems for such use as outlined Chapter 120-3-16 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Liquefied Petroleum Gases.'

2. In Table 5003.11.1, add superscript "k" to Oxidizers in the Material column and add the following footnote "k" to read as follows:

k. "Group M occupancies with Class 2 and Class 3 oxidizers exceeding these quantities shall comply with the applicable provisions of NFPA 400, *Hazardous Materials Code* as adopted by this Chapter 120-3-3."

(p) Modifications to Chapter 56:

2. Delete sections 5601 through 5607 and all related paragraphs there under in their entirety and substitute in their place the following:

5601. "**Explosives and blasting.** The provisions of Chapter 120-3-10 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Explosives and Blasting Agents' shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials and small arms ammunitions."

3. Delete section 5608.1 in its entirety and substitute in its place the following:

5608.1 "GENERAL PROVISIONS. In addition to the requirements of this Section for the display of fireworks the provisions of O.C.G.A. Title 25, Chapter 2, and Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, shall apply. Where there may be a conflict between a provision of this Section and a provision of the above referenced law or regulation, the provision of the above referenced law or regulation shall apply. Nothing in this chapter shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for the signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports or for the use by military organizations."

2. Insert a new section 5608.11 to read as follows:

5608.11 "Retail display and sale. (a) Fireworks as defined in the Official Code of Georgia (O.C.G.A.) Title 25, Chapter 10 in 25-10-1(a)(1) shall not be made available for sale at retail or wholesale, except as provided in

O.C.G.A. 25-10. (b) Non-explosive sparkling devices as defined in O.C.G.A. [25-10-1\(b\)](#) are permitted for retail sales to the public, provided, however, it is unlawful for any such devices to be sold to any person under 18 years of age (O.C.G.A. [25-10-2\(b\)\(1\)](#)). In addition, it is unlawful to sell such items to any person by any means other than an in-person, face-to-face sale. Further, such person shall provide proper identification to the seller at the time of such purchase. The term 'proper identification' means any document issued by a governmental agency containing a description of the person, such person's photograph, or both, and giving such person's date of birth and includes without being limited to, a passport, military identification card, driver's license, or an identification card authorized under O.C.G.A. Sections [40-5-100](#) through [40-5-104](#). (c) In areas where devices are stored or displayed for retail sales, at least one pressurized-water type portable fire extinguisher complying with NFPA 10, as adopted by this Chapter shall be located not more than 20 feet and not closer than 15 feet from the storage or display location. In addition, "NO SMOKING" signs complying with Section 310 shall be conspicuously posted in areas of such storage or display, unless in a building where smoking is clearly marked as prohibited."

(q) Modification to Chapter 57:

1. Add a new non-applicability paragraph number 12 to section 5701.2 to read as follows:

12. " The storage, transportation, use, dispensing, mixing and handling of Flammable and Combustible Liquids as outlined in Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids.'"

(r) Modifications to Chapter 61:

1. Delete Chapter 61 in its entirety and substitute in its place the following:

"CHAPTER 61 LIQUEFIED PETROLEUM GASES. The provisions relating to the storage and handling of liquefied petroleum gases shall be those in NFPA 58, *Liquefied Petroleum Gas Code*, as adopted by Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)"

(s) Modifications to Chapter 80:

1. Add an Explanatory Note at the start of the Chapter to read:

"Replace the NFPA Standard Reference numbers with the year edition with the same NFPA Standard Reference numbers and titles however; each year edition shall be those as adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner Chapters 102-3-3, 120-3-10, 120-3-11 and 120-3-12."

(4) NFPA 2, 2020 Edition Hydrogen Technologies Code

Modifications: None

(5) NFPA 3, 2018 Edition, Guide for the Commissioning and Integrated Testing of Fire Protection and Life Safety Systems Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice for fire prevention and fire protection. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, and it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

(6) NFPA 10, 2018 Edition, Standard for Portable Fire Extinguishers

Modifications:

(a) **Modification to Chapter 6:**

1. Delete 6.1.3.8.1 in its entirety and insert in its place the following (6.1.3.8.2 and 6.1.3.8.3 remain unchanged:

6.1.3.8.1 "Portable fire extinguishers having a gross weight not exceeding 40 lb. (18.14 kg) shall be installed so that the top of the extinguisher is not more than 48 in (1.19 m) above the floor."

2. Delete 6.1.3.10.5 in its entirety and substitute in its place the following:

6.1.3.10.5 Cabinets or wall recesses for fire extinguishers shall be installed that the top of the opening for the fire extinguisher is at 50 in. (1.27 m) above the finished floor.

6.1.3.10.5.1 The provisions of 6.1.3.10.5 shall not apply to existing installations.

(b) **Modifications to Chapter 7:**

1. Delete 7.1.2.1* in its entirety and insert in its place the following:

7.1.2.1 " Persons performing maintenance and recharging of extinguishers shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated."

2. Delete subparagraphs 7.1.2.1.1 thru 7.1.2.1.5 in their entirety without substitution.

3. Delete subparagraph 7.1.2.3 in its entirety without substitution.

4. Delete subsection 7.3.4.1.1 in its entirety and substitute in its place the following:

7.3.4.1.1 "Tags shall comply the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

5. Delete subsection 7.3.4.2 in its entirety and substitute in its place the following:

7.3.4.2 "**Verification-of-Service Collar (Maintenance or Recharging)**. Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 7.3.6.5.3 in its entirety and substitute in its place the following:

7.3.6.5.3 "The 6 year Maintenance internal examination label shall be blue in color and shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

7. Delete subsection 7.11.3 in its entirety and substitute in its place the following:

7.11.3 "Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

(c) **Modifications to Chapter 8:**

1. Delete subsection 8.1.2.1 in its entirety and substitute in its place the following:

8.1.2.1 "Hydrostatic testing shall be performed by persons who are, licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, trained in pressure testing procedures and safeguards complying with 7.1.2, who have testing equipment, facilities, and an appropriate manufacturer's service manual(s) available."

2. Delete subsection 8.1.2.1.2 in its entirety without substitution.

3. Delete subsection 8.1.2.1.3 in its entirety and substitute in its place the following:

8.1.2.1.3 "* Where hydrostatic testing is subcontracted to a facility described in 8.1.2.1.1, the secondary firm actually performing the hydro testing must be listed on the primary firms license(s) application on file in the Georgia State Fire Marshal's Office."

4.

Delete subsection 8.7.2.2 in its entirety and substitute in its place the following:

8.7.2.2 "The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

(7) NFPA 11, 2016 Edition, Standard for Low-, Medium-, and High-Expansion Foam

Modifications: None

(8) NFPA 12, 2018 Edition, Standard on Carbon Dioxide Extinguishing Systems

Modifications: None

(9) NFPA 12A, 2018 Edition, Standard on Halon 1301 Fire Extinguishing Systems

Modifications: None

(10) NFPA 13, 2019 Edition, Standard for the Installation of Sprinkler Systems

Modifications:

(a) Modification to Chapter 4:

1. Add a new Section 4.2.1 to read as follows:

4.2.1.1 "**Modification of Existing Sprinkler Systems.** In existing sprinkler systems, heads may be relocated from original installation locations. All alterations or modifications to existing branch lines shall be submitted with hydraulic calculations if work is outside of scope of subsections 4.4.1 through 4.4.4. New hydraulic data nameplate shall be placed on any modified system at the riser or sectional valve along with the existing hydraulic data nameplate.

4.2.1.2 One additional sprinkler may be added to an original installation location if the additional sprinkler is in a remotely located or non-communicating compartment from the existing or relocated sprinkler.

4.2.1.3 Two sprinklers may be added to an existing branch line if the additional sprinklers are in remotely located or non-communicating compartments from the existing or relocated sprinkler.

4.2.1.4 New branch lines added to existing cross mains shall be sized the same as the existing branch lines.

4.2.1.5 No more than two heads shall be supplied from 1 inch (25.4 mm) pipe unless the existing system was calculated to supply more than two heads. In such case, the calculated maximum for 1 inch (25.4 mm) pipe shall take precedence."

(b) Modification to Chapter 5:

1. Add a new paragraph 5.2.2.3 to read as follows:

5.2.2.3 "A water test taken to determine the period of highest demand and made not more than six months prior to plan submittal shall be submitted to the authority having jurisdiction with all new system designs."

(c) Modification to Chapter 9:

1. Delete the Annex note A.9.3.5.1 to 9.3.5.1* and insert a revised A.9.3.5.1 to read follows: "A.9.3.5.1 It is the intent of this section to apply the requirement for draft stops and closely spaced sprinklers to openings in fire rated floor/ceiling assemblies. It is not the intent of this section to require draft stops and closely spaced sprinklers to the perimeter around mezzanines, raised platforms, lofts or other places where stairs or escalators ascend to a floor or landing that is open to the space below.

2. Insert a new 9.3.5.2.1 to read as follows:

9.3.5.2.1 "Draft stops required by Section 8.15.4.1 shall not be required in Light and Ordinary Hazard Occupancies utilizing quick response sprinklers throughout."

(d) Modification to Chapter 16:

1.)

Delete paragraph 16.12.5.7 in its entirety and substitute in its place the following. The annex note shall remain.

16.12.5.7

"FDC Locations. The location of fire department connections shall be approved by the Fire Chief as set forth in subsections 501.5 and 912 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there may be conflict between subsection 501 or 912 of the *IFC* and section 8.17.2 of this *Code*, the provisions of 501 and 912 of the *IFC* shall prevail."

(e) Modification to Chapter 27:

1. Add a new 27.1.2.1 to read as follows:

27.1.2.1 "Where plan review notes returned with submitted plans or comments on submitted plans by the authority having jurisdiction (AHJ), indicating the need for corrections, such corrections shall be made by the Fire Protection Sprinkler Designer. Only after the needed corrections are made and shown on corrected plans shall changes by installation personnel be allowed. Corrected plans shall be kept at the project site and shall be firmly attached to the set of plans stamped as approved with comments by the AHJ. Submitted plans returned without the approval stamp of the AHJ shall have corrections made and be resubmitted to the AHJ for review and approval. The installation of a system shall not be allowed where plans have been returned without an approval stamp until corrected plans have been submitted, reviewed, and stamped as approved by the AHJ."

2. Add new items (48) through (51) to subsection 27.1.3 to read as follows:

(48) "Type of construction, (i.e., obstructed or unobstructed as defined in Section 3.7), and the distance between the sprinkler deflector and the structure in exposed structure areas.

(49) Indicate the system is a NFPA 13 designed system.

(50) Owner's Certificate, provided in accordance with Section 4.2.

(51) Name, number and signature of the Certificate of Competency holder & Designer."

3. Add a new subsection 27.2.4.11.2.1 to read as follows:

27.2.4.11.2.1 "There shall be a minimum 10 psi (0.69 bar) cushion between the hydraulically calculated sprinkler system demand and supply when there is a backflow prevention device present.

27.2.4.11.2.1.1 The 10 psi (0.69 bar) cushion may be lowered to not less than 7 psi with written approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building."

4. Add a new subparagraph 27.2.4.11.3 to read as follows:

27.2.4.11.3 "There shall be a minimum 15 psi (1.03 bar) cushion between the hydraulically calculated sprinkler system demand and supply in systems that do not have a backflow prevention device.

27.2.4.11.3.1 The 15 psi (1.05 bar) cushion may be lowered to not less than 7 psi with approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building."

(i) **Modification to Chapter 28:**

1. Add a new item (5) to 28.1 to read as follows:

(5) "Attach an initial **"GREEN"** inspection tag to the sprinkler system riser.

(a) After installation, acceptance testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.

(b) Inspection Tags must be **GREEN** in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:

1. **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL."** This order shall be in a minimum of 10pt capital letters.

2. The license number, name, and physical address of the licensed Fire Sprinkler Contractor.

3. The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.

4. The properly punched day, month and year the system was inspected and placed in a state of operational readiness.

5. The name and physical address, including tenant space designation, as applicable of the facility."

2. Add a new Section 28.7 Document Accessibility.

28.7.1 With every new system, a documentation cabinet shall be installed in the system riser room or at another approved location at the protected premises.

28.7.2 The documentation cabinet shall be sized so that it can contain all necessary documentation.

28.7.3 Required minimum documentation shall include copies of Approved Hydraulic calculations, Approved Plans, Above and Below ground contractors test, and Inventory of sprinkler heads.

28.7.4 Where the documentation cabinet is not in the sprinkler riser room, its location shall be identified at the system control valve.

28.7.5 The documentation cabinet shall be prominently labeled **SPRINKLER SYSTEM DOCUMENTS**.

28.7.6 The contents of the cabinet shall be accessible by authorized personnel only.

(11) NFPA 13D, 2019 Edition, *Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes*

Modifications: None

(12) NFPA 13R, 2019 Edition, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*

Modifications:

(a) Modification to Chapter 1:

Delete Section 1.1 in its entirety and substitute in its place the following. Subsection 1.1.1 and 1.1.2 shall remain.

1.1 **"Scope.** This standard deals with the design and installation of automatic sprinkler systems for protection against fire hazards in residential occupancies, personal care homes, day-care centers and group day-care homes, up to and including four stories in height. When a single-story open-air parking structure of fire-restrictive construction having a rating greater than 2-hours is below a four-story residential occupancy, the structure is considered within this scope."

1. Delete Section 1.2 in its entirety and substitute in its place the following:

1.2 **"Purpose.** The purpose of this standard is to provide design and installation requirements for a sprinkler system to aid in the detection and control of fires in residential occupancies, day-care centers, group day-care homes, and personal care homes, and thus provide improved protection against injury, loss of life, and property damage. A sprinkler system designed and installed in accordance with this standard is expected to prevent flashover (total involvement) in the room of fire origin, where sprinklered, and to improve the chance for occupants to escape or be evacuated. This standard shall not be applied to "new assisted living communities" or new "memory care units" as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and as regulated by Chapter 34 or 35, as applicable, of the *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(b) Modification to Chapter 3:

1. Delete subsection 3.3.10 in its entirety and substitute in its place the following:

3.3.10 **"Residential Occupancies.** Residential Occupancies, as specified in the scope of this standard and for the purposes of this standard, include the following, as defined by State law, or by the Rules and Regulations of the Georgia Safety Fire Commissioner: (1) Apartment buildings, (2) Lodging and rooming houses, (3) Board and care facilities, (4) Hotels, motels, and dormitories, (5) Personal care homes (prompt and slow evacuation type only), (6) Day-care centers and group day-care homes."

2. Add a new paragraph 3.3.9.1 to read as follows:

3.3.10.1 "Day-care Center - For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where more than 12 clients receive care. A day-care center is within the definition of a dwelling unit."

3. Add a new paragraph 3.3.10.2 to read as follows:

3.3.10.2 **"Group Day-care Home** - For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where at least seven but not more than 12 clients receive care. A group day-care home is within the definition of a dwelling unit."

4. Add a new paragraph 3.3.10.3 to read as follows:

3.3.10.3 **"Dwelling** - For purposes of NFPA 13R, any building which contains not more than one or two 'dwelling units' intended to be used, rented, leased, hired out to be occupied for habitation purposes, or for use as a day-care center, a group day-care home, or as a personal care home or community living arrangement."

5. Add a new paragraph 3.3.10.4 to read as follows:

3.3.10.4 **"Outside Dwelling Unit** - Any area such as, but not limited to, storage, mechanical and equipment rooms and/or other area(s) that, in the opinion of the authority having jurisdiction, constitutes a fire hazard in excess of the hazards normally found within the dwelling unit."

6. Add a new paragraph 3.3.10.5 to read as follows:

3.3.10.5 **"Personal Care Home** - For the purposes of NFPA 13R, any building or part thereof that is used as defined in Chapter 120-3-3 in [120-3-3-.03\(11\)](#) of the Rules and Regulations of the Safety Fire Commissioner."

(c) Modification to Chapter 4:

1. Add a new Section 4.6 to read as follows:

4.6 **"Minimum Pipe Sizes.** Minimum pipe sizes shall be $\frac{3}{4}$ inch (19.1 mm) for copper and 1-inch (25.4 mm) for steel. For other approved pipe or tubing used, a minimum size of $\frac{3}{4}$ inch (19.1 mm) for those with a Hazen-Williams 'C' value of 150 or more and 1 inch (19.1 mm) for those less than 150."

(d) Modification to Chapter 6:

1. Delete paragraph 6.6.1 in its entirety and substitute in its place the following:

6.6.1 "Sprinklers shall be installed in all areas except where omission is permitted by 6.6.2 through 6.6.9 excluding day-care facilities. Sprinklers shall be installed in all areas of day-care facilities except where omission is permitted by 6.6.4 and 6.6.5."

2. Add a new paragraph 6.8.11 to read as follows:

6.8.11 "A non-multipurpose piping system shall be isolated from the domestic water system by not less than two spring-loaded check valves or equivalent."

3. Add a new paragraph 6.8.12 to read as follows:

6.8.12 "All valves controlling water supplies for sprinkler systems or portions thereof, including floor control valves, shall be easily accessible to authorized persons. Water supply connections shall not extend into or through a building unless such connection is under control of an outside listed indicating valve or an inside listed indicating valve located near an outside wall of the building."

(e) Modification to Chapter 9:

1. Delete subsection 9.6.2.1 in its entirety and substitute in its place the following:

"Where a waterflow test is used for the purpose of system design, the test shall be conducted no more than 6 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction."

2. Add a new subsection 9.7.2.1 to read as follows:

9.7.2.1 "A fire pump not meeting NFPA 20, *Standard for the Installation of Stationary Pumps for Fire Protection*, may be acceptable for small community living arrangements, day-care centers, day-care homes, and small personal care homes based upon documentation and subject to written approval of the authority having jurisdiction."

(f) **Modification to Chapter 10:**

1. Add a new subsection 10.1.5 to read as follows:

10.1.5 " Upon completion of the acceptance test as set forth in this section, the installer shall attach an initial **"GREEN"** inspection tag to the sprinkler system riser.

(a) After installation, testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.

(b) Inspection Tags must be GREEN in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:

(1) **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL."** This order shall be in a minimum of 10pt capital letters.

(2) The license number, name, and physical address of the licensed Fire Sprinkler Contractor.

(3) The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.

(4) The properly punched day, month and year the system was inspected and placed in a state of operational readiness.

(5) The name and physical address (including tenant space as applicable) of the facility."

(13) **NFPA 14, 2019 Edition, *Standard for the Installation of Standpipe, and Hose Systems***

Modifications:

(a) **Modifications to Chapter 1:**

1. Delete Section 1-1 in its entirety and substitute in its place the following:

1-1 **"Scope.** The State's minimum requirements for standpipes shall be established by the *IBC* (Refer to **Table 102.13, CODES REFERENCE GUIDE**) of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner). In addition, the requirements for occupant hoses are eliminated for new and existing buildings subject to the approval of the authority having jurisdiction. Where the installation of standpipes and /or hose systems is required, this standard covers the minimum requirements for the installation of standpipes and hose systems for buildings and structures. This standard does not cover requirements for periodic inspection, testing, and maintenance of standpipe systems. (See NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*.)"

(b) **Modification to Chapter 7:**

1. Delete 7.8 in its entirety and substitute in its place the following:

7.8 "Minimum and Maximum Pressure Limits

7.8.1 Hydraulically designed standpipe systems shall be designed to provide the waterflow rate required by Section 7.10 at a minimum residual pressure of 100 psi (6.9 bar) at the outlet of the hydraulically most remote 2-1/2 inch (65 mm) hose connection and 65 psi (4.5 bar) at the outlet of the hydraulically most remote 1-1/2 (38 mm) hose connection.

7.8.1.1 Where the local Fire Chief or local Fire Code Official having fire suppression jurisdiction permits lower than 100 psi (6.9 bar) for 2-1/2 inch (65 mm) hose connections, based upon local suppression tactics, the pressure shall be permitted to be reduced to not less than 65 psi (4.5 bar).

7.8.1.2 Where the building is protected throughout by a supervised automatic sprinkler system and the building is not a high-rise, as defined in 3.3.5, the minimum residual pressure provisions shall not be mandatory when the standpipe system piping is a minimum of eight inches (8") nominal diameter.

7.8.1.3 Existing high-rise buildings, as defined in 3.3.5, that are protected throughout by a supervised automatic sprinkler system shall be permitted a reduction of the minimum residual pressure requirement of 100 psi (6.9 bar) at the hydraulically most remote 2-1/2 inch (63.5 mm) hose connection to 65 psi (4.5 bar).

7.8.1.4 Manual standpipe systems shall be designed to provide 100 psi (6.9 bar) at the topmost outlet with the calculations terminating at the fire department connection."

2. Insert a new subsection 7.12.3.4 to read as follows:

7.12.3.4 **"Location.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(c) Modification to Chapter 10:

1. Add a new subsection 10.3 to read as follows:

10.3 "A letter certifying that all pressure restricting and pressure reducing equipment is installed and set per NFPA requirements and manufacturer's instructions shall be presented to the inspector along with test certificates at the time of final inspection."

(d) Modification to Annex A:

1. Add a New Annex Note A.7.8.1.4 to read as follows:

A.7.8.1.4 "It is not the intent of this standard to provide an automatic water supply for manual standpipe systems. Manual standpipe systems are designed (sized) to provide 100 psi (6.9 bar) at the topmost outlet using a fire department pumper as the source of flow and pressure."

(14) NFPA 15, 2012 Edition, *Standard for Water Spray Fixed Systems for Fire Protection*

Modifications: None

(15) NFPA 16, 2019 Edition, *Standard for the Installation of Foam-Water Sprinkler and Foam- Water Spray Systems*

Modifications: None

(16) NFPA 17, 2017 Edition, *Standard for Dry Chemical Extinguishing Systems*

Modifications:

(a) **Modification to Chapter 1:**

1. Delete Section 1.6 in its entirety and substitute in its place the following:

1.6 **"*Qualifications.** Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical systems."

(b) **Modification to Chapter 11:**

1. Delete subsection 11.1.3 in its entirety and substitute in its place the following:

11.1.3 "Only persons trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical extinguishing systems, in accordance with this standard and the manufacturer's instructions."

2. Delete paragraph 11.1.3.1 in its entirety without substitution.

3. Delete subparagraph 11.3.1.2.4 in its entirety and substitute in its place the following:

11.3.1.2.4 "The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

4. Delete subparagraph 11.3.1.2.7 in its entirety and substitute in its place the following:

11.3.1.2.7 "The collar shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

5. Delete paragraph 11.3.1.10 in its entirety and substitute in its place the following:

11.3.1.10 "Each dry chemical system shall have the required tags or labels complying with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner after each service has been conducted on the system. Only the current applicable tag or label shall remain on the system."

6. Delete subsection 11.4.2 in its entirety and substitute in its place the following:

Systems shall be recharged by persons who are properly trained and licensed under the requirements of Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, in accordance with the manufacturer's listed installation and maintenance manual."

(17) **NFPA 17A, 2013 Edition, *Standard for Wet Chemical Extinguishing Systems***

Modifications:

(a) **Modification to Chapter 1:**

1. Delete Section 1.7 in its entirety and substitute in its place the following:

1.7 **"*Qualifications.** Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service wet chemical systems."

(b) **Modification to Chapter 7:**

1. Delete subsection 7.3.1 in its entirety and substitute in its place the following:

7.3.1 "A service technician who performs maintenance on an extinguishing system shall be trained and shall possess a licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated."

2. Delete paragraph 7.3.1.1 in its entirety without substitution.

3. Delete subparagraph 7.3.3.6.1 in its entirety and substitute in its place the following:

7.3.3.6.1 "The owner or owner's representative shall retain all maintenance reports for a period of 3 years after the next maintenance of that type required by the standard."

4. Delete paragraph 7.3.3.7 in its entirety and substitute in its place the following:

7.3.3.7 "* Each wet chemical system shall have a tag or label securely attached, complying with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner. Only the current tag or label shall remain in place."

5. Add a new paragraph 7.5.2.4 to read as follows:

7.5.2.4 "Each stored pressure system agent cylinder that has undergone maintenance or hydrostatic testing that includes internal examination, or that has been recharged shall have 'Verification of Service' collar located around the neck of the cylinder. The collar shall contain a single circular piece of uninterrupted material forming a hole of a size that will not permit the collar assembly to move over the neck of the cylinder unless the valve is completely removed. The collar shall not interfere with the operation and actuation of the system cylinder. The 'Verification of Service' collar shall comply with the requirements of NFPA 10, *Standard for Portable Fire Extinguishers*, as adopted by Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner.

7.5.2.4.1 The provisions of 7.5.2.4 do not apply to stored pressure system cylinders undergoing maintenance before March 1, 2002.

7.5.2.4.2 Non-stored pressure cylinders such as cartridge cylinders for cartridge-operated systems do not require a 'Verification of Service' collar for the cartridge."

(18) NFPA 18, 2017 Edition, *Standard on Wetting Agents*

Modifications: None

(19) NFPA 18A, 2017 Edition, *Standard on Water Additives for Fire Control and Vapor Mitigation*

Modifications: None

(20) NFPA 20, 2019 Edition, *Standard for the Installation of Stationary Pumps for Fire Protection*

Modifications:

(a) Modification to Chapter 4:

1. Add new paragraphs 4.6.2.3.4 and 4.6.2.3.5 to read as follows:

4.6.2.3.4 "At 150% rated capacity or below, the pump suction supply shall not drop below 20 psi (1.38 bar).

4.6.2.3.5 Suction supply pressure may be lowered upon approval of the authority having jurisdiction."

(21) NFPA 22, 2018 Edition, *Standard for Water Tanks for Private Fire Protection*

Modifications: None

(22) NFPA 24, 2019 Edition, *Standard for the Installation of Private Fire Service Mains and Their Appurtenances*

Modifications:

(a) Modifications to Chapter 4:

1. Delete 4.1.3 (10) in its entirety and substitute in its place the following:

(10) "Size, location, and piping arrangement of fire department connections as approved by the local Fire Chief having jurisdiction as set forth in 501.5 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(b) Modifications to Chapter 13:

1. Delete Section 13.1 in its entirety and substitute in its place the following: "13.1* Private Service Mains.

13.1.1 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant or one hydrant on dead end mains over 500 feet (152 m).

13.1.2 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply one hydrant and automatic extinguishing systems.

13.1.3 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant and automatic extinguishing systems on looped mains over 1,000 feet (305 m)."

2. Add the following in Annex A, A13.1:

A.13.1 "Pipe sizing should be based upon good engineering practices based on the projected water demand, firefighting capabilities and water supply characteristics. Pipe sizes other than those specified in 13.1 may be acceptable in new or existing installations with the written approval of the authority having jurisdiction."

(23) NFPA 25, 2017 Edition, *Standard for the Inspection, Testing, and Maintenance of Water- Based Fire Protection Systems*

Modifications:

(a) Modifications to Chapter 4:

1. Add a new Subsection 4.3.1.2 to read as follows:

4.3.1.2 "On non-compliant or impaired systems, a copy of the inspection report shall be forwarded to the authority having jurisdiction by the owner and/or the occupant."

2. Delete 4.3.3* in its entirety and substitute in its place the following:

4.3.3 "* Records shall be maintained by the property owner for a period of at least three years."

3. Delete Section 4.3.5 and replace with the following:

4.3.5 "Subsequent records shall be retained for a period of 3 years after the next inspection of that type required by the standard."

4. Add a new subsection 4.3.6 to read as follows:

4.3.6 "Tagging.

4.3.6.1 Inspection Tag.

(a) After inspection and testing, an Inspection Tag shall be completed indicating all work that has been done, and then attached to the system in such a position as to permit convenient inspection and not hamper its activation or operation. A new Inspection Tag shall be attached to each system each time an inspection and test service is performed.

(b) Inspection Tags must be GREEN in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;

3. The license number of the Fire Sprinkler Contractor;

4. The license number of the fire sprinkler inspector;

5. The licensed fire sprinkler inspector's signature;

6. The day, month and year (to be punched);

7. The facility name and address.

(d) Inspection Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) An Inspection Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor.

(f) Should impairments or noncompliance items be found, the licensed inspector shall notify the building owner or his representative and the authority having jurisdiction in writing of all noncompliance items and/or impairments found. A fire sprinkler system compliance Inspection Tag shall not be installed on each system until the impairments or noncompliance items have been corrected and each system has been re-inspected and found to be in a state of operational readiness.

4.3.6.2 Noncompliance Tag.

(a) If a fire sprinkler system is found in noncompliance with the applicable NFPA standards, a completed Noncompliance Tag shall be attached to the main control valve of each system to indicate that corrective action is necessary.

(b) Noncompliance Tags must be YELLOW in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Noncompliance Tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL-SYSTEM NOT IN COMPLIANCE WITH NFPA STANDARDS.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;

3. The license number of the Fire Sprinkler Contractor;
4. The license number of the fire sprinkler inspector;
5. The licensed fire sprinkler inspector's signature;
6. The day, month and year (to be punched);
7. The noncompliance issue(s);
8. The facility name and address.

(d) Noncompliance Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) The signature of the licensee on a Noncompliance Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) A Noncompliance Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.

(g) A letter of noncompliance conditions shall be sent to the building owner or authorized representative within five working days of the date of the inspection.

4.3.6.3 Impairment Tag.

(a) Should impairments constitute an emergency impairment as defined in this standard, then the inspector shall complete and attach an Impairment Tag to the main control valve of each system and the fire department connection to indicate that corrective action is necessary.

(b) Impairment Tags must be RED in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Impairment Tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;

3. The license number of the Fire Sprinkler Contractor;

4. The license number of the fire sprinkler inspector;

5. The licensed fire sprinkler inspector's signature;

6. The day, month and year (to be punched);

7. The emergency impairment(s);

8. The facility name and address.

(d) Impairment Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) The signature of the licensee on an Impairment Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) An Impairment Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.

(g) A letter of emergency impairment conditions shall be sent to the building owner or authorized representative and to the occupant within 24 hours of the time of the inspection. The building owner and/or occupant shall notify the authority having jurisdiction within 24 hours of the time of the impairment notification."

(b) Modifications to Chapter 6:

1. Add a new 6.1.1.1.1 to read as follows:

6.1.1.1.1 "In new and existing buildings, the requirements for hose for occupant use are eliminated, subject to the approval of the local Fire Chief or local Fire Code Official having fire suppression jurisdiction."

(24) NFPA 30, *Flammable and Combustible Liquids Code*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(25) NFPA 30A, *Code for Motor Fuel Dispensing Facilities and Repair Garages*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(26) NFPA 30B, *Code for the Manufacture and Storage of Aerosol Products*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(27) NFPA 31, *Standard for the Installation of Oil-Burning Equipment*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(28) NFPA 32, *Standard for Drycleaning Plants*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(29) NFPA 33, *Standard for Spray Application Using Flammable or Combustible Materials*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(30) NFPA 34, *Standard for Dipping, Coating and Printing Processes Using Flammable or Combustible Liquids*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(31) NFPA 35, *Standard for the Manufacture of Organic Coatings*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(32) NFPA 36, *Standard for Solvent Extraction Plants*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(33) NFPA 37, *Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(34) NFPA 40, 2019 Edition, *Standard for the Storage and Handling of Cellulose Nitrate Film*

Modifications: None

(35) NFPA 45, 2019 Edition, *Standard on Fire Protection for Laboratories Using Chemicals*

Modifications:

(a) Modification to Chapter 10:

1. Delete paragraph 10.2.3.4 in its entirety and substitute in its place the following:

10.2.3.4 **"Emergency shutoff valves for laboratories.** In addition to point of use manual shutoff valves required by 10.2.3, each laboratory space containing two or more gas outlets installed on tables, benches, or in hoods in business, educational, healthcare, research, commercial, and industrial occupancies shall have a single valve through which all such gas outlets are supplied. This emergency shutoff valve shall be accessible, located within the laboratory or adjacent to the laboratory's primary egress door, and clearly identified by approved signage stating at the least, **'GAS SHUTOFF'.**"

(36) NFPA 51, 2018 Edition, *Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes*

Modifications:

(a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(37) NFPA 51B, 2019 Edition, *Standard for Fire Prevention During Welding, Cutting, and Other Hot Work*

Modifications:

(a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(38) NFPA 52, 2019 Edition, *Gaseous Vehicular Fuel Systems Code*

Modifications:

(a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(39) NFPA 53, 2016 Edition, *Materials, Equipment, and Systems Used in Oxygen-Enriched Atmospheres*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.3.1 to read as follows:

1.3.1 "This document is recognized strictly as a recommended practice that may be used in evaluating fire hazards in oxygen-enriched atmospheres. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone code or standard, however, it may be used in conjunction with and in the support of the applicable provisions of other adopted codes or standards."

(40) NFPA 54, 2018 Edition, *National Fuel Gas Code*

Modifications:

(a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, and Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

(41) NFPA 55 2020 Edition, *Compressed Gases and Cryogenic Code*

Modifications: None

(43) NFPA 56, 2017 Edition, *Standard for Fire and Explosion Prevention During Cleaning and Purging of Flammable Gas Piping Systems*

Modifications: None

(44) NFPA 58, 2017 Edition, *Liquefied Petroleum Gas Code*

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(45) NFPA 59, *Utility LP-Gas Plant Code (LNG)*

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(46) NFPA 59A, 2019 Edition, *Standard for the Production, Storage, and Handling of Liquefied Natural Gas*

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(47) NFPA 61, 2017 Edition, *Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(48) NFPA 68, 2018 Edition, *Standard on Explosion Protection by Deflagration Venting*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(49) NFPA 69, 2019 Edition, *Standard on Explosion Prevention Systems*

Modifications: None

(50) NFPA 70, 2020 Edition, *National Electrical Code*

Modifications:

(a) Modifications to Article 110, I:

1. Add a new section 110.29 to read as follows:

110.29 "Relocatable Power Tap's (RPT's. Relocatable power taps (RPT's) shall comply with the provisions of 605.4.2 of the *International Fire Code (IFC)* as adopted by this Chapter."

(51) NFPA 70B, 2019 Edition, *Electrical Equipment Maintenance*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice that may be used in evaluating the effectiveness of electrical equipment within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(52) NFPA 70E, 2018 Edition, *Standard for Electrical Safety Requirements for Employee Workplaces*

Modifications:

(a) Modifications to Article 90 Introduction:

1. Delete 90.1 in its entirety and substitute in its place the following:

90.1 "This standard addresses those electrical safety requirements for employee workplaces that are necessary for practical safeguarding of employees in their pursuit of gainful employment. This document is recognized strictly as a recommended practice that may be used in evaluating electrical safety requirements for employee workplaces. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard covers:

(a) Electrical conductors and equipment installed within or on buildings or other structures, including mobile homes and recreational vehicles, and other premises such as yards, carnival, parking and other lots, and industrial substations.

(b) Conductors that connect the installations to a supply of electricity.

(c) Other outside conductors on the premises."

(53) NFPA 72, 2019 Edition, *National Fire Alarm and Signaling Code*

Modifications:

(a) Modification to Chapter 1:

1. Delete Section 1.1.1 in its entirety and substitute in its place the following:

1.1.1 "**Scope.** This *Code* covers the application, installation, location, performance, inspection, testing, and maintenance of fire alarm systems, supervising station alarm systems, public emergency alarm reporting systems, fire and carbon monoxide detection and warning equipment, and emergency communications systems (ECS), and their components, whether such system or component is required or not.

1.1.1.1 Where the requirements of this *Code* have technical differences and requirements from those established, as applicable, by Chapter 120-3-20 or 120-3-20A, of the Safety Fire Commissioner's Rules and Regulations for Accessibility to Buildings and Facilities, the technical provisions and requirements of Chapter 120-3-20 and 120-3-20A shall take precedence over the requirements of this *Code* where applicable."

(b) Modifications to Chapter 7:

1. Add a new paragraph (5) to 7.5.3 to read as follows:

(5) "For software-based systems, all access codes and passwords to grant access to the software by authorized personnel."

(c) Modifications to Chapter 10:

1. Add a new subsection 10.4.7 to read as follows:

10.4.7 "Protection shall not be required in Existing building installations acceptable to the authority having jurisdiction."

(d) Modifications to Chapter 17:

1. Add a new subparagraph 17.7.3.1.4 to read as follows:

17.7.3.1.4 "Alternate locations of smoke detectors as allowed by the *International Fire Code*, or where applicable, the *Life Safety Code*, and acceptable to the authority having jurisdiction, may be utilized and may be considered to be in compliance with this *Code*."

(e) Modification to Annex A:

1. Add a new Annex note A.18.4.4.2 to read as follows:

A.18.4.4.2 "For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time may be lost while trying to calm such children. Also, audible alarms at or near locations, where clear communications is required, may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction."

(54) NFPA 75, 2017 Edition, *Standard for the Protection of Electronic Computer/Data Processing Equipment*

Modifications: None

(55) NFPA 76, 2016 Edition, *Standard for Fire Protection of Telecommunications Facilities*

Modifications: None

(56) NFPA 77, 2019 Edition, *Recommended Practice on Static Electricity*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.9 to read as follows:

1.1.9 "This document is recognized strictly as a recommended practice that may be used in evaluating systems or devices installed for the purposes of safeguarding life and/or property against the hazards of static electricity. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(57) NFPA 78, 2020 Edition, *Guide on Electrical Inspections*

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.4 to read as follows:

1.1.4 "This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard is not meant to add any

requirements not found in the NEC, nor change the intent of the intent of the requirements found in the NEC. If any conflict occurs between this standards and the NEC, the NEC shall control."

(58) NFPA 79, 2019 Edition, *Electrical Standard for Industrial Machinery*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard is not meant to add any requirements not found in the *NEC*, nor change the intent of the requirements found in the *NEC*. If any conflict occurs between this standards and the *NEC*, the *NEC* shall control."

(59) NFPA 80, 2019 Edition, *Standard for Fire Doors and Other Opening Protectives*

Modifications: None

(60) NFPA 80A, 2017 Edition, *Protection of Buildings from Exterior Fire Exposures*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice that may be used in evaluating the exterior fire exposure risks of buildings. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand- alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(61) NFPA 82, 2019 Edition, *Standard on Incinerators and Waste and Linen Handling Systems and Equipment*

Modifications: None

(62) NFPA 85, 2019 Edition, *Boiler and Combustion Systems Hazards Code*

Modifications: None

(63) NFPA 86, 2019 Edition, *Standard for Ovens and Furnaces*

Modifications: None

(64) NFPA 87, 2018 Edition, *Standard for Fluid Heaters*

Modifications: None

(65) NFPA 88A, 2019 Edition, *Standard for Parking Structures*

Modifications: None

(66) NFPA 90A, 2018 Edition, *Standard for the Installation of Air-Conditioning and Ventilating Systems*

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90A with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living homes or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to **Table 102.13, CODES REFERENCE GUIDE** in the *International Fire Code* adopted by this Chapter 120-3-3.)

(67) NFPA 90B, 2018 Edition, *Standard for the Installation of Warm Air Heating and Air- Conditioning Systems*

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90B with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to **Table 102.13, CODES REFERENCE GUIDE** in the *International Fire Code* adopted by this Chapter 120-3-3.)

(68) NFPA 91, 2015 Edition, *Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids*

Modifications: None

(69) NFPA 92, 2018 Edition, *Standard for Smoke Control Systems*

Modifications: None

[Note: Also see 909.2.1 (1) of the *International Fire Code*]

(70) NFPA 96, 2017 Edition, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*

Modifications:

(a) Modification to Chapter 1:

1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:

1.1.3 " This standard shall apply to all commercial cooking equipment used for commercial cooking operations."

2. Delete subsection 1.1.4 in its entirety and substitute in its place the following:

1.1.4 " This standard shall not apply to residential cooking equipment located in a single dwelling unit or to cooking equipment in facilities where all of the following are met:

- (1) Only residential cooking equipment such as: stoves, ranges or cooking surfaces traditionally used in dwelling units are being utilized.
- (2) The defined residential cooking equipment contains a maximum of four standard surface cooking elements and is not used for frying operations.
- (3) The defined residential equipment is used for food warming, limited cooking, rehabilitation training or in a home economic education classroom setup.
- (4) The residential cooking equipment is protected by a listed self-contained residential fire suppression system located in an approved residential hood which is vented directly to the outside and providing protection to each cooking surface. The self-contained fire suppression system for the defined residential cooking equipment need not be provided where protection is provided by an approved automatic sprinkler system protecting the cooking surface, subject to approval of the authority having jurisdiction. The self-contained residential fire suppression system shall automatically disconnect electric power to electric stoves, and shut off the gas supply and electric power to gas fueled stoves, provided, however, this provision shall not be retroactive for installations approved prior to the effective adoption date of this standard.
- (5) The facility is not an assembly occupancy, provided, this shall not apply to church facilities with a single residential stove or range complying with (2) above.
- (6) Fire Extinguishers are located in all kitchen areas in accordance with NFPA 10, *Standard for Portable Fire Extinguishers*, and this *Code*, as adopted with modifications."

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This standard, except for operational and maintenance provisions, shall not apply for conditions existing prior to March 9, 2010, subject to the approval of the authority having jurisdiction, and where a notarized statement that no frying operations will be performed is provided. This approval shall be void for cause when the authority having jurisdiction finds cooking operations involve frying operations. (See also 1.4.1)"

(b) Modification to Chapter 10:

1. Delete subsection 10.2.6 in its entirety and substitute in its place the following:

10.2.6 " Automatic fire extinguishing systems shall be installed by competent personnel meeting Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, licensing and permit requirements. In addition, such systems shall be installed in accordance with the terms of their listing, the manufacturer's instructions, and the following applicable standard(s):

- (1) NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*
- (2) NFPA 13, *Standard for the Installation of Sprinkler Systems*
- (3) NFPA 17, *Standard for Dry Chemical Extinguishing Systems*
- (4) NFPA 17A, *Standard for Wet Chemical Extinguishing Systems"*

2. Add a New Subsection 10.4.4.1 to read as follows:

10.4.4.1 Shut off devices shall be located below any ceiling and be accessible.

(c) Modification to Chapter 13:

1. Delete Section 13.2 in its entirety and substitute in its place the following:

13.2 **"Design Restrictions.** All recirculating systems shall comply with the requirements of Section

13.2. Recirculating systems shall be limited to outdoor vending areas or rooms that are fully sprinklered."

(d) Add a New Chapter 16:

Chapter 16: Mobile and Temporary Cooking Operations

16.1 General Requirements

16.1.1 Annex B shall be adopted as mandatory requirements for mobile and temporary cooking operations.

16.1.2 Cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, tents or any form of roofed enclosure shall comply with this chapter.

(71) NFPA 99, 2018 Edition, *Standard for Health Care Facilities*

Modifications: None

NOTE: Hospitals, hospices, ambulatory surgical centers, nursing homes, or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to [120-3-3-.03](#) of Chapter [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner for definitions of "assisted living communities" and "memory care units. Such facilities are regulated, as appropriate by Chapters 34 or 35 of the *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.)

(72) NFPA 99B, 2018 Edition, *Standard for Hypobaric Facilities*

Modifications: None

(73) NFPA 101, 2018 Edition, *Life Safety Code*

Modifications:

The 2018 Edition of the *Life Safety Code* is adopted with modifications so as to be applicable to proposed (new) and existing buildings and structures. Unless noted otherwise herein, operational provisions such as fire drills, emergency egress and relocation drills, development of fire or emergency plans, and regulation of decorations and contents of building and structures of the various provisions of NFPA 101, *Life Safety Code* shall not be applicable to proposed (new) or existing buildings, structures, facilities, or conditions. The operational provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall apply to proposed (new) and existing buildings, structures, facilities, and conditions, unless such provisions are less protective than or are in conflict with the rules and regulations of the Centers for Medicare and Medicaid Services (CMS) as they apply to health care related occupancies.

(a) Modifications to Chapter 1:

1. Delete paragraph (1) of subsection 1.1.9 in its entirety and substitute in its place the following:

(1) " General fire prevention or building construction features are normally a function of fire prevention codes and building codes. The *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and the *International Building Code (IBC)*, as adopted by the Georgia Department of Community Affairs, are applicable, and their use along with other codes and standards shall be coordinated with this Code, as set forth in 1.4.4 and Table 1.4.4, **CODES REFERENCE GUIDE**

2. Add a new subsection 1.4.4 to read as follows:

1.4.4 **"Code Coordination.** This *Code* shall apply to all proposed (new) and existing buildings, structures and facilities, except as herein provided, and shall be utilized in conjunction with the *IBC*, the *IFC*, the *IMC*, and the *IFGC*, to the degree provided in Table 102.13 **CODES REFERENCE GUIDE**.

1.4.4.1 This *Code* does not apply to one- and two-family dwellings or one-and two-family row houses (townhouses) separated by a 2-hour firewall, except as specified in Chapters 26, 30 and 31."

Table 102.13: CODES REFERENCE GUIDE		
Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.	IBC	LSC
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinkler Systems minimum	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke alarms & Smoke Detection Systems	State Statute &	NONE
Cooking Equipment	LSC & NFPA 96	NONE
Portable Fire Extinguishers		NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

(b) **Modification to Chapter 3:**

[Note: Refer to [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner for modified or special definitions that apply to this *Code*, unless otherwise advised by the various chapters of this *Code*.]

(c) **Modification to Chapter 4:**

1. Delete Section 4.7 in its entirety (4.7.1 through 4.8.2.3) and substitute in its place the following: "SECTION 4.7 Fire Safety and Evacuation Plans and Emergency Evacuation Drills.

4.7.1 **Fire Safety and Evacuation Plans.** Fire safety and evacuation plans shall be developed, made available, and maintained in various occupancies as required by Section 404 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

4.7.1.1 **Resources for Development of Fire Safety and Evacuation Plans.** The provisions of A.4.7, A.4.7.2, A.4.7.4, A.4.7.6, A.4.8.2.1, and Table A.4.8.2.1(3), and as applicable, A.12.7.6, A.7.7, A.12.7.7.3, A.13.7.6, A.13.7.7, A.14.7.2.1, A.15.7.2.1, A.16.7.1, A.16.7.2.1, A.17.7.1, A.18.7, A.18.7.2.1, A.19.7, A.19.7.2.1, A.20.7, A.20.7.2.1, A.21.7, A.21.7.2.1, A.22.7.1.3, A.23.7.1.3, A.28.7.1.1, and A.29.7.1.1 of this *Code* shall be deemed acceptable resources for use in the development of fire safety and evacuation plans required by the *IFC*, as set forth by the provisions of 4.7.1 of this *Code*.

4.7.2 Emergency Evacuation Drills. Emergency evacuation drills shall be conducted in various occupancies as required by Section 405 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

4.7.3 **Employee Training and Response Procedures.** Employees in various occupancies shall be trained in fire emergency procedures and evacuation procedures as required by Section 406 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(d) Modifications to Chapter 6:

1. Delete subparagraph 6.1.14.4.1 in its entirety and substitute in its place the following:

6.1.14.4.1 "Where separated occupancies are provided, each part of the building comprising a distinct occupancy as described in this chapter, shall be completely separated from other occupancies by fire resistive assemblies as specified in 6.1.14.4.2, and in Section 508 of the *International Building Code*, adopted by the Georgia Department of Community Affairs, as applicable to "separated occupancies", unless separation is provided by approved existing separations."

2. Delete subparagraph 6.1.14.4.3 in its entirety without substitution.

3. Delete Table 6.1.14.4.1(a) in its entirety without substitution.

4. Delete Table 6.1.14.4.1(b) in its entirety without substitution.

(e) Modifications to Chapter 7:

1. Add a new item (8) to subparagraph 7.2.1.4.1 to read as follows:

(8) "For conditions or circumstances not covered herein, vertical fire shutters, roll down fire doors, or similar assemblies shall not be installed in means of egress, except where expressly permitted due to special hazards or circumstances by other chapters of this *Code*, or by approval of the Office of the State Fire Marshal for buildings coming under O.C.G.A. [25-2-13](#), or by the fire authority having jurisdiction over other buildings."

2. Add a new subparagraph 7.2.1.8.2.1 to read as follows:

7.2.1.8.2.1 "Where fire doors are used within the means of egress, they shall comply with the applicable provisions of 7.2.1. Spring loaded hinges or spring operated self-closing devices not listed for use with rated fire door assemblies are prohibited for use as closing devices for fire rated doors.

7.2.1.8.2.1.1 Existing applications utilizing spring loaded hinges in existing buildings may be continued in use where acceptable to the authority having jurisdiction.

7.2.1.8.2.1.2 Spring loaded hinges or spring operated self-closing devices shall not be permitted for use on fire-rated smoke doors, provided, however, spring loaded hinges may be used on non-rated doors designed and installed to resist the passage of smoke, unless otherwise specified in Chapters 11 through 43.

7.2.1.8.2.1.3 Existing installations in existing buildings of spring loaded hinges on fire-rated smoke doors may be continued in use where acceptable to the authority having jurisdiction."

3. 3. Revise 7.2.2.2.1.1 (1) to read as follows.

(1) New stairs shall be in accordance with Table 7.2.2.2.1.1(a) and 7.2.2.2.1.2 and the following shall apply:

(a) Risers shall be solid

4. Revise 7.2.2.2.1.1 (3) to read as follows.

(3) Approved existing stairs shall be permitted to be rebuilt in accordance with the following:

(a) Dimensional criteria of table 7.2.2.2.1.1 (b)

(b) Other stair requirements of 7.2.2

(c) Risers shall be solid

5. Add a new subparagraph 7.2.3.10.3 to read as follows:

7.2.3.10.3 "**Deactivation of Mechanical Pressurization Systems.** The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke."

6. Add a new paragraph 7.3.1.2.1 to read as follows:

7.3.1.2.1 "Where substantial evidence and documentation is provided, the authority having jurisdiction may decrease the occupant load for some occupancy use areas. The determined occupant load capacity shall be posted at an obvious location indicating the total occupant load capacity."

7. Add to Table 7.3.1.2 entitled "Occupant Load Factor" the additional use areas to read as follows:

"Locker Rooms	15	(1.4)
Free Weight Rooms	20	(1.9)
Running Tracks	50	(4.7)
Art Museums	30	(2.8)
Pool Halls	75	(6.9)
Multi-Purpose room	7	(0.65)
Airport terminals:		
Concourse	100	(9.3)
Waiting area	15	(1.4)
Baggage Claim	20	(1.9)
Baggage Handling	300	(27.9)"

8. Add a new subparagraph 7.4.1.1.1 to read as follows:

7.4.1.1.1 "Egress stairways from mezzanines shall conform to the requirements of Chapter 7 of this *Code*. They may be open to the floor of the room in which they are located provided all of the following conditions are met:

(1) The space beneath the mezzanine is totally open and unencumbered by partitioned rooms or spaces. The space beneath the mezzanine may be enclosed provided the enclosed space is protected throughout with a smoke detection system installed in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, which sounds an alarm in the mezzanine.

(2) The travel distance from the most remote point on the floor of the mezzanine to the building exit or to a protected egress corridor, exit court, horizontal passageway, enclosed stair, or exterior exit balcony does not exceed the travel distance limitations of Chapters 11 through 42.

(3) The occupant load of the mezzanine is added to the occupant load of the story or room in which it is located for the purposes of determining the minimum egress requirements.

(4) The mezzanine is not occupied for sleeping purposes unless there are exterior windows accessible to the mezzanine and located not more than two stories above grade."

9. Add a new paragraph 7.7.1.5 to subsection 7.7.1 to read as follows:

7.7.1.5 "Where the exit discharge termination cannot be at a public way, or the authority having jurisdiction determines it to be a significant hardship to provide the termination at a public way, the authority having jurisdiction may approve the exit discharge termination to be a safe dispersal area that complies with the following:

(1) The area shall be of an area that accommodates at the least 5 square feet (0.46 m²) for each person calculated to be served by the exit(s) for which the dispersal area is provided.

(2) The dispersal area shall be located on the same lot at least 50 feet (15240 mm) away from the building requiring egress. A greater distance may be required by the authority having jurisdiction based on the evaluated fire severity or other risk from the building requiring egress.)

(3) The area shall be clearly identified and permanently maintained as a safe dispersal area.

(4) The area shall be provided with a clearly identified and unobstructed exit discharge route, and comply with the applicable provisions of 7.1.6 of this *Code*.

(5) The exit discharge route and the dispersal area shall be illuminated by normal and emergency lighting, where the building requiring egress is occupied during periods of darkness."

10. Add a new subsection 7.7.7 to read as follows:

7.7.7 "Discharge from exits into fenced or walled courtyards or yards.

7.7.7.1 For occupancies covered by Chapters 14, 15, 16, 17, 32 and 33, exits shall be permitted to discharge into fenced or walled courtyards or yards, provided the courtyard or yard is provided with a gate at least 32 inches (0.81 m) in clear width. Where the population served exceeds 50, two gates shall be provided. There shall be adequate exit capacity provided for the population served. The requirements of 7.4.1.2 shall apply. Gates are permitted to be locked if adequate provisions are made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to the staff at all times that is approved by the authority having jurisdiction. Only one locking device shall be permitted on each gate.

7.7.7.2 The provisions of 7.7.7.1 shall not be construed as prohibiting the use of fenced or walled courtyards as components of the discharge of exits as set forth in Chapters 22 and 23.

7.7.7.3 The provisions of 7.7.7.1 may be applied, as approved by the authority having jurisdiction, to an "Assisted Living Community" or "Memory Care Unit" as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

7.7.7.4 The provisions of various occupancy chapters dealing with a "lock-up", as defined in 3.3.164, shall not be construed as applying to the exit discharge provisions of 7.7.7.1, provided, however, exits from approved lock-ups may discharge into fenced or walled areas complying with the provisions of Chapter 22 or 23 as may be applicable, and as approved by the authority having jurisdiction."

(f) Modification to Chapter 8:

1. Delete paragraph 8.2.1.2* in its entirety and substitute in its place the following:

8.2.1.2 "*" The *International Building Code (IBC)* as adopted by the Department of Community Affairs (DCA) shall be used to determine the requirements for the construction classification."

2. Add a new subparagraph 8.2.1.2.1 and Table 8.2.1.2.1 to read as follows:

8.2.1.2.1 "**Construction Conversion Table.** The table noted herein provides a comparison of acceptable construction types as defined in NFPA Standard 220 and the *International Building Code (IBC)*."

Table 8.2.1.2.1 Conversion Table for the IBC and NFPA 220 Construction Types										
NF PA 220	Type I (443)	Type I (332)	Type II (222)	Type II (111)	Type II (000)	Type III (211)	Type III (200)	Type IV (2 HH)	Type V (111)	Type V (000)
<i>IBC</i>	---	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB

3. Add a new to sub-paragraph 8.2.2.2.1 to read as follows:

8.2.2.2.1 "Fire barriers/walls required for tenant separation by the *IBC* may terminate at exit access corridors with a lower fire rating including a non-rated smoke resistive barrier, if such barriers are allowed by the requirements for the protection rating of exit access corridors."

4. Delete paragraph 8.2.2.5 and replace with a new paragraph 8.2.2.5

8.2.2.5 Fire and/or Smoke Barrier Identification. All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7 m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Wording shall be similar to the following: '(4)' Hour Fire and Smoke Barrier-Protect All Openings. Where signs are utilized, they shall be designed and installed to resist peeling or detaching from the barrier. Other methods acceptable to the authority having jurisdiction shall be deemed approved.

8.2.2.5.1 Existing stenciling, acceptable to the authority having jurisdiction, shall be permitted to remain in use. Existing signs that are not peeling or detaching from the barrier shall be permitted to remain in use, subject to the approval of the authority having jurisdiction.

5. Add a new paragraph 8.3.1.2.1 to read follows:

8.3.1.2.1 2-hour fire barriers shall occur at the junction of new and existing construction when the existing construction does not meet the minimum requirements of the code for existing facilities. Such barriers shall not be extended into the new construction.

6. Add a new 8.3.3.6.12 to read as follows:

8.3.3.6.12 Tested and listed fire-rated glazing material installed in separately tested fire-rated frame assemblies not tested in a single unit with fire-rated glazing material may be permitted to be used subject to approval of the authority having jurisdiction in fire-rated barriers that are not part of an exit enclosure or enclosures around unsprinklered hazardous areas not containing flammable liquids or gases, combustible liquids, or other materials having the potential for rapid oxidation or explosion potential.

7. Delete 8.7.3.1 in its entirety and substitute in its place the following:

8.7.3.1 The use, handling and storage of flammable or combustible liquids, flammable gases, or other materials deemed hazardous to the safety of life shall be in accordance with the applicable provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner, or in accordance with the applicable codes or standards adopted by other Chapters of the Rules and Regulations of the Safety Fire

8. Add a new paragraph 8.3.1.2.1 to read follows:

8.3.1.2.1 "2- hour fire barriers shall occur at the junction of new and existing construction when the existing construction does not meet the minimum requirements of the code for existing facilities. Such barriers shall not be extended into the new construction."

9. Add new paragraph 8.3.1.5 to read as follows:

8.3.1.5 "All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7 m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Wording shall be similar to the following: '() Hour Fire and Smoke Barrier-Protect All Openings. Where signs are utilized, they shall be designed and installed to resist peeling or detaching from the barrier."

8.3.1.5.1 Existing stenciling, acceptable to the authority having jurisdiction, shall be permitted to remain in use. Existing signs that are not peeling or detaching from the barrier shall be permitted to remain in use, subject to the approval of the authority having jurisdiction."

10. Add a new 8.3.3.6.12 to read as follows:

8.3.3.6.12 "Tested and listed fire-rated glazing material installed in separately tested fire-rated frame assemblies not tested in a single unit with fire-rated glazing material may be permitted to be used subject to approval of the authority having jurisdiction in fire-rated barriers that are not part of an exit enclosure or enclosures around unsprinklered hazardous areas not containing flammable liquids or gases, combustible liquids, or other materials having the potential for rapid oxidation or explosion potential."

11. Delete 8.7.3.1 in its entirety and substitute in its place the following:

8.7.3.1 " The use, handling and storage of flammable or combustible liquids, flammable gases, or other materials deemed hazardous to the safety of life shall be in accordance with the applicable provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner, or in accordance with the applicable codes or standards adopted by other Chapters of the Rules and Regulations of the Safety Fire Commissioner."

(g) Modification to Chapter 9:

1. Delete 9.1.1 in its entirety and insert in its place the following:

9.1.1 "Gas. Equipment using gas and related gas piping shall be in accordance with the *International Fuel Gas Code (IFGC)*, NFPA 54, National Fuel Gas Code, or NFPA 58, *Liquefied Petroleum Gas Code*, as may be applicable and as adopted by the applicable Chapters of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**. Existing installations, subject to approval of the authority having jurisdiction, shall be permitted to be continued in service."

2. Delete 9.2.1 in its entirety and substitute in its place the following:

9.2.1 "Air Conditioning, Heating, Ventilating, Ductwork, and Related Equipment. Air conditioning, heating, ventilating ductwork, and related equipment shall be in accordance with the *International Mechanical Code (IMC)*, as adopted by the Georgia Department of Community Affairs. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**)"

3. Delete section 9.3 in its entirety and substitute in its place the following:

9.3.1 "*** General.** Smoke control systems, where required or permitted by Chapters 11 through 42, shall be designed, installed, tested, and maintained in conformance with Section 909 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

4. Add a new subsection 9.3.2 to read as follows:

9.3.2 "Detention, holding or processing cell(s) which are used for the containment of an individual for not more than two hours in a 12-hour period shall not be required to be provided with vent openings, smoke shafts, or an engineered smoke control system to provide ventilation provided each cell is monitored by closed circuit television or dedicated personnel located outside the holding area and which have visual supervision of the cell(s)."

5. Delete subsection 9.4.2.1 in its entirety and substitute in its place the following:

9.4.2.1 "New elevators, escalators, dumbwaiters, and moving walks shall be installed in accordance with the requirements of ANSI/ASME A17.1, Safety Code for Elevators and Escalators. The elevator lobby of the designated floor and the alternate floor specified by Rule 211.3(a), and determined by the Fire Chief of the fire department having emergency response jurisdiction, shall be separated from the remainder of the building by 1-hour fire-rated construction. In buildings equipped with automatic sprinkler protection, smoke partitions in accordance with Section 8.4 may be used in lieu of 1-hour fire rated construction. Except health care occupancies as approved by the AHJ, openings in the elevator lobby shall be limited to those required for access to the elevators from exit access corridors or exits only. Elevator lobbies may be used as part of the means of egress from the building.

Exception No. 1: Elevator lobbies are not required within an atrium.

Exception No. 2: Elevator lobbies are not required where elevators are installed on open exterior walls.

Exception No. 3: Elevator lobbies are not required where elevators are installed in open air parking structures.

Exception No 4: Elevator lobbies are not required in buildings three stories or less with vertical openings protected in accordance with the applicable occupancy chapter.

Exception No 5: Elevator lobbies are not required in mercantile occupancies that have properly protected openings for escalators or stairs.

Exception No 6: Existing installations acceptable to the authority having jurisdiction."

6. Add a new subparagraph 9.6.2.10.8.1 to read as follows:

9.6.2.10.8.1 "Existing battery-powered smoke alarms as permitted by other sections of this *Code* shall be permitted to remain in use provided the following criteria are met:

1. The device is no older than 10 years of the manufactures date on the device; and,
2. The device is installed in a facility that was legally permitted before July 1, 1987, as a residential occupancy; and,
3. The facility has demonstrated to the authority having jurisdiction that the testing, maintenance, and battery replacement program will ensure reliability of power to the smoke alarms,

7. Add a new subparagraph 9.6.2.10.8.2 to read as follows:

9.6.2.10.8.2 "Existing battery-powered smoke alarms as permitted by other sections of this *Code* and which meet the provisions of subparagraph 9.6.2.10.8.1 shall be replaced with smoke alarms whose device housing is tamper resistant and is powered by a non-replaceable, non-removable energy source capable of powering the alarm for a minimum of ten years from the manufacture's date on the device when any of the following apply:

1. The device is replaced for any reason; or,
2. The provisions of subparagraph 9.6.2.10.8.1 or not met; or,
3. There is no manufactures date that exist on the device; or,

4. The device does not meet all of the provisions of subparagraph 9.6.2.10.8.1.

8. Delete 9.6.3.6.3 and its place substitute the following:

9.6.3.6.3 " * Where occupants are incapable of evacuating themselves because of age, dependence on verbal communication with caregivers, physical or mental disabilities, or physical restraint, the private operating mode as described in NFPA 72, *National Fire Alarm and Signaling Code*, shall be permitted to be used. Only attendants, caregivers, and other personnel that are required to relocate or assist in the relocation occupants from a zone, area, floor, or building shall be required to be notified. The notification shall include means to readily identify the zone, area, floor, or building in need of evacuation. Where approved by the authority having jurisdiction, the requirements for audible signaling shall be permitted to be further reduced or eliminated when visible signaling is provided in accordance with NFPA 72.

9. Add an Annex Note to 9.6.3.6.3 to read as follows:

A.9.6.3.6.3 "For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time may be lost while trying to calm such children. Also, audible alarms at or near locations where clear communications is required may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction."

10. Add a new subparagraph 9.7.1.1.1 to read as follows:

9.7.1.1.1 "NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Heights*, shall be permitted for use as specifically referenced in Chapters 24 through 33 of this *Code*. This standard shall also be permitted for the design and installation of automatic sprinkler systems in personal care homes, community living arrangements, day-care centers, and day-care homes in buildings up to and including four stories. When a single-story open-air parking structure of fire- restrictive construction is below a four-story residential occupancy the structure is considered within this scope. NFPA 13R automatic sprinkler systems shall not be permitted in assisted living communities or memory care units, as defined in [120-3-3.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, unless authorized by the State Fire Marshal's Office."

11. Delete paragraph 9.9* in its entirety and substitute in its place the following:

9.9 " * Portable fire extinguishers shall be installed in all buildings, structures and facilities as set forth in this *Code* and as established in 906.1 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**)

12. Delete paragraph 9.10 in its entirety and substitute in its place the following:

9.10 "Where required by either the provisions of another section of this *Code*, the *International Building Code (IBC)* as adopted by the Department of Community Affairs or the *International Fire Code (IFC)* as adopted by Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner, standpipe and hose systems shall be provided in accordance with NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*. Where standpipe and hose systems are installed in combination with automatic sprinkler systems, installation shall be in accordance with the appropriate provisions established by NFPA 13, *Standard for the Installation of Sprinkler Systems*, and NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*."

(h) **Modifications to Chapter 10:**

1. Delete SECTION 10.3 in its entirety and substitute in its place the following:

SECTION 10.3 **"Decorations and Furnishings.**

10.3.1 The use of decorative materials (vegetative and non-vegetative), as defined in Chapter 2 of the *International Fire Code*, and furnishings in proposed (new) and existing buildings shall be regulated as set forth by Sections 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(i) **Modifications to Chapter 11:**

1. Delete subsection 11.1.6 in its entirety and substitute in its place the following:

11.1.6 **"Minimum Construction requirements.** The minimum construction requirements for the location of occupants of health care and ambulatory health care occupancies shall be as specified in accordance with the applicable occupancy chapter."

2. Delete paragraph 11.3.3.5 in its entirety and substitute in its place the following:

11.3.3.5 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all enclosed and normally occupied towers in accordance with 9.9 of this *Code*."

3. Add a new item (4) to paragraph 11.7.3.4 to read follows:

(4) "This requirement shall not apply to existing windowless or underground structures, excluding Chapter 15, with an occupant load of 100 or fewer persons in the windowless or underground portions of the structure."

4. Delete subsection 11.8.2.3 in its entirety and substitute in its place the following:

11.8.2.3 **"Smoke Proof Enclosures.** High-rise buildings shall be provided with smoke proof exit enclosures in accordance with 7.2.3."

5. Add a new paragraph 11.8.3.3 to read as follows:

11.8.3.3 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all high-rise buildings in accordance with 9.9."

6. Add a new subsection 11.9.6 to read as follows: "11.9.6 Extinguishing Equipment:

11.9.6.1 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all permanent membrane structures in accordance with 9.9."

7. Delete subsection 11.10.3 in its entirety and substitute in its place the following: "11.10.3 Extinguishing Equipment.

11.10.3.1 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all temporary membrane structures in accordance with 9.9."

8. Delete subsection 11.11 Tents and all subsections thereunder in its entirety and substitute in its place the following:

11.11.5.1 **Tents.** Tents shall comply with all applicable requirements of Chapter 31 of the International Fire Code as adopted in the Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-3."

(j) Modification to Chapter 12:

1. Add a new subparagraph 12.1.1.2.1 to read as follows:

12.1.1.2.1 "Pursuant to O.C.G.A. [25-2-13\(b\)\(1\)\(F\), \(G\)](#) and G.1) and 25-2-14(c), "Racetracks, stadiums, grandstands, theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls and other places of public assembly having an occupant load of 300 or more, except that the occupant load shall be 100 or more persons where alcoholic beverages are served, shall have a certificate of occupancy issued by the appropriate authority having jurisdiction. For churches the occupant load requirement is 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on the total occupant load of the building or structure."

2. Reserved.

3. Add a new paragraph 12.3.5.5 to read as follows:

12.3.5.5 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9"

4. Add a note following Table 12.4.2.3 to read as follows:

"**Note:** See 12.4.2.6 for factors A, B and C in Tables 12.4.2.3 and 12.4.2.4."

5. Delete paragraph 12.4.6.11 in its entirety and substitute in its place the following:

12.4.6.11 "**Scenery, Decorations, and Furnishings.** Combustible decorations and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as set forth in SECTION 10-3 of this Code. Scenery and stage properties not separated from the audience by proscenium openings shall be either noncombustible or limited-combustible."

6. Add a new subparagraph 12.4.8.9 to read as follows:

12.4.8.9 "Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;

5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);

6. **"NO SMOKING"** signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;

7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.

8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout."

7. Delete subsection 12.7.3 in its entirety and substitute in its place the following:

12.7.3 **"Open Flame and Pyrotechnics.** No open flame devices or pyrotechnic devices shall be used in any assembly occupancy, unless otherwise provided by 12.7.3.1 through 12.7.3.4.

12.7.3.1 As set forth in the exceptions to 308.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

12.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

12.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.1.

12.7.3.4 Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials."

8. Delete subsection 12.7.4 in its entirety and substitute in its place the following:

12.7.4 **"Scenery, Decorations, and Furnishings.** Combustible decorations, curtains, draperies, similar furnishings, and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as set forth in SECTION 10-3 of this *Code*. The authority having jurisdiction shall impose additional controls, as he or she deems necessary, on the quantity and arrangement of combustible contents in assembly occupancies to provide an adequate level of safety to life from fire. (Refer to the definition for "decorative materials" in Chapter 2 of the *International Fire Code*."

9. Delete section 12.7.5.4 and subsections 12.7.5.4.1 through 12.7.5.4.4 and substitute in its place the following:

"12.7.5.4 **Vehicles.** Vehicles on display indoors or within an exhibition facility shall comply with 2018 International Fire Code Section 314.4 as adopted in rules and regulations of the Safety Fire Commissioner Chapter 120-3-3.?"

10. Delete subsection 12.7.6 in its entirety and substitute in its place the following:

12.7.6 **"Crowd Managers.** Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

11. Delete subsection 12.7.13 in its entirety and substitute in its place the following:

12.7.13 **"Emergency Planning and Preparedness.** Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(k) Modification to Chapter 13:

1. Add a new subparagraph 13.3.5.1.1 to read as follows:

13.3.5.1.1 "The provisions of 13.3.5.1 shall not apply to locations that were approved for occupancy prior to the adoption of the 2012 edition of the *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, adopted 1/1/2014, and provided the conditions approved have not been modified without subsequent required review and approval by the authority having jurisdiction, and provided the provisions of 13.1.1.4 and 13.1.1.5 of this *Code*, as applicable, and the provisions of Section 103 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner, and as applicable to existing buildings are met."

2. Add a new paragraph 13.3.5.5 to read as follows:

13.3.5.5 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9."

3. Add a note following Table 13.4.2.3 to read as follows:

"Note: See 12.4.2.6 for factors A, B and C in Tables 13.4.2.3 and 13.4.2.4.1."

4. Add a new paragraph 13.4.8.9 to read as follows:

13.4.8.9 "Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. **"NO SMOKING"** signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;
7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about

any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.

8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout."

5. Delete subsection 13.7.3 in its entirety and substitute in its place the following:

13.7.3 **"Open Flame and Pyrotechnics.** No open flame devices or pyrotechnic devices shall be used in any assembly occupancy.

13.7.3.1 This requirement shall not apply as set forth in the exceptions to 308.3.1 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

13.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

13.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.2.

13.7.3.4 Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials."

6. Delete section 13.7.5.4 and subsections 13.7.5.4.1 through 13.7.5.4.4 and substitute in its place the following:

"13.7.5.4 Vehicle. Vehicles on display indoors or within an exhibition facility shall comply with 2018 International Fire Code Section 314.4 as adopted in rules and regulations of the Safety Fire Commissioner Chapter 120-3-3."

7. Delete subsection 13.7.6 in its entirety and substitute in its place the following:

13.7.6 **"Crowd Managers.** Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

8. Delete subsection 13.7.7 in its entirety and substitute in its place the following:

13.7.7 **"Emergency Planning and Preparedness.** Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(l) **Modifications to Chapter 14:**

1. Add a new paragraph 14.1.1.6 to read as follows:

14.1.1.6 **"Mobile/Portable Classrooms.** Each mobile/portable classroom shall not be occupied until the required Certificate of Occupancy has been authorized by the State Fire Marshal's Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A Section [25-2-12](#)."

2. Add a new subparagraph 14.1.1.6.1 to read as follows:

14.1.1.6.1 **"Classification.** Mobile/portable classroom structures, as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall also be classified as Group E - Educational occupancies and shall comply with the provisions of this section and other sections applicable to Group E - Educational occupancies, except as may be provided otherwise elsewhere in this *Code* or in Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner.

3. Add a new paragraph 14.1.1.6.2 to read as follows:

14.1.1.6.2 "Plans and specifications for proposed (new) mobile/portable classrooms shall be submitted to and receive approval by either the State Fire Marshal's Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A 25-2-12 prior to construction. A Georgia registered architect or engineer must place his or her seal on the plans submitted. Submitted plans must include a site plan that is drawn to scale and showing clearances from other mobile/portable classroom structures and other structures. Such site plan shall also show the exit discharge route(s) to a public way in accordance with this *Code*, or where such is not possible, to an approved area of refuge."

4. Add a new paragraph 14.1.1.6.3 to read as follows:

14.1.1.6.3 "Proposed (new) mobile/portable classrooms shall comply with the various provisions of this *Code* applying to classrooms in educational occupancies (Group E - Educational), unless otherwise specified."

5. Add a new paragraph 14.1.1.5.4 to read as follows:

14.1.1.6.4 "Locating Mobile/Portable Classroom Structures. Mobile/portable classrooms shall not be installed within 25 feet (7.6 m) of any exposed building or structure, or within 10 feet (3.05 m) of another exposed mobile/portable classroom unit. The mobile/portable classroom unit shall not be connected to any other unit, or to other buildings or structures by a canopy of combustible construction. The distance between a mobile/portable classroom unit and an exposed building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior wall is of noncombustible construction, and there are no windows or doors in the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hours and without openings within 25 feet of the exposing mobile/portable classroom unit."

6. Add a new paragraph 14.2.1.4.1, to read as follows:

14.2.1.4.1 "The provisions of 14.2.1.2 and 14.2.1.3 shall not apply to educational facilities that meet the requirements of 16.1.6."

7. Add a new subparagraph 14.2.2.2.2.1 to read as follows:

14.2.2.2.2.1 "Doors serving as exits from mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, swing outward with exit travel onto landings at least 4 feet by 4 feet (1.2 m by 1.2 m), and have steps and/or ramps complying with applicable provisions of this *Code*. This includes guardrails and graspable handrails. Steps and ramps serving fewer than 50 persons may be 36 inches (0.91m) in clear width."

8. Add a new paragraph (5) to 14.2.11.1.1 to read as follows:

(5) "Windows may open onto a court or an enclosed court provided all of the following criteria are met:

(a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.

(b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by 'B' labeled 1½-hour fire doors, whether normally occupied or not, shall open onto this required exit passageway.

(c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.

(d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).

- (e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.
- (f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10."

9. Add a new paragraph 14.2.11.4 to read as follows:

14.2.11.4 **"School Hallway Interior Emergency Lockdown Defense (SHIELD).** The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:

- (1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.
- (2) System activation shall automatically contact law enforcement authorities upon activation.
- (3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.
- (4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.
- (5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.
- (6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building's fire alarm system.
- (7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.
- (8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.
- (9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.
- (10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

14.2.11.4.1 **(SHIELD) Activation.** The SHIELD system shall only be activated in the following

- (1) The event of intrusion or active shooter upon school premises.
- (2) For the purposes of testing the system.
- (3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises."

10. Delete subparagraph 14.3.2.1(1)(a) in its entirety and substitute in its place the following:

(a) "Boiler and furnace rooms, unless such rooms enclose only air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 Btu. Such rooms shall not be used for any combustible storage. In addition, a minimum of 30 inches (0.76 m) shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

11. Delete the term "Laundries" from 14.3.2.1(2)(a) and substitute in its place the following:

(a) "Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

12. Add a new subparagraph 14.3.2.2.1 to read as follows:

14.3.2.2.1 "Residential type cooking equipment. Residential type cooking equipment located in food preparation areas of home economic labs may be protected by a listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside of the building. The fire suppression system shall automatically disconnect electric power to electric stoves or shut off the gas supply to gas fueled stoves. Food preparation areas located in home economics labs need not be so protected where located in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2, provided, however, the exhaust hood shall still be required to be vented to the outside of the building."

13. Add a new subparagraph 14.3.4.2.3.3 to read as follows:

14.3.4.2.3.3 "Manual fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

- (1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.
- (2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.
- (3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state "**MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM**". The sign shall have a red background and the letters shall be white and be at least one inch in height."

14. Delete subparagraph 14.3.4.3.1.1 in its entirety and substitute in its place the following:

14.3.4.3.1.1 "Occupant notification shall be by means of audible and visual alarm devices in accordance with 9.6.3 and Chapter 120-2-20, Rules and Regulations of the Safety Fire Commissioner. Where visual alarm devices are located inside classrooms the installation of an audible device or component shall not be required, provided the audible alarm signal from alarm devices located in adjacent corridors or compartments is clearly audible in the classrooms, and is subject to the approval of the authority having jurisdiction."

15. Add a new subparagraph 14.3.5.6 to read as follows:

14.3.5.6 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

14.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA Standard 10, *Standard for Portable Fire Extinguishers*, portable fire extinguishers may be located in rooms that open directly onto such corridors and paths of travel, provided, all of the following are met:

- (a) The rooms in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a portable fire extinguisher would normally be placed in accordance with NFPA Standard 10.
- (b) A sign which states, in white letters at least one inch in height on a red background, "**PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM**," is placed on the corridor wall immediately adjacent to the entrance(s) of each such room so that it can be clearly seen at all times."
- (c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours.
- (d) These rooms cannot be subject to being locked at any time the building is occupied."

16. Add a new item 6 to subsection 14.3.6 to read as follows:

6. "Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas."

17. Add a new paragraph 14.4.3.6 to read as follows:

14.4.3.6 "Corridor walls in flexible plan buildings shall comply with subsection 14.3.6 as modified.

18. Add a new paragraph 14.5.2.3 to read as follows:

14.5.2.3 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings, unless such use is permitted by 603.4 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

19. Add new subparagraph 14.7.1.1 to read as follows:

14.7.1.1 "Emergency Planning and Preparedness. Educational occupancies (Group E - Educational) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency situation. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with the applicable provisions of Chapter 4 of the *IFC*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(m) Modifications to Chapter 15:

1. Add a new subparagraph 15.1.1.1.1 to read as follows:

15.1.1.1.1 "**Existing Mobile/Portable Classroom Structures.**

(a) Existing mobile/portable classroom structures, which have been installed prior to the effective date of this *Code*, and which were deemed to be in compliance with provisions in effect at the time of their installation, shall be permitted to remain in use, if deemed to have been maintained as approved, and meet specific provisions of this chapter applicable to existing mobile/portable classroom structures.

(b) When an existing mobile/portable classroom structure is removed from a school system, the certificate of occupancy for that structure becomes void, provided, however, the structure shall retain the status of an existing structure if continued in service as a classroom structure in another school system. This shall also apply to leased or rented mobile/portable classroom structures. A new certificate of occupancy shall be required for the relocated structure, and shall be issued provided the structure meets the provisions of this *Code* that are applicable to existing mobile/portable classrooms."

2. Add a new paragraph 15.1.1.6 to read as follows:

15.1.1.6 "Existing mobile/portable classrooms shall comply with the various provisions of this *Code* applying to classrooms in existing educational occupancies, unless otherwise specified in this chapter."

3. Add a new paragraph 15.1.1.7 to read as follows:

15.1.1.7 "When relocated, a mobile/portable classroom structure shall not be placed within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. Such mobile/portable classroom structures shall not be connected to any building or other mobile classroom structure by a canopy of combustible construction. An existing canopy of combustible components may be continued in use provided no combustible components are within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. The distance between a mobile/portable classroom unit and an exposed building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior wall is of noncombustible construction, and there are no windows or doors of the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may

be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hours and without openings within 25 feet of exposing mobile/portable classroom unit."

4. Add a new paragraph 15.2.1.5 to read as follows:

15.2.1.5 "The provisions of 15.2.1.2 and 15.3.2.3 shall not apply to facilities that meet the requirements of 16.1.6."

5. Add a new subparagraph 15.2.2.2.1 to read as follows:

15.2.2.2.1 "Doors serving as exits from existing mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, unless originally approved for a clear width of not less than 28 inches. Such exit doors shall open onto landings 4 feet by 4 feet (1.2 m by 1.2 m) and have stairs and or ramps, as needed, complying with applicable provisions of this *Code*. Landings, stairs, ramps, guardrails, and handrails installed and approved prior to the effective date of this *Code*, if maintained in a state of good repair, may be continued in use. When a mobile/portable classroom structure is moved to another site at the same school or another school, landings, stairs, ramps, guardrails, and graspable handrails shall comply with the applicable requirements of this *Code* for new construction."

6. Delete paragraph 15.2.2.2.4 and replace with a new paragraph 15.2.2.2.4

15.2.2.2.4 * Locking of Classroom Doors and Other Instructional Spaces.

15.2.2.2.4.1 Classroom doors and doors to other instructional spaces shall be permitted to be locked provided that the locking means is approved, and all of the following conditions are met:

(1) The locking means shall be capable of being engaged from the egress side of the door without opening the door.

(2) The unlocking and unlatching from the egress side of the door shall be accomplished without the use of a key, tool, or special knowledge or effort.

(3) * Two non-simultaneous releasing motions shall be permitted where approved by the authority having jurisdiction. The Chief Fire Official of the local responding Fire Department must approve the locking device.

(4) The releasing mechanism for unlocking and unlatching shall be located at a height not less than 34 in. (865 mm) and not exceeding 48 in. (1220 mm) above the finished floor.

(5) Locks, if remotely engaged, shall be unlockable from the egress side of the door without the use of a key, tool, or special knowledge or effort.

(6) The door shall be capable of being unlocked and opened from outside the room with the necessary key or other credential.

(7) The locking means shall not modify the door closer, panic hardware, or fire exit hardware or impair their operation.

(8) Modifications to fire door assemblies, including door hardware, shall be in accordance with NFPA 80.

(9) The emergency action plan, required by 15.7.1, shall address the use of the locking and unlocking means from both sides of the door.

(10) Staff shall be drilled in the engagement and release of the locking means, from both sides of the door, as part of the emergency egress drills required by 15.7.2.

A.15.2.2.2.4.1(3) The installation of new hardware that necessitates two non-simultaneous releasing motions on existing doors in existing educational occupancies in accordance with 15.2.2.2.4.1(3) is permitted where such installation is necessary for compliance with the door locking criteria in 15.2.2.2.4.1. In accordance with 43.1.4.5, rehabilitation work performed for compliance with the Code's existing occupancy requirements is exempt from

Chapter 43 and the installation of such new equipment is not subject to Section 43.5, which would require compliance with the new occupancy provisions. Where a new door is installed in an existing educational occupancy, the requirements of 14.2.2.2.4 apply.

15.2.2.2.4.2 Where existing classroom doors and doors to instructional spaces are replaced, they shall comply with the provisions of 14.2.2.2.4.

7. Add a new item (4) to paragraph 15.2.11.1 to read as follows:

(4) "Windows may open onto a court or an enclosed court provided all of the following criteria are met:

(a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.

(b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by 'B' labeled 1½-hour fire doors, whether normally occupied or not, shall open onto this required exit passageway.

(c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.

(d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).

(e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.

(f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10."

8. Add a new paragraph 15.2.11.3 to read as follows:

15.2.11.3 "School Hallway Interior Emergency Lockdown Defense (SHIELD). The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:

(1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.

(2) System activation shall automatically contact law enforcement authorities upon activation.

(3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.

(4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.

(5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.

(6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building's fire alarm system.

(7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.

(8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.

(9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.

(10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

15.2.11.3.1 **(SHIELD) Activation.** The SHIELD system shall only be activated in the following situations:

(1) The event of intrusion or active shooter upon school premises.

(2) For the purposes of testing the system.

(3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises."

9. Delete subparagraph 15.3.2.1(1)(a) in its entirety and substitute in its place the following:

(a) "Boiler and furnace rooms, unless such rooms enclose air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

10. Delete the term "Laundries" from subparagraph 15.3.2.1(2)(a) and substitute in its place the following:

(a) "Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

11. Add a new paragraph 15.3.2.2.1 to read as follows:

15.3.2.2.1 "Food preparation areas located in home economic labs may be protected by listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction. Food preparation areas located in home economic labs need not be protected where in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2. The exhaust hood is still required to be vented to the outside if installed after July 28, 1998."

12. Add items (3) and (4) to paragraph 15.3.4.2.1 to read as follows:

(3) "Where each classroom in a mobile/portable classroom structure is provided with a two-way communication system that will permit initiation of the communication from the classroom as well as from a constantly attended location in the main administrative office of the school from which a general alarm can be sounded, if needed, and the fire department can be summoned. A telephone mounted in each classroom and equipped with speed dialing, or a similar function, to provide contact with the constantly attended location noted above, shall be acceptable as a two-way communication system for purposes of this provision. The procedure for using the system for emergency alerting shall be clearly posted near the system actuation device in each classroom and at the constantly attended location.

(4) Fire alarm alerting provisions for existing mobile/portable classroom structures approved prior to the effective date of this *Code*, and which are in a state of operational readiness. At the minimum, such provisions shall provide alerting of a fire condition in each mobile/portable classroom structure. Where alerting is by an alarm bell or horn, the sound/signal shall be distinctive from other bells or horns."

13. Add a new subparagraph 15.3.4.2.3.3 to read as follows:

15.3.4.2.3.3 "In lieu of locating manual fire alarm boxes in educational occupancies in corridors and normal paths of travel, the fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

(1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.

(2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.

(3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state **"MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM"**. **The sign shall have a red background and the letters shall be white and be at least one inch in height."**

14. Add a new paragraph 15.3.5.6 to read as follows:

15.3.5.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

15.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, *Standard for Portable Fire Extinguishers*, portable fire extinguishers may be located in rooms that open directly onto such corridors and normal paths of travel provided all of the following are met:

(a) The room in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; *Standard for Portable Fire Extinguishers*,

(b) A sign which states in white letters at least one inch in height on a red background, **'PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM,'** is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;

(c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours; and,

(d) Those rooms cannot be subject to being locked at any time the building is occupied."

15. Add a new item (6) to subsection 15.3.6 to read as follows:

(6) "Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas."

16. Add new paragraph 15.5.2.3 to read as follows:

15.5.2.3 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings.

15.5.2.3.1 As permitted by 603.4 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

17. Delete subsection 15.7.1 in its entirety and substitute in its place the following:

15.7.1 **"Emergency Planning and Preparedness.** Educational occupancies (Group E) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(n) **Modification to Chapter 16:**

1. Add a new 16.1.1.2.1 to read as follows:

16.1.1.2.1 "Pursuant to O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#) the term Group Day-Care Home applies to day-care facilities where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set forth by O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#), the facilities are also required to comply with the Rules and Regulations of the Safety Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. [25-2-14\(c\)](#)."

2. Add a new subparagraph 16.1.3.1.1 to paragraph 16.1.3.1 to read as follows:

16.1.3.1.1 "The provisions of 6.1.14 shall not apply to one- and two-family dwellings."

3. Delete paragraph 16.1.6.1 and its corresponding table in its entirety and substitute in its place the following:

16.1.6.1 "The location of day-care occupancies and clients of such shall be limited as shown in Table 16.1.6.1.

16.1.6.1.1 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients may be of any construction type without being protected throughout by an automatic sprinkler system.

Table 17.1.6.1 Day-Care Occupancy Location					
Type of Construction	Age Group	Number of Stories			
		(Stories are counted starting at the floor of exit)			
		1	2	3	4+
I(443), I(332) and II(222)	0 through 4	YES	YES	YES	YES+
	5 and older	YES	YES	YES	YES+
II(111), III(211) and V(111)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES	YES+	NO
IV(2HH)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
II(000)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
III(200) and V(000)	0 through 4	YES+	YES+	NO	NO
	5 and	YES	YES+	NO	NO

The types of construction in the Table are from NFPA 220, *Standard on Types of Building Construction*. Refer to 8.2.1.2 and 8.2.1.2.1 of this *Code* and the conversion chart for cross-referencing to the construction types established by the *International Building Code*.

YES: Day-care occupancy location permitted in type of construction.

YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.

NO: Day-care occupancy location not permitted in type of construction."

4. Add a new paragraph 16.1.6.3 to read as follows:

16.1.6.3 "**Day-Care Facilities Located Below the LED.** The story below the level of exit discharge shall be permitted to be used in buildings of any construction type, other than Type II(000), Type III(200) and Type V(000) provided, the building is protected throughout by an approved automatic sprinkler system."

5. Add a new subparagraph 16.1.6.3.1 to read as follows:

16.1.6.3.1 "Where the story below the level of exit discharge is occupied as a day-care center, both of the following shall apply:

(1) One means of egress shall be an outside or interior stair in accordance with 7.2.2. An interior stair, if used, shall only serve the story below the level of exit discharge. The interior stair shall be permitted to communicate with the level of exit discharge; however, the required exit route from the level of exit discharge shall not pass through the stair enclosure.

(2) The second means of egress shall be permitted to be via an unenclosed stairway separated from the level of exit discharge in accordance with 8.6.5. The path of egress travel on the level of exit discharge shall be protected in accordance with 7.1.3.1."

6. Delete subsection 16.2.9 in its entirety and substitute in its place the following:

16.2.9 "**Emergency Lighting.** Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.

2. In all normally occupied spaces

3. Emergency lighting is not required in the following locations:

(1) Administrative areas other than receptionist areas.

(2) Mechanical rooms, storage areas, and rooms or areas not normally occupied by students."

7. Delete item (a) to paragraph 16.3.2.1(1) (a) in its entirety and substitute in its place the following:

(a) "Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

8. Add an item (4) to paragraph 16.3.2.1 to read as follows:

(4) "In areas where documentation is provided indicating an unreliable water source, the authority having jurisdiction may accept separation of these areas from the remainder of the building by fire barriers having not less than a 2-hour fire-resistance rating."

9. Delete the term "Laundries" from subparagraph 16.3.2.1 (2) a. and substitute in its place the following:

a. "Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

10. Delete paragraph 16.3.2.3 in its entirety and substitute in its place the following:

16.3.2.3 "Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to cover the area of the cooking surface, with the exhaust hood vented directly to the outside. The fire suppression system shall automatically disconnect electric power to electric stoves or automatically shut off the gas supply to gas stoves. Such system shall be interconnected to the building fire alarm system where one is provided.

16.3.2.3.1 Subject to the approval of the authority having jurisdiction approval, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside."

11. Delete subsection 16.3.5 in its entirety and substitute in its place the following:

16.3.5 **"Extinguishment Requirements.** Buildings containing day-care occupancies shall be sprinkler protected throughout for construction types as specified in Table 16.1.6.1 entitled "Day-Care Occupancy Location Limitations" and paragraph 16.1.6.3. Any required sprinkler system based upon Table 16.1.6.1 and paragraph 16.1.6.3 shall be in accordance with 9.7."

12. Add a new paragraph 16.3.5.1 to read as follows:

16.3.5.1 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare occupancies in accordance with 9.9."

13. Add new paragraph 16.5.2.4 to read as follows:

16.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

16.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction."

14. Delete paragraph 16.6.1.6 in its entirety and substitute in its place the following:

16.6.1.6 **"Minimum Construction Requirements.** The minimum construction requirements for new day-care homes shall be limited to the types of building construction permitted by the *IBC* as specified in 8.2.1. Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 16.1.6 are met."

15. Add a new paragraph 16.6.3.6 to read as follows:

16.6.3.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare home occupancies in accordance with 9.9."

16. Delete subsections 16.7.1 and 16.7.2 in their entirety and substitute in their place the following:

16.7.1 **"Emergency Planning and Preparedness.** Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(o) Modifications to Chapter 17:

1. Delete paragraph 17.1.1.4 in its entirety and substitute in its place the following:

17.1.1.4 "Pursuant to O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#) the term Group Day-Care Home applies to daycare facilities where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set forth by O.C.G.A. [25-2-13\(b\)\(1\)\(I\)](#), the facilities are also required to comply with the Rules

and Regulations of the Safety Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. [25-2-14\(c\)](#)."

2. Delete paragraph 17.1.1.5 in its entirety and substitute in its place the following:

17.1.1.5 "This section establishes life safety requirements for existing day-care occupancies, adult day-care facilities, and head start facilities in which more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day. An existing day-care occupancy shall be allowed the option of meeting the requirements of Chapter 16 in lieu of Chapter 17. Any day-care occupancy that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17."

3. Add a new subparagraph 17.1.3.1.1 to read as follows:

17.1.3.1.1 "The provisions of 6.1.14 shall not apply to one- and two-family dwellings."

4. Add a new subparagraph 17.1.4.1.1 to read as follows:

17.1.4.1.1 "Existing day-care centers that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15."

5. Delete subsection 17.1.6.1 and its corresponding table in its entirety and substitute in its place the following:

17.1.6.1 **"Location and Minimum Construction Requirements.** The location of day-care occupancies and clients of such shall be limited as shown in Table 17.1.6.1

17.1.6.1.2 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients may be of any construction type without being protected throughout by an automatic sprinkler system.

17.1.6.1.3 "Centers located on the level of exit discharge in buildings of any construction type without a complete approved automatic sprinkler system, may be continued in use as a child day-care center housing children ages zero through four, or non-ambulatory children, as long as at least one exit door is provided directly to the outside of the building at ground level from every room or space normally occupied by children, except restrooms. For centers existing prior to April 12, 1985, where direct access to the outside of the building is not possible from interior rooms, and such interior rooms are normally subject to occupancy by children, the interior room may continue to be used provided there are two remote exits from the rooms that provide access to two separate and distinct exits to the outside."

Table 17.1.6.1 Day-Care Occupancy Location

Table 17.1.6.1 Day-Care Occupancy Location					
Type of Construction	Age Group	Number of Stories			
		(Stories are counted starting at the floor of exit)			
		1	2	3	4+
I(443), I(332) and II(222)	0 through 4	YES	YES	YES	YES
	5 and older	YES	YES	YES	YES
II(111), III(211) and V(111)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES	YES+	NO
IV(2HH)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
II(000)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
III(200) and V(000)	0 through 4	YES+	YES+	NO	NO

Table 17.1.6.1 Day-Care Occupancy Location					
	5 and older	YES	YES+	NO	NO

The types of construction in the Table are from NFPA 220, *Standard on Types of Building Construction*. Refer to 8.2.1.2 and 8.2.1.2.1 of this *Code* and the conversion chart for cross-referencing to the construction types established by the *International Building Code*.

YES: Day-care occupancy location permitted in type of construction.

YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.

NO: Day-care occupancy is not permitted in this construction type."

6. Delete paragraph 17.2.2.2.6 in its entirety and replace with a new 17.2.2.2.6

17.2.2.2.6 Locking of Classroom Doors and Doors to Other Client Care Spaces.

17.2.2.2.6.1 Classroom doors and doors to other client care spaces shall be permitted to be locked provided that the locking means is approved, and all of the following conditions are met:

- (1) The locking means shall be capable of being engaged from the egress side of the door without opening the door.
- (2) The unlocking and unlatching from the egress side of the door shall be accomplished without the use of a key, tool, or special knowledge or effort.
- (3) * Two non-simultaneous releasing motions shall be permitted where approved by the authority having jurisdiction. The Chief Fire Official of the local responding Fire Department must approve the locking device.
- (4) The releasing mechanism for unlocking and unlatching shall be located at a height not less than 34 in. (865 mm) and not exceeding 48 in. (1220 mm) above the finished floor.
- (5) Locks, if remotely engaged, shall be unlockable from the egress side of the door without the use of a key, tool, or special knowledge or effort.
- (6) The door shall be capable of being unlocked and opened from outside the room with the necessary key or other credential.
- (7) The locking means shall not modify the door closer, panic hardware, or fire exit hardware or impair their operation.
- (8) Modifications to fire door assemblies, including door hardware, shall be in accordance with NFPA 80.
- (9) The emergency action plan, required by 17.7.1, shall address the use of the locking and unlocking means from both sides of the door.
- (10) Staff shall be drilled in the engagement and release of the locking means, from both sides of the door, as part of the emergency egress drills required by 17.7.2.

A.17.2.2.2.6.1(3) The installation of new hardware that necessitates two non-simultaneous releasing motions on existing doors in existing day care occupancies in accordance with 17.2.2.2.6.1(3) is permitted where such installation is necessary for compliance with the door locking criteria in 17.2.2.2.6.1. In accordance with 43.1.4.5, rehabilitation work performed for compliance with the *Code's* existing occupancy requirements is exempt from Chapter 43 and the installation of such new equipment is not subject to Section 43.5, which would require compliance with the new occupancy provisions. Where a new door is installed in an existing day care occupancy, the requirements of 16.2.2.2.6 apply.

17.2.2.2.6.2 Where existing classroom doors and doors to client care spaces are replaced, they shall comply with the provisions of 16.2.2.2.6.

7. Delete subsection 17.2.9 in its entirety and substitute in its place the following:

17.2.9 **"Emergency Lighting.** Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.
2. In all normally occupied spaces.

17.2.9.1 Emergency lighting is not required in the following areas:

- (1) Administrative areas other than receptionist areas.
- (2) Mechanical rooms, storage areas, and rooms not normally occupied by students."

8. Add a new subparagraph 17.3.2.1(1)(a)(1) to read as follows:

17.3.2.1(1)(a)(1) "Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input are not required to comply with 17.3.2.1(1) provided, such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

9. Delete paragraph 17.3.2.3 in its entirety and substitute in its place the following:

17.3.2.3 "Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to cover the cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of the fuel source or power source is subject to the authority having jurisdiction. Upon receipt of a sworn affidavit, no protection is required for existing domestic cooking equipment used for limited cooking or warming of foods.

17.3.2.3.1 Subject to the approval of the authority having jurisdiction, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside."

10. Delete the term "Laundries" from subparagraph 17.3.2.1 (2)(a) and substitute in its place the following:

(a) "Laundry areas utilizing commercial equipment, or multiple residential appliances, or having a floor area exceeding 100 square feet (9.3 m)."

11. Add a new paragraph 17.3.5.3.1 to read as follows:

17.3.5.3.1 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all day- care occupancies in accordance with 9.9."

12. Delete subsection 17.4.1 in its entirety and substitute in its place the following:

17.4.1 **"Windowless or Underground Buildings.** Windowless or underground buildings or structures shall comply with the applicable provisions of Section 11.7. All such buildings and structures housing a day-care occupancy shall be protected throughout by an approved automatic sprinkler system.

17.4.1.1 "Buildings or structures existing prior to January 28, 1993, and housing day-care occupancies with an occupant load not greater than 100 may remain in use without being protected throughout by an automatic sprinkler system."

13. Add a subparagraph 17.5.1.2.1 to read as follows:

17.5.1.2.1 "In existing day-care occupancies, in lieu of special protective covers, receptacles may be placed at a minimum of six feet above the finished floor."

14. Add a new paragraph 17.5.2.4 to read as follows:

17.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

17.5.2.4.1 "In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

15. Delete subparagraph 17.6.1.4.1.2 in its entirety and substitute in its place the following:

17.6.1.4.1.2 "This section establishes life safety requirements for group day-care homes, adult daycare homes and head start facilities in which at least seven but not more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day (generally within a dwelling unit). An existing day-care home shall be allowed the option of meeting the requirements of Section 16.6 in lieu of Section 17.2. Any day-care home that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17."

16. Add an exception to subsection 17.6.1.4.1 to read as follows:

17.6.1.4.1 "Existing day-care homes that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15."

17. Delete paragraph 17.6.1.6 in its entirety and substitute in its place the following:

17.6.1.6 "Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 17.1.6.1 are met."

18. Add a new paragraph 17.6.3.6 to read as follows:

17.6.3.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare home occupancies in accordance with 9.9."

19. Add a new subsection 17.6.3.7 to read as follows:

17.6.3.7 "In existing day-care homes in lieu of special protective covers, receptacles may be placed at a minimum of 6 feet (1.8 m) above the finished floor."

20. Delete subsections 17.7.1 and 17.7.2 in their entirety and substitute in their place the following:

17.7.1 **"Emergency Planning and Preparedness.** Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency

condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(p) Modifications to Chapter 18:

1. Delete subsection 18.1.1.1.8 in its entirety and in its place substitute the following:

18.1.1.1.8 "Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but that do not include services distinctive to health care occupancies (see 18.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this *Code*, such as Chapters 30, 32 or 34 based upon appropriate licensing if required."

2. Add a new subparagraph 18.1.1.4.3.4.1 to read as follows:

18.1.1.4.3.4.1 "Minor renovations, alterations, modernizations or repairs as used in 18.1.1.4.3.4 shall mean that construction is less than 40% of the floor area within a smoke compartment."

3. Add the following to the list of hazardous areas in Subparagraph 18.3.2.1.2 to read as follows:

(8) "Soiled utility rooms also used for combustible storage - 1 hour."

4. Add a new subparagraph 18.3.2.5.2.1 to read as follows:

18.3.2.5.2.1 "Where a residential stove (a maximum of four surface burners or cooking elements), is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside shall be installed to cover each cooking surface. Other protection or segregation shall not be required unless subsequent inspections reveal conditions have changed and a higher level of risk to life is deemed to exist by the authority having jurisdiction."

5. Delete subsections 18.7.1 and 18.7.2 in their entirety and substitute in their place the following:

18.7.1 "**Emergency Planning and Preparedness.** Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code (IFC)*, and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 18.7.4 in its entirety and in its place substitute the following:

18.7.4 "*** Smoking.** Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(q) Modifications to Chapter 19:

1. Delete subsection 19.1.1.1.8 in its entirety and in its place substitute the following:

19.1.1.1.8 "Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but do not include services distinctive to health care occupancies (see 19.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this *Code*, such as Chapters 31, 33 or 35 based upon appropriate licensing if required."

2. Add the following to the list of hazardous areas in subparagraph 19.3.2.1.5 to read as follows:

(9) "Soiled utility rooms used for combustible storage."

3. Add subparagraphs 19.3.2.5.2.1 to read as follows:

19.3.2.5.2.1 " Where residential stove cooking is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside and equipped with a listed self- contained residential fire suppression system shall be installed to cover each cooking surface. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction.

19.3.2.5.2.1.1 Other installations acceptable to the authority having jurisdiction shall be acceptable."

4. Add a new subparagraph 19.3.4.3.1.1 to read as follows:

19.3.4.3.1.1 " A Zoned, coded systems shall be permitted."

5. Delete subsections 19.7.1 and 19.7.2 in their entirety and substitute in their place the following:

19.7.1 "**Emergency Planning and Preparedness.** Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 19.7.4 in its entirety and in its place substitute the following:

19.7.4 "*** Smoking.** Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(r) **Modification to Chapter 20:**

1. Delete subsections 20.7.1 and 20.7.2 in their entirety and substitute in their place the following:

20.7.1 "**Emergency Planning and Preparedness.** Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(s) **Modification to Chapter 21:**

1. Delete subsections 21.7.1 and 21.7.2 in their entirety and substitute in their place the following:

21.7.1 "**Emergency Planning and Preparedness.** Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(t) **Modifications to Chapter 22:**

1. Delete paragraph 22.2.11.1.2 in its entirety and substitute in its place the following:

22.2.11.1.2 "Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the interior means of egress.

22.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing, and in exterior walls, which are not part of the building, from areas of refuge located outside the building."

2. Delete the words 'fuel fired' from Table 22.3.2.1.

3. Add a note to Table 22.3.2.1 to read as follows:

"[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]"

4. Delete paragraph 22.3.7.5 in its entirety and substitute in its place the following:

22.3.7.5 "Any required smoke barrier shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies."

5. Delete subsection 22.7.1 in its entirety and substitute in its place the following:

22.7.1 **"Emergency Planning and Preparedness.** Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 22.7.2 in its entirety and substitute in its place the following:

22.7.2 "Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

22.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms."

(u) Modifications to Chapter 23:

1. Delete paragraph 23.2.11.1.2 in its entirety and substitute in its place the following:

23.2.11.1.2 "Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the means of egress.

23.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing and walls from areas of refuge located outside the building."

2. Delete the words 'fuel fired' from Table 23.3.2.1.

3. Add a note to Table 23.3.2.1 to read as follows:

"[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]"

4. Delete paragraph 23.3.7.5 in its entirety and substitute in its place the following:

23.3.7.5 "Required smoke barriers shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies."

5. Delete subsection 23.7.1 in its entirety and substitute in its place the following:

23.7.1 **"Emergency Planning and Preparedness.** Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 23.7.2 in its entirety and substitute in its place the following:

23.7.2 "Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

23.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms."

(v) Modification to Chapter 24:

1. Delete the Title of Chapter 24 and retitle it to read as follows:

"Chapter 24 One- and Two-Family Dwellings/Community Living Arrangements"

2. Add a new subparagraph 24.1.1.1.1 to read as follows:

24.1.1.1.1 "In addition, this chapter establishes life safety requirements for facilities licensed by the State of Georgia as a 'Community Living Arrangement' for one to four individuals not related to the owner or administrator by blood or marriage whether the facility is operated for profit or not. Community Living Arrangements for five or more residents shall comply with the applicable requirements of Chapter 32."

3. Add a new paragraph 24.1.1.6 to read as follows:

24.1.1.6 "The use of a one- and two- family dwelling for the purposes of a Community Living Arrangement as licensed by the State, for one to four residents, shall constitute a change of occupancy sub-classification. The new sub-classification shall meet the requirements established in this Chapter for the One- and Two-Family Dwelling and the additional requirements specified under Section 24.4.

4. Add a new subparagraph 24.1.1.6.1 to read as follows:

24.1.1.6.1 The use of a one- and two- family dwelling for the purposes of a Community Living Arrangement as licensed by the State, for one to four residents shall not require automatic sprinkler protection.

5. Delete 24.2.2.1.2(2) in its entirety and substitute in its place the following:

(2) "The dwelling unit is protected throughout by an approved automatic sprinkler system in accordance with 24.3.5. This sprinkler provision shall not apply to a community living arrangement."

6. Add a new subparagraph to 24.2.4.1.1 to read as follows:

24.2.4.1.1 "Doors in the path of travel of a means of escape in Community Living Arrangement facilities shall be not less than 32 in. (81 cm) wide."

7. Add a new subparagraph 24.3.4.1.3.1 to read as follows:

24.3.4.1.3.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall apply."

8. Delete Section 24.4 in its entirety and substitute in its place the following:

24.4 "Community Living Arrangements.

24.4.1 General. The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 24.4 shall prevail.

24.4.2 Address identification. New and Existing Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

24.4.3 Means of Egress.

24.4.3.1 A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, and that are accessible to the residents.

24.4.3.2 Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾ in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 sq. in (0.84 m2) each in area and installed in approved frames.

24.4.3.3 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

24.4.3.4 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

24.4.3.5 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

24.4.3.6 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

24.4.3.7 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or be provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

24.4.3.8 Locks.

24.4.3.8.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited to be used on the bedroom door of a resident.

24.4.3.8.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

24.4.4 Detection and Alarm Systems

24.4.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

24.4.4.2 **Smoke Detection.**

24.4.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10 of this *Code*. Any additional detection/alarm devices shall be as established by O.C.G.A. § [25-2-40](#).

24.4.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

24.4.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5 of this *Code*.

24.4.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

24.4.4.3 **Carbon Monoxide Detectors.**

24.4.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

24.4.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel-burning fireplace or fixed heating device is installed the residence.

24.4.5 **Protection.**

24.4.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with Section 9.9 shall be provided near hazardous areas.

24.4.5.1.1 At least one 5 lb. 2A rated multipurpose ABC portable fire extinguisher shall be provided on each occupied floor, and, where applicable, in the basement. The extinguishers shall be installed so as to be readily accessible in accordance with NFPA 10.

24.4.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a State licensed fire extinguisher technician in accordance with NFPA 10.

24.4.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

24.4.6 **Heating, Ventilation and Air Conditioning.**

24.4.6.1 Portable space heaters shall not be used. The use of heating devices and equipment shall be regulated by the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

24.4.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and fixed heaters.

24.4.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

24.4.7 **Operating Features.**

24.4.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

24.4.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. Also, training of management and staff shall comply with Chapter 4 of the adopted *International Fire Code*.

24.4.7.2 **Evacuation Capabilities.** Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in 12-3-3-.03 of Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet the prompt evacuation capability provision shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

24.4.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift at alternating times. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented and include the names of staff involved. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

24.4.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(w) Modification to Chapter 26:

1. Add a new subparagraph 26.3.4.5.3.1 to read as follows:

26.3.4.5.3.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

2. Add a new paragraph 26.3.6.4 to read as follows:

26.3.6.4 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all lodging or rooming house occupancies in accordance with 9.9 of this *Code*."

(x) Modification to Chapter 28:

1. Add a new subparagraph 28.2.5.5.1 to read as follows:

28.2.5.5.1 "The provisions of 28.2.5.5 apply to exterior exit access routes and interior corridors."

2. Add a new subparagraph 28.2.5.6.1 to read as follows:

28.2.5.6.1 "The provisions of 28.2.5.6 apply to exterior exit access routes and interior corridors."

3. Add a new subparagraph 28.3.2.2.1.1 to read as follows:

28.3.2.2.1.1 "The provisions of 28.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete paragraph 28.3.4.5 in its entirety and substitute in its place the following:

28.3.4.5 "A corridor smoke detection system in accordance with O.C.G.A. Sections [25-2-13\(d\)](#) & 25-2-40 shall be provided in all interior corridors, halls and passageways.

28.3.4.5.1 The provisions of 28.3.4.5 are not required in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5. Dormitory facilities shall still be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections [25-2-13\(d\)](#) and [25-2-40](#)."

5. Add a new subparagraph 28.3.4.6.1 to read as follows:

28.3.4.6.1 "A smoke alarm shall be mounted on the ceiling or wall at a point centrally located in the corridor, hall or area giving access to each group of rooms used for sleeping purposes. Such smoke alarm shall be listed and meet the installation requirements of NFPA 72, *National Fire Alarm and Signaling Code*, and be powered from the building's electrical system. In addition, 1½-hour emergency power supply source is required for the back-up power of the smoke alarms."

6. Add a new subparagraph 28.3.4.6.2 to read as follows:

28.3.4.6.2 "Each living area within a guestroom or suite which is separated by doors or folding partitions shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10 of this *Code*. The smoke alarm shall be powered from the building's electrical system."

7. Delete subsections 28.7.1, 28.7.2, 28.7.3, and 28.7.5 in their entirety and substitute in their place the following:

28.7.1 "**Emergency Planning and Preparedness.** Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(y) **Modification to Chapter 29:**

1. Delete paragraph 29.2.5.3 in its entirety and substitute in its place the following:

29.2.5.3 "Exterior exit access or internal corridors shall be arranged so there are no dead ends in excess of 50 feet (15 m)."

2. Add a new subparagraph 29.3.4.5.3 to read as follows:

29.3.4.5.3 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

3. Add a new subparagraph 29.3.4.5.4 to read as follows:

29.3.4.5.4 "A corridor smoke detection system in accordance with O.C.G.A. Sections [25-2-13\(d\)](#) and [25-2-40](#) shall be provided in all interior corridors, halls and passageways.

29.3.4.5.4.1 The provisions of 29.3.4.5.1 do not apply in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5.

29.3.4.5.4.2 Dormitory facilities shall be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections [25-2-13\(d\)](#) and [25-2-40](#)."

4. Delete subsections 29.7.1, 29.7.2, 29.7.3, and 29.7.5 in their entirety and substitute in their place the following:

29.7.1 "**Emergency Planning and Preparedness.** Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(z) Modification to Chapter 30:

1. Delete paragraph 30.2.1.3 in its entirety and replace with the following new 30.2.1.3

30.2.1.3 Bathtub, Bathtub-Shower Combinations and Shower Grab Bars.

30.2.1.3.1 Where bathtubs, bathtub-shower combinations, or showers are present in apartments marketed as senior apartments or apartments designated as 55 or older communities, grab bars shall be provided in accordance with the provisions of 24.2.8.

30.2.1.3.2 In apartments not marketed as senior apartments or apartments designated as 55 or older communities sufficient structural supporting shall be installed so that bathtubs, bathtub-shower combinations, or showers are adaptable to meet the provisions of 24.2.8.

30.2.1.3.3 Where requested by a tenant, the apartment owner / management shall install grab bars in accordance with 24.2.8 at no cost to the tenant.

2. Delete item (2) of subsection 30.2.4.4 in its entirety and substitute in its place the following:

(2) "The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both of which are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair."

3. Add a new subparagraph 30.3.2.1.3 to read as follows:

30.3.2.1.3 "The provisions of 30.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage, and a minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete the words 'fuel fired' from Table 30.3.2.1.1

5. Delete subparagraph 30.3.4.5 in its entirety and substitute in its place the following:

30.3.4.5 "Approved single station or multiple station detectors continuously powered from the building's electrical system shall be installed in accordance with 9.6.2.10 in every living unit within the apartment building regardless of the number of stories or number of apartments. In addition, a 1½-hour emergency power supply source is required for the back-up power of the detector. When activated, the detector shall initiate an alarm that is audible in the sleeping rooms of that unit. This individual unit detector shall be in addition to any sprinkler system or other detection system that may be installed in the building."

6. Delete paragraph 30.3.6.2.3 in its entirety and substitute in its place the following:

30.3.6.2.3 "Doors that open onto exit access corridors shall be self-closing and self-latching, with a listed pneumatic closure or three heavy-duty spring-loaded hinges."

7. Delete subsection 30.7.1 in its entirety and substitute in its place the following:

30.7.1 **"Emergency Planning and Preparedness.** Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(aa) Modifications to Chapter 31:

1. Delete item (2) of subsection 31.2.4.4 in its entirety and substitute in its place the following:

(2) "The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both units are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair."

2. Add a new subparagraph 31.3.4.5.2.1 to read as follows:

31.3.4.5.2.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

3. Add a new subparagraph 31.3.4.5.4.1 to read as follows:

31.3.4.5.4.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

4. Delete subsection 31.7.1 in its entirety and substitute in its place the following:

31.7.1 **"Emergency Planning and Preparedness.** Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(bb) Modifications to Chapter 32:

Delete paragraph 32.1.1.1 in its entirety and substitute in its place the following:

32.1.1.1 **"General.** The requirements of this chapter shall apply to new buildings or portions thereof used as residential board and care occupancies (See 3.3.196.12* and 3.3.214* and their Annex A notes). This designation shall include, but may not be limited to, a personal care home or community living arrangement, as defined in [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.1.1 **Additions, Conversions, Modernizations, Renovations, and Construction Operations.** Additions shall be separated from any existing structure not conforming to the provisions of Chapter 32 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7) Doors in fire barriers shall normally be kept closed, however, doors shall be permitted to be held open if they meet the requirements of 7.2.1.8.2, and such doors shall be released upon activation of the building fire alarm system.

32.1.1.1.1.2. **Conversion.** For purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing residential or health care occupancy.

32.1.1.1.1.3 **Change of Occupancy.** A change from a licensed personal care home to an assisted living community or memory care unit shall be considered a change of occupancy or subclassification and would be required to meet the provisions of Chapter 35 for existing construction. Such changes in occupancy classification or subclassification are considered as proposed (new) buildings and shall be subject to the applicable administrative provisions of Section 103 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.1.4. **Renovations, Alterations, and Modernizations.** (See 4.6.7)

32.1.1.1.5. **Construction, Repair, and Improvement Operations.** (See 4.6.10)"

2. Delete paragraph 32.1.1.4 in its entirety and substitute in its place the following:

32.1.1.4 "Personal Care Homes and Community Living Arrangements with Five or More Residents. A personal care home or community living arrangement with five or more residents, as defined in 120-3-3-.03 of the Rules and Regulations of the Safety Fire Commissioner, shall comply with the general provisions of 32.1 of this Chapter 32, and with the applicable provisions for residential board and care occupancies as defined in 3.3.196.12 of this *Code*. The provisions of Chapter 32 for large facilities are deemed to provide for the use of "defend in place" fire response strategies should self-preservation measures not be deemed successful.

32.1.1.4.1 **Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 of this *Code* shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of origin and reducing the need for total occupant evacuation except for the room of fire origin.

32.1.1.4.2 **Total Concept.** All new personal care homes, and community living arrangements with five or more residents shall be constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

32.1.1.4.2.1 Because the safety of personal care home residents or residents of a community living arrangement cannot be adequately ensured by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate trained staff (refer to 406.2.1 of the *International Fire Code* as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner); and development of operating and maintenance procedures composed of the following:

- (1) Design, construction, and compartmentation
- (2) Provision for detection, alarm, and extinguishment
- (3) Fire protection and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building."

3. Delete paragraph 32.1.1.5 in its entirety and substitute in its place the following:

32.1.1.5 "All new facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:

- (1) Section 32.1 - General Requirements.
- (2) Section 32.2 - Small Facilities (Sleeping accommodations for not more than six residents. (Includes Personal Care Homes and Community Living Arrangements for five or six residents)
- (3) Section 32.3 - Large Facilities (Sleeping accommodations for seven or more residents. This includes Personal Care Homes, as defined in section 120-3-3-.03 of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner. It also includes Community Living Arrangements with seven or more residents.)
- (4) Section 32.4 - Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.
- (5) Section 32.5 - Community Living Arrangement Facilities (small and large) (As defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner)
- (6) Section 32.7 Operating Features."

4. Delete subsection 32.1.2 in its entirety and substitute in its place the following:

32.1.2 "**Classification of Occupancy.** See 6.1.9 and provisions of this Chapter 32, and the applicable definitions in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

5. Delete subparagraph 32.2.1.1.1 in its entirety and substitute in its place the following:

32.2.1.1.1 **"Scope.** This section applies to a community living arrangement with 5 to 6 residents and to residential board and care occupancies, including a personal care home, providing sleeping accommodations for not more than 6 residents. Where there are sleeping accommodations for more than 6 residents of a residential board and care occupancy, including a personal care home or community living arrangement, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 32.3. The provisions of 32.5 also apply to community living arrangements. (Also see 3.3.196.12.)"

6. Add a new paragraph 32.2.1.5 to read as follows:

32.2.1.5 **"Classification of Hazards of Contents.** Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2."

7. Add a new subparagraph 32.2.3.2.6 to read as follows:

32.2.3.2.6 "Residential cooking appliances such as stoves (a maximum of four surface burners or cooking elements) and griddles shall be protected by a listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3, and shall not be required to have openings protected between food preparation areas and dining areas.

32.2.3.2.6.1 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The protection authorized by 32.2.3.5.5 is acceptable for purposes of this section, provided, however, exhaust hood shall still be required to be vented to the outside.

32.2.3.2.6.2 Subject to the approval of the authority having jurisdiction, no protection is required over residential cooking appliances such as grills and stoves in facilities which have a prompt evacuation capability and having a licensed capacity as determined by the Department of Human Resources of six or less residents."

8. Add new subparagraph 32.2.3.4.5.5 to read as follows:

32.2.3.4.5.5 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons."

9. Delete subparagraph 32.2.3.5.2 in its entirety and substitute in its place the following:

32.2.3.5.2 "* In conversions, sprinklers shall not be required in small board and care homes, including personal care homes and community living arrangements serving six or fewer residents when all occupants have the ability as a group to move reliably to a point of safety within three minutes.

32.2.3.5.2.1 Where the provisions of 32.2.3.5.2 are not met and maintained, the sprinkler protection requirement may be met through the installation of a sprinkler system complying with 32.2.3.5."

10. Add a new subsection 32.2.3.5.9 to read as follows:

32.2.3.5.9 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9."

11. Delete (1) of subparagraph 32.2.3.6.1 and substitute in its place the following:

(1) "The separation walls of sleeping rooms shall be capable of resisting fire for not less than 30 minutes, which is considered to be achieved if the partitioning is finished on both sides with materials such as, but not limited to, ½ inch thick gypsum board, wood lath and plaster, or metal lath and plaster. It shall be acceptable for corridor walls to

terminate at a ceiling which is constructed similar to a corridor wall capable of resisting fire for not less than 30 minutes."

12. Add new subparagraph 32.2.5.2.4 to read as follows:

32.2.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements.

32.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction."

13. Delete subparagraph 32.3.1.1 in its entirety and substitute in its place the following:

32.3.1.1.1 "This section applies to residential board and care occupancies, including licensed personal care homes and community living arrangements with more than 6 residents, as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there are sleeping accommodations for six or less residents, or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 32.2.

14. Add a new Section 32.3.1.2 to read as follows:

32.3.1.2 "**Assisted Living Communities and Memory Care Units.**

32.3.1.2.1 This chapter shall not apply to any building, or portion thereof, newly constructed, or substantially renovated, as defined in O.C.G.A. [25-2-14\(d\)](#), so as to be designated and licensed by the Georgia Department of Community Health as an assisted living community or memory care unit, as defined in Section 120-3-3-.03 of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Refer to Chapter 34 or 35 for the applicable requirements for such facilities."

15. Delete 32.3.1.2 and insert a new 32.3.1.2 to read as follows:

32.3.1.2 **Requirements Based on Evacuation Capability.** Definitions for the classifications of evacuation capability are defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. For purposes of Section 32.3, large facilities are assumed to have an impractical evacuation capability.

16. Add a new item 8 to subparagraph 32.3.2.2.2 to read as follows:

(9) ": Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available/accessible to the staff."

17. Add a new subparagraph 32.3.2.6.1 to read as follows:

32.3.2.6.1 "Travel distance shall not exceed 35 feet (10.7 m) in any story below the level of exit discharge occupied for public purposes."

18. Add a new subparagraph 32.3.2.6.2 to read as follows:

32.3.2.6.2 "Travel distance shall not exceed 75 feet (22.9 m) in any story below the level of exit discharge not occupied for public purposes."

19. Add a new subparagraph 32.3.2.6.3 to read as follows:

32.3.2.6.3 "Any story below the level of exit discharge occupied for public purposes shall have at least two separate exits provided from each story with a maximum dead-end corridor of 20 feet (6.1 m). Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this *Code*."

20. Delete paragraph 32.3.2.9 in its entirety and substitute in its place the following:

32.3.2.9 "Emergency lighting in accordance with Section 7.9 of the *Code* shall be provided in means of egress and common areas in all residential board and care occupancies.

32.3.2.9.1 "Where each resident room has a direct exit to the outside of the building at ground level, no emergency lighting shall be required."

21. Add a new subparagraph 32.3.2.11.1 to read as follows:

32.3.2.11.1 "Every stairwell door shall allow reentry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power."

22. Add a new subparagraph 32.3.3.1.4 to read as follows:

32.3.3.1.4 "Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite."

23. Add a new subparagraph 32.3.3.2.4 to read as follows:

32.3.3.2.4 "The provisions of Table 32.3.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

24. Delete subparagraph 32.3.3.4.7 in its entirety and substitute in its place the following:

32.3.3.4.7 "**Smoke Alarms.** Each sleeping room shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10. Approved smoke alarms shall be powered by the building's electrical system and be provided with a 1½-hour emergency power source."

32.3.3.4.7.1 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired residents in personal care homes or Community Living Arrangements."

25. Delete subparagraph 32.3.3.4.8 in its entirety and substitute in its place the following:

32.3.3.4.8 "**Smoke Detection Systems.** All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure. (Refer to 3.3.264)

32.3.3.4.8.1 Detectors may be excluded from crawl spaces beneath the building and unused and unfinished attics.

32.3.3.4.8.2 Unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times."

26. Delete subparagraph 32.3.3.5.7 in its entirety and substitute in its place the following:

32.3.3.5.7 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9."

27. Delete subparagraph 32.3.3.6.6 in its entirety and substitute in its place the following:

32.3.3.6.6 "There shall be no louvers, transfer grilles, operable transoms, or other air passages penetrating such walls or doors other than properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

32.3.3.6.6.1 Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed."

28. Add a new subparagraph 32.3.5.2.4 to read as follows:

32.3.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

32.3.5.2.4.1 "In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

29. Delete section 32.5 in its entirety and substitute in its place the following:

32.5 **"Community Living Arrangement Facilities.**

32.5.1 **General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 32.5 shall prevail.

32.5.2 Address identification. Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

32.5.3 **Means of Egress.**

32.5.3.1 **Number of Means of Escape.** In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

32.5.3.1.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

32.5.3.1.2 **Exits for the mobility impaired.** A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents."

32.5.3.2 **Bedrooms.** Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls. capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window

assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in. 2 (0.84 m²) each in area and installed in approved frames.

32.5.3.2.1 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

32.5.3.2.2 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

32.5.3.2.3 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

32.5.3.2.4 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

32.5.3.2.5 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

32.5.3.3 Locks.

32.5.3.3.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

32.5.3.3.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

32.5.4 Detection and Alarm Systems

32.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

32.5.4.2 Smoke Detection.

32.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. § [25-2-40](#).

32.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

32.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.119 and 3.3.25.5.

32.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

32.5.4.3 Carbon Monoxide Detectors.

32.5.4.3.1 Carbon monoxide detectors shall be provided in accordance with 32.3.3.4.9.

32.5.5 Protection.

32.5.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

32.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

32.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a licensed fire safety technician annually in accordance with NFPA 10.

32.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

32.5.6 Heating, Ventilation and Air Conditioning.

32.5.6.1 Portable space heaters shall not be used.

32.5.6.2 Fire screens and protective devices shall be used with fireplaces, stoves and fixed heaters.

32.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

32.5.7 Operating Features.

32.5.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

32.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (Refer to Chapter 4 of the *International Fire Code* regarding caregiver minimum training requirements.)

32.5.7.2 **Evacuation Capabilities.** Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can successfully respond to a fire or other emergency using self-preservation or assisted preservation measures as defined by [120-3-3.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot successfully respond shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance to the affected resident at all times.

32.5.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the *International Fire Code* regarding fire and emergency evacuation drills.)

32.5.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each resident room. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape."

30. Delete subsections 32.7.1, 32.7.2, and 32.7.3 in their entirety and substitute in their place the following:

32.7.1 **"Emergency Planning and Preparedness.** Residential board and care facilities (Group I-1 and R-4 occupancies), including personal care homes and community living arrangements shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The specific provisions of 32.5.7 shall also apply to community living arrangements."

31. Delete subsection 32.7.4 in its entirety and substitute in its place the following:

32.7.4 **"Smoking.** Smoking regulations shall be adopted and shall include the following minimal provisions.

32.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with '**NO SMOKING**' signs.

32.7.4.2 Smoking by residents classified as not responsible shall be prohibited, Exception unless the resident is under direct supervision.

32.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

32.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted."

32. Add a new paragraph 33.7.5.4 to read as follows:

32.7.5.4 "Wastebaskets and other waste containers shall be of noncombustible or other approved materials."

(cc) **Modifications to Chapter 33:**

1. Delete paragraphs 33.1.4.1 and 33.1.4.2 in their entirety and substitute in their place the following:

33.1.4.1 "**General.** For definitions see Chapter 3, Definitions and [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner (RRSFC). Where there is a difference in definitions, the definitions in [120-3-3-.03](#) shall prevail.

33.1.4.2 **Special Definitions.**

(1) Broad and Care Occupancies, Residential. See RRSFC [120-3-3-.03](#).

(2) Community Living Arrangement. See RRSFC [120-3-3-.03](#)

(3) Evacuation Capability, Impractical. See RRSFC [120-3-3-.03](#).

(4) Evacuation Capability, Prompt. See RRSFC [120-3-3-.03](#).

(5) Evacuation Capability, Slow. See RRSFC [120-3-3-.03](#).

(6) Personal Care. See RRSFC [120-3-3-.03](#).

(7) Personal Care Home. See RRSFC [120-3-3-.03](#).

(8) Self-preservation. See RRSFC [120-3-3-.03](#).

2. Add new subparagraphs 33.1.1.4.1 through 33.1.1.4.3 to read as follows:

33.1.1.4.1 "Community Living Arrangements for five to six residents shall comply with the requirements of Sections 33.2 and 33.5

33.1.1.4.2 Community Living Arrangements for seven or more residents shall comply with the requirements of Sections 33.3 and 33.5.

33.1.1.4.3 Refer to [120-3-3-.03](#) for the definition of a "Community Living Arrangement."

33.1.1.4.4 Existing large personal care homes with 25 or more residents desiring to be licensed as an Assisted Living Community or as a Memory Care Unit, both as defined in [120-3-3-.03](#) of the Rules and Regulations of the Safety

Fire Commissioner, shall meet the requirements for a conversion to a large residential board and care occupancy and the applicable provisions for assisted living communities or memory care units as set forth by Chapter 35 of this Code. (Also defined in RRSFC [120-3-3-.03](#)) ."

3. Delete paragraph 33.1.1.5 in its entirety and substitute in its place the following:

33.1.1.5 "All existing facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:

(1) Section 33.1 - General Requirements.

(2) Section 33.2 - Small Facilities (sleeping accommodations for not more than six residents. Includes small personal care homes and community living arrangements.)

(3) Section 33.3 - Large Facilities (sleeping accommodations for seven or more residents. This includes existing "personal care homes" as defined in section 120-3-3-.03 of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, and not licensed as an "Assisted Living Community" or "Memory Care Unit")

(4) Section 33.4 - Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.

(5) Section 33.5 - Community Living Arrangement Facilities

(6) Section 33.7 - Operating Features."

4. Add a new subsection 33.1.9 to read as follows:

33.1.9 "**Classification of Hazards of Contents.** Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2."

5. Delete paragraph 33.2.1.1 in its entirety and substitute in its place the following:

33.2.1.1 "**Scope.** This section applies to residential board and care occupancies, including community living arrangements with 5 to 6 residents and personal care homes providing sleeping accommodations for not more than six residents. Where there are sleeping accommodations for more than six residents of a residential board and care occupancy or a community living arrangement more than 6, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 33.3."

6. Add a new paragraph 33.2.1.5 to read as follows:

33.2.1.5 "**Occupant Load.** The occupant load of small Residential Board and Care occupancies (personal care occupancies) or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor on the basis of the occupant load factors of Table 7.3.1.2. (Also see 3.3.22.2.1 for Gross Floor Area.)"

7. Add a new subparagraph 33.2.3.2.6 to read as follows:

33.2.3.2.6 "Residential cooking appliances such as stoves and griddles shall be protected by listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

33.2.3.2.6.1 "Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 33.2.3.5. The exhaust hood is still required to be vented to the outside.

33.2.3.2.6.2 "No protection is required over residential cooking appliances such as grills and stoves in facilities which have prompt evacuation capability and have a licensed capacity as determined by the Department of Community Health of six or less residents."

8. Add new subparagraph 33.2.3.4.3.1 to read as follows:

33.2.3.4.3.1 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons."

9. Add a new subparagraph 33.2.3.4.3.1 to read as follows:

33.2.3.4.3.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

10. Add new subparagraph 33.2.3.4.5 to read as follows:

33.2.3.4.5 "**Carbon Monoxide Detectors.** Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence."

11. Delete subparagraph 33.2.3.5.3.7 in its entirety and substitute in its place the following:

33.2.3.5.3.7 "**Impactical and Slow Evacuation Capability.** All slow and impractical evacuation capability facilities shall be protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 33.2.3.5.3."

12. Add new subparagraph 33.2.5.2.4 to read as follows:

33.2.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements."

33.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

13. Add a new subsection 33.2.6 to read as follows:

33.2.6 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies, personal care homes or community living arrangement facilities as follows."

33.2.6.1 Portable fire extinguishers in accordance with Section 9.9 of this *Code* shall be provided near hazardous areas. Also, at least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement, and they shall be readily accessible."

33.2.6.1.2 Required portable fire extinguishers shall be inspected and maintained at least annually by a licensed fire safety technician in accordance with NFPA 10."

33.6.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition."

14. Delete paragraph 33.3.1.1.1 in its entirety and substitute in its place the following:

33.3.1.1.1 "**Scope.** This section applies to residential board and care occupancies, including personal care homes and community living arrangements providing sleeping accommodations for 7 or more residents. Where there are

sleeping accommodations for six or less residents or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 33.2."

15. Delete 33.3.1.2.2* in its entirety and substitute in its place the following:

33.3.1.2.2 **"* Impractical.** Large facilities classified as impractical evacuation capability shall meet the requirements of 33.3 for impractical evacuation capability, or the requirements for new large facilities in Chapter 32, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4."

16. Add a new subsection 33.3.1.4 to read as follows:

33.3.1.4 **"Occupant Load.** The occupant load of small Residential Board and Care occupancies or Personal Care occupancies or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor as determined on the basis of the occupant load factors of Table 7.3.1.2. Gross floor area shall be measured within the exterior building walls with no deductions. (See 3.3.22.2.1)."

17. Add a new subparagraph 33.3.1.1.4 to read as follows:

33.3.1.1.4 "Enclosure of stairs, smoke proof towers and exit passageways in buildings existing prior to April 15, 1986, shall be fire barriers of at least 20-minute fire-resistance rating with all openings protected in accordance with paragraph 8.3.3 of this *Code* in buildings less than three stories in height. In buildings existing prior to April 15, 1986, more than three stories in height, the enclosure shall not be less than a 1-hour fire-resistance rating with all openings protected in accordance with paragraph 8.3.4.4 of this *Code*."

18. Add a new exception to subparagraph 33.3.2.2.2(10) to read as follows:

33.3.2.2.2(10) "Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available to and accessible by the staff."

19. Delete subparagraph 33.3.2.5.4 in its entirety and substitute in its place the following:

33.3.2.5.4 "No dead-end corridor shall exceed 35 feet (10.7 m)."

20. Delete subparagraph 33.3.2.6.3.3 in its entirety and substitute in its place the following:

33.3.2.6.3.3 "Travel distance to exits shall not exceed 150 feet (45.7 m) if the exit access and any portion of the building that is tributary to the exit access are protected throughout by approved automatic sprinkler systems. In addition, the portion of the building in which the 150 feet (45.7 m) travel distance is permitted shall be separated from the remainder of the building by construction having not less than a 1-hour fire-resistance rating for buildings not greater than three stories in height and 2-hour for buildings greater than three stories in height."

21. Add a new subparagraph 33.3.2.6.3.4 to read as follows:

33.3.2.6.3.4 "No residents shall be located on floors below the level of exit discharge.

33.3.2.6.3.4.1 In facilities existing prior to April 15, 1986, any floor below the level of exit discharge occupied for public purposes shall have exits arranged such that it will not be necessary to travel more than 100 feet (30.5 m) from the door of any room to reach the nearest exit."

22. Add a new subparagraph 33.3.2.6.4 to read as follows:

33.3.2.6.4 "Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board

and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this *Code*."

23. Add a new subparagraph 33.3.2.7.1 to read as follows:

33.3.2.7.1 "At least half of the required exit capacity of upper floors, exclusive of horizontal exits, shall lead directly to the street or through a yard, court, or passageway with protected openings and separated from all parts of the interior of the building."

24. Delete paragraph 33.3.2.9 in its entirety and substitute in its place the following:

33.3.2.9 **"Emergency Lighting.** Emergency lighting in accordance with Section 7.9 of the *Code* shall be provided in means of egress and common areas in all residential board and care occupancies.

33.3.2.9.1 Where each guestroom has a direct exit to the outside of the building at ground level, no emergency lighting shall be required."

25. Delete 33.3.2.11.1 and insert a new subparagraph 33.3.2.11.1 to read as follows:

33.3.2.11.1 "Every stairwell door shall allow re-entry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power."

26. Add a new subparagraph 33.3.2.11.3 to read as follows:

33.3.2.11.3 "Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite."

27. Add a new subparagraph 33.3.3.1.4 to read as follows:

33.3.3.1.4 "Any required exit stair which is so located such that it is necessary to pass through the lobby or other open space to reach the outside of the building shall be continuously enclosed down to the lobby level, or to a mezzanine within the lobby.

33.3.3.1.4.1 In existing two-story buildings only, the second floor level may be fire stopped with a fire barrier having at least a 1-hour fire-resistance rating. Vision panels not exceeding 1,296 square inches (8361 cu cm) and installed in steel frames shall be provided in the doors of the fire barrier."

28. Add two new subparagraphs 33.3.3.2.2.1 and 33.3.3.2.2.2 to read as follows:

33.3.3.2.2.1 "The provisions of 33.3.3.2.2 shall not apply to rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

33.3.3.2.2.2 The provisions of 33.3.3.2.2 shall not apply in existing residential board and care occupancies constructed prior to April 15, 1986, with regard to the location of the equipment only."

29. Delete section 33.3.3.8 to read as follows:

33.3.3.8.1 "A personal care home having a licensed capacity as determined by the Department of Community Health of 16 or less residents shall have residential cooking appliances such as stoves and griddles protected by a listed self-contained residential fire suppression system located in residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided.

Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

33.3.3.8.2 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 or less residents may have food preparation facilities in accordance with NFPA 91, *Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids*, 1983 edition.

33.3.3.8.3 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 residents or less may have food preparation facilities which have a ventilating hood meeting the provisions of NFPA 54, *National Fuel Gas Code*, as specified in Chapters 120-3-14 and 120-3-16, of the Rules and Regulations of the Safety Fire Commissioner, and NFPA 91, *Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids*, as specified in Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner.

33.3.3.8.4 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The exhaust hood is still required to be vented to the outside."

30. Add a new subparagraph 33.3.3.4.7.1.1 to read as follows:

33.3.3.4.7.1.1 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons located in Community Living Arrangements."

31. Delete subparagraph 33.3.3.4.7.2 in its entirety and substitute in its place the following:

33.3.3.4.7.2 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

32. Delete subparagraph 33.3.3.4.8 in its entirety and substitute in its place the following:

33.3.3.4.8 "**Smoke Detection Systems.** All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure.

33.3.3.4.8.2 Smoke detection systems may be excluded from crawl spaces beneath the building and unused and unfinished attics.

33.3.3.4.8.3 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times."

33. Delete subparagraph 33.3.3.5.2 in its entirety and substitute in its place the following:

33.3.3.5.2 "Sprinkler installation may be omitted in bathrooms where the area does not exceed 55 square feet (5.1 sq. m) and the walls and ceilings, including behind fixtures, are of noncombustible or limited combustible materials providing a 15-minute thermal barrier or in clothes closets, linen closets, and pantries within the facility where the area of the space does not exceed 24 square feet (2.2 sq. m) and the least dimension does not exceed 3 feet (0.91 m) and the walls and ceilings are surfaced with noncombustible or limited combustible materials as defined by NFPA 220, *Standard on Types of Building Construction*, as specified in Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner."

34. Delete subparagraph 33.3.3.5.1.3 in its entirety and substitute in its place the following:

33.3.3.5.1.3 "Automatic sprinklers installed in accordance with NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, 1991 edition, as modified by Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, which were in effect shall be acceptable as a complying sprinkler system."

35. Add a new subparagraph 33.3.3.5.1.4 to read as follows:

33.3.3.5.1.4 "Automatic sprinkler systems installed in existing facilities prior to November 1, 1987, may be continued in use subject to the approval of the authority having jurisdiction as defined in paragraph 3.2.2 of the *Code*."

36. Add new subparagraph 33.3.3.4.9 to read as follows:

33.3.3.4.9 "**Carbon Monoxide Detectors.** Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence."

37. Delete subparagraph 33.3.3.5.7 in its entirety and substitute in its place the following:

33.3.3.5.7 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a community living arrangement facility in accordance with 9.9."

38. Delete subparagraph 33.3.3.6.1 and subparagraphs to 33.3.3.6.1 in their entirety and substitute in its place the following:

33.3.3.6.1 "Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 33.3.3.6.3 through 33.3.3.6.3."

39. Delete subparagraph 33.3.3.6.3 in its entirety and substitute in its place the following:

33.3.3.6.3 "Fire barriers required by 33.3.3.6.1 and 33.3.3.6.2 shall have a fire-resistance rating of not less than 30 minutes. Fixed fire window assemblies in accordance with 8.3.3 shall be permitted.

33.3.3.6.3.1 The provisions of 33.3.3.6.3 shall not apply where the resident room has a door providing direct exiting at grade or to an open air balcony leading to exiting at grade."

40. Delete subparagraph 33.3.3.6.4 in its entirety and substitute in its place the following:

33.3.3.6.4 "Doors in fire barriers required by 33.3.3.6.1 or 33.3.3.6.2 shall have a fire protection rating of not less than twenty (20) minutes and shall have positive latching.

33.3.3.6.4.1 Existing 1¾ inch (44.5 mm) thick, solid bonded wood core doors shall be permitted to continue to be used. These doors shall be positive latching.

33.3.3.6.4.2 Walls that are required only to resist the passage of smoke, without a fire-resistance rating, shall be permitted to have doors that resist the passage of smoke without a fire protection rating. These doors shall be positive latching.

33.3.3.6.4.3 In existing personal care occupancies existing prior to April 15, 1986, the doors shall be constructed to resist the passage of smoke and shall be at least equal in fire protection to a 1¼ inch (31.8 mm) thick solid bonded core wood door and shall have positive latching."

41. Delete subparagraph 33.3.3.6.5 in its entirety and substitute in its place the following:

33.3.3.6.5 "Walls and doors required by 33.3.3.6.1 and 33.3.3.6.2 shall be constructed to resist the passage of fire and smoke for not less than 30 minutes. There shall be no louvers, transfer grilles, operable transoms, or other air

passages penetrating such walls or doors except properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

33.3.3.6.5.1 "Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed."

42. Add new subparagraph 33.3.5.2.4 to read as follows:

33.3.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

33.3.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

43. Delete subsection 33.5 in its entirety and substitute in its place the following:

33.5 "Community Living Arrangement Facilities.

33.5.1 **General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 33.5 shall prevail.

33.5.2 **Address identification.** Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

33.5.3 Means of Egress.

33.5.3.1 A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents.

33.5.3.2 Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in. 2 (0.84 m2) each in area and installed in approved frames.

33.5.3.3 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

33.5.3.4 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

33.5.3.5 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

33.5.3.6 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

33.5.3.7 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

33.5.3.8 Locks.

33.5.3.8.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

33.5.3.8.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

33.5.3.9 Number of Means of Escape. In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

33.5.3.9.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

33.5.4 Detection and Alarm Systems

33.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be installed.

33.5.4.2 Smoke Detection.

33.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. § [25-2-40](#).

33.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

33.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5.

33.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

33.5.4.3 Carbon Monoxide Detectors.

33.5.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

33.5.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel-burning fireplace is installed the residence

33.5.5 Protection.

33.5.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

33.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

33.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a state licensed or permitted fire extinguisher technician annually in accordance with NFPA 10, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

33.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

33.5.6 **Heating, Ventilation and Air Conditioning.**

33.5.6.1 Space heaters shall not be used.

33.5.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and heaters.

33.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

33.5.7 **Operating Features.**

33.5.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

33.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.2 Evacuation Capabilities. Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet a prompt evacuation capability classification shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

33.5.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape."

44. Delete subsections 33.7.1, 33.7.2, and 33.7.3 in their entirety and substitute in their place the following:

33.7.1 **"Emergency Planning and Preparedness.** Residential board and care facilities (Group II and R-4 occupancies), including community living arrangements and personal care homes, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

45. Delete subsection 33.7.4 in its entirety and substitute in their place the following:

33.7.4 **"Smoking.** Smoking regulations shall be adopted and shall include the following minimal provisions.

33.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with **"NO SMOKING"** signs.

33.7.4.2 Smoking by residents classified as not responsible shall be prohibited.

33.7.4.2.1 Smoking is permitted by residents classified as not responsible when under direct supervision.

33.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

33.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted."

46. Add a new paragraph 33.7.5.4 to read as follows:

33.7.5.4 **"Waste Containers.** Wastebaskets and other waste containers shall be of noncombustible or other approved materials."

(dd) **Modifications to reserved Chapter 34.**

1. Insert a new Chapter 34 to read as follows:

"Chapter 34 New Assisted Living Community Occupancies

34.1 General Requirements.

34.1.1 Application.

34.1.1.1 General.

34.1.1.1.1 The requirements of this chapter shall apply to new buildings or portions thereof used as assisted living community occupancies. New buildings or portions thereof used as assisted living community occupancies shall be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 18 of this *Code* in lieu of this chapter. (See 1.3.1).

34.1.1.1.2 **Administration.** The provisions of Chapter 1, Administration, shall apply.

34.1.1.1.3 **General.** The provisions of Chapter 4, General, shall apply.

34.1.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 32 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

34.1.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this *Code* that would otherwise require means of egress to be kept unlocked.

34.1.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

34.1.1.2 * **Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

34.1.1.3 **Total Concept.**

34.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

34.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

(1) Design, construction, and compartmentation

(2) Provision for detection, alarm, and extinguishment

(3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building

34.1.1.4 **Additions, Conversions, Modernization, Renovation, and Construction Operations.**

34.1.1.4.1 **Additions.**

34.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 34 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

34.1.1.4.1.2 Doors in barriers required by 34.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 34.1.1.4.1.3.

34.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 34.2.2.4.

34.1.1.4.2 **Conversion.** For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing health care occupancy to an assisted living community occupancy.

34.1.1.4.3 **Changes of Occupancy.** A change from a personal care home to an assisted living community occupancy shall be considered a change in occupancy or occupancy sub-classification and would be required to meet the provisions of this Chapter for new construction.

34.1.1.4.4 **Renovations, Alterations, and Modernizations.** See 4.6.7.

34.1.1.4.5 **Construction, Repair, and Improvement Operations.** See 4.6.10.

34.1.2 **Classification of Occupancy.** See [120-3-3.03\(4\), \(14\)](#), and 34.1.4.2.

34.1.3 **Multiple Occupancies.**

34.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 34.1.3.2.

34.1.3.2 * Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:

(1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.

(2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

34.1.3.3 The requirement of 34.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 34.4. In such facilities, any safeguards required by Section 34.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 34.4.

34.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non-health care occupancy, unless the assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.

34.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 34.2.

34.1.3.6 Non-residential-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

34.1.4 Definitions.

34.1.4.1 **General.** For definitions, see Chapter 3, Definitions.

34.1.4.2 **Special Definitions.** A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See [120-3-3-.03\(4\)](#).

(2) Assisted self-preservation. See [120-3-3-.03\(5\)](#)

(3) Evacuation Capability, Impractical. See [120-3-3-.03\(7\)](#).

(4) Evacuation Capability, Prompt. See [120-3-3-.03\(8\)](#).

(5) Evacuation Capability, Slow. See [120-3-3-.03\(9\)](#).

(6) Personal Care Home. See [120-3-3-.03\(21\)](#).

(7) Point of Safety. See 3.3.211 of this *Code*.

(8) Thermal Barrier. See 3.3.31.3 of this *Code*.

34.1.5 **Classification of Hazard of Contents.** The classification of hazard of contents shall be as defined in Section 6.2.

34.1.6 **Minimum Construction Requirements.** Assisted living community facilities shall be limited to the building construction types specified in Table 34.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.

Table 34.1.6

Table 34.1.6	Number of Stories - See Note b					
Construction Type	Sprinklered See Note a	1	2	3	4-12	12
Type I(442) a c d	YES	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type I(332) a c d	YES	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.

Table 34.1.6	Number of Stories - See Note b					
Type II(222) <i>a c d</i>	YES	X	X	X	X	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(111) <i>a c d</i>	YES	X	X	X	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(000) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(211) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(200) <i>a</i>	YES	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type IV(2HH) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(111) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(000) <i>a</i>	YES	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.

X = Permitted if sprinklered as required by 32.3.3.5.

NP = Not permitted.

a Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout. (See requirements of 34.3.5).

b See requirements of 4.6.3.

c See requirements of 34.1.6.2.1.

d See requirements of 34.1.6.2.2.

34.1.6.1 * **Fire Resistance-Rated Assemblies.** Fire resistance-rated assemblies shall comply with Section 8.3.

34.1.6.2 Construction Type Limitations.

34.1.6.2.1 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings.

(2) The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.

(3) The structural elements supporting the 2-hour fire resistance-rated floor assembly specified in 34.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

34.1.6.2.2 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, *Standard Test Methods for Fire Tests of Roof Coverings*, or ANSI/UL 790, *Test Methods for Fire Tests of Roof Coverings*.

(2) The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, *Standard on Types of Building Construction*.

(3) The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.

34.1.6.2.3 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

(1) Such levels are under the control of the assisted living community facility.

(2) Any hazardous spaces are protected in accordance with Section 8.7.

34.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

34.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

34.1.6.5 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

34.1.6.6 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

34.1.7 **Occupant Load.** The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

34.2 Means of Egress Requirements.

34.2.1 General.

34.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

34.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

34.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 34.7.3.

34.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

34.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this *Code* for assisted living community occupancies, unless otherwise permitted by 34.2.1.6.

34.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this *Code* shall be permitted, provided that the occupancy does not contain high hazard contents.

34.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this *Code* for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

34.2.2 Means of Egress Components.

34.2.2.1 **Components Permitted.** Components of means of egress shall be limited to the types described in 34.2.2.2 through 34.2.2.10.

34.2.2.2 **Doors.** Doors in means of egress shall meet all of the following criteria:

- (1) Doors complying with 7.2.1 shall be permitted.
- (2) Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.
- (3) No door in any means of egress, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

34.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

34.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

34.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 34.2.2.2.4.

34.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 34.2.2.2.3 shall comply with both of the following:

- (1) Provisions shall be made for the rapid removal of occupants by means of one of the following:
 - (a) Remote control of locks from within the locked smoke compartment
 - (b) Keying of all locks to keys carried by staff at all times
 - (c) Other such reliable means available to the staff at all times

(2) Only one locking device shall be permitted on each door.

34.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 34, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

34.2.2.2.6 Only one such locking device, as described in 34.2.2.2.5, shall be permitted on each door.

34.2.2.3 **Stairs.** Stairs complying with 7.2.2 shall be permitted.

34.2.2.4 **Smokeproof Enclosures.** Smokeproof enclosures complying with 7.2.3 shall be permitted.

34.2.2.5 **Horizontal Exits.** Horizontal exits complying with 7.2.4 shall be permitted.

34.2.2.6 **Ramps.** Ramps complying with 7.2.5 shall be permitted.

34.2.2.7 **Exit Passageways.** Exit passageways complying with 7.2.6 shall be permitted.

34.2.2.8 **Fire Escape Ladders.** Fire escape ladders complying with 7.2.9 shall be permitted.

34.2.2.9 **Alternating Tread Devices.** Alternating tread devices complying with 7.2.11 shall be permitted.

34.2.2.10 **Areas of Refuge.** Areas of refuge complying with 7.2.12 shall be permitted.

34.2.3 **Capacity of Means of Egress.**

34.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

34.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.

34.2.3.3 The width of corridors shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).

34.2.4 **Number of Means of Egress.**

34.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 34.2.4.2:

- (1) The number of means of egress shall be in accordance with Section 7.4.
- (2) Not less than two separate exits shall be provided on every story.
- (3) Not less than two separate exits shall be accessible from every part of every story.

34.2.4.2 Exit access, as required by 34.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 34.2.5.2.

34.2.5 **Arrangement of Means of Egress.**

34.2.5.1 **General.** Access to all required exits shall be in accordance with Section 7.5.

34.2.5.2 **Dead-end Corridors.** Dead-end corridors shall not exceed 30 ft. (9.1 m).

34.2.5.3 **Common Path.** Common paths of travel shall not exceed 75 ft. (23 m).

34.2.5.4 **Reserved.**

34.2.6 **Travel Distance to Exits.**

34.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 34.2.6.3.1 or 34.2.6.3.2.

34.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 150ft. (45.72m).

34.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

34.2.7 **Discharge from Exits.** Exit discharge shall comply with Section 7.7.

34.2.8 **Illumination of Means of Egress.** Means of egress shall be illuminated in accordance with Section 7.8.

34.2.9 **Emergency Lighting.** Emergency lighting in accordance with Section 7.9 shall be provided.

34.2.10 **Marking of Means of Egress.** Means of egress shall be marked in accordance with Section 7.10.

34.2.11 **Special Means of Egress Features.**

34.2.11.1 **Reserved.**

34.2.11.2 **Lockups.** Lockups in residential assisted living community occupancies shall comply with the requirements of 22.4.5.

34.3 **Protection.**

34.3.1 **Protection of Vertical Openings.**

34.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.

34.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.

34.3.1.3 No floor below the level of exit discharge used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

34.3.2 **Protection from Hazards.**

34.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.

34.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:

(1) Boiler and heater rooms

(2) Laundries

(3) Repair shops

(4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.

34.3.3 Interior Finish.

34.3.3.1 **General.** Interior finish shall be in accordance with Section 10.2.

34.3.3.2 Interior Wall and Ceiling Finish. Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:

- (1) Exit enclosures - Class A
- (2) Lobbies and corridors - Class B
- (3) Rooms and enclosed spaces - Class B

34.3.3.3 Interior Floor Finish.

34.3.3.3.1 Interior floor finish shall comply with Section 10.2.

34.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 34.3.6 shall be not less than Class II.

34.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

34.3.4 Detection, Alarm, and Communications Systems.

34.3.4.1 **General.** A fire alarm system shall be provided in accordance with Section 9.6.

34.3.4.2 **Initiation.** The required fire alarm system shall be initiated by each of the following:

- (1) Manual means in accordance with 9.6.2
- (2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees
- (3) Required automatic sprinkler system
- (4) Required detection system

34.3.4.3 **Annunciator Panel.** An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

34.3.4.4 Notification.

34.3.4.4.1 **Occupant Notification.** Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

34.3.4.4.2 **High-Rise Buildings.** High-rise buildings shall be provided with an approved emergency voice communication/alarm system in accordance with 11.8.4.

34.3.4.5 * **Emergency Forces Notification.** Fire department notification shall be accomplished in accordance with 9.6.4.

34.3.4.6 Detection.

34.3.4.6.1 **Smoke Alarms.** Approved smoke alarms shall be installed in accordance with 9.6.2.10 inside every sleeping room, outside every sleeping area in the immediate vicinity of the bedrooms, and on all levels within a resident unit.

34.3.4.7 Smoke Detection Systems.

34.3.4.7.1 Corridors, spaces open to the corridors, and other spaces outside every sleeping area in the immediate vicinity of the bedrooms other than those meeting the requirement of 34.3.4.7.2, shall be provided with smoke detectors that comply with NFPA 72, *National Fire Alarm and Signaling Code*, and are arranged to initiate an alarm that is audible in all sleeping areas.

34.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

34.3.5 Extinguishment Requirements.

34.3.5.1 **General.** All buildings shall be protected throughout by an approved automatic sprinkler system installed in accordance with 9.7.1.1(1) and provided with quick-response or residential sprinklers throughout.

34.3.5.5 **Supervision.** Automatic sprinkler systems shall be provided with electrical supervision in accordance with 9.7.2.

34.3.5.7 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in accordance with 9.9.

34.3.6 Corridors and Separation of Sleeping Rooms.

34.3.6.1 Access shall be provided from every resident use area to at least one means of egress that is separated from all sleeping rooms by walls complying with 34.3.6.3 through 34.3.6.6.

34.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, and kitchens by walls complying with 34.3.6.2 through 34.3.6.6.

34.3.6.2 Walls required by 34.3.6.1 or 34.3.6.1.1 shall be smoke partitions in accordance with Section 8.4 having a minimum 1/2-hour fire resistance rating.

34.3.6.3.5 Hazardous areas shall be separated from corridors in accordance with 34.3.2.

34.3.6.4 Doors protecting corridor openings other than from resident sleeping rooms and hazardous areas shall not be required to have a fire protection rating, but shall be constructed to resist the passage of smoke.

34.3.6.4.1 Doors protecting resident sleeping rooms shall have a minimum 20-minute fire protection rating.

34.3.6.5 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

34.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

34.3.7 **Subdivision of Building Spaces.** Buildings shall be subdivided by smoke barriers in accordance with 34.3.7.1 through 34.3.7.21.

34.3.7.1 Every story shall be divided into not less than two smoke compartments, unless it meets the requirement of 34.3.7.4, 34.3.7.5, 34.3.7.6, or 34.3.7.7.

34.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft² (2100 m²).

34.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

34.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

34.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

34.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

34.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

34.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 34.3.5.

34.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 34.3.7.9 or 34.3.7.10.

34.3.7.9 Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

34.3.7.10 Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

34.3.7.11 Not less than 15 net ft² (1.4 net m²) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

34.3.7.12 On stories not housing residents, not less than 6 net ft² (0.56 net m²) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

34.3.7.13 Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid-bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.

34.3.7.14 Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

34.3.7.15 Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

34.3.7.16 Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

34.3.7.17 Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

34.3.7.18 Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

34.3.7.19 Rabbits, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

34.3.7.20 Positive latching hardware shall not be required.

34.3.7.21 Center mullions shall be prohibited.

34.3.8 * **Cooking Facilities.** Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

34.3.9 **Standpipes.**

34.3.9.1 **General.** Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

34.3.9.2 **In High-Rise Buildings.** Class I standpipe systems shall be installed throughout all high-rise buildings.

34.3.9.3 **Roof Outlets.** Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

34.4 **Special Provisions.**

34.4.1 **High-Rise Buildings.** High-rise buildings shall comply with Section 11.8.

34.5 * **Suitability of an Apartment Building to House an Assisted living community Occupancy.**

34.5.1 **General.**

34.5.1.1 **Scope.**

34.5.1.1.1 Section 34.5 shall apply to apartment buildings that have one or more individual apartments used as an assisted living community occupancy. (See 34.1.3.2.)

34.5.1.1.2 The provisions of Section 34.5 shall be used to determine the suitability of apartment buildings, other than those complying with 34.5.1.1.4, to house an assisted living community facility.

34.5.1.1.3 The suitability of apartment buildings not used for assisted living community occupancies shall be determined in accordance with Chapter 30.

34.5.1.1.4 When a new assisted living community occupancy is created in an existing apartment building, the suitability of such a building for apartments not used for assisted living community occupancies shall be determined in accordance with Chapter 31.

34.5.1.2 **Requirements for Individual Apartments.** Requirements for individual apartments used as residential assisted living community occupancies shall be as specified in Section 34.2. Egress from the apartment into the common building corridor shall be considered acceptable egress from the assisted living community facility.

34.5.1.3 * **Additional Requirements.** Apartment buildings housing assisted living community facilities shall comply with the requirements of Chapter 30 and the additional requirements of Section 34.5, unless the authority having jurisdiction has determined that equivalent safety for housing an assisted living community facility is provided in accordance with Section 1.4.

34.5.1.4 **Minimum Construction Requirements.**

34.5.1.4.1 In addition to the requirements of Chapter 30, apartment buildings, other than those complying with 34.5.1.4.2, housing assisted living community facilities shall meet the construction requirements of 34.1.3.

34.5.1.4.2 When a new assisted living community occupancy is created in an existing apartment building, the construction requirements of 19.1.6 shall apply.

34.5.2 **Means of Egress.**

34.5.2.1 The requirements of Section 30.2 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.2.2.

34.5.2.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of Section 31.2 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

34.5.3 Protection.

34.5.3.1 Interior Finish.

34.5.3.1.1 The requirements of 30.3.3 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.3.1.2.

34.4.3.1.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.3 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

34.5.3.2 Construction of Corridor Walls.

34.5.3.2.1 The requirements of 30.3.6 shall apply only to corridors serving the assisted living community facility, including that portion of the corridor wall separating the assisted living community facility from the common corridor, as modified by 34.5.3.2.2.

34.5.3.2.2 If a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.6 shall apply to the corridor serving the residential assisted living community facility.

34.5.3.3 Subdivision of Building Spaces. (Reserved)

34.6 Building Services.

34.6.1 **Utilities.** Utilities shall comply with Section 9.1.

34.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

34.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.

34.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

34.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

34.6.3.2 * In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

34.6.4 Rubbish Chutes, Incinerators, and Laundry Chutes. Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

34.7 Operating Features.

34.7.1 **Emergency Planning and Preparedness.** Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 34.7 shall be incorporated into the plans, training and safety practices developed by the facility."

34.7.2 **Emergency Plan.**

34.7.2.1 The administration of every assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

34.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

34.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

34.7.2.4 A copy of the plan shall be readily available at all times within the facility.

34.7.3 **Resident Training.**

34.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

34.7.3.2 The training required by 34.7.3.1 shall include actions to be taken if the primary escape route is blocked.

34.7.3.3 If a resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

34.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.

34.7.4 **Emergency Egress and Relocation Drills.** Emergency egress and relocation drills shall be conducted in accordance with 34.7.4.1 through 34.7.4.6.

34.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels.

34.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

34.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by the *Code*.

34.7.4.3.1. The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

34.7.4.3.2. Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

34.7.4.3.3. Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

34.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this *Code* for assisted living community facilities.

34.7.4.5 Actual exiting from windows shall not be required to comply with 34.7.4; opening the window and signaling for help shall be an acceptable alternative.

34.7.4.6 Residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill. Section 18.7 shall apply in such instances.

34.7.5 Smoking.

34.7.5.1 * Smoking regulations shall be adopted by the administration of assisted living community occupancies.

34.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

34.7.6 * Furnishings, Mattresses, and Decorations.

34.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 34.7.6.1.1 and 34.7.6.1.2.

34.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 34.7.6.1.2.

34.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 34.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 34.2.3.5.

34.7.6.2 * New upholstered furniture within assisted living community facilities shall comply with 34.7.6.2.1 or 34.7.6.2.2.

34.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.

34.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

34.7.6.3 * Newly introduced mattresses within assisted living community facilities shall comply with 34.7.5.3.1 or 34.7.5.3.2.

34.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

34.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

34.7.7 Staff. Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

34.7.8 Inspection of Door Openings. Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15."

(ee) Modifications to Chapter 35:

1. Insert a new Chapter 35 to read as follows:

"Chapter 35 Existing Assisted Living Community Occupancies

35.1 General Requirements.

35.1.1 * Application.

35.1.1.1 General.

35.1.1.1.1 The requirements of this chapter shall apply to existing buildings or portions thereof used as assisted living community occupancies or with limited applicability for a conversion as further specific specified in Section 35.1.1.4.3 entitled Change of Occupancy.

35.1.1.1.2 **Administration.** The provisions of Chapter 1, Administration, shall apply.

35.1.1.1.3 **General.** The provisions of Chapter 4, General, shall apply.

35.1.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 33 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

35.1.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this *Code* that would otherwise require means of egress to be kept unlocked.

35.1.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

35.1.1.2 *** Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

35.1.1.3 Total Concept.

35.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

35.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

(1) Design, construction, and compartmentation.

(2) Provision for detection, alarm, and extinguishment.

(3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building.

35.1.1.4 Additions, Conversions, Modernization, Renovation, and Construction Operations.

35.1.1.4.1 Additions.

35.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 35 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

35.1.1.4.1.2 Doors in barriers required by 35.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 35.1.1.4.1.3.

35.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 35.2.2.4.

35.1.1.6 **Conversion.** For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing personal care home occupancy or health care occupancy to an assisted living community occupancy.

35.1.1.4.3 **Changes of Occupancy.** A change from a personal care home, assisted living, or assisted living facility to an assisted living community occupancy shall be considered a change in occupancy or occupancy sub-classification. The requirements of this chapter shall be limited to only apply to a change of occupancy to an assisted living community from an existing personal care home, assisted living, or assisted living facility first occupied as such with a certificate of occupancy issued prior to March 31, 2013. Such facility may be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 19 of this *Code* in lieu of this chapter.

35.1.1.4.3.1 An existing personal care home, assisted living, or assisted living facility with a certificate of occupancy dated after March 31, 2013, that is applying for a change of occupancy to an assisted living community or any other change of occupancy classification, sub-classification, shall meet the provisions of Chapter 34 New Assisted Living Community Occupancies.

35.1.1.4.4 **Renovations, Alterations, and Modernizations.** See 4.6.7.

35.1.1.4.5 **Construction, Repair, and Improvement Operations.** See 4.6.10.

35.1.2 **Classification of Occupancy.** See [120-3-3.03\(4\), \(14\)](#), and 35.1.4.2.

35.1.3 **Multiple Occupancies.**

35.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 35.1.3.2.

35.1.3.2 * Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:

(1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.

(2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

35.1.3.3 The requirement of 35.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 35.4. In such facilities, any safeguards required by Section 35.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 35.4.

35.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non-health care occupancy, unless one following conditions is met:

(1) The assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.

(2) The assisted living community occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 and is separated therefrom by construction having a minimum 1-hour fire resistance rating.

35.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 35.3.2.

35.1.3.6 Non-residential-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

35.1.4 Definitions.

35.1.4.1 **General.** For definitions, see Chapter 3, Definitions.

35.1.4.2 **Special Definitions.** A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See [120-3-3-.03\(4\)](#).

(2) Assisted self-preservation. See [120-3-3-.03\(5\)](#)

(2) Evacuation Capability, Impractical. See [120-3-3-.03\(7\)](#).

(3) Evacuation Capability, Prompt. See [120-3-3-.03\(8\)](#).

(4) Evacuation Capability, Slow. See [120-3-3-.03\(9\)](#).

(5) Personal Care Home. See [120-3-3-.03\(21\)](#).

(6) Point of Safety. See 3.3.211 of this *Code*.

(7) Thermal Barrier. See 3.3.31.3 of this *Code*.

35.1.5 **Classification of Hazard of Contents.** The classification of hazard of contents shall be as defined in Section 6.2.

35.1.6 **Minimum Construction Requirements.** Assisted living community facilities shall be limited to the building construction types specified in Table 35.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.

Table 35.1.6

Table 35.1.6		Number of Stories - See Note b					
Construction Type	Sprinkled See Note a	1	2	3	4	5-6	>6-12
Type I(442) c d	YES	X	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type I(332) c d	YES	X	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(222) c d	YES	N.P.	X	X	X	X	X
	NO		N.P.	N.P.	N.P.	N.P.	N.P.
Type II(111) c d	YES	X	X	X ^e	X ^e	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(000) a	YES	X	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(211) a	YES	X	X	X ^e	X ^e	N.P.	N.P.

Table 35.1.6	Number of Stories - See Note b						
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(200) <i>a</i>	YES	X	N.P.	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type IV(2HH) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(111) <i>See note a or e</i>	YES	X _a	X _a	X _e	X _e	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(000) <i>a</i>	YES	X _a	N.P.	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.

X = Permitted if sprinklered as required by 33.3.3.5 unless otherwise noted.

NP = Not permitted.

a Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 35.3.5, and the interior walls are covered with lath and plaster or materials providing a 15-minute thermal barrier. (See requirements of 35.3.5).

b See requirements of 4.6.3.

c See requirements of 35.1.6.2.1.

d See requirements of 35.1.6.2.2.

e See requirements of 35.1.6.5.

35.1.6.1 * **Fire Resistance-Rated Assemblies.** Fire resistance-rated assemblies shall comply with Section 8.3.

35.1.6.2 Construction Type Limitations.

35.1.6.2.1 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings.

(2) The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.

(3) The structural elements supporting the 2-hour fire resistance-rated floor assembly specified in 35.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

35.1.6.2.2 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings.

(2) The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, Standard on Types of Building Construction.

(3) The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.

35.1.6.2.3 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

(1) Such levels are under the control of the assisted living community facility.

(2) Any hazardous spaces are protected in accordance with Section 8.7.

35.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

35.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

35.1.6.5 Any existing building of Type II(111), Type III(211), or Type V(111) construction shall be permitted however, occupants requiring assistance with evacuation from others shall be limited to occupancy on the first and second stories), unless one of the following criteria is met:

(1) A horizontal exit in combination with a smoke barrier is provided on the third and fourth floor; or,

(2) The building is protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout.

35.1.6.6 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

35.1.6.7 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

35.1.6.8 * Changes in Group Evacuation Capability. A change in evacuation capability to a slower level shall be permitted where the facility conforms to one of the following requirements:

(1) The requirements of Chapter 34 applicable to new assisted living community facilities.

(2) The requirements of Chapter 35 applicable to existing assisted living community facilities for the new evacuation capability, provided that the building is protected throughout by an approved, supervised automatic sprinkler system complying with 35.5 or an increase in staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

35.1.6.9 Requirements Based on Evacuation Capability.

35.1.6.9.1 **Prompt and Slow.** Facilities classified as prompt or slow evacuation capability, other than those meeting the requirement of 35.1.6.9.1.1 or 35.1.6.9.1.2, shall comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.1.1 * Facilities where the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.1.2 Facilities that were previously approved as complying with 35.1.6.9.2 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.2 **Impractical.** Facilities classified as impractical evacuation capability shall meet the requirements of Section 35 for impractical evacuation capability, or the requirements for limited care facilities in Chapter 19, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4.

35.1.6.9.3 **Evacuation Capability Determination.**

35.1.6.9.3.1 Facility management shall furnish to the authority having jurisdiction, upon request, an evacuation capability determination using a procedure acceptable to the authority having jurisdiction.

35.1.6.9.3.2 Where the documentation required by 35.1.6.9.3.1 is not furnished, the evacuation capability shall be classified as impractical.

35.1.7 **Occupant Load.** The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

35.2 **Means of Egress Requirements.**

35.2.1 **General.**

35.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

35.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

35.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 35.7.3.

35.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

35.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this *Code* for assisted living community occupancies, unless otherwise permitted by 35.2.1.6.

35.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this *Code* shall be permitted, provided that the occupancy does not contain high hazard contents.

35.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this *Code* for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

35.2.2 **Means of Egress Components.**

35.2.2.1 **Components Permitted.** Components of means of egress shall be limited to the types described in 35.2.2.2 through 35.2.2.10.

35.2.2.2 **Doors.** Doors in means of egress shall meet all of the following criteria:

(1) Doors complying with 7.2.1 shall be permitted.

(2) Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.

(3) No door in any means of egress, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

35.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

35.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

35.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 35.2.2.2.4.

35.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 35.2.2.2.3 shall comply with both of the following:

(1) Provisions shall be made for the rapid removal of occupants by means of one of the following:

(a) Remote control of locks from within the locked smoke compartment

(b) Keying of all locks to keys carried by staff at all times

(c) Other such reliable means available to the staff at all times

(2) Only one locking device shall be permitted on each door.

35.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 35, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

35.2.2.2.6 Only one such locking device, as described in 35.2.2.2.5, shall be permitted on each door.

35.2.2.3 **Stairs.** Stairs complying with 7.2.2 shall be permitted.

35.2.2.4 **Smokeproof Enclosures.** Smokeproof enclosures complying with 7.2.3 shall be permitted.

35.2.2.5 **Horizontal Exits.** Horizontal exits complying with 7.2.4 shall be permitted.

35.2.2.6 **Ramps.** Ramps complying with 7.2.5 shall be permitted.

35.2.2.7 **Exit Passageways.** Exit passageways complying with 7.2.6 shall be permitted.

35.2.2.8 **Fire Escape Ladders.** Fire escape ladders complying with 7.2.9 shall be permitted.

35.2.2.9 **Alternating Tread Devices.** Alternating tread devices complying with 7.2.11 shall be permitted.

35.2.2.10 **Areas of Refuge.** Areas of refuge complying with 7.2.12 shall be permitted.

35.2.3 **Capacity of Means of Egress.**

35.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

35.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.

35.2.3.3 The width of corridors serving an occupant load of 50 or more in facilities having prompt or slow evacuation capability, and all facilities having impractical evacuation capability, shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).

35.2.3.4 The width of corridors serving an occupant load of less than 50 in facilities having prompt or slow evacuation capability shall be not less than 44 in. (1120 mm).

35.2.4 Number of Means of Egress.

35.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 35.2.4.2:

(1) The number of means of egress shall be in accordance with 7.4.1.1 and 7.4.1.3 through 7.4.1.5.

(2) Not less than two separate exits shall be provided on every story.

(3) Not less than two separate exits shall be accessible from every part of every story.

35.2.4.2 Exit access, as required by 35.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 35.2.5.2 and 35.2.5.3.

35.2.5 Arrangement of Means of Egress.

35.2.5.1 **General.** Access to all required exits shall be in accordance with Section 7.5.

35.2.5.2 **Dead-end Corridors.** Dead-end corridors shall not exceed 35 ft. (15 m).

35.2.5.3 **Common Path.** Common paths of travel shall not exceed 110 ft. (35.5 m).

35.2.5.4 Reserved.

35.2.6 Travel Distance to Exits.

35.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 35.2.6.3.1 or 35.2.6.3.2

35.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 200 ft. (61 m).

35.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

35.2.7 **Discharge from Exits.** Exit discharge shall comply with Section 7.7.

35.2.8 **Illumination of Means of Egress.** Means of egress shall be illuminated in accordance with Section 7.8.

35.2.9 **Emergency Lighting.** Emergency lighting in accordance with Section 7.9 shall be provided.

35.2.10 **Marking of Means of Egress.** Means of egress shall be marked in accordance with Section 7.10

35.2.11 Special Means of Egress Features.

35.2.11.1 Reserved.

35.2.11.2 Lockups. Lockups in residential assisted living community occupancies shall comply with the requirements of 23.4.5.

35.3 Protection.

35.3.1 Protection of Vertical Openings.

35.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.

35.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.

35.3.1.3 No floor below the level of exit discharge and used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

35.3.2 Protection from Hazards.

35.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.

35.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:

- (1) Boiler and heater rooms
- (2) Laundries
- (3) Repair shops
- (4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.

35.3.3 Interior Finish.

35.3.3.1 **General.** Interior finish shall be in accordance with Section 10.2.

35.3.3.2 **Interior Wall and Ceiling Finish.** Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:

- (1) Exit enclosures - Class A
- (2) Lobbies and corridors - Class B
- (3) Rooms and enclosed spaces - Class B

35.3.3.3 Interior Floor Finish.

35.3.3.3.1 Interior floor finish shall comply with Section 10.2.

35.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 35.3.6 shall be not less than Class II.

35.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

35.3.4 Detection, Alarm, and Communications Systems.

35.3.4.1 **General.** A fire alarm system shall be provided in accordance with Section 9.6.

34.3.4.2 **Initiation.** The required fire alarm system shall be initiated by each of the following:

(1) Manual means in accordance with 9.6.2.

(2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees.

(3) Required automatic sprinkler system.

(4) Required smoke and heat detection systems, other than sleeping room smoke alarms.

35.3.4.3 **Annunciator Panel.** An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

35.3.4.4 Notification

35.3.4.4.1 **Occupant Notification.** Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

35.3.4.4.2 **High-Rise Buildings.** High-rise buildings shall be provided with an approved emergency voice communication/alarm system in accordance with 11.8.4.

35.3.4.5 * Emergency Forces Notification.

35.3.4.5.1 Fire department notification shall be accomplished in accordance with 9.6.4.

35.3.4.5.2 Where the existing fire alarm system does not provide for automatic emergency forces notification in accordance with 9.6.4, provisions shall be made for the immediate notification of the public fire department by either telephone or other means, or, where there is no public fire department, notification shall be made to the private fire brigade.

35.3.4.5.3 Where a new fire alarm system is installed, or the existing fire alarm system is replaced, emergency forces notification shall be provided in accordance with 9.6.4.

35.3.4.6 Detection.

35.3.4.6.1 **Smoke Alarms.** Smoke alarms shall be provided in accordance with 35.3.4.6.1.1, 35.3.4.6.1.2, or 35.3.4.6.1.3.

35.3.4.6.1.1 Each sleeping room shall be provided with an approved smoke alarm in accordance with 9.6.2.10 that is powered from the building electrical system.

35.3.4.6.1.2 Existing battery-powered smoke alarms, rather than building electrical service-powered smoke alarms, shall be accepted where, in the opinion of the authority having jurisdiction, the facility has demonstrated that testing, maintenance, and battery replacement programs ensure the reliability of power to the smoke alarms.

35.3.4.6.1.3 The provisions of 9.6.8.10.1 and 9.6.8.10.2.2 shall also apply.

35.3.4.7 Smoke Detection Systems.

35.3.4.7.1 All living areas, as defined in 3.3.22.5, and all corridors shall be provided with smoke detectors that comply with NFPA 72, *National Fire Alarm and Signaling Code*, and are arranged to initiate an alarm that is audible in all sleeping areas, as modified by 35.3.4.7.2.

35.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

35.3.5 Extinguishment Requirements.

35.3.5.1 * General. Where an automatic sprinkler system is installed, for either total or partial building coverage, the system shall be installed in accordance with Section 9.7, as modified by 35.3.5.1.1.

35.3.5.1.1 In buildings four or fewer stories above grade plane, systems in accordance with NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, shall be permitted.

35.3.5.1.1.1 The exemptions found in NFPA 13R for the sprinkling all closets and bathrooms regardless of size or construction shall not be applicable to assisted living community occupancies under this chapter.

35.3.5.2 **Impractical Evacuation Capability.** All facilities having impractical evacuation capability shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1) (full NFPA 13 System) or increase staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

35.3.5.3 **High-Rise Buildings.** All high-rise buildings shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 35.3.5. Such systems shall initiate the fire alarm system in accordance with Section 9.6.

35.3.5.4 Attics shall be protected in accordance with 35.3.5.4.1 or 35.3.5.4.2

35.3.5.4.1 Where an automatic sprinkler system is installed, attics or areas within attics used for living purposes, storage, or fuel-fired equipment shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.4.2 Where an automatic sprinkler system is installed, attics not used for living purposes, storage, or fuel-fired equipment shall meet one of the following criteria:

(1) Attics shall be protected throughout by a heat detection system arranged to activate the building fire alarm system in accordance with Section 9.6.

(2) Attics shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.5 **Supervision.** Automatic sprinkler systems shall be supervised in accordance with Section 9.7.

35.3.5.6 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in accordance with 9.9.

35.3.6 Corridors and Separation of Sleeping Rooms.

35.3.6.1 Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 35.3.6.1.1, 35.3.6.1.3 or 35.3.6.1.4.

35.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, kitchens and all other areas by walls having a minimum 1/2-hour fire resistance rating.

35.3.6.1.2 Prompt evacuation capability facilities in buildings two or fewer stories in height, where not less than one required means of egress from each sleeping room provides a path of travel to the outside without traversing any corridor or other spaces exposed to unprotected vertical openings, living areas, and kitchens, shall not be required to comply with 35.3.6.1.1.

35.3.6.1.3 Rooms or spaces, other than sleeping rooms and hazardous areas, shall be separated from corridors by smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.

35.3.6.2 Except for Hazardous areas, in buildings protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1), walls may be smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.

35.3.6.3 Hazardous areas shall be separated from corridors in accordance with 35.3.2.

35.3.6.4 Doors in walls required by 35.3.6.1 or 35.3.6.2 shall comply with 35.3.6.4.1 or 35.3.6.4.2.

35.3.6.4.1 Doors shall have a minimum 20-minute fire protection rating.

35.3.6.4.2 Solid-bonded wood-core doors of not less than 1 3/4 in. (44 mm) thickness shall be permitted to continue in use.

35.3.6.5 Doors in walls required by 35.3.6.1 and 35.3.6.2 shall comply with 35.3.6.5.1 and 35.3.6.6.

35.3.6.5.1 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

35.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

35.3.7 Subdivision of Building Spaces. The requirements of 35.3.7.1 through 35.3.7.6 shall be met for all sleeping floors, unless otherwise permitted by 35.3.7.7.

35.3.7.1 Every sleeping room floor shall be divided into not less than two smoke compartments of approximately the same size, with smoke barriers in accordance with Section 8.5, unless otherwise indicated in 35.3.7.4, 35.3.7.5, and 35.3.7.6

35.3.7.1.1 Smoke barriers shall not be required in buildings having prompt or slow evacuation capability where each sleeping room is provided with exterior ways of exit access arranged in accordance with 7.5.3.

35.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft² (2100 m²).

35.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

35.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

35.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

35.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

35.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

35.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1).

35.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 35.3.7.9 or 35.3.7.10.

35.3.7.9 Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

35.3.7.10 Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

35.3.7.11 Not less than 15 net ft² (1.4 net m²) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

35.3.7.12 On stories not housing residents, not less than 6 net ft² (0.56 net m²) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

35.3.7.13 Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid-bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.

35.3.7.14 Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

35.3.7.15 Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

35.3.7.16 Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

35.3.7.17 Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

35.3.7.18 Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

35.3.7.19 Rabbits, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

35.3.7.20 Positive latching hardware shall not be required.

35.3.7.21 Center mullions shall be prohibited.

35.3.8 * **Cooking Facilities.** Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

35.3.9 **Standpipes.**

35.3.9.1 **General.** Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

35.3.9.2 **In High-Rise Buildings.** Class I standpipe systems shall be installed throughout all high-rise buildings.

35.3.9.3 **Roof Outlets.** Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

35.4 **Special Provisions.**

35.4.1 **High-Rise Buildings.** High-rise buildings shall comply with Section 11.8.

35.5 **Reserved.**

35.6 **Building Services.**

35.6.1 **Heating, Ventilating, and Air-Conditioning.**

35.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

35.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.

35.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

35.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

35.6.3.2 * In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

35.6.4 **Rubbish Chutes, Incinerators, and Laundry Chutes.** Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

35.7 **Operating Features.**

35.7.1 Emergency Planning and Preparedness. Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 35.7 shall be incorporated into the plans, training and safety practices developed by the facility.

35.7.2 **Emergency Plan.**

35.7.2.1 The administration of every residential assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

35.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

35.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

35.7.2.4 A copy of the plan shall be readily available at all times within the facility.

35.7.3 **Resident Training.**

35.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

35.7.3.2 The training required by 35.7.3.1 shall include actions to be taken if the primary escape route is blocked.

35.7.3.3 If the resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

35.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.

35.7.4 Emergency Egress and Relocation Drills. Emergency egress and relocation drills shall be conducted in accordance with 35.7.4.1 through 35.7.4.6.

35.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels."

35.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

35.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by this *Code*.

35.7.4.3.1. The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

35.7.4.3.2. Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

35.7.4.3.3. Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

35.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this *Code* for assisted living community facilities.

35.7.4.5 Actual exiting from windows shall not be required to comply with 35.7.3; opening the window and signaling for help shall be an acceptable alternative.

35.7.4.6 If the assisted living community facility has an evacuation capability classification of impractical, those residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill.

35.7.5 Smoking.

35.7.5.1 * Smoking regulations shall be adopted by the administration of assisted living community occupancies.

35.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

35.7.6 * Furnishings, Mattresses, and Decorations.

35.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 35.7.6.1.1 and 35.7.6.1.2.

35.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 35.7.6.1.2.

35.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 35.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 35.3.6.

35.7.6.2 * New upholstered furniture within assisted living community facilities shall comply with 35.7.6.2.1 or 35.7.6.2.2.

35.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.

35.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.6.3 * Newly introduced mattresses within assisted living community facilities shall comply with 35.7.6.3.1 or 35.7.6.3.2.

35.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

35.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.7 **Staff.** Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

35.7.8 **Inspection of Door Openings.** Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15."

(ff) Modification to Chapter 36:

1. Add a new subparagraph 36.3.2.1.3 to read as follows:

36.3.2.1.3 "Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input shall not be subject to the provisions of 36.3.2.1. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Add a new subparagraph 36.3.5.1.1. to read as follows:

36.3.5.1.1 "Individual tenant spaces located in covered mall buildings shall be provided with electrically supervised control valves. Such control valves shall be located off supply mains to control each individual tenant space.

36.3.5.1.1.1 Multiple tenant spaces shall be permitted to be controlled by one control valve provided the total area covered by the single valve does not exceed 7,500 square feet (696.8 sq. m)."

3. Delete subparagraph 36.4.5.6 in its entirety and substitute in its place the following:

36.4.5.6 **"Emergency Planning and Preparedness.** Bulk merchandising and mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

4. Delete subsections 36.7.1, 36.7.2, 36.7.3, and 36.7.4 in their entirety and substitute in their place the following:

36.7.1 **"Emergency Planning and Preparedness.** Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

36.7.2 **Food Service Operations.** Food service operations shall comply with 12.7.2

36.7.3 **Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

36.7.4 **Soiled Linen and Trash Receptacles.** The requirements of 10.3.9 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(gg) Modification to Chapter 37:

1. Add a new subparagraph 37.3.2.1.3 to read as follows:

37.3.2.1.3 "The provisions of 37.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Delete subsections 37.7.1, 37.7.2, 37.7.3, and 37.7.4 in their entirety and substitute in their place the following:

37.7.1 **"Emergency Planning and Preparedness.** Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

37.7.2 **Food Service Operations.** Food service operations shall comply with 12.7.2

37.7.3 **Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

37.7.4 **Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(hh) **Modification to Chapter 38:**

1. Delete subparagraph 3 8.2.2.2.6 in its entirety and substitute in its place the following:

38.2.2.2.6 "Delayed egress locks complying with 7.2.1.6.1 shall be permitted, provided, however, not more than one such device shall be permitted in the means of egress path involved."

2. Delete subparagraph 38.2.2.2.7 in its entirety and substitute in its place the following:

38.2.2.2.7 "Access-controlled egress doors complying with 7.2.1.6.2 shall be permitted. For elevator lobby exit access doors see 38.2.2.2.3 and 7.2.1.6.3 (14)."

3. Add a new subparagraph 38.3.2.1.1 to read as follows:

38.3.2.1.1 "The provisions of 38.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete subsections 38.7.1, 38.7.2, 38.7.3, and 38.7.4 in their entirety and substitute in their place the following:

38.7.1 **"Emergency Planning and Preparedness.** Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

38.7.2 **Food Service Operations.** Food service operations shall comply with 12.7.2

38.7.3 **Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

38.7.4 **Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(ii) **Modification to Chapter 39:**

1. Add a new subparagraph 39.3.2.1.1 to read as follows:

39.3.2.1.1 "The provisions of 39.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Delete subsections 39.7.1, 39.7.2, 39.7.3, and 39.7.4 in their entirety and substitute in their place the following:

39.7.1 **"Emergency Planning and Preparedness.** Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

39.7.2 **Food Service Operations.** Food service operations shall comply with 12.7.2

39.7.3 **Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

39.7.4 **Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(jj) **Modification to Chapter 40:**

1. Delete subsection 40.3.5 in its entirety and insert in its place the following: "40.3.5 Extinguishment Requirements.

40.3.5.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all industrial occupancies classified as Group F and/or Group H occupancies as in the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, on each floor in accordance with 9.9 of this *Code*.

40.3.5.2 Automatic fire suppression systems. Automatic fire suppression systems shall be installed in industrial occupancies as required by the *International Building Code*, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in Table 1.4.4, **CODES REFERENCE GUIDE**. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the *International Fire Code* or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards."

2. Delete subsections 40.7.1 in its entirety and substitute in its place the following:

40.7.1 Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in industrial occupancies.

3. Add new section 40.8 to read as follows: "40.8 Emergency Planning and Preparedness.

40.8.1 Emergency Planning and Preparedness. Industrial occupancies otherwise classified under Group F and/or Group H in the *International Fire Code*, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

40.8.2 Employee Training and Response Procedures. Employees in the occupancies listed in Section 404.2 of the *International Fire Code* as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be trained in the fire emergency procedures described in their fire evacuation and life safety plans. Training shall be based on these plans and as described in Section 404.3 of the noted *International Fire Code*."

(kk) **Modification to Chapter 42:**

1. Delete subsection 42.3.5 in its entirety and substitute in its place the following: "42.3.5 Extinguishment Requirements.

42.3.5.1 Portable Fire Extinguishers. Portable fire extinguishers shall be provided in all storage occupancies in accordance with 9.9.

42.3.5.2 Automatic fire suppression systems. Automatic fire suppression systems shall be installed in storage occupancies as required by the *International Building Code*, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in **Table 1.4.4, CODES REFERENCE GUIDE**. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the *International Fire Code* or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards."

2. Delete subsections 42.9.1 in its entirety and substitute in its place the following:

42.9.1 "Upholstered Furniture and Mattresses. The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in storage occupancies.

3. Add a new section 42.10 to read as follows: "42.10 Emergency Planning and Preparedness.

42.10.1 **Emergency Planning and Preparedness.** Storage occupancies (Group S) and High Hazard occupancies (Group H) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(ll) **Modifications to Chapter 43:**

1. Add a new subparagraph 43.1.4.5.1 to read as follows:

43.1.4.5.1 "The provisions of 43.1.4.5 shall specifically apply to compliance with the *International Fire Code (IFC)* and other codes and standards promulgated and adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Accessibility issues shall be addressed in accordance with Chapter 120-3-20 of the Rules and Regulations of the Safety Fire Commissioner. Where any of the provisions of this *Code* chapter require compliance with a building code, it shall be construed that compliance is required as applicable with the *International Building Code (IBC)*, as adopted by the Georgia Board of Community Affairs. Also, refer to [120-3-3-.01](#), [120-3-3-.02](#), [120-3-3-.03](#), and 120-3-3-.04(1) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

2. Add a new paragraph 43.7.2.6 to read as follows:

43.7.2.6 "The provisions of 43.7.2.4 and 43.7.2.5 shall be permitted to be modified by the authority having jurisdiction provided the intents and purposes of 102.3, 102.4, and 102.6 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met."

3. Delete subsections 43.10.1 and 43.10.2 in their entirety and substitute in their place the following:

43.10.1 "**General Requirements.** Table 43.7.3 Hazard Categories and Classifications in 43.7.3 of this *Code* may be utilized as may be deemed appropriate by the authority having jurisdiction in the evaluation of historic buildings.

43.10.2 **Application.** The provisions of Chapter 43 shall be deemed as advisory and may be applied to buildings designated as historic to the degree deemed appropriate by the authority having jurisdiction, provided, however, the application of Chapter 43 and 43.10 provisions shall be coordinated as needed to ensure compliance with the requirements, intents, and purposes of 103.3, 102.4, and 102.6 of the *International Fire Code (IFC)* as adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met."

(mm) **Modifications to Annex A:**

Add a new (4) to A.3.3.196.7 to read as follows:

(4) "Assisted Living Communities"

Delete (5) from A.3.3.196.12 in its entirety and substitute in its place the following:

(5) "Community Living Arrangements with five or more residents"

3. Delete (1) from A.3.3.196.13 in its entirety and substitute in its place the following:

(1) "One- and two-family dwellings and Community Living Arrangements with fewer than five residents (Chapter 24)"

4. Add a new (4) to A.6.1.5.1 to read as follows:

(4) "Assisted Living Communities"

5. Delete (5) from A.6.1.9.1 in its entirety and substitute in its place the following:"

(5) Community Living Arrangements with five or more residents"

(73) NFPA 101A, 2013 Edition, *Guide on Alternative Approaches to Life Safety*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new Section 1.4 to read as follows:

1.4 "This document is recognized strictly as a guide that may be used in evaluating systems or methods to determine equivalent compliance alternatives for buildings, structures and facilities which do not conform to the minimum requirements of the LSC adopted by this Chapter. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards including the *IFC* adopted by this Chapter."

(74) NFPA 102, 2016 Edition, *Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures*

Modifications:

1. The 2016 edition of NFPA 102 is **NOT** adopted. The basic provisions of this standard have been incorporated into the 2018 Edition of NFPA 101, *Life Safety Code* as adopted by this Chapter 120-3-3. The provisions of the adopted *Life Safety Code* shall apply, as appropriate, to new and existing bleachers, grandstands, folding and telescopic seating. The *Life Safety Code* in coordination with the applicable provisions of the adopted edition of the *International Fire Code* shall apply to tents and membrane structures.

2. The following apply to facilities constructed prior to the effective date of the current Chapter of 120-3-3 Rules and regulations of the Safety Fire Commissioner.

(a) Facilities constructed after April 1, 1968 but before January 1, 1991, shall be permitted to comply with the 1978 edition of NFPA 102, Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures.

(b) Facilities constructed after January 1, 1991, but before January 28, 1993, shall be permitted to comply with the 1986 edition of NFPA 102, Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures.

(c) Facilities constructed after January 28, 1993, but before March 09, 2010, shall be permitted to comply with the 1992 edition of NFPA 102, Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures.

(d) Facilities constructed after March 09, 2010, but before January 1, 2014, shall be permitted to comply with the 2006 edition of NFPA 102, which had been previously adopted."

(75) NFPA 105, 2019 Edition, *Smoke Door Assemblies and Other Opening Protectives*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.6 to read as follows:

1.6 "This document is recognized strictly as a recommended practice that may be used in evaluating the use of door assemblies in openings where the passage of smoke is to be governed. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(76) NFPA 110, 2019 Edition, *Standard for Emergency and Standby Power Systems*

Modifications: None

(77) NFPA 111, 2019 Edition, *Standard on Stored Electrical Energy Emergency and Standby Power Systems*

Modifications: None

(78) NFPA 115, 2020 Edition, *Recommended Practice on Laser Fire Protection*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice that may be used in evaluating the minimum fire protection criteria for the design, manufacture, installation, and use of lasers and associated equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(79) NFPA 120, 2015 Edition, *Standard for Coal Preparation Plants*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(80) NFPA 122, 2015 Edition, *Standard for Fire Prevention and Control in Metal / Nonmetal Mining and Metal Mineral Processing facilities*

Modifications: None

(81) NFPA 130, 2017 Edition, *Standard for Fixed Guideway Transit and Passenger Rail Systems*

Modifications: None

(82) NFPA 140, 2018 Edition, *Standard for Motion Picture and Television Production Studio Soundstages and Approved Facilities*

Modifications: None

(83) NFPA 150, 2019 Edition, *Standard on Fire and Life Safety in Animal Housing Facilities*

Modifications: None

(84) NFPA 160, 2016 Edition, *Standard for Flame Effects Before an Audience*

Modifications: None

(85) NFPA 170, 2018 Edition, *Standard for Fire Safety Symbols*

Modifications: None

(86) NFPA 204, 2018 Edition, *Standard for Smoke and Heat Venting*

Modifications: None

(87) NFPA 211, 2019 Edition, *Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances*

Modifications: None

(88) NFPA 214, 2016 Edition, *Standard on Water-Cooling Towers*

Modifications: None

(89) NFPA 220, 2018 Edition, *Standard on Types of Building Construction*

Modifications: None

(90) NFPA 221, 2018 Edition, *Standard for Fire Walls and Fire Barrier Walls*

Modifications: None

(91) NFPA 232, 2017 Edition, *Standard for the Protection of Records*

Modifications: None

(92) NFPA 241, 2019 Edition, *Standard for Safeguarding Construction, Alteration, and Demolition Operations*

Modifications: None

(93) NFPA 252, 2017 Edition, *Standard Methods of Fire Tests of Door Assemblies*

Modifications: None

(94) NFPA 253, 2019 Edition, *Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source*

Modifications: None

(95) NFPA 257, 2017 Edition, *Standard on Fire Test for Window and Glass Block Assemblies*

Modifications: None

(96) NFPA 259, 2018 Edition, *Standard Test Method for Potential Heat of Building Materials*

Modifications: None

(97) NFPA 260, 2019 Edition, *Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture*

Modifications: None

(98) NFPA 261, 2018 Edition, *Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes*

Modifications: None

(99) NFPA 262, 2019 Edition, *Standard Method of Test for Flame Travel and Smoke of Wires and Cables for Use in Air-Handling Spaces*

Modifications: None

(100) NFPA 265, 2019 Edition, *Standard Methods of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Coverings on Full Height Panels and Walls*

Modifications: None

(101) NFPA 268, 2017 Edition, *Standard Test Method for Determining Ignitability of Exterior Wall Assemblies Using a Radiant Heat Energy Source*

Modifications: None

(102) NFPA 269, 2017 Edition, *Standard Test Method for Developing Toxic Potency Data for Use in Fire Hazard Modeling*

Modifications: None

(103) NFPA 270, 2018 Edition, *Standard Method of Test for Measurement of Smoke Obstruction Using a Conical Radiant Source in a Single Closed Chamber*

Modifications: None

(104) NFPA 274, 2018 Edition, *Standard Test Method to Evaluate Fire Performance Characteristics of Pipe Insulation*

Modifications: None

(105) NFPA 275, 2017 Edition, *Standard Test Method of Fire Tests for the Evaluation of Thermal Barriers Used Over Foam Plastic Insulation*

Modifications: None

(106) NFPA 276, 2019 Edition, *Standard Method of Fire Test for Determining the Heat Release Rate of Roofing Assemblies with Combustible Above-Deck Roofing Components*

Modifications: None

(107) NFPA 285, 2019 Edition, *Standard Method of Test for the Evaluation of Flammability Characteristics of Exterior Non-Load-Bearing Wall Assemblies Containing Combustible Components Using the Intermediate-Scale, Multistory Test Apparatus*

Modifications: None

(108) NFPA 286, 2019 Edition, *Standard Method of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth*

Modifications: None

(109) NFPA 287, 2017 Edition, *Standard Methods for Measurement of Flammability of Materials in Cleanrooms Using a Fire Propagation Apparatus (FPA)*

Modifications: None

(110) NFPA 288, 2017 Edition, *Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems*

Modifications: None

(111) NFPA 289, 2019 Edition, *Standard Method of Fire Test for Individual Fuel Packages*

Modifications: None

(112) NFPA 291, 2018 Edition, *Recommended Practice for Fire Flow Testing and Marking of Hydrants*

Modifications:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly as a recommended practice that may be used in evaluating the design of facilities for the emergency venting of products of combustion. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(113) NFPA 302, 2015 Edition, *Fire Protection Standard for Pleasure and Commercial Motor Craft*

Modifications: None

(114) NFPA 303, 2016 Edition, *Fire Protection Standard for Marinas and Boatyards*

Modifications: None

(115) NFPA 306, 2019 Edition, *Standard for the Control of Gas Hazards on Vessels*

Modifications: None

(116) NFPA 307, 2016 Edition, *Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves*

Modifications: None

(117) NFPA 312, 2016 Edition, *Standard for Fire Protection of Vessels During Construction, Repair, and Lay-Up*

Modifications: None

(118) NFPA 318, 2018 Edition, *Standard for the Protection of Semiconductor Fabrication Facilities*

Modifications: None

(119) NFPA 326, 2020 Edition, *Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning or Repair*

Modifications:

(a) Refer to Chapter 120-3-11, Rules of the Safety Fire Commissioner, for the adopted edition and any modifications.

(120) NFPA 329, 2020 Edition, *Recommended Practice for Handling Releases of Flammable and Combustible Liquids and Gases*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(121) NFPA 385, 2017 Edition, *Standard for Tank Vehicles for Flammable and Combustible Liquids*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

(122) NFPA 400, 2019 Edition, *Hazardous Materials Code*

Modifications: None

(123) NFPA 407, 2017 Edition, *Standard for Aircraft Fuel Servicing*

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

(124) NFPA 408, 2017 Edition, *Standard for Aircraft Hand Portable Fire Extinguishers*

Modifications: None

(125) NFPA 409, 2016 Edition, *Standard on Aircraft Hangars*

Modifications: None

(126) NFPA 410, 2020 Edition, *Standard on Aircraft Maintenance*

Modifications: None

(127) NFPA 415, 2016 Edition, *Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways*

Modifications: None

(128) NFPA 418, 2016 Edition, *Standard for Heliports*

Modifications: None

(129) NFPA 423, 2016 Edition, *Standard for Construction and Protection of Aircraft Engine Test Facilities*

Modifications: None

(130) NFPA 424, 2018 Edition, *Guide for Airport / Community Emergency Planning*

Modifications:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly as a guide to provide information for the elements of an airport/community emergency plan. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(131) NFPA 484, 2019 Edition, *Standard for Combustible Metals*

Modifications:

(1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this standard and the adopted edition and any modifications.

(132) NFPA 495, 2018 Edition, *Explosive Materials Code*

Modifications:

(1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(133) NFPA 496, 2017 Edition, *Standard for Purged and Pressurized Enclosures for Electrical Equipment*

Modifications:

(1) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(134) NFPA 497, 2017 Edition, *Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new paragraph 1.1.6 to read as follows:

1.1.6 "This document is recognized strictly as a recommended practice for locations where flammable gases or vapors, flammable liquids, or combustible liquids are processed or handled and where their release into the atmosphere may result in their ignition by electrical systems or equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(135) NFPA 498, 2018 Edition, *Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives*

Modifications:

(a) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(136) NFPA 501A, 2017 Edition, *Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities*

Modifications: None

(137) NFPA 502, 2017 Edition, *Standard for Road Tunnels, Bridges, and Other Limited Access Highways*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice for the evaluation of the design, construction, operation, maintenance, and fire protection of limited access highways, tunnels, bridges, elevated roadways, depressed roadways and air-right structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(138) NFPA 505, 2018 Edition, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations*

Modifications: None

(139) NFPA 520, 2016 Edition, *Standard on Subterranean Spaces*

Modifications: None

(140) NFPA 551, 2019 Edition, *Standard on Evaluation of Fire Risk Assessments*

Modifications: None

(141) NFPA 555, 2017 Edition, *Guide on Methods for Evaluating Potential for Room Flashover*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new paragraph 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly a guide for evaluating the potential for room flashover from fire involving the contents, furnishings, and the interior finish of a room. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(142) NFPA 557, 2020 Edition, *Standard for Determination of Fire Loads for Use in Structural Fire Protection Design*

Modifications: None

(143) NFPA 600, 2015 Edition, *Standard on Industrial Fire Brigades*

Modifications:

(a)

Modifications to Chapter 1:

1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:

1.1.3 "This document is recognized as a recommended practice for the establishment of the minimum requirements for organizing, operating, training and equipping industrial fire brigades. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(144) NFPA 652, 2019 Edition, *Standard on Fundamentals of Combustible Dust*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(145) NFPA 654, 2017 Edition, *Standard for the Prevention of Fire and Dust Explosions from Manufacturing, Processing, and Handling of Combustible Particulate Solids*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(146) NFPA 655, 2017 Edition, *Standard for Prevention of Sulfur Fires and Explosions*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

(147) NFPA 664, 2017 Edition, *Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities*

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications if Standard industry code is specified in paragraph 1(b) of rule [120-3-24-.02](#). All other applications shall be as specified in the 2007 edition of this standard without modification.

(148) NFPA 701, 2019 Edition, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films*

Modifications: None

(149) NFPA 703, 2018 Edition, *Standard for Fire-Retardant-Treated Impregnated Wood and Fire-Retardant Coatings for Building Materials*

Modifications: None

(150) NFPA 704, 2017 Edition, *Standard System for the Identification of the Hazards of Materials for Emergency Response*

Modifications: None

(151) **NFPA 705, 2018 Edition, *Recommended Practice for a Field Flame Test for Textiles and Films***

Modifications: None

(152) **NFPA 720, 2015 Edition, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment***

Modifications: None

(153) **NFPA 750, 2019 Edition, *Standard on Water Mist Fire Protection Systems***

Modifications: None

(154) **NFPA 780, 2020 Edition, *Standard for the Installation of Lighting Protection Systems***

Modifications: None

(155) **NFPA 790, 2018 Edition, *Standard for Competency of Third Party Field Evaluation Bodies***

Modifications: None

(156) **NFPA 791, 2018 Edition, *Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation***

Modifications: None

(157) **NFPA 801, 2014 Edition, *Standard for Fire Protection for Facilities Handling Radioactive Materials***

Modifications: None

(158) **NFPA 804, 2015 Edition, *Standard for Fire Protection for Advanced Light Water Reactor Electric Generating Plants***

Modifications: None

(159) **NFPA 805, 2015 Edition, *Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants***

Modifications: None

(160) **NFPA 806, 2015 Edition, *Performance-Based Standard for Fire Protection for Advanced Nuclear Reactor Electric Generating Plants Change Process***

Modifications: None

(161) **NFPA 820, 2020 Edition, *Standard for Fire Protection in Wastewater Treatment and Collection Facilities***

Modifications: None

(162) **NFPA 850, 2015 Edition, *Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations***

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly a recommended practice for fire prevention and fire protection for electric generating plants and high voltage direct current converter stations except as specified in 1.1. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(163) NFPA 851, 2010 Edition, *Recommended Practice for Fire Protection for Hydroelectric Generating Plants*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly a recommended practice for fire prevention and fire protection for hydroelectric generating plants. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(164) NFPA 853, *Standard for the Installation of Stationary Fuel Cell Power Systems*, 2020 Edition

(a) Modifications to Chapter 1:

1. Add new subsection 1.1.3 to read as follows:

1.1.3 Where the requirements of this standard are in conflict with the International Building Code as adopted by the Georgia Department of Community Affairs or the International Fire Code as adopted and modified by this Chapter, the most restrictive requirements shall apply unless otherwise approved by the State Fire Marshal.

(165) NFPA 855, *Standard for Installation for Stationary Energy Storage Systems*, 2020 Edition

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 Where the requirements of this standard are in conflict with the International Building Code as adopted by the Georgia Department of Community Affairs or the International Fire Code as adopted and modified by this Chapter, the most restrictive requirements shall apply unless otherwise approved by the State Fire Marshal.

(166) NFPA 909, 2017 Edition, *Code for the Protection of Cultural Resource Properties - Museums, Libraries, and Places of Worship*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice for fire prevention and fire protection for various cultural resources. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it

is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

(b) Modification to Chapter 3:

1. Delete the definition 3.3.25 for Fire Hazard and substitute in its place the following:

3.3.25 " "Fire Hazard" means for the intents and purposes of this *Code*, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction."

(167) NFPA 914, 2019 Edition, *Code for Fire Protection of Historic Structures*

Modifications:

(a) Modifications to Chapter 1:

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice for fire prevention and fire protection of historic structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

(b) Modifications to Chapter 3:

1. Delete the definition 3.3.30 for Fire Hazard and substitute in its place the following:

3.3.30 " "Fire Hazard" means for the intents and purposes of this *Code*, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction."

(168) NFPA 1122, 2018 Edition, *Code for Model Rocketry*

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(169) NFPA 1123, 2018 Edition, *Code for Fireworks Display*

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(170) NFPA 1124, Code for the Manufacture, Transportation, Storage and Retail Sales of Fireworks and Pyrotechnic Articles

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(171) NFPA 1125, 2017 Edition, Code for the Manufacture of Model Rocket and High Power Rocket Motors

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(172) NFPA 1126, 2016 Edition, Standard for the Use of Pyrotechnics before a Proximate Audience

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(173) NFPA 1127, 2018 Edition, Code for High-Power Rocketry

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

(174) NFPA 1142, 2017 Edition, Standard on Water Supplies for Suburban and Rural Fire Fighting

Modifications: None

(175) NFPA 1221, 2019 Edition, Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems

Modifications: None

(176) NFPA 1961, 2013 Edition, Standard on Fire Hose

Modifications: None

(177) NFPA 1962, 2018 Edition, Standard for the Inspection, Care, and Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose

Modifications: None

(178) NFPA 1963, 2019 Edition, Standard for Fire Hose Connections

Modifications: None

(179) NFPA 2001, 2018 Edition, Standard on Clean Agent Fire Extinguishing Systems

Modifications:

(a) **Modification to Chapter 8:**

1. Delete subsection 8.1.2 in its entirety and substitute in its place the following:

8.1.2 "All persons who could be expected to inspect, test, or maintain, fire extinguishing systems shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated and thoroughly trained and kept thoroughly trained in the functions they are expected to perform."

2. Delete subsection 8.4 in its entirety and substitute in its place the following:

8.4 "At least annually, all systems shall be thoroughly inspected and tested for proper operation by personnel qualified in the installation and testing of clean agent extinguishing systems and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated. Discharge tests shall not be required."

(180) **NFPA 2010, 2015 Edition, *Fixed Aerosol Fire Extinguishing Systems***

Modifications: None

(181) ***International Wildland-Urban Interface Code (IWUIC)*, 2012 Edition**

Modifications:

(a) **Modifications to Chapter 1:**

1. Delete section 101.1 in its entirety and substitute in its place the following:

101.1 "**Title.** The *International Fire Code*, 2012 edition, published by the *International Code Council*, shall be known as a *Georgia State Wildland-Urban Interface Code*, hereafter referred to as "this *Code*".

2. Delete section 101.2 in its entirety and substitute in its place the following:

101.2 "**Scope.** The provisions of this *Code* shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the wildland-urban interface areas designated by local jurisdictions by ordinance." (Note: See sample Ordinance on page xi of this *Code* for application and designated fire area.)

Buildings or conditions in existence at the time of the adoption of this *Code* are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this *Code*, provided such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this *Code* for new buildings or structures.

101.2.1 **Appendices.** Provisions in the appendices shall not apply unless specifically adopted by local ordinance."

Cite as Ga. Comp. R. & Regs. R. 120-3-3-.04

AUTHORITY: O.C.G.A. § [25-2-4](#).

HISTORY: Original Rule entitled "Notes" adopted. F. Feb. 8, 1979; eff. Mar. 1, 1979, as specified by the Agency.

Repealed: New Rule entitled "Request for Modification of Specific Requirements" adopted. F. Nov. 10, 1980; eff. Nov. 30, 1980.

Amended: F. July 7, 1983; eff. August 1, 1983, as specified by the Agency.

Repealed: New Rule entitled "Fire Safety Information to Be furnished in Hotels, Motels, Apartments and Dormitories" adopted. F. Sept. 30, 1987; eff. Nov. 1, 1987, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 3, 1990; eff. Jan. 1, 1991, as specified by the Agency.

Amended: F. Jan. 8, 1993; eff. Jan. 28, 1993.

Amended: F. July 9, 1998; eff. July 29, 1998.

Amended: F. Dec. 21, 1999; eff. Jan. 10, 2000.

Amended: ER. 120-3-3-0.1-.04 entitled "State Minimum Fire Safety Standards With Modifications" adopted. F. and eff. May 14, 2003, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Aug. 21, 2003; eff. Sept. 10, 2003.

Repealed: New Rule of same title adopted. F. Jan. 12, 2007; eff. Feb. 1, 2007.

Repealed: New Rule of same title adopted. F. Feb. 17, 2010; eff. Mar. 9, 2010.

Repealed: New Rule of same title adopted. F. Jan. 10, 2014; eff. Jan. 30, 2014.

Amended: F. Dec. 12, 2014; eff. Jan. 1, 2015.

Amended: F. Dec. 28, 2017; eff. Jan. 1, 2018, as specified by the Agency.

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. Jan. 13, 2022; eff. Jan. 1, 2022, as specified by the Agency.

Amended: F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

Note: Correction of non-substantive typographical errors in amendment filed June 10, 2022 (i.e., deleted extra space after quotation marks and hyphens, corrected "O.O.G.A." to "O.C.G.A.," and " 120-3-3.03 " to " 120-3-3-.03 ") as requested by Agency. Effective August 12, 2022.

Amended: F. Aug. 31, 2022; eff. Sep. 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER

**Subject 120-3-11. RULES AND REGULATIONS FOR FLAMMABLE
AND COMBUSTIBLE LIQUIDS**

120-3-11-.04 Self-Service Stations

(1) Self-service operations shall be permitted at any service station, including marine self-service fueling stations and aircraft self-service fueling stations, only after a self-service permit has been issued by the State Fire Marshal in accordance with this Rule. A self-service permit shall not exempt the holder thereof from obtaining any other permits or licenses that may be required by other government agencies.

(2) Application for a self-service station permit shall be made to the State Fire Marshal on the form prescribed and approved by the Commissioner. Applications for self-service station permits shall be submitted by the person, firm, corporation, or partnership responsible for the day to day operations of the facility. Applications submitted by outside parties shall include documentation that the party is acting on behalf of and with the permission of the permit holder. Pursuant to O.C.G.A. Section [25-2-4.1](#), each application for a new self-service station permit shall be accompanied by the mandatory permit fee payable to the Safety Fire Commissioner. Plans for any proposed station or major modification of any existing station shall be submitted to the State Fire Marshal with the self-service station permit application.

(a) Plans shall be submitted in duplicate and shall include, at a minimum, the following:

- (1) Scaled site plan (shall include all buildings and property lines)
- (2) Storage tank location(s)
- (3) Tank Drawings (shall include all piping connections and appurtenances)
- (4) Piping and valve layout and arrangements
- (5) Electrical conduit layout and arrangements
- (6) Dispenser arrangements and details
- (7) Corrosion protection (if applicable)
- (8) Emergency control locations
- (9) Equipment list and specifications (shall include make and model of equipment)
- (10) Fire Extinguisher location(s)
- (11) Other information necessary to show compliance

(b) One set of plans shall be retained by the State Fire Marshal and one copy returned to the applicant with approval or disapproval indicated thereon. A copy of the approved plans shall be kept at the installation site during construction for inspection by authorized representatives of the State Fire Marshal or local authority.

(c) Construction or the storage tank installation, or associated equipment, shall not commence until the plans have been approved and returned to the applicant.

(3) Upon notification of completed construction of a new or modified station, the State Fire Marshal shall direct his authorized representative to inspect the facility. If the authorized representative determines that all requirements for self-service operations contained in this Chapter have been satisfied, to include written certification of tank and pipe leak testing and installation, he may issue a self-service permit.

(4) The self-service permit shall be posted by the applicant in a conspicuous location on the premises. The self-service permit is nontransferable and shall expire upon a change of ownership, operator, lessee or lessor of the facility. Any issuance of a new self-service permit to include change of ownership, operator, lessee or lessor, or to replace lost or destroyed permits requires a permit fee pursuant to O.C.G.A. Section [25-2-4.1](#).

(5) A self-service permit may be revoked for cause after notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner; provided, however, that the Commissioner may revoke any self-service permit prior to notice and hearing if he determines upon recommendation of the State Fire Marshal that the situation involves an imminent peril to the public health, safety and welfare and that the situation therefore requires emergency action. An emergency revocation shall contain reasons and findings for the determination, and shall be accompanied by a notice of opportunity for a hearing, which may provide that a hearing will be held, if and only if, the aggrieved person requests a hearing within ten (10) days of receipt of the revocation and notice.

(6) The State Fire Marshal and his authorized representatives may conduct inspections of self-service stations to ascertain whether the stations are operating in compliance with this Chapter.

Cite as Ga. Comp. R. & Regs. R. 120-3-11-.04

AUTHORITY: O.C.G.A. §§ [25-2-4](#), [25-2-16](#).

HISTORY: Original Rule entitled "Special Provisions" adopted. F. Jan. 29, 1968; eff. Apr. 1, 1968, as specified by the Agency.

Amended: F. Jan. 13, 1971; eff. Jan. 7, 1971, as specified by the Agency.

Repealed: New Rule entitled "Self-Service Stations" adopted. F. Nov. 10, 1980; eff. Nov. 30, 1980.

Repealed: New Rule of same title adopted. F. June 3, 1987; eff. June 25, 1987, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 3, 1990; eff. Jan. 1, 1991, as specified by the Agency.

Amended: F. Nov. 16, 1992; eff. Dec. 6, 1992.

Repealed: New Rule of same title adopted. F. June 5, 1997; eff. June 25, 1997.

Repealed: New Rule of same title adopted. F. July 9, 1998; eff. July 29, 1998.

Repealed: New Rule of same title adopted. F. Dec. 16, 2003; eff. Jan. 5, 2004.

Repealed: New Rule of same title adopted. F. Mar. 7, 2008; eff. Mar. 27, 2008.

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. Aug. 31, 2022; eff. Sep. 1, 2022, as specified by the Agency.

120-3-11-.06 Adopted Codes and Standards

Except to the extent modified herein, the following NFPA Codes and Standards are hereby adopted.

(1) NFPA 30, 2018 Edition, *Flammable and Combustible Liquids Code*

Modifications:

(a) Modifications to Chapter 6:

1. Add a new subsection 6.5.6 to read as follows:

"6.5.6 Signs shall be posted in areas storing or transferring flammable and combustible liquids and shall read:

DANGER - FLAMMABLE LIQUIDS

OPEN FLAMES AND SMOKING

PROHIBITED WITHIN 50 FEET

Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke."

2. Add a new subsection 6.9.6 to read as follows:

"6.9.6 No barrels, drums or combustible materials shall be stored beneath or within 3.3 m (10 ft) of any aboveground storage tank."

(b) Modifications to Chapter 18:

1. Add a new subsection 18.3.1 to read as follows:

"18.3.1 Signs shall be posted in areas where flammable liquids are stored and transferred and shall read:

DANGER - FLAMMABLE LIQUIDS

OPEN FLAMES AND SMOKING

PROHIBITED WITHIN 50 FEET

Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke."

2. Add a new subsection 18.4.10 to read as follows:

"18.4.10 All hoses used within the scope of this code shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn."

(c) Modifications to Chapter 21:

1. Add a new subsection 21.3.6 to read as follows:

"21.3.6 Aboveground tanks and aboveground piping shall be kept painted to prevent corrosion and shall be painted a light reflective color."

2. Add a new paragraph 21.7.1.7 to read as follows:

"21.7.1.7 No storage tank shall be filled by gravity from another storage tank unless a suitable device is provided to eliminate the possibility of overflow and a qualified person is in constant attendance and has the means to stop the flow of liquid promptly."

3. Delete paragraph 21.7.2.2 in its entirety and substitute in its place the following:

"21.7.2.2 Aboveground storage tanks used for bulk storage at bulk plants or chemical plants shall be secured and marked in accordance with NFPA 704, 2007 Edition, *Identification of the Hazards of Materials for Emergency Response*, as to identify the fire hazards of the tank and the tank's contents to the general public and emergency responders. The area in which the tank is located shall be protected from tampering or trespassing with a chain link fence. The fence shall be at least 1.8m (6 ft) high and shall be separated from the tanks by at least 3m (10 ft) and shall have a gate that is secured against unauthorized entry.

Exception: Tanks are not required to be enclosed with a fence if the property on which the tanks are located has a perimeter security fence."

4. Delete subsection 21.8.4 in its entirety and substitute in its place the following:

"21.8.4 Each tank shall be maintained liquidtight. Each tank that is leaking shall immediately be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction."

(d) Modifications to Chapter 22:

1. Add a new paragraph 22.4.1.9 to read as follows:

"22.4.1.9 For bulk plants and chemical plants only, no aboveground storage tank(s) for Class I flammable liquids shall be erected within 91.4 m (300 ft) of any school, church, hospital, theater, public assembly or public hall. A public hall shall be any building regularly used for public assembly for purposes of amusement, instruction, religious worship or other meetings. Requests for exceptions to this Rule such as the temporary use of skid tanks on construction sites shall be submitted to the State Fire Marshal in accordance with Rule [120-3-11-.08](#)."

2. Delete paragraph 22.11.2.7 in its entirety and substitute in its place the following:

"22.11.2.7 Provisions shall be made for draining water from diked areas. Such drains shall be controlled to prevent liquids, other than storm water, from leaving the diked area."

3. Delete subparagraph 22.11.2.7.1 in its entirety and substitute in its place the following:

"22.11.2.7.1 Control of valves for drainage purposes shall be accessible under fire conditions from outside the dike."

4. Add a new subsection 22.13.5 to read as follows:

"22.13.5 Gauges or other means shall be provided to monitor filling or emptying of aboveground tanks. This means shall be visible and accessible to the delivery operator from the point of delivery."

5. Add a new subsection 22.13.6 to read as follows:

"22.13.6 Aboveground tanks containing Class I, Class II, or Class IIIA liquids shall be filled through a tight fill connection."

6. Add a new subsection 22.13.7 to read as follows:

"22.13.7 Fill connections to aboveground tanks shall have provisions to contain any liquids that may drain from the transfer hose due to connections and disconnections."

(e) Modifications to Chapter 27:

1. Delete paragraph 27.3.2 in its entirety and substitute in its place the following:

"27.3.2 **Tightness of Piping.** Piping systems shall be maintained liquidtight. A piping system that has leaks that constitute a hazard shall immediately be emptied of liquid or repaired in a manner acceptable to the authority having jurisdiction."

(f) Modifications to Chapter 28:

1. Add a new paragraph 28.3.1.4 to read as follows:

"28.3.1.4 All hoses used within the scope of this code shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn."

2. Add a new paragraph 28.3.1.5 to read as follows:

"28.3.1.5 Signs shall be posted in areas where flammable liquids are stored and transferred and shall read:

DANGER - FLAMMABLE LIQUIDS

OPEN FLAMES AND SMOKING

PROHIBITED WITHIN 50 FEET

Lettering shall be white on a red background and shall not be less than 3 inches (76mm) in height and 0.5 inch (12.7 mm) in stroke."

3. Delete section 28.9 in its entirety and substitute in its place the following:

"28.9* Loading and unloading facilities, for bulk plants, terminals, and chemical plants only, shall be provided with drainage systems or other means to contain spills. These means shall be designed to contain at least 110% of the largest compartment on the loading or off-loading tanker vehicle."

(2) NFPA 30-A, 2018 Edition, *Code for Motor Fuel Dispensing Facilities and Repair Garages*

Modifications:

(a) Modifications to Chapter 4:

1. Add a new subsection 4.2.5 to read as follows:

"4.2.5 Containers and piping shall be identified as to the product stored in them."

2. Add a new subsection 4.2.6 to read as follows:

"4.2.6 Flammable or combustible liquids shall not be introduced into any leaking or condemned, unapproved or non-labeled storage tank or container. Flammable or combustible liquids shall immediately be removed from any leaking or condemned storage tank. A condemned or red tagged system may be restored to service upon proper corrective actions and with the approval of the authority having jurisdiction. Tanks for the storage of flammable and combustible liquids for dispensing or fueling of motor vehicles are generally required to be underground as a prevalent rule. For exceptions see NFPA 30A. In case of a change over from gasoline to diesel or home heating fuel, etc., the system shall be purged to avoid cross contamination, and the authority having jurisdiction shall be so notified."

3. Add a new subsection 4.2.7 to read as follows:

"4.2.7 Upon determination by the inspection that a flammable or combustible liquids systems or any part thereof is unsafe to the extent that it endangers life or adjacent properties, the inspector may place an out of service tag (red tag) on the entire system or a specified portion of the system until the dangerous conditions are corrected. The out of service tag (red tag) may be removed only by an authorized representative of the State Fire Marshal's Office."

(b) Modifications to Chapter 6:

1. Add a new subsection 6.2.4 to read as follows:

"6.2.4 Only those dispensers which are designed, or modified by approved means, and approved for self-service dispensing shall be used for such operations."

2. Add a new subsection 6.2.5 to read as follows:

"6.2.5 Dispensers that show serious signs of damage shall be removed from service."

3. Add a new subsection 6.5.4 to read as follows:

"6.5.4 Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn."

(c) Modifications to Chapter 9:

1. Add a new paragraph 9.2.2.7 to read as follows:

"9.2.2.7 During flammable or combustible liquid off loading at public service stations, the area shall be posted and roped or barricaded as appropriate to limit access and prevent or control the source of ignition. The primary responsibility for this safety requirement shall be the truck driver who is delivering the flammable or combustible liquid. However, it shall also be the responsibility of the station attendant to make sure the precautions are followed."

2. Delete paragraph 9.2.5.4 in its entirety and substitute in its place the following:

"9.2.5.4 **Signs.** An appropriate warning sign shall be conspicuously posted on both faces of the dispensing device or such other place that the Commissioner may approve. The warning shall contain language deemed appropriate by the Commissioner. The warning may be revised as deemed necessary by the Commissioner in order to address health and safety concerns."

3. Delete paragraph 9.2.5.2 in its entirety and substitute in its place the following:

"9.2.5.2 **Fire Extinguishers.** Each motor fuel dispensing facility or repair garage shall be provided with fire extinguishers installed, inspected, and maintained as required by NFPA 10. Extinguishers for outside motor fuel dispensing areas shall be provided according to the extra (high) hazard requirements for Class B hazards, except that maximum travel distance to a 80 B:C extinguisher (or multiple extinguishers of equivalent protection) shall be permitted to be 100 feet."

4. Delete subsection 9.2.7 in its entirety and substitute in its place the following:

"9.2.7 **Housekeeping.** All service station premises shall be kept clean, neat and free from rubbish and trash. Combustible materials other than required stock and supplies shall not be accumulated in storerooms or other areas in or on the premises."

5. Add a new subsection 9.2.10 to read as follows:

"9.2.10 **Restrictions.** All motor fuel or Class I liquids dispensing equipment operators shall be capable and qualified to operate such equipment and shall not, while operating such equipment, be under the influence of intoxicants, narcotics or other dangerous drugs. Persons under the age of 16, persons incapable of dispensing flammable or combustible liquids by reason of physical or mental incapacity, and persons under the influence of intoxicants, narcotics or other dangerous drugs shall not be permitted to dispense such liquids at any service station open or accessible to the public."

6. Add a new subsection 9.4.5:

"9.4.5 A qualified attendant shall be at least 18 years of age, experienced with and physically able to perform the required duties, and not addicted to the use or under the influence of intoxicants, narcotics, or controlled substances. The attendant shall be familiar with all applicable State laws and provisions of these Rules and Regulations. While Class I liquids are being dispensed, the attendant shall not be assigned nor perform any duties that might cause distraction or prevention of properly supervising the dispensing of Class I liquids."

7. Add a new subsection 9.4.6 to read as follows:

"9.4.6 Appropriate signs indicating self-service operations shall be clearly posted. Any station which has both self-service and full-service operations shall clearly identify each respective area."

8. Add a new subsection 9.4.7 to read as follows:

"9.4.7 The use of portable aboveground skid tanks, with more than a 60 gallon capacity for Class I Liquids or a 120 gallon capacity for Class II or higher liquids shall be prohibited at service stations open to the public."

9. Add a new subsection 9.4.8 to read as follows:

"9.4.8 If the requirements of Section 4.3 in NFPA 30A 2018 Edition cannot be met, Class II and Class III liquids, such as kerosene and fuel oil, may be stored in aboveground tanks with an aggregate capacity not exceeding 560 gallons at service stations open to the public."

10. Add a new subsection 9.4.9 to read as follows:

"9.4.9 The attendant shall, at all times, have a clear and unobstructed view to the dispensers."

11. Add a new subsection 9.4.10 to read as follows:

"9.4.10 Where the attendant view to the dispensers is obstructed, video monitoring of the obstructed dispensing area shall be provided in accordance with the following:

- (1) The attendant shall be in close proximity to the dispensing areas as approved by the authority having jurisdiction.
- (2) There shall be at least two monitors, one on each side of the attendant area in full view of the attendant.
- (3) The cameras used shall have full coverage views of all obstructed fuel dispensing areas.
- (4) The monitors shall have full views of the obstructed dispensing areas displayed at all times.
- (5) If the video monitoring system becomes inoperable, self-service operations at the obstructed dispensers shall cease until the system is brought back into working order.
- (6) The video monitoring shall be approved by the authority having jurisdiction."

12. Delete subsection 9.5.1 in its entirety and substitute in its place the following:

"9.5.1 Unattended self-service facilities shall be permitted to operate as long as such unattended self-service facilities are not open to the public while unattended self-service operations are being conducted. Unattended self-service operations shall be limited to proprietary and fleet fueling.

Exception: Unattended self-service operations shall be allowed at any self-service station during a National Emergency or when the Governor has declared a state of emergency provided that the provisions of 9.5.2 through 9.5.6 and 9.5.9 through 9.5.11 are met."

13. Delete subsection 9.5.5 in its entirety and substitute in its place the following:

"9.5.5 Each such location shall be provided with a public telephone to notify the fire department in the event of an emergency within 100 feet of the dispenser(s). Emergency phone numbers and contact points for owner/operator shall also be provided. The numbers shall be clearly visible to the user."

14. Add a new subsection 9.5.7 to read as follows:

"9.5.7 All dispensers are key or card controlled. For the purpose of this requirement, proprietary cards and fleet fuel cards shall be required."

15. Add a new subsection 9.5.8 to read as follows:

"9.5.8 The owner or operator of such station is responsible for the safe operation of the station."

16. Add a new subsection 9.5.9 to read as follows:

"9.5.9 Each such facility shall have exterior emergency shutoff devices installed in accordance with section 6.7. Such shutoffs shall be clearly marked "Emergency Fuel Shutoff". Such lettering shall be at least 1" high in red coloring on a white background."

17. Add a new subsection 9.5.10 to read as follows:

"9.5.10 Dispensing equipment used at unattended self-service facilities shall be programmed or set to limit uninterrupted fuel delivery to 50 gallons."

18. Add a new subsection 9.5.11 to read as follows:

"9.5.11 Each such facility shall have a valid self-service permit posted."

(d) Modifications to Chapter 11:

1. Add a new subsection 11.4.8 to read as follows:

"11.4.8 Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn."

(e) Modifications to Chapter 12:

1. Add a new subsection 12.2.5 to read as follows:

"12.2.5 Hoses shall be inspected at regular intervals and shall be replaced when they show signs of being deteriorated, weathered or worn."

(f) Modifications to Chapter 14:

1. Delete section 14.1 in its entirety and substitute in its place the following:

"14.1 On-Demand Mobile Fueling (the retail practice of fueling motor vehicles of the general public while the owner's vehicle is parked and might be unattended) shall be prohibited."

2. Delete sections 14.2 - 14.4 in its entirety.

(3) NFPA 30-B, 2019 Edition, *Code for the Manufacture and Storage of Aerosol Products*

Modifications: None

(4) NFPA 31, 2016 Edition, *Standard for the Installation of Oil-Burning Equipment*

Modifications: None

(5) NFPA 32, 2016 Edition, *Standard for Drycleaning Plants*

Modifications:

(a) Modifications to Chapter 4:

1. Delete paragraph 4.3.1 in its entirety and substitute in its place the following:

"4.3.1 General building and structure design and construction shall be in accordance with State of Georgia adopted building codes, except as modified herein."

(6) NFPA 33, 2018 Edition, *Standard for Spray Application Using Flammable and Combustible Materials*

Modifications: None

(7) NFPA 34, 2018 Edition, *Standard for Dipping and Coating Processes Using Flammable and Combustible Liquids*

Modifications: None

(8) NFPA 35, 2016 Edition, *Standard for the Manufacture of Organic Coatings*

Modifications: None

(9) NFPA 36, 2017 Edition, *Standard for Solvent Extraction Plants*

Modifications: None

(10) NFPA 37, 2018 Edition, *Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines*

Modifications:

(a) Modifications to Chapter 6:

1. Delete subsection 6.8.1 in its entirety and substitute in its place the following:

"6.8.1 Piping shall be in accordance with Chapter 27 of NFPA 30, *Flammable and Combustible Liquids Code*, except that piping shall be steel or other metal and the provisions of 6.8.2 shall apply.

Exception: Nonmetallic piping, excluding nonmetallic flexible connectors as describe in paragraph 6.8.2.1, shall be allowed to be used only underground within the scope of UL 971, Standard for Nonmetallic Underground piping for

Flammable Liquids. Nonmetallic piping systems and components shall be listed and installed in accordance with manufacturer's instructions."

(11) NFPA 326, 2020 Edition, *Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning, or Repair*

Modifications: None

(12) NFPA 329, 2020 Edition, *Recommended Practice for Handling Releases of Flammable and Combustible Liquids and Gases*

Modifications: None

(13) NFPA 385, 2017 Edition, *Standard for Tank Vehicle for Flammable and Combustible Liquids*

Modifications:

(a) Modifications to Chapter 5:

1. Delete paragraph 5.4.1.1 in its entirety and substitute in its place the following:

"5.4.1.1 The outlets of each cargo tank or compartment used for transportation of Class I, Class II, and Class IIIA liquids having a viscosity less than 45 SUS at 100°F (37.8°C), shall be equipped with a self-closing shutoff valve, designed, installed, and operated so as to ensure against the accidental escape of contents."

(b) Modifications to Chapter 7:

1. Add a new subsection 7.1.6 to read as follows:

"7.1.6 The name and address of the owner shall appear on the sides of the vehicle. The owner's name shall be in letters at least four inches in height with the address lettering as large as will fit in the space available."

(c) Modifications to Chapter 9:

1. Add a new subsection 9.1.13 to read as follows:

"9.1.13 Vehicles shall be maintained in good operating condition."

2. Add a new subsection 9.1.14 to read as follows:

"9.1.14 Any person driving, attending, making deliveries, filling, discharging or repairing tank vehicles shall not be under the influence of intoxicants, narcotics or other dangerous drugs."

3. Add a new subsection 9.1.15 to read as follows:

"9.1.15 Intoxicating beverages, narcotics and other dangerous drugs shall not be carried in or on tank vehicles."

4. Add a new subsection 9.2.17 to read as follows:

"9.2.17 No Class I liquids shall be transferred from tank trucks to motor vehicle fuel tanks or other tanks or containers on any highway, road, street, or alley, except in an emergency."

5. Add a new subsection 9.2.18 to read as follows:

"9.2.18 Nothing herein shall prohibit the fueling of machinery or vehicles used in road construction and maintenance, firefighting apparatus or vehicles, equipment used by public authorities or the United States Armed Services, or fuel containers used for such vehicles and equipment."

6. Add a new subsection 9.2.19 to read as follows:

"9.2.19 Except for firefighting apparatus, all machinery and vehicle motors shall be shut down while being refueled. Auxiliary motors involved with environmental control in cargo spaces may be kept running if necessary."

7. Add a new subsection 9.2.20 to read as follows:

"9.2.20 All tank vehicles shall be provided with spill kits to mitigate any spills that occur."

(14) NFPA 407, 2017 Edition, *Standard for Aircraft Fuel Servicing*

Modifications: None

Cite as Ga. Comp. R. & Regs. R. 120-3-11-.06

AUTHORITY: O.C.G.A. §§ [25-2-4](#), [25-2-16](#).

HISTORY: Original Rule entitled "Standards for Installation of Oil Burning Equipment" adopted. F. Jan. 29, 1968; eff. Apr. 1, 1968, as specified by the Agency.

Repealed: New Rule entitled "Standards for Transportation of Flammable and Combustible Liquids by Tank Vehicle" adopted. F. Jan. 13, 1971; eff. Jan. 7, 1971, as specified by the Agency.

Repealed: New Rule entitled "Adopted Codes and Standards" adopted. F. Nov. 10, 1980; eff. Nov. 30, 1980.

Repealed: New Rule of same title adopted. F. June 3, 1987; eff. June 25, 1987, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 3, 1990; eff. Jan. 1, 1991, as specified by the Agency.

Amended: F. Nov. 16, 1992; eff. Dec. 6, 1992.

Repealed: New Rule of same title adopted. F. June 5, 1997; eff. June 25, 1997.

Repealed: New Rule of same title adopted. F. July 9, 1998; eff. July 29, 1998.

Repealed: New Rule of same title adopted. F. Dec. 16, 2003; eff. Jan. 5, 2004.

Repealed: New Rule entitled "Adopted Codes and Standards with Modifications" adopted. F. Mar. 7, 2008; eff. Mar. 27, 2008.

Amended: New title "Adopted Codes and Standards." F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. Aug. 31, 2022; eff. Sep. 1, 2022, as specified by the Agency.

120-3-11-.09 Compliance with Rules and Regulations; Penalties

(1) All persons shall transport, store, handle and use flammable and combustible liquids in conformity with this Chapter. After notice and hearing provided in accordance with Rule 120-3-2-.02 of the Rules of Safety Fire Commissioner, any person who is found to have violated any of the rules contained in this Chapter shall be subject to such penalties as authorized by law.

(2) The Commissioner may impose a monetary fine of up to \$1,000 against any person, firm, corporation, or partnership responsible for the operation of any facility covered under this Chapter for each violation of these regulations, related statutes, or any order of the Commissioner.

Cite as Ga. Comp. R. & Regs. R. 120-3-11-.09

AUTHORITY: O.C.G.A. §§ [25-2-4](#), [25-2-16](#).

HISTORY: Original Rule entitled "Standards for Storage of Flammable and Combustible Liquids on Farms and Isolated Projects" adopted. F. Jan. 29, 1968; eff. Apr. 1, 1968, as specified by the Agency.

Repealed: New Rule entitled "Standards for Spray Finishing Using Flammable and Combustible Materials" adopted. F. Jan. 13, 1971; eff. Jan. 7, 1971, as specified by the Agency.

Repealed: New Rule entitled "Recommended Practices Adopted as Requirements" adopted. F. Nov. 10, 1980; eff. Nov. 30, 1980.

Repealed: New Rule of same title adopted. F. June 3, 1987; eff. June 25, 1987, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 3, 1990; eff. Jan. 1, 1991, as specified by the Agency.

Amended: F. Nov. 16, 1992; eff. Dec. 6, 1992.

Repealed: New Rule of same title adopted. F. June 5, 1997; eff. June 25, 1997.

Repealed: New Rule of same title adopted. F. July 9, 1998; eff. July 29, 1998.

Repealed: New Rule of same title adopted. F. Dec. 16, 2003; eff. Jan. 5, 2004.

Repealed: New Rule entitled "Compliance with Rules and Regulations; Penalties" adopted. F. Mar. 7, 2008; eff. Mar. 27, 2008.

Amended: F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

Amended: F. Aug. 31, 2022; eff. Sep. 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER

**Subject 120-3-25. RULES AND REGULATIONS FOR ESCALATORS
AND ELEVATORS**

120-3-25-.03 Definitions

- (1) Accident means an unplanned or unscheduled event that results in property damage and/or personal injury.
- (2) Act is Part 6 of Article 1 of Chapter 2 of Title 8 of the Official Code of Georgia, *O.C.G.A. Sections [8-2-100](#) through 8-2-109.1*.
- (3) Approved means that which is acceptable to the Office.
- (4) Board is the Advisory Committee as described in *Section [8-2-109](#)* of the Act.
- (5) Certified Inspector is an inspector, by reason of experience and knowledge, considered qualified by the Office. The minimum experience shall be established by these rules. Knowledge shall be evidenced by approved written and oral examinations, acceptable to and administered by the Office.
- (6) Cessation order is the official order stopping an action by an individual or company.
- (7) Citation is the written document by which a person or company is summoned or cited.
- (8) The Commissioner is the Commissioner of Insurance and Safety Fire, and
- (9) the Office is the Office of the Commissioner of Insurance and Safety Fire.
- (10) Dormant Elevator means an elevator that is intact and on the premises and the equipment is entirely disconnected in an approved manner.
- (11) Elevators as used in these Rules means, Elevators, Escalators, Dumbwaiters, Material lifts, Manlifts, Moving Walks, or Platform Lifts (Wheelchair Lifts) or Stairway Chairlifts where the Rule is applicable in accordance with the adopted Codes and Standards.
- (12) Hand powered one-man elevator is an elevator having a car platform area of not more than five square feet and a rated load of not more than three hundred pounds and which is operated from the car only by pulling on a stationary rope located in the hoistway and passing through or adjacent to the car platform. It is for the exclusive use of certain designated operating and maintenance employees and installed in a grain or feed mill or similar structure not accessible to the general public.
- (13) Inspection means the official determination by a certified inspector of the condition of all parts of the equipment meet the applicable code which determines the safe operation of an elevator.
- (14) Personnel Hoist is those elevators used during construction to carry workers. Such elevators are temporary and shall not become a permanent part of the structure.

(15) Personal Injury, as used in *O.C.G.A. § 8-2-106(a)*, means bodily injury, sickness, or disease sustained by any person by reason of the operation or malfunction of an elevator, escalator, manlift moving walk or power dumbwaiter, platform lifts or stairway chairlifts including death at any time resulting therefrom. Personal Injury does not include false arrest, detention, imprisonment, confinement, slander, libel, violation of privacy or any mental disease, disability or disorder not accompanied by physical injury at the time of the incident.

(16) Property Damage, as used in *O.C.G.A. § 8-2-106(b)*, means physical injury to, or destruction of tangible property to the structure or operational parts (including safety equipment and devices) of an elevator, escalator, manlift, moving walk or power dumbwaiter, sustained by reason of accident or malfunction, other than routine wear and tear.

(17) Special Purpose Personnel Elevator is an elevator permanently installed to provide vertical transportation of authorized personnel. Such elevators are typically installed in Grain Elevators, Radio Antennas and Bridge Towers.

(18) Deleted for future use.

(19) Temporary Inspection is the inspection by a certified inspector of an elevator to be used on a temporary basis.

(20) Elevator Contractor - Any person, firm, or corporation who possesses an "Elevator Contractor's Certification" in accordance with the provisions of *Rule 120-3-25-.21* and who is engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators or related conveyance equipment covered by this chapter.

(21) Elevator Mechanic - Any person who possesses an elevator mechanic certification in accordance with the provisions of *Rule 120-3-25-.21*.

(22) Certification, Elevator Contractor (Class I, Class IR) - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining elevators or related conveyance equipment covered by this Chapter.

(23) Certification, Elevator Contractor (Class II) - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by this Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of servicing, testing, repairing or maintaining elevators or related conveyance equipment covered by this Chapter.

(24) Certification, Elevator Contractor, Limited (Class III) - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining residential dumbwaiters, elevators, platform lifts and stairway chairlifts.

(25) Certification, Elevator Contractor, Limited (Class IIIR) - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining residential platform lifts and stairway chairlifts.

(26) Certification, Elevator Mechanic (Class I, Class IR) - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on conveyance equipment. It shall entitle the holder to install, service, repair, test, maintain and perform electrical work on elevators or related conveyance equipment covered by this Chapter.

(27) Certification, Elevator Mechanic (Class II) - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on conveyance equipment. It shall entitle the holder to service, repair, test and maintain elevators or other conveyance equipment covered in this Chapter. The Class II Mechanic shall be employed by a Class II Elevator Contractor or owner user.

(28) Certification, Elevator Mechanic (Class III) - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on residential platform lifts and stair chairlifts. It shall entitle the holder to install, alter, service, repair, test, maintain and perform electrical work on residential elevators, platform lifts and stair chairlifts.

(29) Certification, Elevator Mechanic (Class IIIR) - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on residential platform lifts and stair chairlifts. It shall entitle the holder to install, alter, service, repair, test, maintain and perform electrical work on residential elevators, platform lifts and stair chairlifts.

(30) Private Residence - A single unit of a multiple facility or a detached dwelling designed for, inhabited by, and accessible only to one person or that person's family.

(31) LULA Elevator - A passenger elevator limited in size, capacity, travel and speed. These elevators shall comply with ASME A17.1, Section 5.2 (Capacity, Speed, Travel, Etc.) and ICC/ANSI A117.1, Section 407.4 (Car Size, Power Operation, Signal Location, Etc.).

Cite as Ga. Comp. R. & Regs. R. 120-3-25-.03

AUTHORITY: O.C.G.A. §§ [8-2-100](#) to [8-2-102](#), [8-2-104](#).

HISTORY: Original Rule entitled "Jurisdiction Numbered Tags" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

Repealed: New Rule of same title adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

Repealed: New Rule entitled "Definitions" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

Amended: F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

Note: Correction of non-substantive typographical error in paragraph (2), "82-109.1 " to " 8-2-109.1," as requested by Agency. Effective August 12, 2022.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN
COMMISSIONER**

Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER

**Subject 120-3-26. RULES AND REGULATIONS FOR BOILERS AND
PRESSURE VESSELS**

120-3-26-.02 Application

(1) Pursuant to O.C.G.A. [25-2-10](#), rules and regulations adopted by the Safety Fire Commissioner shall have the force and effect of law and shall have statewide application as being the state minimum fire safety codes and standards for boilers and pressure vessels and shall not require adoption by a municipality or county.

(2) Pursuant to O.C.G.A. Section [25-15-1](#), the Office succeeded to all rules and regulations of the Department of Labor which were in effect on June 30, 2012, or were scheduled to go into effect on or after July 1, 2012, which related to the functions transferred to the Office pursuant to either Chapter 15 of Title 25 or Part 6 of Article 1 of Chapter 2 of Title 8. The Office has authority to modify the Boiler and Pressure Vessel regulations or promulgate new regulations pursuant to O.C.G.A. Sections [25-15-1](#), [25-15-13](#), [33-2-9](#) and [50-13-21](#).

(3) The primary purpose of these rules and regulations is to promote consumer protection through state regulation of the construction, installation, inspection, maintenance, and repair of boilers and pressure vessels.

(4) All Editions of the Codes and Standards shall also include revisions, amendments, and interpretations made, approved and adopted by the Codes or Standards Society as adopted by these regulations listed below:

(a) The 2021 American Society of Mechanical Engineers Boiler and Pressure Vessel Code. Copies of the Code may be obtained from said Society at 22 Law Drive, Box 2300, Fairfield, New Jersey 07007-2300.

(b) The 2021 Edition of the National Board Inspection Code. Copies of this Code may be obtained from the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

(c) ASME B31.1 as adopted by ASME Section I Boiler Pressure Piping and Piping Systems as described in B31.1.

(d) The 2021 Edition of the ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers less than 12,500,000 BTU/hr. and State adopted Edition of the National Fire Protection Association (NFPA) 85, Boiler and Combustion System Hazard Code for boilers over 12,500,000 BTU/hr., NFPA 87 Recommended Practice for Fluid Heaters, NFPA 54 National Fuel Gas Code and all other adopted and related NFPA Codes (see below definition of Code). ASME CSD-1 Boiler Controls and Safety Devices may be obtained from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017. The National Fire Protection Association Standards may be obtained from National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(e) The 2019 ASME PVHO-1 Pressure Vessels for Human Occupancy and 2019 ASME PVHO-2 In-Service Guidelines. This Code may be ordered from ASME, 22 Law Drive, Box 2300, Fairfield, NY 07007.

Cite as Ga. Comp. R. & Regs. R. 120-3-26-.02

AUTHORITY: O.C.G.A. §§ [25-15-1](#), [25-15-10](#), [25-15-13](#), [33-2-9](#), [50-13-21](#).

HISTORY: Original Rule entitled "Definition of Terms" adopted. F. Sep. 4, 2013; eff. Sept. 24, 1913.

Repealed: New Rule of same title adopted. F. Mar. 16, 2015; eff. Apr. 5, 2015.

Repealed: New Rule entitled "Application" adopted. F. Dec. 31, 2020; eff. Jan. 20, 2021.

Amended: F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

Note: Correction of non-substantive typographical error in History, "**History.** *Original Rule entitled "Definition of Terms" adopted. F. Sep. 4, 2013; eff. Sept. 24, 1913.*" corrected to "**History.** *Original Rule entitled "Definition of Terms" adopted. F. Sep. 4, 2013; eff. Sep. 24, 2013.*" Effective August 12, 2022.

Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

Chapter 160-4.

Subject 160-4-2. DIVISION OF GENERAL INSTRUCTION

160-4-2-.39 Dyslexia Identification and Support

(1) DEFINITIONS.

(a) **Aphasia** - a condition characterized by either partial or total loss of the ability to communicate verbally or through written words. A person with aphasia may have difficulty speaking, reading, writing, recognizing the names of objects, or understanding what other people have said. The condition may be temporary or permanent and shall not include speech problems caused by loss of muscle control.

(b) **Dyscalculia** - the inability to understand the meaning of numbers, the basic operations of addition and subtraction, or the complex operations of multiplication and division or to apply math principles to solve practical or abstract problems.

(c) **Dysgraphia** - difficulty in automatically remembering and mastering the sequence of muscle motor movements needed to accurately write letters or numbers.

(d) **Dyslexia** - a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

(e) **Georgia Dyslexia Informational Handbook (Handbook)** - an informational handbook, developed by the Georgia Department of Education, that includes guidance, technical assistance, and training to assist all local educational agencies (LEA) in the implementation of evidence-based practices for instructing students with characteristics of Dyslexia.

(f) **Other Disorders** - aphasia, dyscalculia, and dysgraphia.

(g) **Parent** - parent, legal agent, legal guardian, or kinship caregiver.

(h) **Qualified Dyslexia Screening Tool** - an assessment that measures a student's ability to demonstrate phonological awareness skills, phonemic decoding efficiency skills, sight word reading efficiency skills, rapid automatic naming skills, and accuracy of word reading on grade-level text.

(i) **Universal Screening** - the administration of an assessment to all students in a grade level to identify students who may be at risk for low learning outcomes.

(2) REQUIREMENTS.

(a) Universal Screening

1. Beginning in the 2024-2025 school year, LEAs shall, at a minimum, annually conduct a Universal Screening of all students in kindergarten through grade 3 for characteristics of Dyslexia and may screen students for Other Disorders.

(i) The following students should be exempted from the Universal Screening of all students in kindergarten through grade 3 for characteristics of Dyslexia and Other Disorders:

(I) A student who transfers from another school or system in Georgia who had a Universal Screening in the current school year; or

(II) A student from another state who enrolls for the first time in Georgia in kindergarten through grade 3 and presents documentation that he or she had the Universal Screening or a similar screening in the current school year.

(III) A student whose intellectual disability precludes the presence of dyslexia.

2. This Universal Screening must be conducted utilizing a Qualified Dyslexia Screening Tool. The Qualified Dyslexia Screening Tool(s) must include, at a minimum, the following components:

(i) Phonological and phonemic awareness;

(ii) Sound symbol recognition;

(iii) Alphabet knowledge;

(iv) Decoding skills;

(v) Rapid naming or reading fluency for students with some reading ability; and

(vi) Encoding skills.

3. A list of Qualified Dyslexia Screening Tools that were approved by the State Board of Education and meet these minimum requirements is available in the Georgia Dyslexia Informational Handbook. LEAs may use any of the Qualified Dyslexia Screening Tools in the Handbook to conduct their Universal Screening.

(i) If an LEA chooses a screening tool that is not included in the Handbook, the LEA must submit that tool to the State Board of Education for review and approval prior to use in the Universal Screening.

(b) Interventions and Supports

1. If the Universal Screening data and additional information support that the student has characteristics of Dyslexia or Other Disorders, the LEA will begin or continue academic intervention.

2. Upon the start of academic intervention for students who have characteristics of Dyslexia or Other Disorders, the LEA must monitor the student's progress at least once per month, or more often as determined by school personnel.

3. LEAs should refer to the Georgia Dyslexia Informational Handbook for guidance, technical assistance, and resources to assist with their implementation of evidence-based practices for instructing students with characteristics of Dyslexia. The Handbook includes, at a minimum:

(i) Evidence based practices designed specifically for students with characteristics of Dyslexia;

(ii) Characteristics of targeted instruction for Dyslexia;

(iii) Guidance on developing instructional plans for students with characteristics of Dyslexia;

(iv) Best practices toward meaning-centered reading and writing; and

(v) Suggested training programs.

(c) Parental Consent and Support

1. LEAs must notify Parents of the Universal Screening prior to the implementation of the screening.
2. Parental consent is not required for the administration of the Universal Screening.
3. If the LEA determines that additional screening is necessary for a student who exhibits characteristics of Dyslexia or Other Disorders, parental consent must be obtained prior to the administration of the additional screening. The parental consent or refusal documentation shall remain on file as a part of the student's education record.
4. For students who exhibit characteristics of Dyslexia or Other Disorders, LEAs must provide Parents with resources, information, and materials regarding Dyslexia (e.g., Georgia Dyslexia Informational Handbook and the International Dyslexia Association Dyslexia Handbook).

(d) Reporting

1. Beginning with the 2024-2025 school year, by June 30 of each year, LEAs shall provide the following data to the Georgia Department of Education:

- (i) The number of students in kindergarten through grade 3 who were identified as having characteristics of Dyslexia;
- (ii) The number of students in kindergarten through grade 3 who participate in additional screening for characteristics of Dyslexia in a school year;
- (iii) The number of students in kindergarten through grade 3 who were newly identified as having characteristics of Dyslexia in a school year;
- (iv) The process or tool used to evaluate student progress;
- (v) The number of students in kindergarten through grade 3 who participated in interventions; and
- (vi) The number of trained LEA personnel or licensed professionals used to administer the Qualified Dyslexia Screening Tool.

Cite as Ga. Comp. R. & Regs. R. 160-4-2-.39

AUTHORITY: O.C.G.A. § [20-2-159.6](#).

HISTORY: Original Rule entitled "Dyslexia Identification and Support" adopted. F. Aug. 25, 2022; eff. Sep. 14, 2022.

Department 180. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Chapter 180-6. RULES OF PROFESSIONAL CONDUCT

180-6-.09 Certification

(1) The term "Certification" as used in Rule 180-6-.09(2) and (3) and relating to professional engineering or land surveying services, as defined in O.C.G.A. [43-15-2\(6\)](#) and [\(11\)](#), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

(2) When an engineer or land surveyor is presented with a certificate to be signed or sealed, he or she should carefully evaluate that certification to determine if the certification:

- (a) relates to matters which are within the technical competence of the engineer or land surveyor;
- (b) involves matters which are within the scope of services actually provided by the engineer or land surveyor or;
- (c) relates to matters which were prepared under the supervision, direction and control of the engineer or land surveyor.

(3) Engineers or land surveyors who sign or seal certification not meeting criteria in subsection (2) are subject to discipline pursuant to O.C.G.A. [43-15-19\(a\)\(5\)](#).

(4) Engineers or land surveyors who prepare or issue maps, drawings, plats, plans, or electronic files which include contours or other elevation data shall note the source thereof. For land surveyors such shall adhere to Rule [180-7-.04](#). For engineers, the source of contour or elevation data shall be stated which shall include the name of the surveyor (or firm) that prepared it and is responsible for it, or when depicting contours or elevation data obtained from a public source, shall include the following statement: "The topographic and elevation data shown hereon was obtained from (state source) and is not certified as correct by this engineer. Users of this data do so at their own risk". Failure to provide this statement and the required data shall be both a violation of this rule and an acceptance of responsibility for accuracy of the depicted contours or elevation data.

Cite as Ga. Comp. R. & Regs. R. 180-6-.09

AUTHORITY: O.C.G.A. §§ [43-15-4](#), [43-15-6](#).

HISTORY: Original Rule entitled "Certification" adopted. F. Aug. 12, 1993; eff. Sept. 1, 1993.

Amended: F. Aug. 24, 2022; eff. Sep. 13, 2022.

Department 180. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Chapter 180-7. TECHNICAL STANDARDS FOR PROPERTY SURVEYS

180-7-.04 Topography and Vertical Measurements

(1) **Definitions.** As used in this rule, the following definitions apply.

(a) Field run precision leveling. A circuit of levels between precise benchmarks or a circuit closed upon the initial benchmark shall not differ more than 0.02 foot multiplied by the square root of the number of miles in the circuit, and in no case to exceed 0.05 foot.

(b) Field run local or temporary benchmark leveling. Levels run for control to topographic mapping of a site or project shall have an error of closure of not less than 0.1 foot per square root of the number of miles. The surveyor and client may agree upon different precision specifications that are deemed to be more applicable to individual situations.

(c) Positional check. A position whose location and elevation is determined by traditional or GNSS surveying equipment independently of the remainder of the survey effort or data collection exercise. When determining where to measure positional checks, the surveyor may use whatever approach and location choice that is deemed to be most applicable and feasible for the individual project. Running cross sections through a surveyed area is considered to be the most desirable, though most intensive, positional check approach. Positional checks should not be limited to easily visible and accessible areas but should include a reasonable portion in areas with ground cover and within the interior of the project. If firms or individuals are employed in the production of topographic or elevation surveys which are not regular employees under the direct supervision of the surveyor who is responsible for the work, special care must be given to providing adequate Direct Supervisory Control as defined by Rule [180-6-.03\(6\)](#). Production of contour maps and elevation data to typical survey precision or for use in applications typical for surveying works, and the advertising thereof, is considered to be the practice of Land Surveying and must be performed by properly licensed individuals and authorized firms.

(2) This rule applies to all topographic maps and plats, delineated either by contours or by points, digital terrain models, or other geospatial format with indicated elevation data, whether prepared from traditional surveying techniques or other remote sensing techniques including but not limited to aerial photography, Light Detection and Ranging (LIDAR), or any other remote sensing technology whether implemented from fixed stations, vehicles, manned aircraft, or unmanned aerial systems (UAS) and also includes existing data obtained from public agencies.

(3) All drawings or electronic work product which depict or provide contours or elevation data shall contain the following information:

(a) The vertical datum of the elevations provided or reported, how the datum was verified or placed on the site (whether by level loop, GNSS observations, published benchmark, etc.),

(b) The type of survey performed to produce contours or elevation data (see paragraph 4 for each type).

(c) The contour interval or vertical precision. Contours and elevation data provided shall be of such accuracy that no more than 10% of the area covered shall be in error by more than one half (1/2) of the contour interval shown; or such that no part of the surveyed area fails to achieve a 95% confidence level in the three-dimensional positioning provided. If initial results do not confirm required accuracy, the surveyor may either:

1. collect replacement data and retest for precision

2. identify areas which are not reliable in accordance with subparagraph e below

3. or increase the contour interval until measured precision conforms

(d) Depiction of the location of at least 3 fixed positions which can be used to situate future works into the vertical datum of the survey. Such fixed positions should include at least one stable survey monument and can also include fixed artificial positions such as fire hydrant bolts, pipe inverts, concrete surfaces, or finished floor elevations of structures.

(e) A clear explanation and delineation of any portion of the contours or elevation data which is not certified or reliable, such as areas which are obscured, shadowed, or otherwise which cannot be certified to the required mapping precision. This shall also apply to data which was obtained from a public agency or other lawful source. The following statement shall accompany any such obscured or uncertified topographic map or portion thereof: "The topographic and elevation data shown hereon was obtained from (state source) and is not certified as correct by this surveyor. Users of this data do so at their own risk".

(f) All pertinent data that may be required particular to the type of survey as set forth in paragraph 4).

(4) The following types of elevation surveys are envisioned by this rule. Should any equipment or methodology be considered which is not clearly addressed, the most applicable type shall apply.

(a) Field run topographic surveys. Traditional surveying equipment and techniques are employed to produce a contour map. Field run topographic surveys must state the date(s) of field work and the equipment used. Additional positional checks are not required for field run topographic surveys.

(b) Traditional stereo photogrammetric maps. Traditional or digital photography of sufficient specifications is obtained by a manned aircraft. Contours and features are generated using stereoscopes or software. A minimum of four (4) three-dimensional ground control targets or photo-identifiable positions (known as "control points") shall be surveyed and incorporated into the preparation of such maps, and more are required as dictated by project size, photo overlap, and height of camera. The surveyor responsible for the accuracy of the survey shall perform positional checks at a number of locations that is at least that of the number of control points required, and shall report the vertical accuracy of each point or an average of the points checked. Such photogrammetric maps shall state the date of photography, the height flown, the firm or individual who performed portions of the survey, including which portions, if not the surveyor or firm issuing the map, and the results of the positional checks by the surveyor either listed individually or as an average.

(c) Ground based remote sensing (LIDAR, laser scanning, etc.). LIDAR equipment is used either from motor vehicles or fixed tripods to survey an area. Control points shall be placed and surveyed sufficiently along the perimeter of the mapped area to ensure adequate confidence level of the contours or elevation data. Positional checks shall be measured at positions deemed relevant by the surveyor who shall report the vertical accuracy of each point or an average of the points checked. Surveys and reports produced under this section shall provide the type of equipment used, the date(s) of data collection, the firm or individual who performed portions of the survey, including which portions, if not the surveyor or firm issuing the map, and the results of the positional checks by the surveyor either listed individually or as an average.

(d) Unmanned Aerial Systems (UAS) data collection. LIDAR, optical camera, or other remote sensing equipment is used to collect data used to prepare contour maps or elevation data. The surveyor shall survey ground control targets or photo-identifiable positions (known as "control points") along the flight lines of the UAS sufficient to provide adequate three-dimensional constraint of the data used to prepare the contours or elevation data.

1. The surveyor shall perform positional checks along the perimeter of and within the surveyed area. The minimum number of such positional checks shall be determined as follows:

(i) For project size 1-10 acres, a minimum of 4 positional checks are required

- (ii) For project size 10-25 acres, a minimum of 8 positional checks are required
- (iii) For project size 25-100 acres, a minimum of 12 positional checks are required
- (iv) For project size 100-200 acres, a minimum of 24 positional checks are required
- (v) For project size 300 acres or more, a minimum of 36 positional checks are required

2. Topography or elevation data produced in this manner must provide the date(s) of UAS data collection, the type of UAS including model or other identifying description, the type of LIDAR sensor or camera used, how many ground control points were used, the firm or individual who performed portions of the survey, including which portions, if not the surveyor or firm issuing the map, and the results of the positional checks by the surveyor either listed individually or as an average.

(5) Incorporation of publicly available contour or elevation data. When the surveyor incorporates contour or elevation data into a survey, map, or electronic work product, and such data is from a public source which is exempt from professional licensing and oversight by O.C.G.A. [43-15-29\(b\)\(7\)](#), the surveyor must state the source of the data (such as the specific agency or department), the date of data acquisition if known, the contour interval shown, the type of collection used for such data (such as photogrammetric, LIDAR, etc.), and any other pertinent information available. The work product (whether map, electronic drawing file, or other terrain model format) shall include the following statement: "The topographic and elevation data shown hereon was obtained from (state source) and is not certified as correct by this surveyor. Users of this data do so at their own risk". Failure to provide this statement and the required data shall be both a violation of this rule and an acceptance of responsibility for the depicted work by the surveyor. The surveyor may also identify which portion(s) of elevation data is from a public source in situations where the surveyor has also verified some of the data provided.

Cite as Ga. Comp. R. & Regs. R. 180-7-.04

AUTHORITY: O.C.G.A. §§ [43-15-6\(a\)\(1\)](#), [15-6-67](#).

HISTORY: Original Rule entitled "Board Review: Passing Grade" adopted. F. and eff. June 30, 1965.

Amended: ER. 180-7-0.7-.04 entitled "Measurements - Vertical" adopted. F. and eff. July 31, 1975.

Amended: Permanent Rule of same title adopted. F. Nov. 4, 1975; eff. Nov. 24, 1975.

Amended: F. Aug. 9, 1990; eff. Aug. 29, 1990.

Amended: F. July 10, 1991; eff. July 30, 1991.

Amended: F. Sept. 16, 2003; eff. Oct. 6, 2003.

Repealed: New Rule of same title adopted. F. Feb. 25, 2008; eff. Mar. 16, 2008.

Amended: New title, "Topography and Vertical Measurements." F. Aug. 24, 2022; eff. Sep. 13, 2022.

Department 180. STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Chapter 180-12. SEALING OF DOCUMENTS

180-12-.02 Sealing of Documents

(1) The term, "documents," as used herein shall mean engineering and/or land surveying work issued in the form of plans, drawings, maps, surveys, reports, specifications, design information, and calculations, including such work issued in digital form.

(2) The term "issued" as used herein shall mean documents in the final form which bear the seal, signature and date of the registrant and the entity's Certificate of Authorization Name, Authorization Number and Expiration date of the COA (as required by GA Law 43-15-23. Practice of professional engineering by or through firm, corporation, or other entity for COA requirements.)

(3) The registrant shall seal, sign and date and provide COA name, Authorization Number and expiration date of the COA all original final documents which are issued to a client or any public agency. The sealing of documents by the registrant shall certify that the work was performed by the registrant or under the direct supervisory control of the registrant on a daily basis. For engineering documents, the date of signature shall be placed immediately under the seal and signature.

(4) No registrant shall issue or allow to be issued draft, incomplete, preliminary, in-progress, or for-review document or any type that contains the seal of the registrant unless such document does not contain a signature. Further, any such draft shall display the date of issue and a notation under or adjacent to the seal in bold lettering, such as "PRELIMINARY", "DRAFT", "NOT FOR CONSTRUCTION or "FOR REVIEW ONLY," which clearly identifies the purpose for which the document is issued. Any document containing a seal, signature, date and COA information as required in (2) above shall be considered to be issued.

(5) Seals, signatures, dates, COA Information and/or other notations required by this Rule shall be placed on original documents such that the seal, signature, date, COA Information and/or notations, will be reproduced when copies or scans are made. A "facsimile signature" that is to be placed on a property survey map or plat in accordance with O.C.G.A. [15-6-67](#) may be a scanned image of an actual signature or a computer generated signature, and must be kept in the strict control of the land surveyor.

(6) Each drawing sheet, whether bound or unbound, shall be sealed, signed and dated by the registrant(s) responsible for the work on that sheet and contain the entity's COA information. If necessary due to number of sheets, in lieu of providing a seal, signature, date, and COA information on each drawing sheet, a summary sheet may be included in the form of a clearly drafted table or other format that identifies each registrants seal, signature, date, and COA information and which includes a narrative that clearly describes the element of work for which each registrant is responsible and indicates the most current version of each sheet. This summary sheet shall be included within the final documents. If a document is sealed, signed and dated and contains the entity's COA information by more than one registrant, the portion of the work for which each registrant is responsible shall be clearly noted.

(7) Each document that is sealed, signed and dated by a registrant shall contain the name, address, and contact information of the firm or sole practitioner certifying the work. Each document shall have the entity's COA information included.

(8) Documents as defined in Paragraph (1) that are transmitted electronically beyond the direct control of the licensee shall have the computer-generated seal removed from the original file, unless signed with an electronic signature as defined in Paragraph (9) of this Rule. After removal of the seal the electronic media shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by (name of sealer), (license number), on (Date of sealing) and the entity's COA Information. This medium shall not be considered a

certified document." Hardcopy documents containing the original seal, signature, date and entity's COA information of the licensee may be duplicated by photocopy or electronic scanning processes and distributed either in hardcopy or electronic medium. The scanned digital files of certified documents are not subject to the requirements of this Paragraph. The electronic transmission beyond the direct control of the licensee of CAD, vector or other files subject to easy editing are subject to the requirements of this paragraph. Easy editing is based on the file consisting of separate elements that can be individually modified or deleted.

(9) Documents to be electronically transmitted beyond the direct control of the licensee that are signed using an electronic signature shall contain the authentication procedure in a secure mode and a list of the hardware, software and parameters used to prepare the document(s). Secure mode means that the authentication procedure has protective measures to prevent alteration or overriding of the authentication procedure. This paragraph does not apply to property survey maps and plats governed by O.C.G.A. [15-6-67](#) which may be submitted in an electronic file format that is regulated by the Georgia Superior Court Clerks Cooperative Authority. The term "electronic signature" shall be an electronic authentication process that is attached to or logically associated with an electronic document. The electronic signature shall be:

- (a) Unique to the licensee using it;
- (b) Capable of verification;
- (c) Under the sole control of the licensee; and
- (d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.

Cite as Ga. Comp. R. & Regs. R. 180-12-.02

AUTHORITY: O.C.G.A. §§ [43-15-4\(a\)](#), [43-15-6\(a\)](#), [43-15-22](#).

HISTORY: Original Rule entitled "Land Titles and Location" adopted. F. Oct. 24, 1968; eff. Nov. 12, 1968.

Repealed: F. July 31, 1975; eff. August 20, 1975.

Amended: New Rule entitled "Sealing of Documents" adopted. F. May 7, 2001; eff. May 27, 2001.

Repealed: New Rule of same title adopted. F. Jan. 28, 2005; eff. Feb. 17, 2005.

Repealed: New Rule of same title adopted. F. Feb. 25, 2008; eff. Mar. 16, 2008.

Repealed: New Rule of same title adopted. F. Jan. 23, 2009; eff. Feb. 12, 2009.

Repealed: New Rule of same title adopted. F. Dec. 7, 2011; eff. Dec. 27, 2011.

Amended: F. May 30, 2017; eff. June 19, 2017.

Amended: F. May 17, 2019; eff. June 6, 2019.

Amended: F. Aug. 24, 2022; eff. Sep. 13, 2022.

Department 250. RULES OF GEORGIA STATE BOARD OF FUNERAL SERVICE

Chapter 250-6. ESTABLISHMENT/CREMATORY LICENSURE AND REGULATIONS

250-6-.01 Funeral Establishment / Crematory Licensure Requirements

(1) A funeral establishment or crematory may be operated only if it possesses a license valid for that establishment or crematory. Application to the Board for licensure shall be made on a Board-approved form and shall require submission of the proper fee. The application must be complete in its entirety and must be received at least fifteen (15) days prior to the Board meeting at which it will be considered. The Board shall accept or reject each application by majority vote.

(2) A license for a funeral establishment or crematory is issued to that particular establishment or crematory under a specified name, at a specified location, and under a specified funeral director in full and continuous charge.

(3) An establishment shall operate only under the name in which the license was issued.

(4) A license may be issued to a funeral establishment or crematory only if the business has a licensed Funeral Director in Full and Continuous Charge. See O.C.G.A. § 43-18-71 and Rule [250-6-.08](#) for the requirements concerning the Funeral Director in Full and Continuous Charge.

(5) An inspection of a funeral home or crematory shall be made by a Board Inspector prior to licensure. Inspection must be completed after the application has been administratively reviewed, is determined to have no deficiencies, and prior to Board meeting at which it will be considered. Requirements of inspection for funeral establishment and crematories are listed in Rule [250-6-.06](#) and Rule [250-6-.07](#), respectively. If reinspection is required, an additional fee shall be payable prior to reinspection. Refer to Fee Schedule.

(6) A crematory may be operated only if it possesses a separate license for such purpose. However, a funeral establishment for which a valid license to operate is in effect on July 1, 2002, shall not be required to obtain a separate license to operate a crematory until on and after the renewal date to operate a funeral establishment must comply with the minimum equipment and facilities requirements and all other statutes, rules and regulations relating to crematories.

(7) An applicant for a crematory must disclose to the Board the number and type of cremation devices at that establishment, and may not operate any other cremation devices without first notifying the Board and submitting proof to the Board of completion of Board approved training relevant to the operation of the cremation device. This training must be completed by the Funeral Director in Full and Continuous Charge, and any other employee which will operate the cremation device.

Cite as Ga. Comp. R. & Regs. R. 250-6-.01

AUTHORITY: O.C.G.A. §§ 43-18-23(1), (3), (5); 43-18-71(a)(1), 43-18-72(a)(1)(D), (d).

HISTORY: Original Rule entitled "Reciprocity for Funeral Director License" adopted F. Jan. 21, 1977; eff. Feb. 10, 1977.

Amended: F. Dec. 29, 1978; eff. Jan. 18, 1979.

Repealed: New Rule of same title adopted. F. Nov. 7, 1983; eff. Nov. 27, 1983.

Repealed: New Rule entitled "Reciprocity for Embalmer License" adopted. F. July 18, 1986; eff. August 7, 1986.

Repealed: New Rule entitled "Licensure Requirements" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Amended: F. Oct. 20, 1995; eff. Nov. 9, 1995.

Amended: F. Aug. 16, 2002; eff. Sept. 5, 2002.

Amended: New title "Funeral Establishment / Crematory Licensure Requirements." F. July 19, 2017; eff. August 8, 2017.

Amended: F. Oct. 16, 2018; eff. Nov. 5, 2018.

Amended: F. Aug. 24, 2022; eff. Sep. 13, 2022.

250-6-.02 Change in Name, Address, Location, Ownership, and/or Addition of Cremation Device

(1) Name. A change in the name of a funeral establishment or crematory shall require submission of an application and appropriate fee to the Board. Upon Board approval, a new license number shall be issued.

(2) Address or Location. A change in the address and/or location of a funeral establishment or crematory shall require submission of an application and appropriate fee to the Board. Upon Board approval, a new license number shall be issued.

(3) Ownership. A change of ownership of a funeral establishment or crematory shall require submission of an application and appropriate fee to the Board within fifteen (15) days of the change in ownership of the said funeral establishment or crematory. The notification must be signed by both the seller and the purchaser, and the signatures must be notarized.

(4) Funeral Director in Full and Continuous Charge.

(a) Any change in the Funeral Director in Full and Continuous Charge must be reported to the Board in writing within five (5) days. The Board shall request the new Funeral Director in Full and Continuous Charge and the owner(s) and/or corporate officer(s) of the establishment or crematory to appear before the Board to determine if the requirements for a Funeral Director in Full and Continuous Charge have been met. If the owner(s) and/or corporate officer(s) are not able to appear before the Board, they may appoint a representative through written authorization on company letterhead signed by the owner and/or corporate officer to represent them before the Board for the Funeral Director in Full and Continuous Charge interview. In the event the Funeral Director in Full and Continuous Charge applicant is also an owner of that funeral or crematory establishment, the requirement to appear before the Board may be waived; and

(b) A funeral establishment or crematory temporarily without a Funeral Director in Full and Continuous Charge shall notify the Board in writing within five (5) days following the last day of the funeral director's service, requesting a 90-day grace period before the establishment or crematory license is revoked or terminated. The Board at its discretion may grant one additional 90-day grace period upon proof of good cause, but grace periods may not total over 180 days in any two-year period starting from the first day of the first grace period. A grace period shall be terminated upon approval by the Board of a Funeral Director in Full and Continuous Charge.

(5) Destruction. A funeral establishment or crematory temporarily destroyed by fire, flood or other natural catastrophe, shall notify the Board in writing within (5) five days following the catastrophe, requesting a 90-day grace period to use a temporary location while reconstructing the previous location, provided the establishment or crematory meets the requirements of the Code and Rules of the Board. The Board, at its discretion, may grant additional 90-day grace periods, upon proof of good cause. All services provided to the public during any grace period shall be provided by or under the supervision of a licensed funeral director.

(6) A licensed crematory that seeks to add a cremation device to the facility must notify the Board in writing, and may not operate any new cremation devices before passing an inspection by a representative of the Professional Licensing Boards Division and submitting proof to the Board of completion of Board approved training relevant to the operation of the cremation device. This training must be completed by the Funeral Director in Full and Continuous Charge, and any other employee who may operate the cremation device.

Cite as Ga. Comp. R. & Regs. R. 250-6-.02

AUTHORITY: O.C.G.A. §§ 43-18-23(1), (3), (5); 43-18-71(a)(1), 43-18-72(a)(1)(D), (d).

HISTORY: Original Rule entitled "Reciprocity for Embalmer License" was filed on January 21, 1977; effective February 10, 1977.

Amended: Filed December 29, 1978; effective January 18, 1979.

Amended: Rule repealed and a new Rule of same title adopted. Filed November 7, 1983; effective November 27, 1983.

Amended: Rule repealed and a new Rule entitled "Reciprocity for Funeral Director License" adopted. Filed July 18, 1986; effective August 7, 1986.

Repealed: New Rule entitled "Changes for Status Which Must be Reported" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

Amended: F. May 13, 1997; eff. June 2, 1997.

Repealed: New Rule of same title adopted. F. Dec. 10, 2009; eff. Dec. 30, 2009.

Amended: New title "Change in Name, Address, Location or Ownership." F. July 19, 2017; eff. August 8, 2017.

Amended: F. Oct. 16, 2018; eff. Nov. 5, 2018.

Amended: New title, "Change in Name, Address, Location, Ownership, and/or Addition of Cremation Device." F. Aug. 24, 2022; eff. Sep. 13, 2022.

250-6-.09 Responsibilities of the Funeral Director in Full & Continuous Charge

(1) The Funeral Director in Full & Continuous Charge shall:

(a) Ensure that the establishment is licensed properly with the Board and maintains the license in active status at all times, as required by OCGA §§ 43-18-5(a), 43-18-46(25), & 43-18-73.

(b) Ensure that the funeral establishment complies with the provisions of OCGA § 43-18-70 and Rule [250-6-.06](#).

(c) Ensure that the crematory complies with the provisions of OCGA § 43-18-72 and Rule [250-6-.07](#).

(d) Ensure that every individual who will serve as embalmer, director, or apprentice is licensed properly with the Board and maintains the appropriate license at all times while they are in the employ of the establishment, as required by OCGA §§ 43-18-5(a) & 43-18-46(18), (25).

(e) Ensure that no one employed by or representing the establishment gives or contracts to give any person or business entity anything of value to induce such person or entity to persuade someone to use the services of the establishment or any embalmer or director employed by the establishment. Such practice is prohibited by OCGA §§ 43-18-5(d) & 43-18-46(7).

- (f) Ensure that no one employed by or representing the establishment accepts anything of value to influence, persuade, or suggest to family members as to where a body should or should not be buried. Such practice is prohibited by OCGA § 43-18-5(e).
- (g) Ensure that all deceased human bodies are released to the legally authorized person upon request of that person, in accordance with OCGA §§ 43-18-5(f) & 43-18-46(16).
- (h) Ensure that every deceased body serviced by the establishment is properly tagged prior to interment or cremation and that all cremated remains are labeled in accordance with the provisions of OCGA § 43-18-8(a).
- (i) Ensure that the certificate of cremation is completed with notarized signature and presented to the legally authorized person at the time of delivery or release, in accordance with OCGA § 43-18-8(b).
- (j) Ensure that the licenses or wall certificates issued by the Board to the establishment and all licensed people employed by the establishment are posted in a conspicuous place in the establishment, as required by OCGA § 43-18-44.
- (k) Ensure that the name of the proper embalmer and funeral director is listed on all death certificates. If the name of the embalmer and/or funeral director is signed on the death certificate, it must be the actual signature of the person, in accordance with OCGA § 43-18-46(4), (9).
- (l) Ensure that charges for merchandise and services rendered are in compliance with the General Price List, casket price list, outer burial container list, or the funeral services contract price list, as required by [16CFR 453.2](#) & OCGA § 43-18-46(17).
- (m) Ensure that the General Price List is provided upon request, regardless of the reason for the request, as required by [16CFR 453.2](#).
- (n) Ensure that a written, signed contract is provided to every customer upon completion of the contract negotiation and is available at the establishment for a period of 3 years.
- (o) Ensure compliance with the terms of the funeral services contract, as required by OCGA § 43-18-46(12).
- (p) Ensure that all statements made regarding services, merchandise, and legal requirements are accurate, in accordance with OCGA § 43-18-46(11), (23). The FDFCC must ensure that all employees are educated regarding services, merchandise, and legal requirements so as to provide accurate information and to avoid misleading the public.
- (q) Safeguard the decedent's dignity, right to privacy, or right to confidentiality, unless compelled by law to do otherwise, in accordance with OCGA § 43-18-46(13).
- (r) Ensure that assigned benefits in excess of the charges incurred are remitted to the assignee of the deceased within 10 working days of the receipt of the assigned funds, as required by OCGA § 43-18-46(15), (26).
- (s) Ensure that the establishment refrains from involvement in burial societies, burial associations, burial certificate plans, or burial membership plans, which are prohibited by OCGA § 43-18-46(19).
- (t) Ensure that all employees and agents of the establishment refrain from soliciting as defined in OCGA § 43-18-1(21). Soliciting is prohibited by OCGA § 43-18-46(20).
- (u) Ensure that all apprenticeship service reports and affidavits of embalming and directing for apprentices of the establishment are accurate and signed by the appropriate supervisor(s), in accordance with OCGA §§ 43-18-46(21) & 43-18-52.
- (v) Ensure that apprentices of the establishment work under the direct supervision of the supervisor(s) on record with the Board, in accordance with OCGA § 43-18-50. It is mandatory that the FDFCC ensure that any changes in

the supervision of apprentices are reported on the application provided by the Board and are approved by the Board prior to the apprentices working under the new supervisor(s).

(w) Ensure that the Board is notified upon the termination of an apprentice employed by the establishment.

(x) Ensure that the establishment complies with all federal, state, and local regulations as listed in OCGA § 43-18-46(22).

(y) Ensure that discrimination, as described in OCGA § 43-18-46(24), is not tolerated in the establishment.

(z) Ensure that all personal properties obtained from dead human remains are safeguarded and disposed of as directed by the legally authorized person, in accordance with OCGA § 43-18-46(25).

(aa) Ensure that all employees of the establishment conduct themselves in a professional, moral, ethical manner, and report any misconduct to the Board promptly with an explanation of any disciplinary action taken, as required by OCGA § 43-18-46(14), (27).

(bb) Ensure that the prohibition of activities by a funeral director who is also a coroner or minister, found in OCGA § 43-18-46(28), is adhered to by employees of the establishment with such dual roles.

(cc) Ensure that all embalmers and funeral directors employed by the establishment comply with the provisions of OCGA § 43-18-55 and 43-18-56, regarding continuing education.

(dd) Ensure that the FDFCC complies with the responsibilities detailed in OCGA § 43-18-71 by assuming full responsibility for the supervision and operation of the funeral establishment, acting as FDFCC only for the establishment for which the FDFCC was approved, and spending a minimum of 40 hours per week in the employ and operation of the establishment and being accessible and available to the community. The FDFCC for each funeral establishment and/or crematory establishment shall conspicuously display his/her name and current active license in all designated arrangement offices.

(ee) Ensure that the Board is notified within 5 days of the FDFCC's separation from the establishment, as required by OCGA § 43-18-71(b).

(ff) Ensure that the Board is notified within 15 days prior to a change of ownership in the establishment, as required by OCGA § 43-18-73(b).

(gg) Ensure that the Board is notified within 5 days of the destruction of the establishment by fire, flood, or other natural cause, in accordance with OCGA § 43-18-78. If the establishment wishes to operate from a temporary location, the FDFCC must ensure that a letter requesting a 90-day grace period is submitted to the Board. The FDFCC will be responsible to update the Board within 90 days on the status of rebuilding efforts and to request subsequent 90-day grace periods if necessary to continue operating from the temporary site approved by the Board.

(hh) Ensure that the establishment is made available for inspection by representatives of the Professional Licensing Boards Division, as required by OCGA § 43-18-75(a) & Rule [250-6-.06](#).

(ii) Ensure that violations found by inspectors are corrected promptly and fines levied resulting from violations are paid or appealed to the Board in writing within 30 days as stated on the citation report.

(jj) Ensure that cremated remains are disposed of in accordance with the provisions of OCGA § 43-18-80.

(kk) Notify the Board within 5 days of an inspection by the manufacturer or authorized crematory repair company indicating less than satisfactory results, and ensure that necessary repairs are made immediately, not to exceed 30 days without approval by the Board.

(ll) Ensure that any employee who operates a cremation device is certified as a crematory operator from a course approved by the Board prior to operating such cremation device.

(2) Revocation of funeral director in full and continuous charge appointment may be considered for any funeral establishment violation(s), especially repeat and/or habitual violations.

Cite as Ga. Comp. R. & Regs. R. 250-6-.09

AUTHORITY: O.C.G.A. § 43-18-71(a)(1).

HISTORY: Original Rule entitled "Responsibilities of the Funeral Director in Full & Continuous Charge" adopted. F. Dec. 10, 2009; eff. Dec. 30, 2009.

Amended: F. Dec. 13, 2012; eff. Jan. 2, 2013.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. Aug. 24, 2022; eff. Sep. 13, 2022.

Department 274. DEPARTMENT OF COMMUNITY HEALTH CERTIFICATE OF NEED APPEAL PANEL

Chapter 274-1. ADMINISTRATION

274-1-.01 Administration

(1) These Rules shall apply to and govern appeals under O.C.G.A. § 31-6-44. Effective July 1, 2008, there is created the Certificate of Need Appeal Panel, which shall be an agency separate and apart from the department and shall consist of a panel of independent hearing officers. The purpose of the Appeal Panel shall be to serve as a panel of independent hearing officers to review the Department's initial decision to grant or deny a certificate of need application. The Health Planning Review Board which existed on June 30, 2008, shall cease to exist after that date and the Certificate of Need Appeal Panel shall be constituted effective July 1, 2008.

(2) On and after July 1, 2008, the Appeal Panel shall be composed of members appointed by the Governor for a term of up to four (4) years each. The Governor shall appoint to the Appeal Panel attorneys who practice law in this state and who are familiar with the health care industry but who do not have a financial interest in or represent or have any compensation arrangement with any health care facility. Each member of the Appeal Panel shall be an active member of the State Bar of Georgia in good standing, and each attorney shall have maintained such active status for the five (5) years immediately preceding such person's appointment. The Governor shall name from among such members a Chairperson and a Vice Chairperson of the Appeal Panel. The Vice Chairperson shall have the same authority as the Chairperson; provided, however, the Vice Chairperson shall not exercise such authority unless expressly delegated by the Chairperson or in the event the Chairperson becomes incapacitated, as determined by the Governor. Vacancies on the Appeal Panel caused by resignation, death, or any other cause shall be filled for the unexpired term in the same manner as the original appointment. No person required to register with the Secretary of State as a lobbyist or registered agent shall be eligible for appointment by the Governor to the Appeal Panel.

(3) Members of the Appeal Panel shall serve as hearing officers for appeals that are assigned to them on a random basis by the Chairperson of the Appeal Panel. The members of the Appeal Panel shall receive no salary but shall be reimbursed for their expenses in attending meetings and for transportation costs as authorized by O.C.G.A. § 45-7-21., which provides for compensation and allowances of certain state officials; provided, however, that the Chairperson and Vice Chairperson of the Appeal Panel shall also be compensated for their services rendered to the Appeal Panel outside of attendance at an Appeal Panel meeting, such as for time spent assigning hearing officers, the amount of which compensation shall be determined according to regulations of the Department of Administrative Services. Appeal Panel members shall receive compensation for the administration of the cases assigned to them, including pre-hearing, hearing, and post-hearing work, in an amount determined to be appropriate and reasonable by the Department of Administrative Services. Such compensation to the members of the Appeal Panel shall be made by the Department of Administrative Services.

(4) To the extent not inconsistent with these Rules, the Rules of the Department of Community Health relating to certificate of need and health planning (including review considerations and standards), as amended from time to time, shall apply to and govern the decisions of the Appeal Panel.

(5) All documents filed with either the Appeal Panel or a hearing officer to whom a case has been assigned by any person (including any correspondence, motion, request for discovery, brief or other document) shall be filed via the Department's web portal and sent to each attorney of record (or directly to any party not represented by an attorney). The date of receipt by the Appeal Panel or assigned hearing officer shall be the official date and timestamp stated on the electronic mail receipt confirmation for the web portal submission.

Cite as Ga. Comp. R. & Regs. R. 274-1-.01

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Administration" adopted as ER. 274-1-0.1-.01. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Repealed: New Rule of same title adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Repealed: New Rule of same title adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

274-1-.02 Definitions

(1) "Appeal Panel" means the panel of attorneys appointed by the Governor to review the Department's initial decision to grant or deny a certificate of need application.

(2) "Appellant" means the person who files an appeal with the Appeal Panel.

(3) "Applicant" means the person who files an application for review of a project with the Department.

(4) "Chairperson" means the Chairperson of the Appeal Panel appointed by the Governor or the Vice Chairperson acting as Chairperson at the direction of either the appointed Chairperson or the Governor.

(5) "Commissioner" means the commissioner of the Department of Community Health as provided for in O.C.G.A. § 31-2-6.

(6) "Department" means the Department of Community Health established under O.C.G.A. § 31-2-4.

(7) "Hearing Officer" means the attorney from the Appeal Panel to whom a case has been assigned by the Chairperson.

Cite as Ga. Comp. R. & Regs. R. 274-1-.02

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Definitions" adopted as ER. 274-1-0.1-.02. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Repealed: New Rule of same title adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Repealed: New Rule of same title adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

274-1-.03 Request for Initial Administrative Appeal Hearing or Intervention

(1) Any Applicant for a project, and any party that is permitted to oppose an application pursuant to paragraph (2) of subsection (d) of O.C.G.A. § 31-6-43 and has timely notified the Department, as required by the applicable certificate of need rules, prior to its decision that such party is opposed to the application before the Department, shall have the right to an initial administrative appeal hearing before an appeal panel hearing officer or to intervene in such hearing.

(2) Such request for hearing or intervention shall be filed with the Chairperson of the Appeal Panel within thirty (30) days of the date the Department decision is issued, pursuant to O.C.G.A. § 31-6-43, or within thirty (30) days after the date the application is deemed to have been approved, if no decision is issued. A request for intervention shall be filed with the Chairperson of the Appeal Panel within ten (10) days of any request for hearing. Without exception to the status of the party, the request shall state with specificity which Certificate of Need application(s) is being appealed. Unless agreed otherwise by all of the parties or determined otherwise by the hearing officer to whom the case is assigned, an appeal of one application which was joined with one or more other applications by the Department, or an application which was reviewed concurrently in a batching review cycle by the Department, shall serve as an appeal of all of the joined or batched applications.

(3) A request for an initial administrative appeal hearing before a hearing officer or to intervene in such a hearing shall be in writing and filed via the Department's web portal within the applicable thirty (30) day period. If the thirtieth (30th) day falls on a weekend or a federal or state holiday, the time for requesting an appeal or intervention shall be extended to the next business day. The date of receipt shall be the official date and timestamp stated on the electronic mail receipt confirmation for the web portal submission.

Cite as Ga. Comp. R. & Regs. R. 274-1-.03

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Scope of Appeal Hearing" adopted as ER. 274-1-0.1-.03. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Repealed: New Rule entitled "Request for Initial Administrative Appeal Hearing or Intervention" adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Amended: F. Sept. 29, 2006; eff. Oct. 19, 2006.

Repealed: New Rule of same title adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

274-1-.04 Appeal Filing Fees; Provisions for Amount and Payment

(1) In the event an appeal is filed, the appeal shall be accompanied by payment of a filing fee of \$7,500.00. The fee shall be made using one of the methods of payment listed on the "Approved Methods of Payment for the Appeal Filing Fee" posted on the Department's website at <https://dch.georgia.gov/divisionsoffices/office-health-planning/certificate-need-con-appeal-panel>. If the filing fee is mailed, it shall be sent enclosed with a copy of the request for appeal or intervention as provided in Rule [274-1-.03](#). An appeal filed by or on behalf of a hospital in a rural county to challenge the Department's denial of that hospital's Certificate of Need application shall be exempt from such filing fee.

(2) A separate appeal filing fee, in the amount specified in paragraph (1), shall be paid by each separate party requesting an appeal or intervention in any such appeal. A party requesting intervention shall pay the appeal filing fee within fourteen (14) days of the date on which either the appeal is filed or its intervention is filed, whichever is later. If a Department decision to grant a Certificate of Need application is appealed to the Certificate of Need Appeal Panel, then the Applicant for the Certificate of Need may intervene in the appeal without having to pay an appeal filing fee.

(3) In the event a party requests an appeal or intervention in an appeal of more than one application reviewed by the Department, pursuant to joinder review or a batching cycle review, the party shall pay a separate filing fee for each separate application for which an appeal or intervention in such appeal is requested.

Cite as Ga. Comp. R. & Regs. R. 274-1-.04

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Request for Appeal Hearing" adopted as ER. 274-1-0.1-.04. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule of same title adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Amended: F. July 9, 1985; eff. July 29, 1985.

Repealed: New Rule entitled "Assignment of Hearings; Review of Initial Administrative Appeal and Intervention Requests" adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Repealed: New Rule entitled "Appeal Filing Fees; Provisions for Amount and Payment" adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

274-1-.06 Scheduling and Notice of Initial Administrative Appeal Hearing

(1) Within fourteen (14) days after the appointment of the hearing officer, such hearing officer shall confer with the parties and set the date or dates for the hearing. The hearing officer shall provide the parties with written notice sent regular mail or electronic mail at least fourteen (14) days before the date of commencement of the hearing. Notification shall include, at a minimum, the information required in the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-13.

(2) The hearing officer shall make all arrangements for scheduling the hearing, providing for the making of a record, the transcription thereof, and any other arrangements necessary to convene the hearing. However, the hearing officer shall be authorized to request the assistance of the General Counsel of the Department as necessary in the discharge of these duties.

Cite as Ga. Comp. R. & Regs. R. 274-1-.06

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Hearing Panel" adopted as ER. 274-1-0.1-.06. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule entitled "Intervention" adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Repealed: New Rule entitled "Time of Initial Administrative Appeal Hearing" adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Repealed: New Rule entitled "Scheduling and Notice of Initial Administrative Appeal Hearing" adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

274-1-.10 Conduct of Initial Administrative Appeal Hearing

(1) The initial administrative hearing shall be conducted as a full evidentiary hearing in accordance with Chapter 13 of Title 50, the Georgia Administrative Procedure Act, relating to contested cases, except as otherwise specified in O.C.G.A. § 31-6-44 or these Rules. In addition to being filed via the Department's web portal where required by Rule [274-1-.01\(5\)](#), all documents submitted to the hearing officer, another party or an attorney of record pursuant to this rule may be submitted via either regular mail or electronic mail, unless otherwise directed by the hearing officer.

(2) Subject to the prior approval of the hearing officer, all files, working papers, studies, notes and other writings or information used by the Department in making its decision shall be public records and available to the parties, and the hearing officer may permit each party to exercise such reasonable rights of pre-hearing discovery of such information used by the parties as will expedite the hearing. Answers to such a request for discovery shall be served within ten (10) business days of the date the request was received. A request for discovery of information not included in items (a) through (f) below shall be made to the hearing officer. Any party may, upon written request to another party, discover the following items as a matter of right:

- (a) a list of considerations and standards that are deemed applicable and as to which evidence will be presented;
- (b) the names and addresses of all witnesses who will be present for the hearing;
- (c) the names and addresses of all witnesses who may be present for the hearing;
- (d) the resume of any expert witness who will or may be present for the hearing;
- (e) a list of each documentary or demonstrative item to be used at the hearing and known at the time the request for discovery is answered; and
- (f) any updates of studies or data previously submitted to the Department.

(3) At least ten (10) business days prior to commencement of the initial administrative hearing, each party shall submit to the hearing officer and to each attorney of record or party not represented by an attorney a brief summary of the facts and legal contentions on which the party's case is based. The summary shall not exceed eight (8) double-spaced pages in length.

(4) At the discretion of the Hearing Officer, each party to an initial administrative hearing may be required to submit, along with and at the time of the summary of facts and legal contentions referenced in subsection (3) above, the written direct testimony of the primary health planning expert witness it intends to present at the hearing along with any exhibits which correspond to the direct expert witness testimony. This written material shall be submitted to the hearing officer and to each attorney of record or party not represented by an attorney. This written material shall be used by the Department as an official copy for the administrative hearing record. The written direct testimony of any expert witness and the corresponding exhibits submitted pursuant to this rule shall be tendered in lieu of direct live testimony of a party's expert witness at the initial administrative hearing. The expert witness of any party shall be subject to live cross examination and redirect examination at the initial administrative hearing. The

expert witness shall be tendered as an expert by the party who submitted written direct testimony of the expert witness prior to any cross-examination. An expert witness may also be subject to voir dire with regard to their qualification as an expert by any party at the discretion of the hearing officer. The written direct testimony and corresponding exhibits are not subject to the eight (8) double-spaced page limit referenced in subsection (3) above.

(5) Any party to an initial administrative hearing who intends to submit updates of studies previously submitted to the Department prior to its decision shall submit such updates, along with any supporting documentation, in written form at the same time as the summary of facts and legal contentions referenced in subsection (3) above. The updated studies, if any, shall be submitted to the hearing officer and to each attorney of record or party not represented by an attorney. The updates and supporting documentation are not subject to the eight (8) double-spaced page limit referenced in subsection (3) above.

(6) In the event the Hearing Officer requires written direct testimony of a primary health planning expert to be filed pursuant to subsection (4) above, at least five (5) business days prior to commencement of the initial administrative hearing, each party shall submit to the hearing officer and to each attorney of record or party not represented by an attorney objections to the admissibility of proposed expert testimony, documents, exhibits, and updated studies referenced in subsections (3), (4), and (5) above.

(7) Appellants or Applicants shall proceed first with their cases before the hearing officer in the order determined by the hearing officer; and the Department, if a party, shall proceed last. Any interveners shall proceed in an order determined by the hearing officer.

(8) The burden of proof shall be on the Appellant.

(9) All evidence shall be presented at the initial administrative appeal hearing conducted by the appointed hearing officer.

(10) In addition to evidence submitted to the Department, a party may present any additional relevant evidence to the appeal panel hearing officer reviewing the decision of the Department if the evidence was not reasonably available to the party presenting the evidence at the time of the Department's review. The burden of proof as to whether the evidence was reasonably available shall be on the party attempting to introduce the new evidence.

(11) A party or intervener may present any relevant evidence on all issues raised by the hearing officer or any party to the hearing or revealed during discovery and shall not be limited to evidence or information presented to the Department prior to its decision, except that an applicant may not present a new need study or analysis responsive to the general need consideration or service-specific need formula that is substantially different from any such study or analysis submitted to the Department prior to its decision and that could have reasonably been available for submission. The hearing officer shall consider the latest data available, including updates of studies previously submitted, in deciding whether an application is consistent with the applicable consideration or rules. The hearing officer shall consider the applicable considerations and rules in effect on the date the appeal is filed, even if the provisions of those considerations or rules were changed after the Department's decision.

(12) Initial administrative appeal hearings shall be conducted in such a manner as to conclude in a reasonable period of time. Any continuance or delays should be as brief as possible and shall only be granted for good cause shown. The hearing officer shall be vested with the authority to set reasonable time limits in advance of or during the hearing for the presentation of each party's case, subject to extension for good cause shown.

(13) The hearing officer shall make such rulings as may be required for the conduct of the hearing and shall have the authority to do the following in addition to any other rights granted by O.C.G.A. § 50-13., the Georgia Administrative Procedure Act, which are not otherwise inconsistent with these Rules: administer oaths and affirmations; sign and issue subpoenas; rule upon offers of proof; regulate the course of the hearing; set the time and place for continued hearings; fix the time for filing motions and briefs; dispose of motions to dismiss for lack of jurisdiction over the subject matter or parties or for any other grounds; dispose of motions to amend or to intervene; provide for the taking of testimony by deposition or interrogatory; and reprimand or exclude from the hearing any person for any indecorous or improper conduct committed in the presence of the hearing officer. The hearing officer may order such conferences with counsel for the parties, or the parties themselves if they are not represented by

counsel, either prior to or during the hearing, as may facilitate determination of questions of evidence and other questions of law and expedite the hearing.

Cite as Ga. Comp. R. & Regs. R. 274-1-.10

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Conduct of Hearing" adopted as ER. 274-1-0.1-.10. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule entitled "Place of Hearing" adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Repealed: New Rule entitled "Decision of Hearing Officer" adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Amended: F. Sept. 29, 2006; eff. Oct. 19, 2006.

Repealed: New Rule entitled "Conduct of Initial Administrative Appeal Hearing" adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Aug. 27, 2009; eff. Sept. 16, 2009.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

274-1-.11 Decision of Hearing Officer

(1) Within thirty (30) days after the conclusion of the hearing, the hearing officer shall make written findings of fact and conclusions of law as to each consideration as set forth in O.C.G.A. § 31-6-42. and the Department's Rules, including a detailed statement of the reasons for the decision of the hearing officer. The hearing officer may, by order, extend the period in which the decision must be made upon a determination that the complexity of the issues and/or the length of a record requires such extension of the period, but in no event may such extension exceed an additional fifteen (15) days.

(2) If any party has alleged that an appeal lacks substantial justification or was undertaken primarily for the purpose of delay or harassment, the decision of the hearing officer shall make findings of fact addressing the merits of the allegation pursuant to O.C.G.A. § 31-6-44.(i).

(3) The conclusion of the hearing is deemed to be the last date for submission of written evidence, proposed findings and conclusions, written arguments, or other materials, as fixed by the hearing officer.

(4) In the event of a consolidated hearing on applications which were joined for comparative review pursuant to O.C.G.A. § 31-6-43.(f), the hearing officer shall have the same powers specified for the Department in O.C.G.A. § 31-6-43.(f) to order the issuance of no Certificate of Need or one or more Certificates of Need.

(5) Notice of the decision is deemed to be issued on the day that it is signed by the hearing officer and sent with a Certificate of Service to all parties via the method chosen by the hearing officer.

(6) Immediately upon rendering a decision, the hearing officer shall file such decision, via regular or electronic mail, with the Chairperson of the Appeal Panel who shall serve such decision upon all parties by regular or electronic mail, and shall transmit the administrative record to the Commissioner. The Chairperson shall have been deemed in receipt of the hearing officer's decision on the date that the decision is received.

(7) The hearing officer may remand a matter to the Department if the hearing officer determines that it would be beneficial for the Department to consider new data, studies, or analyses that were not available before the decision or changes to the provisions of the applicable considerations or rules made after the Department's decision. The hearing officer shall establish the time deadlines for completion of the remand and shall retain jurisdiction of the matter throughout the completion of the remand.

(8) Notice of the decision shall include, in addition to findings of fact and conclusions of law, instructions to the Department as to granting or denying a Certificate of Need.

Cite as Ga. Comp. R. & Regs. R. 274-1-.11

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Decision of Hearing Panel" adopted as ER. 274-1-0.1-.11. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule entitled "Conduct of Hearing" adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Repealed: New Rule entitled "Finality of Hearing Officer's Decision; Optional Review of Hearing Officer's Decision by Board" adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Amended: F. Oct. 14, 2005; eff. Nov. 3, 2005.

Amended: F. Sept. 29, 2006; eff. Oct. 19, 2006.

Repealed: New Rule entitled "Decision of Hearing Officer" adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

274-1-.12 Finality of Hearing Officer's Decision; Optional Review of Hearing Officer's Decision by Department Commissioner

(1) The decision of the Appeal Panel hearing officer will become the final decision of the Department upon the sixty-first (61[st]) day following the date of the decision unless an objection thereto is filed with the Commissioner within the time limit established in subsection (2) of this rule.

(2) Any party, including the Department, which disputes any finding of fact or conclusion of law rendered by the hearing officer in such hearing officer's decision and which wishes to appeal that decision may appeal to the Commissioner and shall file its specific objections with the Commissioner or his or her designee via the Department's web portal within thirty (30) days of the date of the hearing officer's decision.

(3) Any objections filed in accordance with this rule shall specify in detail the errors allegedly committed by the hearing officer in the hearing officer's decision. Failure to specify such alleged errors in detail shall constitute a waiver of all available objections. Further, the party submitting such objections must specify the date upon which it received the hearing officer's decision.

(4) All objections shall be in writing. A copy must be filed with the Department's Office of Health Planning via the Department's web portal and served on each attorney of record, or directly to any party not represented by an attorney at the time the objections are filed with the Commissioner or his or her designee. The objections must be received by the Office of Health Planning, within the applicable thirty (30) day time period. If the thirtieth (30[th]) day falls on a weekend or a federal or state holiday, the time for submitting such objections shall be extended to the

next business day. The date of receipt shall be the official date and timestamp stated on the electronic mail receipt confirmation for the web portal submission. Objections filed over the Department's web portal shall be deemed submitted on the date they are filed, up to 11:59 p.m.

(5) The Commissioner, or his or her designee, shall determine whether a party complied with the provisions of this rule. In the event the Commissioner, or his or her designee, determines that the party failed to comply with the provisions of this Rule, such person shall have the authority to render written decisions on behalf of the Department with respect to such determinations. A decision adverse to a party shall specify in detail the extent to which a party failed to comply.

Cite as Ga. Comp. R. & Regs. R. 274-1-.12

AUTHORITY: O.C.G.A. §§ 31-6, 31-6-44.

HISTORY: Original Rule entitled "Record of Proceedings" adopted as ER. 274-1-0.1-.12. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

Amended: Permanent Rule entitled "Decision of Hearing Panel" adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983.

Repealed: New Rule entitled "Scheduling and Notice of Review Board Meetings" adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995.

Amended: F. Aug. 15, 2002; eff. Sept. 4, 2002.

Repealed: New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005.

Repealed: New Rule entitled "Finality of Hearing Officer's Decision; Optional Review of Hearing Officer's Decision by Department Commissioner" adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.

Amended: F. Nov. 17, 2015; eff. Dec. 7, 2015.

Amended: F. Dec. 12, 2017; eff. Jan. 1, 2018.

Amended: F. Aug. 12, 2022; eff. Sep. 1, 2022.

Department 290. RULES OF DEPARTMENT OF HUMAN SERVICES

Chapter 290-2. FAMILY AND CHILDREN SERVICES

Subject 290-2-3. RULES AND REGULATIONS FOR FAMILY CHILD CARE LEARNING HOMES

290-2-3-.03 Definitions

In these rules, unless the context otherwise requires, the capitalized words and phrases set forth herein shall mean the following:

- (a) "Adult" means any competent individual eighteen (18) years of age or older.
- (b) "Adverse Action" means any Intermediate or Closure Action issued as a result of one or more rule violations.
- (c) "Child" or "Children" means any person(s) under 18 years of age for whom child care service(s) is (are) provided in a Home. For purposes of these rules, the terms shall not include Children that are related to the License Holder or applicant as defined in these rules or Children whose Parent(s) reside in the same residence as the License Holder or applicant.
- (d) "Closure Action" means the most restrictive category of Enforcement Actions including emergency closure, long-term suspension and revocation.
- (e) "Comprehensive Records Check Determination" means a satisfactory or unsatisfactory determination by the Department, based upon a Federal Bureau of Investigation fingerprint check, a search of the National Crime Information Centers National Sex Offender Registry, compliance with relevant state and federal law, and a search of the following registries, repositories or databases in the state where the actual or potential employee or provider resides and in each state where such individual resided during the preceding five years: criminal registry or repository; state sex offender registry or repository; and state based child abuse and neglect registry and database.
- (f) "Crime" means:
 - 1. Any felony pursuant to O.C.G.A. § [20-1A-30](#) and in accordance with 42 U.S.C. § 9858f(c)(1)(E);
 - 2. A violation of O.C.G.A. § [16-5-23](#), relating to simple battery, where the victim is a minor;
 - 3. A violation of O.C.G.A. § [16-5-23.1](#), relating to battery, where the victim is a minor;
 - 4. A violation of O.C.G.A. § 16-21-1, relating to contributing to the delinquency of a minor;
 - 5. A violation of O.C.G.A. § [16-6-1](#) *et seq.* relating to sexual offenses;
 - 6. A violation of O.C.G.A. § [16-5-29](#), relating to battery of an unborn child;
 - 7. A violation of O.C.G.A. § [16-5-60](#), relating to reckless conduct causing harm when the victim is a minor;
 - 8. A violation of O.C.G.A. § [16-5-70](#), relating to cruelty to children;
 - 9. A violation of O.C.G.A. § [16-12-1.1](#), relating to child care facility operators being prohibited from employing or allowing to reside or be domiciled persons with certain past criminal violations;

10. A violation of O.C.G.A. §§ [16-12-100](#), [16-12-100.1](#), [16-12-100.2](#), [16-12-100.3](#), relating to obscenity and related offenses where the victim is a minor;

11. A violation of O.C.G.A. § [40-6-391](#), relating to endangering a child while driving under the influence of alcohol or drugs;

12. A violation of O.C.G.A. § [19-7-5](#), relating to a failing to report if mandated to do so by law;

13. Child pornography, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

14. Abuse of, endangerment of, or sexual assault against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

15. Any other violent misdemeanor against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

16. A violation of O.C.G.A. § [16-4-1](#), relating to criminal attempt when the crime attempted is any of the crimes specified by this paragraph; or

17. Any other offenses committed in another jurisdiction which, if committed in this state, would be one of the enumerated crimes listed in this paragraph.

(g) "Criminal Record" means:

1. Conviction of a crime; or

2. Arrest, charge, and sentencing for a crime where:

i. A plea of *nolo contendere* was entered to the charge; or

ii. First offender treatment without adjudication of guilt pursuant to the charge was granted; provided, however, that this division shall not apply to a violation of O.C.G.A. § [16-13-1](#) *et seq.*, relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of O.C.G.A. § [16-13-1](#) *et seq.* if such violation or offense constituted only simple possession; or

iii. Adjudication or sentence was otherwise withheld or not entered on the charge; provided, however, that this division shall not apply to a violation of O.C.G.A. § [16-13-1](#) *et seq.* relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of Chapter 13 of Title 16 if such violation or offense constituted only simple possession; or

3. Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to O.C.G.A. § [17-3-1](#) *et seq.*

(h) "Department" means Bright from the Start: Georgia Department of Early Care and Learning.

(i) "Employee" means any person, other than the Provider or Provisional Employee, who has submitted a Records Check Application and has received a satisfactory Comprehensive Records Check Determination and who:

1. Regardless of age, is compensated by a Home for the care of children;

2. Regardless of age, cares for, supervises or has unsupervised access to children at the Home; or

3. Is 17 years of age or older and resides at the Home; or

4. Regardless of age, performs duties for or services that benefit the Home, with or without compensation, which involve personal contact between that person and any child being cared for by the Home, including but not limited

to volunteers that perform consistent services for the Home, where services are considered consistent when provided more than once in a ninety calendar day period; or

5. Regardless of age, is a parent or legal guardian of a child in care who is deemed an employee by the Home or either resides at the Home and is age 17 or older, or is compensated in any fashion by the Home except through appropriate state or federal funds; or

6. Regardless of age, is an independent contractor hired by the Home to offer supplemental educational or physical activities for Children in care; or

7. Regardless of age, is a Student-in-Training.

(j) "Enforcement Action" means any action issued as a result of one or more rule violations ranging from technical assistance to a Closure Action.

(k) "Family Child Care Learning Home" or "Home" means a private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six Children under 13 years of age who are not Related to such persons and whose Parent(s) are not residents in the same private residence as the Provider and which is required to be licensed; provided, however, that the total number of unrelated Children cared for in such Home, for pay and not for pay, may not exceed six Children under 13 years of age at one time, except that a Provider may care for two additional children three years of age or older for two designated one hour periods daily upon approval by the Department.

(l) "Fingerprint" means any inked fingerprint card or an electronic image of a person's fingerprint.

(m) "Fingerprint Records Check Determination" means a satisfactory or unsatisfactory determination made by the Department that is based on national criminal history record information obtained by the use of Fingerprints.

(n) "Intermediate Action" means a moderately restrictive category of Enforcement Actions including public reprimands, fines, per rule fines, per day fines, restrictions, emergency monitoring and short-term suspension.

(o) "License" means the document issued by the Department to authorize the License Holder to whom it is issued to operate a Family Child Care Learning Home in accordance with these rules.

(p) "License Holder" means the individual issued a License by the Department to operate a Home at a particular location who is responsible for the operation and maintenance of the Home and who primarily provides care in the Home in accordance with these rules.

(q) "Parent" means a person related within the second degree of consanguinity by either blood or marriage, or a person with lawful custody, or a state-regulated foster parent, or a legal guardian of a child in care. For purposes of these rules, a Parent shall not be considered an Employee unless such Parent is deemed an Employee by the Home or either resides in the Home or is compensated in any way by the Home other than through appropriate state or federal funds.

(r) "Plan of Correction" means a written plan prepared by the License Holder or applicant and submitted to and approved by the Department which states the procedure(s), method(s) and time frame(s) that will be used to correct the area(s) of noncompliance with these rules.

(s) "Prevention Action" means the least restrictive category of Enforcement Actions including technical assistance, citation, formal notice letter and office conference.

(t) "Provider" means the License Holder or applicant of a Family Child Care Learning Home who has submitted a Records Check Application and has received a satisfactory Comprehensive Records Check Determination and who is also the person that primarily provides care in the Home.

(u) "Provisional Employee" means a person other than the Provider or Employee, who has submitted a Records Check Application to become an Employee and has not received a Comprehensive Records Check Determination but who has received a satisfactory Fingerprint Records Check Determination and who must be supervised at all times by another Staff member who has a current and valid satisfactory Comprehensive Records Check Determination on file.

(v) "Records Check Application" means a document created by the Department to be completed and submitted to the Department by every actual and potential Provider, Employee and Provisional Employee of the Home that indicates such information as the Department deems appropriate and which authorizes the Department to receive any sex offender registry, child abuse and neglect registry and criminal history record information pertaining to the individual from any local, state or national agency of appropriate jurisdiction and render a Fingerprint or Comprehensive Records Check Determination.

(w) "Records Check Clearance Date" means the date upon which an individual's fingerprint report was generated.

(x) "Related" or "Related Children" means children that are related to the Provider within the third degree of consanguinity or affinity by either blood or marriage (i.e. sons, daughters, grandchildren, nieces, nephews, first cousins), or under the legal guardianship, custody or state-regulated foster care of the Provider.

(y) "Staff" or "Personnel" means all persons including the Provider, Employees and Provisional Employees.

(z) "Supervision" and "Supervised" means that the Provider or authorized Adult providing care is alert, is providing watchful oversight to the Children, is able to respond promptly to the needs and actions of the Children and can intervene promptly in the case of an emergency.

(aa) "Student-in-Training" means a student currently enrolled in either a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education which requires or permits the student to observe and participate in the care of Children at a Home during a limited period of time, i.e., one quarter, one trimester or one semester, provided that they are under the direct supervision of Home personnel at all times.

(bb) "Valid Evidence" means electronic proof of a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination as follows:

1. Providers - a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department; provided that the letter for the Provider must have a Records Check Clearance Date that is no older than the immediate preceding 12 months of the date of licensure of the Home, and the Provider has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer;

2. Provisional Employees - a valid and current satisfactory Fingerprint Records Check Determination issued by the Department; provided that the letter for a newly hired Provisional Employee must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Provisional Employee's date of hire, and the Provisional Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer;

3. Employees - a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department; provided that the letter for a newly hired Employee must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Employee's date of hire, and the Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer.

(cc) "Violation Class" means the category on the compliance and enforcement chart that corresponds with the level of risk of harm or actual harm as a result of a rule violation.

(dd) "Violation History Level" means the category on the compliance and enforcement chart that corresponds with the prior history of continued rule violations.

Cite as Ga. Comp. R. & Regs. R. 290-2-3-.03

AUTHORITY: O.C.G.A. § [20-1A-1](#) *et seq.*, 42 U.S.C. § 9857 *et seq.*

HISTORY: Original Rule entitled "Other Requirements" adopted. F. Jan. 30, 1974; eff. Feb. 19, 1974.

Repealed: F. Oct. 1, 1974; eff. Oct. 21, 1974.

Amended: New Rule entitled "Staff Requirements" adopted. F. Feb. 21, 1983; eff. Mar. 23, 1983, as specified by the Agency.

Repealed: New Rule entitled "Definitions" adopted. F. Feb. 4, 1994; eff. Mar. 1, 1994, as specified by the Agency.

Amended: F. Aug. 16, 2013; eff. Sep. 5, 2013.

Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. June 2, 2016; eff. June 22, 2016.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 28, 2019; eff. Sep. 17, 2019.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

290-2-3-.05 Inspections and Investigations

The Department is authorized and empowered to conduct investigations and on-site inspections of any Home during the operating hours of the Home.

(a) Inspections and Investigations. The Department may conduct inspections and investigations in the following instances:

1. At regular intervals as the Department may determine or at the expiration of the current License or Permit;
2. Upon receiving a report alleging child abuse, neglect or deprivation which occurred while the child was in the care of the Home Provider, Provisional Employees or Employees;
3. Upon receiving a complaint concerning the Home which could endanger the health, safety or welfare of the children in care;
4. Upon the Department or its duly authorized representative being made aware of any flagrant abuses, derelictions or deficiencies during the course of the inspection or at any other time. The Department shall immediately investigate such matters and may make an on-site inspection so as to take such actions as conditions may require;
5. Subsequent to the receipt of a Plan of Correction, as determined necessary by the Department to monitor whether the Plan of Correction is being complied with by the Home.

(b) Consent to Entry. An application for a License to operate a Home or the issuance of a License by the Department constitutes consent by the applicant and Provider to allow any representative of the Department to enter the premises at any time Children are being cared for in the Home. This consent applies to both scheduled and unscheduled inspections and includes consent for meaningful access to all Staff, all parts of the premises of the Home, all

Children present, and all records, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information. The Department shall have the right to a photocopy or reproduction of any record maintained by or on behalf of the Home as needed for any inspection or investigation related to the initial or continued Licensure of the Home.

(c) Failure to Allow Access. Failure to allow access of the Department's representative to the Home, its Staff, or the Children receiving care at the Home or the records, maintained by or on behalf of the Home, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information related to initial or continued Licensure, or failure to cooperate with an inspection or investigation by the Department shall constitute good cause for the denial, restriction, revocation or suspension of a License, or other penalty as provided by law.

(d) Failure to Cooperate. The proposed and current Provider, Provisional Employees and Employees shall cooperate with any inspection or investigation by responding truthfully to any legitimate Departmental inquiry. Failure to cooperate with a Department inspection or investigation shall constitute good cause for the denial, restriction, revocation or suspension of a License, Permit or commission.

(e) False or Misleading Statements. No Provider shall make or condone any Provisional Employee or Employee making false or misleading statements to the Department in connection with any authorized investigation or inspection being conducted by the Department.

Cite as Ga. Comp. R. & Regs. R. 290-2-3-.05

AUTHORITY: O.C.G.A. § [20-1A-1](#) *et seq.*

HISTORY: Original Rule entitled "Children's Activities" adopted. F. Feb. 21, 1983; eff. Mar. 23, 1983, as specified by the Agency.

Repealed: New Rule entitled "Inspections and Investigations" adopted. F. Feb. 4, 1994; eff. Mar. 1, 1994, as specified by the Agency

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

290-2-3-.08 Children's Records

(1) The Home shall maintain current and updated individual records on each Child in care. The Home shall maintain the records outlined herein while the Child is in care and for a period of one (1) year after such Child is no longer in care at the Family Child Care Learning Home. Such records shall include: identifying information (Child's name, birth date, Parent's name, home and business addresses, telephone numbers); name, address and telephone number of persons, including Child's physician, to contact in emergencies; and name, address, telephone numbers, relationship to Child and to Parent(s) and other identifying information of person(s) to whom the Child may be released.

(2) Such records shall include evidence of age appropriate immunizations, or a signed affidavit certifying that the required immunizations conflict with the religious belief of the Parent or a physician statement that immunization is contraindicated. Evidence of immunizations or required documentation shall be on file for each Child upon admission to the Home or within 30 days thereafter.

(3) Such records shall include written authorization for the Child to receive emergency medical treatment when the Parent is not available.

(4) Such records shall include a record of any allergies and other known medical problems.

- (5) Such records shall include documentation of any medications given as required by these rules.
- (6) Such records shall include descriptions of accidents or serious illnesses occurring while the Child is in the Family Child Care Learning Home, including date, time and condition under which it occurred and the action taken.
- (7) Such records shall include parental agreements for transportation, field trips, swimming and/or other activities away from the Home if the Child will be participating in these activities.
- (8) Policies and Procedures. Each Family Child Care Learning Home shall establish policies and procedures, which shall be kept current, be consistent with applicable laws, including but not limited to the Americans with Disabilities Act, regulations and these rules, made available to the Parents, and used to govern the operations of the Family Child Care Learning Home.
- (a) The policies and procedures shall include a written description of the services to be provided which specifies the following: ages of children served, months of operation, days of operation, hours of operation, dates the Family Child Care Learning Home will be closed, admission requirements, including parental responsibilities for supplying and maintaining accurate required record information and escorting Child to and from the Family Child Care Learning Home; standard fees, payment of fees, fees related to absences and vacations and other charges such as transportation, etc. and transportation provided, if any.
- (b) The policies and procedures shall also include written procedures for the following:
1. Guidance and discipline techniques;
 2. Handling emergency medical care, including where the Children will be taken for emergency medical care;
 3. Administering medication and recording noticeable adverse reactions to medication;
 4. Notifying Parent(s) in writing of their Child's: illness, injury, and exposure to a notifiable communicable disease or any cases or suspected cases of viruses or illnesses (COVID-19, etc.) identified during a public health emergency, within twenty-four (24) hours after the Home becomes aware of the illness or the next working day;
 5. Noticeable adverse reaction to medication(s);
 6. Exclusion of sick children;
 7. Exclusion and readmission of children with communicable diseases, as defined on the most current version of the communicable disease chart, as found on the Department's website, or with cases or suspected cases of viruses or illnesses (COVID-19, etc.) identified during a public health emergency;
 8. Protection of children in the event of: severe weather, fire, and physical plant problems, such as a power failure, that affect climate control, loss of water, or structural damages;
 9. The transportation of Children to and from school or home, if provided, to include the procedure to be followed if no one is home to receive the transported Child;
 10. Identification of others providing care. The Provider must inform the Parents of Children in care of the names of any caregiver and their responsibilities, and the names of the persons who would be called upon in an emergency;
 11. Parents' ability to visit the Family Child Care Learning Home unannounced and at any time that their Child is in care;
 12. Any information requested by the Parent concerning the operation of the Family Child Care Learning Home or the care of the Child, including but not limited to a description of any special procedures to be followed in caring for the Child, such as any special services which the Home agrees to provide to a Child with special needs. The

Parent(s) will be provided daily communication (verbal/written) regarding the care of the Child, especially with infants, toddlers and nonverbal Children. Additionally, the Provider must bring special problems or significant developments to the Parent's attention as soon as they arise;

13. Notification of the existence of a firearm in the Family Child Care Learning Home;

14. Notification of any changes in the regular composition of the household. The Provider must notify the Parent(s) of anyone regularly on the premises, including but not limited to spouse, friend(s), relative(s), or significant other(s);

15. Notification of the existence of any pets or other animals residing in the Home or on the property of the Family Child Care Learning Home; and

16. Notification of infant sleep position practices. The Provider must notify Parent(s) of Sudden Infant Death Syndrome (SIDS) risk reduction practices, sleep positioning policies, and arrangements for placing all infants on their backs for sleep.

(9) Documenting the Child's arrival and departure. The Parent or person(s) authorized by the Parent to drop off and pick up the Child will document each time the Parent or authorized person drops off and picks up the Child. The documentation shall include at least the following information: the date, the Child's name, the arrival and departure times, and the signature or initials of the Parent or authorized person and shall be made available to the Department in printed or written form upon request.

(10) The Home shall ensure that Children are only released to authorized person(s), and the Home shall take necessary steps to determine that any such person(s) presenting to pick up a Child in care is authorized by the Parent(s) of the Child and that person matches the identifying information provided by the Parent.

(11) If applicable, notification of the absence of a liability insurance policy. If the Home is not covered by liability insurance sufficient to protect its clients, the Home must notify the Parent of each Child under the care of the program in writing. Each Parent must acknowledge receipt of such notice, and a copy of the acknowledgment shall be kept in the Child's file.

(12) Documentation of family relationships for related children, other than the Provider's own children, cared for in the Home shall be maintained and shall include a notarized statement by the related child's Parent(s) attesting to the relationship.

(13) Documentation of the non-pay status of related and unrelated children in care for whom no pay is received shall be maintained and shall include a notarized statement by such child's Parent(s) attesting to the non-pay status.

(14) Documentation of all required training required by these rules shall be maintained in the Home by the Provider, and shall include the title of training courses received by the Provider and any staff, the dates and the number of hours of the courses, and the names of the trainers or sponsoring organizations.

(15) If applicable, documentation of approved water and sewage disposal systems shall be maintained in the Home by the Provider.

Cite as Ga. Comp. R. & Regs. R. 290-2-3-.08

AUTHORITY: O.C.G.A. § [20-1A-1](#) *et seq.*

HISTORY: Original Rule entitled "Equipment and Supplies" adopted. F. Feb. 21, 1983; eff. Mar. 23, 1983, as specified by the Agency.

Repealed: New Rule entitled "Records" adopted. F. Feb. 4, 1994; eff. Mar. 1, 1994, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Jan. 12, 2009; eff. Feb. 1, 2009.

Repealed: New Rule entitled "Children's Records" adopted Dec. 2, 2009; eff. December 22, 2009.

Amended: F. Aug. 16, 2013; eff. Sep. 5, 2013.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. Sep. 26, 2016; eff. Oct. 16, 2016.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

290-2-3-.14 Reporting

(1) Required Reports. Within twenty-four (24) hours or the next work day, the Home shall report or cause to be reported to the Department: any death of a Child while in the care of the Home; any serious illness or injury requiring hospitalization or professional medical attention other than first aid of a Child while in the care of the Home; any situation when a Child in care becomes missing, such as but not limited to, a Child who is left on a vehicle, a Child who leaves the Home, playground, or property, or a Child who is left behind on any trip; any fire; any structural disaster; any emergency situation that requires temporarily relocating children; and any time the Home's operating status changes (i.e., open to closed or temporarily closed and temporarily closed to open).

(a) Availability of Records. The Home must make available all records related to any required report, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information. The Department shall have the right to a photocopy or reproduction of any record maintained by or on behalf of the Home.

(2) Criminal Record. Within twenty-four (24) hours or the next work day, that the Home knows or reasonably should know that there has been an arrest or change in the Comprehensive Records Check Determination of any Provider or Employee (including any resident of the Home age 17 or older), or the Fingerprint Records Check Determination for any Provisional Employee, the Provider or designated person-in-charge shall report or cause to be reported to the Department the incident and the name of any such Provider, Employee or Provisional Employee of the Home.

(3) Child Abuse, Neglect or Deprivation. Within twenty-four (24) hours or the next work day, the Provider or designated person-in-charge shall report or cause to be reported any suspected incident of child abuse, neglect or deprivation to the local County Division of Family and Children Services in accordance with state law and to the Department, notifying that such a report was made.

(4) Communicable Diseases. The Provider or designated person-in-charge shall report or cause to be reported any cases or suspected cases of notifiable communicable diseases (COVID-19, Tuberculosis, Measles, etc.) or any viruses or illnesses identified during a public health emergency, immediately to the Department and to the local County Health Department as required by the rules of the Georgia Department of Public Health, Rule 511-2-1, Notification of Disease.

(5) Annual Reports. The Department may request an annual report from the Provider of a Home. If such a request is made, the Provider shall have up to thirty (30) days to submit the annual report to the Department.

Cite as Ga. Comp. R. & Regs. R. 290-2-3-.14

AUTHORITY: O.C.G.A. § [20-1A-1](#) *et seq.*, 42 U.S.C. § 9857 *et seq.*

HISTORY: Original Rule entitled "Denial or Revocation of Certificate" adopted. F. Feb. 21, 1983; eff. Mar. 23, 1983, as specified by the Agency.

Repealed: New Rule entitled "Reporting" adopted. F. Feb. 4, 1994; eff. Mar. 1, 1994, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Aug. 7, 2009; eff. Aug. 27, 2009.

Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 31, 2020; eff. Sep. 20, 2020.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

290-2-3-.15 Enforcement and Adverse Actions

(1) **Enforcement and Adverse Actions.** Under Georgia law, the Department, after considering the seriousness of the violation(s), including but not limited to the circumstances, extent and gravity of the prohibited act(s), the severity of the rule violation, the duration of non-compliance, the License Holder's prior Licensure or history, the voluntary reporting of the violation(s) for which an Adverse Action is being imposed and the hazard(s) or potential hazard(s) to the health or safety of the public, may take any of the following actions when a Home, Permit Applicant or License Applicant violates any of the rules for Family Child Care Learning Homes:

(a) Refuse to grant a License or Permit;

(b) Administer a public reprimand;

(c) Suspend any License or Permit;

(d) Prohibit any License Applicant, License Holder, Permit Applicant or Permit Holder from allowing a person who previously was involved in the management or control of any program which has had its License or Permit revoked or denied within the past 12 months to be involved in the management or control of such program;

(e) Revoke any License or Permit;

(f) Impose a fine, not to exceed a total of \$25,000, of up to \$500 per day for each violation of the law, rule, regulation or formal order related to the initial or ongoing licensing requirement of any program. If any violation is a continuing one, each day of such violation will constitute a separate violation for the purpose of computing the applicable enforcement fine;

(g) Impose a late fee of up to \$250 for failure of a program to pay the annual License fee within 30 days of the due date;

(h) Limit or restrict any License or Permit, including but not limited to, restricting some or all services of or admissions, into a Home;

(i) Seek an injunction against an early care and education program operating without a License or Permit or in willful violation of these rules;

(j) Make application for an inspection warrant to a court of competent jurisdiction to gain entry into a Home that is believed to be subject to licensure;

(k) Order the emergency placement of a monitor or monitors in a Home at the expense of the Home; and

(l) Order the emergency closure of a Home.

(2) **Adverse Actions Subject to the Compliance and Enforcement Chart.** In the majority of cases when a rule violation is found, the Department will determine the appropriate action in accordance with the Compliance and Enforcement Chart below. A Home will receive points based on the frequency and severity of citations and will land in the corresponding box. Accordingly, Prevention, Intermediate or Closure Actions will be imposed as outlined in the Enforcement Categories, Levels and Action Chart below. The Department will consider mitigating and aggravating factors to determine which action is appropriate and will have sole discretion in making this determination. The guidelines for determining the Violation History Level and Violation Class shall be posted on the Department website and updated as needed. Note that if a rule violation is not found, the chart will not be applied, and no citations will be issued.

COMPLIANCE AND ENFORCEMENT CHART

V I O L A T I O N C L A S S	Incident results in or could result in:	VIOLATION HISTORY LEVEL			
		I 0 Points	II 1-3 Points	III 4-9 Points	IV 10 + Points
	D Extreme Harm or Risk of Harm Imminent Danger	I3-C D D			
	C High Harm or Risk of Harm	I1-I2 CI GS	I1-I3 CII S	I2-C CIII D	I3-C CIV D
	B Medium Harm or Risk of Harm	N/A	P2-P3 BII GS	I1-I2 BIII S	I2-C BIV D
	A Low Harm or Risk of Harm	P1-P2 AI GS	P1-P3 AII GS	P2-P3 AIII GS	I1-I2 AIV S

ENFORCEMENT CATEGORIES, LEVELS AND ACTIONS		
PREVENTION ACTION CATEGORY (P)	INTERMEDIATE ACTION CATEGORY (I) (Includes Citation and Prevention Actions)	CLOSURE ACTION CATEGORY (C) (Includes Citation and Prevention and/or Intermediate Actions)
Prevention 1 (P1)	Intermediate 1 (I1)	Closure (C)
Technical Assistance	Fine	Suspension of License (More than 1 week)
Prevention 2 (P2)	Intermediate 2 (I2)	Revocation of License
Citation	Per Rule Fine	Emergency Closure
Prevention 3 (P3)	Per Day Fine	
Formal Notice Letter	Intermediate 3 (I3)	
Office Conference	Public Reprimand	
	Fine and Restrictions	
	Restricted License	
	Restricted License & Per Rule/Per Day Fine	
	Emergency Monitor & Per Rule/Per Day Fine	

ENFORCEMENT CATEGORIES, LEVELS AND ACTIONS		
	Short-term Suspension (Less than 1 week)	

(3) **Adverse Actions Not Subject to the Compliance and Enforcement Chart.** In the event that any of the rule violations described below are identified, the Department will not apply the Compliance and Enforcement Chart, but will take Adverse Action as follows:

- (a) The Department shall refuse to issue a License or shall otherwise restrict a License or Permit for any applicant who has had a License denied, suspended or revoked within one year of the date of the application.
- (b) The Department shall refuse to issue a License or shall otherwise restrict a License for any applicant, alter ego or agent of the applicant who has transferred ownership or governing authority of a program when such transfer was made in order to avert payment of an enforcement fine, denial, revocation or suspension of such License.
- (c) The Department shall refuse to issue a License upon a showing of non-compliance with rules and regulations, flagrant and continued operation of an unlicensed facility, or failure to pay the License fee.
- (d) The Department shall refuse to issue a License or Permit if the applicant or the operation or management of a Home knowingly or intentionally makes or causes another to make any false statement of material information in connection with the application for a License or Permit, or in statements made, or on documents submitted to the Department as part of an inspection, survey, or investigation, or in the alteration or falsification of records maintained by the early care and education program.
- (e) The Department shall refuse to issue a License or Permit if the applicant or Home fails to provide the Department with information pertinent to an investigation, or the initial or continued licensing of a program within the time specified by the formal notice provided by the Department.
- (f) The Department shall refuse to issue a License or Permit if a Home repeatedly fails or refuses to allow the Department access to the Home for the purpose of determining whether the Home is in compliance with these rules.
- (g) The Department shall refuse to issue a License or Permit if a Home knows or should reasonably know that any actual or potential Provider, Employee (including Independent Contractors, Students-in-Training, and Volunteers) or Provisional Employee has a Criminal Record, an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination and allows such individual to either reside at the Home or be present at the Home while any Child is present for care.
- (h) The Department may revoke a License or Permit if a Home displays a multi-year pattern of failure to correct a correctable abuse, dereliction or deficiency in the operation or management of a Home within a reasonable time after having received notice from the Department.
- (i) The Department shall revoke a License or Permit if a non-correctable abuse, dereliction or deficiency exists in the operation or management of the Home.
- (j) The Department shall revoke a License if a Home fails to pay the annual License fee within a reasonable time after the Department provides formal notice of such fee.
- (k) The Department shall revoke a License or Permit if a Home knows or should reasonably know that any actual or potential Provider, Employee (including Independent Contractors, Students-in-Training, and Volunteers) or Provisional Employee has a Criminal Record, an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination and allows such individual to either reside at the Home or be present at the Home while any Child is present for care.
- (l) The Department shall revoke a License or Permit if a Home knowingly or intentionally violates other provisions relating to Criminal Records or Comprehensive Background Checks.

(m) The Department shall revoke a License if a Home fails to pay an enforcement fine within the time specified by the formal notice provided by the Department.

(n) The Department shall revoke a License or Permit if the operation or management of a Home knowingly or intentionally makes or causes another to make any false statement of material information in connection with the application for a License or Permit, or in statements made, or on documents submitted to the Department as part of an inspection, survey, or investigation, or in the alteration or falsification of records maintained by the early care and education program.

(o) The Department shall revoke a License or Permit if a Home fails to provide the Department with information pertinent to an investigation, or the initial or continued licensing of a program within the time specified by the formal notice provided by the Department.

(p) The Department shall revoke a License or Permit if a Home repeatedly fails or refuses to allow the Department access to the Home for the purpose of determining whether the Home is in compliance with these rules.

(4) Rights and Responsibilities of a License Holder or Permit Holder

(a) A License Holder or Permit Holder has the right to submit a written statement within ten (10) days of the receipt of notice of the Departmental intent to impose an Adverse Action as to why the Department should not take the Adverse Action. If the licensee submits a written statement, it will be placed in the facility's state file.

(b) The imposition of any Enforcement Action by the Department shall not preclude the Department from taking any additional action authorized by law or regulation.

(c) Right to a Hearing. The Department's Enforcement Actions shall be preceded by a notice and opportunity for a hearing and shall constitute a contested case in accordance with the Georgia Administrative Procedure Act, O.C.G.A. § [50-13-1](#) *et seq.*, except that only thirty (30) days' notice in writing from the Commissioner's designee shall be required prior to License or Permit revocation except that the hearing held relating to such action by the Department may be closed to the public if the hearing officer determines that an open hearing would be detrimental to the physical or mental health of any child who will testify at that hearing.

(d) The notice of revocation, suspension or restriction of a License or Permit becomes effective thirty (30) days from the day of notice unless the License Holder or Permit Holder requests a hearing. A request for a hearing must be made in writing within ten (10) days of receipt of the notice or of revocation, suspension or restriction.

(e) Payment of an enforcement fine must be made within thirty (30) days of receipt of the notice, unless otherwise specified in writing by the Department.

(f) The notice of the emergency closure of a Home becomes effective upon delivery of the order, unless otherwise provided in the order. A request for a hearing must be made in writing within 48 hours, excluding weekends and holidays, from the receipt of the emergency order.

(g) When the Department issues a revocation or emergency order that is based upon health and safety rule violations, the following actions shall be taken:

1. the Department shall both hand-deliver and send the formal notice to the Home by certified or registered mail;
2. the Home shall post the formal notice in an area that is visible to the Parents and others whose Children attend the Home;
3. the Department shall provide a brief notice of revocation or emergency action to the Home; and
4. the Home shall distribute the brief notice to all Parents or persons authorized to pick up Children from care for the Parents.

(h) When the Department issues a revocation or emergency order that is not based upon health and safety rule violations, the Department shall either hand-deliver or send the formal notice or both to the Home by certified or registered mail.

(i) The Department may post any notice of any Adverse Action on the Department's website.

(j) The Department may share any notice of any Adverse Action and any information pertaining thereto with any other agencies which may have an interest in the welfare of the children in care at the Home.

(k) When the Department has issued a notice of revocation or emergency action required to be posted in accordance with these rules, the Home shall ensure that the notice continues to be visible to the Parents and others throughout the pendency of the revocation or emergency action, including throughout any appeal period.

(l) When the Home transports Children in care to and from the Home and Parents do not come to the Home on a regular basis, the Home shall send home copies of the brief notice of the revocation or emergency action with the Children on the day that it is delivered by Department.

(m) When the Department has issued a notice of revocation or emergency order required to be posted in accordance with these rules, the Home shall post any inspection reports that are prepared by the Department during the pendency of any revocation or emergency action in an area that is readily visible to the Parents and others.

(n) A Home shall not permit the removal or obliteration of any notices of revocation, emergency action, resolution, or inspection survey report posted on the premises of the Home during the pendency of any revocation or emergency action.

Cite as Ga. Comp. R. & Regs. R. 290-2-3-.15

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq. and 42 U.S.C. § 9857 et seq.

HISTORY: Original Rule entitled "Enforcement" adopted. F. Feb. 21, 1983; eff. Mar. 23, 1983, as specified by the Agency.

Repealed: New Rule entitled "Enforcement and Penalties" adopted. F. Feb. 4, 1994; eff. Mar. 1, 1994, as specified by the Agency.

Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.

Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: New title "Enforcement and Adverse Actions." F. June 2, 2016; eff. June 22, 2016.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

290-2-3-.21 Criminal Records and Comprehensive Background Checks

(1) Satisfactory Fingerprint Records Check Determination or Satisfactory Comprehensive Records Check Determination Required

- (a) The Home must ensure that the Provider, every actual and potential Employee (including residents age 17 and older) and Provisional Employee of the Family Child Care Learning Home must submit both a Records Check Application to the Department and Fingerprints to an authorized fingerprinting site.
- (b) Every Provider must have a current and valid satisfactory Comprehensive Records Check Determination on file prior to being present at the Home while any child is present for care or before residing in the Home. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the license date; provided, however, if the Provider has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Comprehensive Records Check Determination is required.
- (c) Every Employee must have a current and valid satisfactory Comprehensive Records Check Determination on file prior to being present at the Home while any child is present for care or before residing in the Home if age 17 or older. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Comprehensive Records Check Determination is required.
- (d) Every Provisional Employee must have a current and valid satisfactory Fingerprint Records Check Determination on file prior to being present at the Home while any child is present for care or before residing in the Home if age 17 or older and must be supervised at all times by a Provider or Employee with a current and valid satisfactory Comprehensive Records Check Determination. The Fingerprint Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Provisional Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Fingerprint Records Check Determination is required.
- (e) No actual or potential Provider, Employee or Provisional Employee of the Family Child Care Learning Home with an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination may be present at a Home when any child is present for care or reside in a Home.
- (f) Valid Evidence of a satisfactory Fingerprint Records Check Determination must be maintained at the Family Child Care Learning Home for each Provisional Employee for the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.
- (g) Valid Evidence of a satisfactory Comprehensive Records Check Determination must be maintained at the Family Child Care Learning Home for the Provider, and each Employee (including Students-in-Training, volunteers, independent contractors and residents age 17 and older) for the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.
- (h) Every Provider must receive a satisfactory Comprehensive Records Check Determination before October 1, 2018.
- (i) The Home must ensure that every Provisional Employee requests child abuse and neglect registry information and criminal history documents from any U.S. state, territory or tribal land other than Georgia in which they have resided in the preceding five years and submit such documents to the Department in a timely manner. Failure to request out-of-state information will result in the issuance of an unsatisfactory Comprehensive Records Check Determination.
- (j) For a Provisional Employee to become a permanent Employee, the individual must have a satisfactory Comprehensive Records Check Determination.
- (k) Portability for Providers, Employees and Provisional Employees, excluding Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Provider may accept a satisfactory Fingerprint Records Check Determination letter for a Provisional Employee or a satisfactory Comprehensive Records Check Determination letter issued by the Department for a potential Employee if the individual's Records Check Clearance Date is within the preceding 12 months from the hire date, the individual has

not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Provider does not know or reasonably should not know that the individual's satisfactory status has changed.

(l) Portability for Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Provider may accept a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination letter issued by the Department for a Student-in-Training if the Records Check Clearance Date is within the preceding 24 months from the hire date, the Provider has verified and maintains evidence on file at the Home that the Student-in-Training is currently enrolled in a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Provider does not know or reasonably should not know that the individual's satisfactory status has changed.

(m) Recheck Required. The Home must immediately require that every Provider, Employee and Provisional Employee submit to the Comprehensive Records Check Determination process at the following times:

1. When the Provider knows or reasonably should know that an Employee or Provisional Employee has been arrested or charged for any covered Crime;
2. When there is a lapse of employment from the child care industry that lasted for 180 calendar days (6 months) or longer;
3. At least once every five years; and
4. When the Department so requests.

Cite as Ga. Comp. R. & Regs. R. 290-2-3-.21

AUTHORITY: O.C.G.A. § [20-1A-1](#) *et seq.*, 42 U.S.C. § 9857 *et seq.*

HISTORY: Original Rule entitled "Criminal Records Check" adopted. F. Dec. 13, 2013; eff. Jan. 2, 2014.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: New title "Criminal Records and Comprehensive Background Checks." F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 28, 2019; eff. Sep. 17, 2019.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

Department 295. JOINT SECRETARY, PROFESSIONAL LICENSING BOARDS

Chapter 295-2. EXPIRATION AND RENEWAL DATES

295-2-.04 Licenses Expiring December 31 - Odd Years

The following licenses expire on December 31 of the odd numbered years, effective as of the 2021 renewal cycle:

- (a) Forestry; with a lapsed, late renewing period from January 1 to January 31 of even years;
- (b) Geology; with a lapsed, late renewal period from January 1 to January 31 of even years;
- (c) Long-Term Care Facility Administrators; with a lapsed, late renewal period from January 1 to January 31 of even years;
- (d) Hearing Aid Dealers and Dispensers; with a lapsed, late renewal period from January 1 to January 31 of even years;
- (e) Optometry; with a lapsed, late renewal period from January 1 to January 31 of even years;
- (f) Physical Therapy; with a lapsed, late renewal period from January 1 to January 31 of even years;
- (g) Used Motor Vehicle Parts Dealers, Dismantlers, Rebuilders and Salvage Dealers; with a lapsed, late renewal period of January 1 to January 31 of even years.

Cite as Ga. Comp. R. & Regs. R. 295-2-.04

AUTHORITY: O.C.G.A. § [43-1-4](#).

HISTORY: Original Rule entitled "Licenses Expiring December 31 - Odd Years" adopted. F. Apr. 16, 1974; eff. May 6, 1974.

Amended: F. Feb. 10, 1983; eff. Mar. 2, 1983.

Repealed: New Rule entitled "Licenses Expiring March 31 - Even Years" adopted. F. June 29, 1983; eff. July 19, 1983.

Amended: F. Dec. 5, 1983; eff. Dec. 25, 1983.

Amended: F. June 19, 1984; eff. July 9, 1984.

Amended: F. July 26, 1985; eff. August 15, 1985.

Amended: F. Apr. 20, 1987; eff. May 10, 1987.

Repealed: New Rule entitled "Licenses Expiring December 31 - Odd Years" adopted. F. July 15, 1988; eff. August 4, 1988.

Amended: F. Sept. 20, 1995; eff. Oct. 9, 1995.

Amended: F. Mar. 27, 1996; eff. Apr. 16, 1996.

Amended: F. Nov. 27, 1996; eff. Dec. 17, 1996.

Repealed: New Rule entitled "Licenses Expiring December 31 - Odd Years, and Lapsed, Late Renewal Periods" adopted. F. Apr. 7, 2005; eff. Apr. 27, 2005.

Repealed: New rule with same title adopted. F. Oct. 4, 2011; eff. Oct. 24, 2011.

Amended: F. Feb. 7, 2018; eff. Feb. 27, 2018.

Amended: F. Nov. 21, 2018; eff. Dec. 11, 2018.

Amended: New title "Licenses Expiring December 31 - Odd Years." F. June 11, 2020; eff. January 1, 2021, as specified by the Agency.

Amended: F. Aug. 24, 2022; eff. Sep. 13, 2022.

295-2-.06 Licenses Expiring March 31-Even Years

The following licenses expire on March 31 of the even numbered years, effective as of the 2022 renewal cycle:

- (a) Cosmetology (Masters); with a lapsed, late renewal period from April 1 to April 30 of even years;
- (b) Funeral Services (Directors, Embalmers and Apprentices); with a lapsed, late renewal period from April 1 to April 30 of even years;
- (c) Funeral Service (Homes); with a lapsed, late renewal period from April 1 to April 30 of even years;
- (d) Occupational Therapy; with a lapsed, late renewal period for April 1 to April 30 of even years;
- (e) Used Motor Vehicle Dealers; with a lapsed, late renewal period from April 1 to April 30 of even years;
- (f) Dietitian; with a lapsed, late renewal period from April 1 to April 30 of even years.
- (g) Lactation Consultant; with no lapsed late renewal period.

Cite as Ga. Comp. R. & Regs. R. 295-2-.06

AUTHORITY: O.C.G.A. § [43-1-4](#).

HISTORY: Original Rule entitled "Renewal Dates" adopted. F. Apr. 16, 1974; eff. May 6, 1974.

Repealed: New Rule entitled "Licenses Expiring December 31-Even Years" adopted. F. June 29, 1983; eff. July 19, 1983.

Amended: F. June 19, 1984; eff. July 9, 1984.

Amended: F. Nov. 30, 1984; eff. Dec. 20, 1984.

Repealed: New Rule entitled "Licenses Expiring September 30-Even Years" adopted. F. Apr. 20, 1987; eff. May 10, 1987.

Repealed: New Rule entitled "Licenses Expiring June 30-Even Years" adopted. F. July 15, 1988; eff. August 4, 1988.

Repealed: New Rule entitled "Licenses Expiring March 31-Even Years" adopted. F. Sept. 20, 1995; eff. Oct. 9, 1995.

Amended: ER. 295-2-0.2-.06 adopted. F. and eff. Feb. 25, 2002, the date of adoption.

Repealed: New Rule of same title adopted. F. Mar. 17, 2014; eff. Apr. 6, 2014.

Amended: F. Nov. 1, 2016; eff. Nov. 21, 2016.

Amended: F. May 13, 2020; eff. January 1, 2022, as specified by the Agency.

Amended: F. May 6, 2022; eff. May 26, 2022.

Amended: F. Aug. 24, 2022; eff. Sep. 13, 2022.

295-2-.18 Licenses Expiring Every Three Years

The following licenses expire every three years from the issue date of the license:

(a) Trauma Scene Practitioners

Cite as Ga. Comp. R. & Regs. R. 295-2-.18

AUTHORITY: O.C.G.A. § [43-1-4](#).

HISTORY: Original Rule entitled "Licenses Expiring Even Three Years" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022.

295-2-.19 Expiration of Massage Therapy Programs

(1) Massage therapy programs issued on even years shall expire on March 31 of even years; with a lapsed late renewal period from April 1 to April 30 of even years.

(2) Massage therapy programs issued on odd years shall expire on March 31 of odd years; with a lapsed late renewal period from April 1 to April 30 of odd years.

Cite as Ga. Comp. R. & Regs. R. 295-2-.19

AUTHORITY: O.C.G.A. § [43-1-4](#).

HISTORY: Original Rule entitled "Expiration of Massage Therapy Programs" adopted. F. Aug. 24, 2022; eff. Sep. 13, 2022.

Department 295. JOINT SECRETARY, PROFESSIONAL LICENSING BOARDS

Chapter 295-15. INACTIVE STATUS LICENSES

295-15-.02 Long-Term Care Facility Administrators

1. Any licensee who holds a current license and who is not practicing as a Long-Term Care Facility Administrators may request the Board to place that license into an "inactive status" upon written application to the Board and payment of a non-refundable inactive status application fee. See fee schedule. The Board, in its sole discretion, may grant or deny the request for inactive status. Any licensee whose license is on inactive status may not engage in the practice of Long-Term Care Facility Administration.

2. In order to reactivate an inactive license, submit the appropriate application, forms, and fee to the Board.

(a) If a license is inactive for twelve (12) months or less, but no more than twenty-four months (24), the applicant must submit forty (40) hours of Continuing Education "CE" obtained since the Board's last renewal period.

(b) If a license is inactive for twenty-four (24) months, but not more than thirty-six (36) months, eighty (80) hours of CE obtained since the Board's last renewal period must be submitted to the Board.

(c) If the license has been inactive more than thirty-six (36) months, the applicant must meet current requirements and either submit eighty (80) hours of CE since the Board's last renewal period, OR take and pass the national exam.

(d) If the inactive license holds an active license from the Georgia Board's approved state's list and has been employed for one year as a Long-Term Care Facility Administrators prior to the date of the application, then the applicant must submit an application, fee, and verification of an active, current license from the state or jurisdiction in which the license is held.

Cite as Ga. Comp. R. & Regs. R. 295-15-.02

AUTHORITY: O.C.G.A. § [43-1-22](#).

HISTORY: Original Rule entitled "Georgia State Board of Nursing Home Administrators." F. May 6, 2022; eff. May 26, 2022.

Amended: New title, "Long-Term Care Facility Administrators." F. Aug. 24, 2022; eff. Sep. 13, 2022.

DOS-32 (07/02) **GEORGIA**
UNIFORM TRAFFIC CITATION, SUMMONS AND ACCUSATION
 GADDSXXXX 123321123
 Court Case Number NCIC Number Citation Number

SECTION 1: VIOLATOR INFORMATION

GEORGIA DEPARTMENT OF DRIVER SERVICES

Violator Name: _____ DOB: _____ SEX: ☐ M ☐ F
 Operator License No: _____ (Class) _____ (Type) _____
 License Class or Type: _____ State: _____ Endorsements: _____
 Name: _____ (Last) _____ (First) _____ (Middle)
 Address: _____
 City: _____ State: _____ Zip Code: _____
 DOB: _____ Hgt: _____ Wgt: _____ Eyes: _____
 VLN: _____ Hair: _____ Skin: _____ Color: _____

Registration fee: _____
 CO: ☐ YES ☐ NO ACCIDENT: ☐ YES ☐ NO INJURIES: ☐ YES ☐ NO FATALITIES: ☐ YES ☐ NO
☐ 2 LANE ROAD ☐ DRIVER REQUESTED ACCURACY CHECK ☐ TRUCK ☐ LASER ☐ RADAR
 Not in the State of Georgia, did commit the following offense: SPEEDING - Covered by ☐ PATROL VEHICLE ☐ OTHER
 State of _____ Commercial/Non-Commercial ☐ M ☐ F
☐ YES (Test administered) ☐ NO ☐ BREATH ☐ URINE ☐ OTHER: (See Test Results)
 TEST ADMINISTERED BY (If Applicable): _____
 OFFENSE (Other than above): _____
 in violation of Code Section _____ or State Law _____ Local Ordinance _____
 REMARKS: _____

SECTION 2: VIOLATION INFORMATION

VIOLATION INFORMATION

VIOLATION	(1) ROAD	(2) TYPE	(3) CLASS	(4) CATEGORY	(5) COMMERCIAL VIOLATION INFORMATION
Speeding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

County of _____ State _____ (If city) _____
 City _____ State _____ (If city) _____
 State (secondary location) _____
 ZIP Code _____
 District _____
 Precinct _____

You are hereby ordered to appear in Court to answer this charge on the _____ day of _____, _____ at _____ Court.
 If _____, _____
 City _____ Georgia

NOTICE: This citation shall constitute official notice to you that failure to appear in Court at the date and time stated on this citation to dispose of the cited charges against you may cause the designated Court to forward your driver's license number to the Department of Driver Services, and your driver's license may be suspended. (Georgia Code 17-6-11 and 40-6-50) The suspension may be lifted or reduced only if you file a satisfactory disposition in this matter, or the Court notifies the Department of Driver Services.
 LICENSES IMPLICATED IN USE OF LAW: ☐ YES ☐ NO RELEASED TO: _____
 SIGNATURE: _____
 The undersigned has read and understands grounds to believe, and does believe, that the person named herein has committed the offense set forth, and any to be.
 SIGNATURE: _____
 AUTHORIZED AND APPROVED: PURSUANT TO CODE 40-12-1 - (S.S. 305-3-4-01) **ISSUING DEPARTMENT COPY**

SECTION 3: COURT ACTION AND OTHER ORDERS

DATE: _____ COURT ACTION AND OTHER ORDERS

The within complaint has been examined and there is probable cause to bring the action. Leave is hereby granted to the complainant.
 Complainant Name: _____
 Age: _____ or Court Report of Age: _____
 Signature of person filing: _____ Signature of person giving: _____
 Fine in the amount of \$: _____
 Signature of Clerk: _____

Continuance to: _____ Reason: _____
 Continuance to: _____ Reason: _____
 Warrant issued: _____ Warrant served: _____
 Waives Trial by Jury: _____
 ON ARRANGEMENT, THE DEFENDANT PLEASE: _____

SECTION 4: APPEARANCE, PLEA OF GUILTY AND WAIVER

I, _____ have been advised that I am being charged with: _____
 and that the maximum punishment that I can receive is: _____
 I am, in my present mind, competent to stand trial.
 I have been advised of my rights to be represented by counsel and have chosen to represent me if I am charged, plead not guilty and be tried by a jury or a judge, confront the witnesses against me, and not give incriminating evidence against myself. I hereby waive these rights, state that I have not been induced by any threat or promise to enter this plea and do freely and voluntarily enter my plea of Guilty.
 This _____ day of _____
 Accused: _____
 I have advised the above-named accused as indicated above of his/her rights, the nature of the case against him/her and the possible consequences of the plea as entered. I am satisfied that there is a factual basis for the guilty plea which the accused has entered and that it was entered freely and voluntarily with understanding of the nature of the charge and the consequences of the plea.
 JUDGE: _____

SECTION 5: DISPOSITION AND SENTENCE

Court: _____ City: _____
 Defendant Pleads: ☐ (1) Guilty ☐ Not Guilty ☐ Not Guilty
 Trial: ☐ Jury ☐ Court Appointed ☐ (1) Guilty ☐ Not Guilty
 Other Action: ☐ (2) Bond Forfeiture ☐ Public Proceed ☐ No Set ☐ No Record
 Sentence: Amount Forfeiture \$: _____ Traffic School: _____ Days (Monthly) probation: _____
 Other order: _____
 Appeal from \$: _____ Next due: _____
 Appeal to: _____ Court: _____
 As provided by law, I hereby certify that the information on this form is a true abstract of the record of this Court in this case.
 SIGNATURE: _____
 DATE: _____
 Signature of Judge or Clerk: _____

(d) Violator's copy, front and back:

NCIC NO. CAG060000X 123321123 123321123

SIGNATURE OF ACCUSED

Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

Chapter 391-3. ENVIRONMENTAL PROTECTION

Subject 391-3-1. AIR QUALITY CONTROL

391-3-1-.02 Provisions. Amended

(1) General Requirement.

No person shall construct or operate any facility from which air contaminants are or may be emitted in such a manner as to fail to comply with:

- (a) **Any applicable** standard of performance or other requirements established by EPA pursuant to Section 111 of the Federal Act;
- (b) **Any applicable** emission standard or other requirement for a hazardous air pollutant established by EPA pursuant to Section 112 of the Federal Act;
- (c) **Any applicable** increment, precondition for permit, or other requirement established for the Prevention of Significant Deterioration pursuant to Part C, Title I of the Federal Act; and
- (d) **Any applicable** standard, precondition for permit, or other requirement established for sources in areas designated by the Director as being non attainment with National Ambient Air Quality Standards pursuant to, or as part of Georgia's State Implementation Plan to meet the requirements of, Part D, Title I of the Federal Act.

(2) Emission Limitations and Standards.

(a) General Provisions.

1. No person owning, leasing or controlling the operation of any air contaminant sources shall willfully, negligently or through failure to provide necessary equipment or facilities or to take necessary precautions, cause, permit, or allow the emission from said air contamination source or sources of such quantities of air contaminants as will cause, or tend to cause, by themselves or in conjunction with other air contaminants a condition of air pollution in quantities or characteristics or of a duration which is injurious or which unreasonably interferes with the enjoyment of life or use of property in such area of the State as is affected thereby. Complying with any of the other paragraphs of these rules and regulations or any subparagraphs thereof, shall in no way exempt a person from this provision.

2. In cases where more than one paragraph of these regulations applies, the paragraph allowing the least emission of air contaminants to the atmosphere shall prevail.

3. Notwithstanding any other emission limitation or other requirement provided in the regulations, more stringent emission limitations or other requirements may be required of a facility as deemed necessary by the Director to:

- (i) meet any existing Federal laws or regulations; or
- (ii) safeguard the public health, safety and welfare of the people of the State of Georgia.

4. Notwithstanding any other requirement of this Chapter, in no event shall that part of a stack which came into existence after December 31, 1970, which exceeds good engineering practice stack height or any other dispersion technique, be taken into account for the purpose of determining the degree of emission limitations required for

control of any pollutant for which there is an ambient air standard established under the Act of the Federal Act. The terms and definitions of "dispersion techniques", "good engineering practice (GEP)", "nearby" and "excessive concentration" are those definitions found in 40 CFR 51.100(hh), (ii), (jj) and (kk) respectively.

5. If the Director finds, after notice and opportunity for public hearing that a particular instance of violation or noncompliance by a source, owner, or operator, with any emission limitation or standard or other requirement under the Act, is de minimis (as defined pursuant to 42 U.S.C. Section 7420 as amended) in nature, and duration, he may, as allowed by the Act and the Federal Act, exempt such source, owner or operator from the noncompliance penalties provided in Section 22 of the Act.

6. VOC Emission Standards, Exemptions, Area Designations, Compliance Schedules and Compliance Determinations.

(i) Exemptions and Area Designations.

(I) Sources located outside Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties whose potential emissions of volatile organic compounds are not more than 100 tons per year shall not be subject to subparagraphs (u), (v), (x), (aa) through (ff) [inclusive], (hh), (kk), (ll), (nn), and (qq) of this paragraph 391-3-1-.02(2).

(II) Sources used exclusively for chemical or physical analysis or determination of product quality and commercial acceptance shall not be subject to subparagraphs (t) through (ff) [inclusive], (hh) through (nn) [inclusive], (qq), and (tt) of this paragraph 391-3-1-.02(2), provided:

I. The operation of the source is not an integral part of the production process; and provided;

II. The emissions from the source do not exceed 800 pounds in any calendar month; and provided;

III. The exemption from such source is approved in writing by the Director.

(III) Sources located within Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale counties whose actual emissions of volatile organic compounds are less than 15 pounds per day shall not be subject to subparagraphs (u), (v), (x), (aa) through (ff) [inclusive], (kk), (ll), and (qq) of this paragraph 391-3-1-.02(2).

(IV) Coatings, inks and other VOC-containing materials in use at sources of VOC emissions subject to any limitations or requirements of subparagraphs (t) through (aa) [inclusive], (ii), (jj), (mm), and (tt) of this paragraph 391-3-1-.02(2) shall not be subject to any requirements of such subparagraphs, provided the source's total aggregate use of such materials is not in excess of 55 gallons per year and such exemption is approved in writing by the Division.

(V) Sources located within Barrow, Bartow, Carroll, Hall, Newton, Spalding, or Walton Counties whose actual emissions of volatile organic compounds are greater than or equal to 15 pounds per day shall be subject to subparagraphs (u), (v), (x), (aa) through (ff) [inclusive], (hh), (kk), (ll), (nn), and (qq) of this paragraph 391-3-1-.02(2) effective January 1, 2015. The requirements of this subparagraph (V) will no longer be applicable if the counties specified in this subparagraph (V) are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in these counties or the counties specified in subparagraph (III) above, the requirements of this subparagraph (V) will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

(VI) When determining applicability for a standard specified in this subparagraph 6.(i), only those emission sources that belong to the source category covered by each specific standard shall be included when compared against the applicability thresholds and provisions included in this subparagraph 6.(i).

(ii) Compliance Schedules.

(I) All sources of VOC emissions subject to any limitation or requirement of, or under, paragraph 391-3-1-.02(2) prior to the effective date of this amended Rule 391-3-1-.02, shall be in compliance or on an approved compliance schedule.

(iii) Compliance Determinations.

(I) Compliance determinations for coatings expressed as pounds of VOC per gallon of coating, excluding water, shall treat organic compounds that are not defined as VOCs as water for purposes of calculating the "excluding water" part of the coating composition.

7. Excess Emissions.

(i) Excess emissions resulting from startup, shutdown, malfunction of any source which occur though ordinary diligence is employed shall be allowed provided that (I) the best operational practices to minimize emissions are adhered to, and (II) all associated air pollution control equipment is operated in a manner consistent with good air pollution control practice for minimizing emissions and (III) the duration of excess emissions is minimized.

(ii) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction are prohibited and are violations of this Chapter (391-3-1).

(iii) The provisions of this paragraph 7. shall apply only to those sources which are not subject to any requirement under section (8) of this Rule (i.e. Rule 391-3-1-.02) or any requirement of 40 CFR, Part 60, as amended concerning New Source Performance Standards.

8. Emissions Bubbles.

(i) With respect to the emissions standards and limitations contained in this Chapter 391-3-1, as such requirements are applied to more than one process or piece of equipment at a source or sources, the Director may allow to the extent consistent with the Act and with the Federal Act under such conditions as he deems appropriate, emissions bubbles provided that:

(I) Such emissions bubbles will not interfere with the attainment and maintenance of ambient air quality standards as expeditiously as practical and does not result in any delay in compliance by any source beyond applicable deadline dates; and

(II) Such emissions bubbles are equivalent in pollution reduction, enforceability, and air quality impact to those individual process or equipment emission limits of State or federal requirements applicable at the time of the bubble; and

(III) Such emissions bubbles are consistent and in full compliance with the requirements of 40 CFR 52.21 (PSD), 40 CFR 60 (New Source Performance Standards) and 40 CFR 61 (NESHAPS); and

(IV) All modeling utilized in evaluating the air quality impact of emissions bubbles shall be done in accordance with modeling procedures acceptable to the Division.

(ii) Emissions bubbles involving different pollutants, types, temporary reductions, and increases of hazardous air pollutants are prohibited.

(iii) The affected source or facility which proposes the use of a bubble shall have the burden of demonstrating to the satisfaction of the Director, compliance with the requirements of this paragraph (2)(a)8.

(iv) For the purpose of this paragraph (2)(a)8. emissions bubbles let plants decrease pollution controls at one or more emission points in exchange for compensating increases in control at other emission points.

9. [reserved]

10. At all times, including periods of startup, shutdown, and malfunction, any person owning, leasing or controlling the operation of a stationary source shall maintain and operate such source, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on any information available to the Division which may include, but is not limited to, monitoring results, observations of the opacity or other characteristic of emissions, review of operating and maintenance procedures or records, and inspection or surveillance of the source.

11. Startup and Shutdown Emissions for SIP-Approved Rules

(i) Upon the effective date of EPA's final approval of GA Rules Chapter 391-3-1-.02(2)(a)11. as published in the Federal Register, the provisions of subparagraph 11.(ii) apply in lieu of GA Rule Chapter 391-3-1-.02(2)(a)7.

(ii) The provisions of this subparagraph 11.(ii) shall apply to all sources subject to emission limitations and standards in 391-3-1-.02(2)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (n), (p), (q), (r), (t), (u), (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt), (uu), (vv), (yy), (ccc), (ddd), (eee), (fff), (hhh), (jjj), (kkk), (lll), (mmm), (nnn), (rrr), (vvv), (yyy), (zzz), (aaaa). The provisions of this subparagraph 11.(ii) shall also apply to emission limitations established in accordance with the new source review requirements in 391-3-1-.02(7)(b) and/or [391-3-1-.03\(8\)](#) unless startup and shutdown emissions have already been specifically addressed via a federally enforceable permit.

(I) Compliance Options

I. Compliance with the emission limitations and standards identified in paragraph 391-3-1-.02(2)(a)11.(ii) shall be achieved by either Option A or B below:

A. Complying with the applicable emission limitations and standards at all times, including startup and shutdown; or

B. Complying with the applicable emission limitations and standards for emissions resulting from normal operations, and complying with applicable alternative work practice standards in subparagraphs (I)III., and either (I)IV., (I)V., or (I)VI. to address emissions resulting from startup and/or shutdown.

II. Excessive emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup or shutdown are prohibited and are violations of this Chapter (391-3-1).

III. The owner or operator of a source that chooses to comply with alternative work practice standards for startup and shutdown shall maintain the following documentation for five years in a form suitable for inspection and submission to the Division. Required monitoring data (during all periods of operation) and the following documentation shall be maintained:

A. Contemporaneous operating logs or other relevant evidence that document:

(A) The date, time and duration of each period of startup or shutdown where an alternative work practice standard was the method of compliance;

(B) Any actions taken during each period of startup and shutdown, including which option ((ii)(I)IV., (ii)(I)V., or (ii)(I)VI.) is followed; and

(C) Manufacturer's specifications and instructions, fire prevention protocols, and safety protocols relied upon to demonstrate compliance with any alternative work practice standard and records documenting implementation of such.

IV. General Alternative Work Practice Standards Option. Process equipment and air pollution control devices used for compliance with applicable rules in paragraph 391-3-1-.02(2)11.(ii), shall be operated in a manner consistent with good air pollution control practice for minimizing emissions as follows:

A. General Work Practice Standard Part 1

Applicable air pollution control devices shall be started as expeditiously as possible, providing for process and control device limitations and providing for safety constraints for protection of personnel and equipment and fire prevention and safety protocols such as provided by Black Liquor Recovery Boiler Advisory Committee (BLRBAC) or National Fire Protection Association (NFPA) codes. Documentation of such implementation of manufacturing specifications, fire protocols, and safety protocols shall be maintained, and;

B. General Work Practice Standard Part 2

During startup and shutdown periods, the owner or operator of a source shall comply with alternative work practice standards (A) through (M) below, as applicable, for fuel burning sources and pollution control devices installed by the owner or operator to meet an emission limitation referenced in paragraph 391-3-1-.02(2)(a) 11.(ii), as applicable:

(A) Baghouses shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by the fire prevention or safety protocols, unless the inlet gas temperature is below the dewpoint, outside the manufacturer's recommended operating temperature range, or if the pressure differential across the baghouse exceeds the manufacturer's recommended maximum pressure differential.

(B) Biofilters shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols.

(C) Carbon Adsorption Beds shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols.

(D) Condensers shall be operated, except as specified by the manufacturer or as required by fire prevention or safety protocols.

(E) Cyclones shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by fire prevention or safety protocols.

(F) Electrostatic precipitators (ESP) shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by fire prevention or safety protocols.

(G) Exhaust streams routed from one process to another process for thermal incineration, the control process shall be operated except as specified by the manufacturer or as required by fire prevention or safety protocols.

(H) Fuel burning sources shall burn, during startup and shutdown periods, a "clean fuel" as listed in item 5b. of Table 3 to 40 CFR Part 63 Subpart DDDDD, or the cleanest fuel the unit is permitted to burn, as practicable. Particulate matter, sulfur dioxide, and acid gas control equipment need not operate while associated fuel burning equipment is firing natural gas, propane, distillate oil, or combinations thereof exclusively during startup or shutdown.

(I) Selective catalytic reduction (SCR) shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols, if the catalyst inlet temperature is greater than 600°F, or as specified by manufacturer.

(J) Selective non-catalytic reduction (SNCR) shall be operated, except as specified by the manufacturer or as required by the fire prevention or safety protocols, when the reaction zone temperature is above 1600°F, or as specified by manufacturer.

(K) Scrubbers shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by the fire prevention or safety protocols.

(L) Sorbent injection systems (e.g. carbon, zeolite, lime, trona etc.), shall be operated, except as provided in (H) for fuel burning equipment, and except as specified by the manufacturer or as required by the fire prevention or safety protocols, when the exhaust gas stream temperature at the point of injection is greater than 300°F and exhaust gas velocity at the injection point exceeds 25 feet per second based on measurement or operating parameters.

(M) Thermal oxidizer devices (including, but not limited to, catalytic, regenerative, and recuperative systems) shall be operated, except as required by the manufacturer or in documented fire prevention or safety protocols.

V. Similar Process Equipment Alternative Work Practice Standards Option. In lieu of following the General Alternative Work Practice Standards Option in paragraph (ii)(I)IV. above, the owner or operator of a source may follow the startup and shutdown work practice standards in Federal rules included in 40 CFR Part 60 or 40 CFR Part 63 that address compliance during startup and shutdown operations for subject equipment or equipment that would be subject to the Federal rule except for rule applicability exemptions (e.g. construction date), provided that the rule contains specific work practice standards for startup and shutdown periods. These rules are adopted by Georgia as 391-3-1-.02(8) and (9). For example, coal-fired utilities may use 40 CFR 63 Subpart UUUUU (MATS rule) startup and shutdown work practice standard to comply with Georgia Rules 391-3-1-.02(2)(b) and (d).

VI. In lieu of following the startup and shutdown alternative work practices in subparagraphs (ii)(I)IV. or (ii)(I)V. above, the owner or operator of a source may comply with a source specific alternative work practice standard for startup and shutdown periods that has been incorporated into a federally enforceable operating permit. Any application to incorporate such work practice standards shall include, at a minimum, the following considerations:

A. The request is specific to the source and control device, if applicable;

B. Demonstration that compliance with the emissions limitation during startup or shutdown is infeasible, impracticable or unsafe;

C. The proposed alternative work practice standard is designed to minimize emissions during startup or shutdown periods, to the extent practicable;

D. The proposed alternative work practice standard should require that the source is operated in a manner consistent with good practice for minimizing emissions through planning, design, and operating procedures; and

E. The proposed alternative work practice standard includes provisions for monitoring and/or recordkeeping of the operator's actions during startup and shutdown to ensure practical enforceability of the proposed work practices.

F. Such requests shall be made through the application for a permit, permit modification, or permit renewal pursuant to the permit application requirements in [391-3-1-.03](#). The public notice requirements specified in [391-3-1-.03\(2\)\(i\)](#) shall be followed for all proposed alternative work practice standards in non-Title V permits. Public notice requirements specified in [391-3-1-.03\(10\)\(e\)8](#), and [391-3-1-.03\(10\)\(f\)1](#), shall be followed for all proposed alternative work practice standards in Title V permits.

(iii) Paragraph 391-3-1-.02(2)(a)11.(ii) becomes void if the June 12, 2015 publication (80 FR 33839) *State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown, and Malfunction* is:

(I) Declared or adjudged to be invalid or unconstitutional or stayed by the United States Court of Appeals for the Eleventh Circuit, the District of Columbia Circuit, or the United States Supreme Court; or

(II) Withdrawn, repealed, revoked, or otherwise rendered of no force and effect by the United States Environmental Protection Agency, Congress, or Presidential Executive Order.

12. Malfunction Emissions

(i) Upon the effective date of EPA's final approval of GA Rule Chapter 391-3-1-.02(2)(a)12.(i) and (ii) as published in the Federal Register, the provisions of this paragraph 12. shall apply in lieu of paragraph 7. to all sources subject to emission limitations and standards in 391-3-1-.02(2)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (n), (p), (q), (r), (t), (u), (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), (oo), (pp), (qq), (rr), (ss), (tt), (uu), (vv), (yy), (ccc), (ddd), (eee), (fff), (hhh), (jjj), (kkk), (lll), (mmm), (nnn), (rrr), (vvv), (yyy), (zzz), (aaaa). This paragraph 12. also applies to emission limitations established in accordance with the new source review requirements in 391-3-1-.02(7)(b) and/or [391-3-1-.03\(8\)](#) unless malfunction emissions have already been specifically addressed via a federally enforceable permit.

(ii) Compliance Options

(I) Compliance with the emission limitations and standards identified in paragraph 391-3-1-.02(2)(a)12.(i) shall be achieved by either:

I. Complying with the applicable emission limitations and standards at all times, including periods of malfunction or

II. Complying with the applicable emission limitations and standards for emissions resulting from normal operation, and complying with a source specific malfunction work practice standard approved into a federally enforceable air quality operating permit to address emissions resulting from malfunction.

(II) Excessive emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during malfunction are prohibited and are violations of this Chapter (391-3-1).

(III) The owner or operator of a source that chooses to comply with a source specific malfunction work practice standard approved into a federally enforceable operating permit shall maintain the following documentation for five years in a form suitable for inspection and submission to the Division. Required monitoring data (during all periods of operation) and the following documentation shall be maintained:

I. Contemporaneous operating logs or other relevant evidence that document:

A. The date, time and duration of each period of malfunction where an approved source specific malfunction work practice standard was the method of compliance;

B. Any actions taken during each period of malfunction; and

C. Manufacturer's specifications and instructions, fire prevention protocols, and safety protocols relied upon to demonstrate compliance with any source specific malfunction work practice standard and records documenting implementation of the manufacturer specifications and fire prevention safety protocols.

(IV) The owner or operator of a source may comply with a source specific malfunction work practice standard for malfunction periods that has been incorporated into a federally enforceable operating permit. The request shall also include, as a minimum the following considerations:

I. The work practice standard shall minimize emissions during the malfunction event and be designed to minimize the malfunction duration.

II. Such requests shall be made through the application for a permit, permit modification, or permit renewal pursuant to the permit application requirements in [391-3-1-.03](#). The public notice requirements specified in [391-3-1-.03\(2\)\(i\)](#) shall be followed for all proposed alternative work practice standards in non-Title V permits. Public notice requirements specified in [391-3-1-.03\(10\)\(e\)8.](#) and [391-3-1-.03\(10\)\(f\)1.](#) shall be followed for all proposed alternative work practice standards in Title V permits.

III. At all times, the source shall be operated in a manner consistent with good practice for minimizing emissions and the source uses best efforts regarding planning, design, and operating procedures. The owner or operator's actions during malfunction periods are documented by properly signed, contemporaneous operating logs or other relevant evidence.

IV. Failure to implement or follow the source specific malfunction work practice standard during a malfunction shall be a violation of the Georgia Rules for Air Quality Control [391-3-1-.03\(2\)\(g\)](#).

V. Any source that has a permit without a malfunction work practice standard limit will be required to comply with the applicable emission limit.

VI. Facilities that follow an approved source specific malfunction work practice standard during a malfunction that has been addressed in the source specific malfunction work practice standard shall be deemed in compliance.

Any application requesting a source specific malfunction work practice standard shall also include the following considerations:

A. The request is specific to the source and control device, if applicable;

B. Demonstration that compliance with the emissions limitation during malfunction is infeasible, impracticable or unsafe;

C. The proposed alternative work practice standard(s) is designed to minimize emissions during malfunction periods, to the extent practicable;

D. The proposed alternative work practice standard should require that the source is operated in a manner consistent with good practice for minimizing emissions through planning, design, and operating procedures; and

E. The proposed alternative work practice standard includes provisions for monitoring and/or recordkeeping of the operator's actions during malfunctions to ensure practical enforceability of the proposed work practices.

(V) Malfunctions that are not specifically included in an approved source specific work practice, or are the result of poor maintenance, poor operation, or otherwise reasonably preventable control equipment or process failure, are prohibited and shall be considered violations and reported in accordance with 391-3-1-.02(6)(b)1.(iv), if the malfunction continues for 4 hours or more.

(VI) Unless otherwise defined in 391-3-1-.02 or in an air quality operating permit, malfunction is defined as follows:

"Malfunction" means any unavoidable failure of air pollution control equipment, process equipment, or process to operate in a normal and usual manner that results in excessive emissions. Excessive emissions during periods of routine startup and shutdown of process equipment are not considered a malfunction. Failures caused entirely or in part by poor maintenance, careless operations or any other upset condition, within the control of the emission source, are not considered malfunctions.

(iii) Paragraphs 391-3-1-.02(2)(a)12.(i) and (ii) become void if the June 12, 2015 publication (80 FR 33839) *State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown, and Malfunction* is:

(I) Declared or adjudged to be invalid or unconstitutional or stayed by the United States Court of Appeals for the Eleventh Circuit, the District of Columbia Circuit, or the United States Supreme Court; or

(II) Withdrawn, repealed, revoked, or otherwise rendered of no force and effect by the United States Environmental Protection Agency, Congress, or Presidential Executive Order.

13. Startup, Shutdown, and Malfunction Emissions for Certain Rules

(i) Upon the effective date of EPA's final approval of GA Rule Chapter 391-3-1-.02(2)(a)11. and/or 12. as published in the Federal Register, the provisions of this paragraph 13. shall apply in lieu of paragraph 7. to all sources subject to emission limitations and standards in 391-3-1-.02(2)(zz), (ggg), (iii), (ppp), (qqq), (sss), (uuu), and (www).

(I) Excessive emissions resulting from startup, shutdown, malfunction of any source which occur though ordinary diligence is employed shall be allowed provided that (I) the best operational practices to minimize emissions are adhered to, and (II) all associated air pollution control equipment is operated in a manner consistent with good air pollution control practice for minimizing emissions and (III) the duration of excessive emissions is minimized.

(II) Excessive emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction are prohibited and are violations of this Chapter (391-3-1).

(III) The provisions of this subparagraph 13.(i) shall not apply to emissions in excess of any requirement under section 391-3-1-.02(8) or (9) of this Rule (i.e. any requirement of 40 CFR Part 60, 40 CFR Part 61, or 40 CFR Part 63).

(b) Visible Emissions.

1. Except as may be provided in other more restrictive or specific rules or subdivisions of this Chapter, no person shall cause, let, suffer, permit, or allow emissions from any air contaminant source the opacity of which is equal to or greater than forty (40) percent.

2. Upon written application to the Director, a person owning or operating an air pollution source may request that visible emission evaluations (opacity measurements) be conducted during particulate emission tests for a source, for the purpose of demonstrating compliance with a particulate emission standard. Any such tests or evaluations shall be conducted according to methods, procedures and requirements approved by the Division. All test results shall be subject to verification by the Division. The correlated visible emissions opacity determined during any such particulate emission tests which demonstrate compliance (with results verified by the Division) may, if greater than any applicable visible emissions opacity standard of this Chapter 391-3-1, be established by the Director as the visible emissions standard (opacity standard) for the source. Such visible emissions standards if so established shall be incorporated as a condition of the operating permit for the air pollution source.

3. The visible emission limitation of this subsection applies to direct sources of emissions such as stationary structures, equipment, machinery, stacks, flues, pipes, exhausts, vents, tubes, chimneys or similar structures.

4. The provisions of this subsection (b), apply only to facilities or sources subject to some other emission limitation under this section 391-3-1-.02(2).

(c) Incinerators.

1. Except as specified in the section dealing with conical burners, no person shall cause, let, suffer, permit, or allow the emissions of fly ash and/or other particulate matter from any incinerator, in amounts equal to or exceeding the following:

(i) Units with charging rates of 500 pounds per hour or less of combustible waste, including water, shall not emit fly ash and/or particulate matter in quantities exceeding 1.0 pound per hour.

(ii) Units with charging rates in excess of 500 pounds per hour of combustible waste, including water, shall not emit fly ash and/or particulate matter in excess of 0.20 pounds per 100 pounds of charge.

2. No person shall cause, let, suffer, permit, or allow from any incinerator, visible emissions the opacity of which is equal to or greater than twenty (20) percent except for one 6-minute period per hour of not more than twenty-seven (27) percent opacity.

3. No person shall cause or allow particles to be emitted from an incinerator which are individually large enough to be visible to the unaided eye.

4. No person shall operate an existing incinerator unless:

(i) it is a dual or multiple chamber incinerator;

(ii) it is equipped with an auxiliary burner in the primary chamber for the purpose of creating a pre-ignition temperature of 800°F; and

(iii) it has a secondary burner to control smoke and/or odors and maintain a temperature of at least 1500°F in the secondary chamber.

5. Designs other than those mentioned in Subparagraph 4. above shall be considered on an individual basis and will be exempt from the provisions if, in the judgment of the Director, said design results in performance which meets the standard set forth in paragraphs (2)(c)1., 2. and 3. above.

6. The provisions of this Subsection (c) shall not apply to:

(i) any hazardous waste incinerator subject to Section 391-3-11 of the Georgia Rules for Hazardous Waste Management, 40 CFR 264, Subpart O, as adopted by reference, "Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities," as amended;

(ii) any incinerator subject to Section 391-3-1-.02(8)(b)71. of the Georgia Rules for Air Quality Control, "Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994," as amended;

(iii) any incinerator subject to the Georgia State Plan, under Section 111(d) of the federal Act, for "Municipal Waste Combustors for Which Construction is Commenced On or Before September 20, 1994," as amended;

(iv) any incinerator subject to Section 391-3-1-.02(8)(b)73. of the Georgia Rules for Air Quality Control "Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators," as amended;

(v) any incinerator subject to Section 391-3-1-.02(2)(iii) of the Georgia Rules for Air Quality Control "Hospital/Medical/Infectious Waste Incinerators," as amended;

(vi) any incinerator subject to Section 391-3-1-.02(8)(b)75. of the Georgia Rules for Air Quality Control "Standards of Performance for Commercial and Industrial Solid Waste Incineration Units," as amended;

(vii) any incinerator subject to Section 391-3-1-.02(2)(ppp) of the Georgia Rules for Air Quality Control "Commercial and Industrial Solid Waste Incineration Units," as amended;

(viii) any vent gas incineration devices that are used as air pollution control equipment and boilers and industrial furnaces that burn waste (excluding hazardous waste) as a fuel;

(ix) any incinerator subject to Section 391-3-1-.02(8)(b)20. of the Georgia Rules for Air Quality Control "Standards of Performance for Sewage Treatment Plants," as amended;

(x) any incinerator subject to Section 391-3-1-.02(8)(b)74. of the Georgia Rules for Air Quality Control "Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999," as amended;

(xi) any incinerator subject to Section 391-3-1-.02(8)(b)76. of the Georgia Rules for Air Quality Control "Standards of Performance for Other Solid Waste Incinerator Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006," as amended;

(xii) any incinerator subject to Section 391-3-1-.02(8)(b)83. of the Georgia Rules for Air Quality Control "Standards of Performance for New Sewage Sludge Incineration Units" as amended; or

(xiii) any incinerator subject to Section 391-3-1-.02(2)(www) of the Georgia Rules for Air Quality Control "Sewage Sludge Incineration Units," as amended.

(d) Fuel-Burning Equipment.

1. No person shall cause, let, suffer, permit, or allow the emission of fly ash and/or other particulate matter from any fuel-burning equipment in operation or under construction on or before January 1, 1972, in amounts equal to or exceeding the following:

(i) for equipment less than 10 million BTU heat input per hour:

P = 0.7 pounds per million BTU heat input;

(ii) for equipment equal to or greater than 10 million BTU heat input per hour, and equal to or less than 2,000 million BTU heat input per hour:

$$P = 0.7 \left(\frac{10}{R} \right)^{0.202} \text{ pounds per million BTU heat input;}$$

(iii) equipment larger than 2,000 million BTU heat input per hour:

P = 0.24 pounds per million BTU heat input.

2. No person shall cause, let, suffer, permit, or allow the emission of fly ash and/or other particulate matter from any fuel-burning equipment constructed after January 1, 1972, in amounts equal to or exceeding the following:

(i) for equipment less than 10 million BTU heat input per hour:

P = 0.5 pounds per million BTU heat input;

(ii) for equipment equal to or greater than 10 million BTU heat input per hour, and equal to or less than 250 million BTU heat input per hour:

$$P = 0.5 \left(\frac{10}{R} \right)^{0.5} \text{ pounds per million BTU heat input;}$$

(iii) for equipment greater than 250 million BTU heat input per hour:

P = 0.10 pounds per million BTU heat input

P = allowable weight of emissions of fly ash and/or other particulate matter in pounds per million BTU heat input

R = heat input of fuel-burning equipment in million BTU per hour

3. No person shall cause, let, suffer, permit, or allow the emission from any fuel-burning equipment constructed or extensively modified after January 1, 1972, visible emissions the opacity of which is equal to or greater than twenty (20) percent except for one six minute period per hour of not more than twenty-seven (27) percent opacity.

4. No person shall cause, let, permit, suffer, or allow the emission of nitrogen oxides (NO_x), reported as nitrogen dioxide, from any fuel-burning equipment equal to or greater than 250 million BTU per hour of heat input that is constructed or extensively modified after January 1, 1972, equal to or exceeding the following:

- (i) when firing coal-0.7 pounds of NOx per million BTUs of heat input;
- (ii) when firing oil-0.3 pounds of NOx per million BTUs of heat input;
- (iii) when firing gas-0.2 pounds of NOx per million BTUs of heat input;
- (iv) when different fuels are burned simultaneously in any combination the applicable standard, expressed as pounds of NOx per million BTUs of heat input, shall be determined by proration. Compliance shall be determined by using the following formula:

$$\frac{x(0.20) + y(0.30) + z(0.70)}{x + y + z}$$

where:

x = percent of total heat input derived from gaseous fuel;

y = percent of total heat input derived from oil;

z = percent of total heat input derived from coal.

(e) Particulate Emission from Manufacturing Processes.

1. Except as may be specified in other sections of these regulations or as may be specified in a permit issued by the Director, no person shall cause, let, permit, suffer, or allow the rate of emission from any source, particulate matter in total quantities equal to or exceeding the amounts specified in subparagraphs (i) or (ii), below, as applicable. Equipment in operation, or under construction contract, on or before July 2, 1968, shall be considered existing equipment. All other equipment put in operation or extensively altered after said date is to be considered new equipment.

- (i) The following equations shall be used to calculate the allowable rates of emission from new equipment:

$E = 4.1 P^{0.67}$; for process input weight rate up to and including 30 tons per hour.

$E = 55 P^{0.11} - 40$; for process input weight rate above 30 tons per hour.

- (ii) The following equation shall be used to calculate the allowable rates of emission from existing equipment:

$E = 4.1 P^{0.67}$

E = emission rate in pounds per hour

P = process input weight rate in tons per hour.

(f) Normal Superphosphate Manufacturing Facilities.

1. Unit emissions of fluoride for normal superphosphate manufacturing facilities, expressed as pounds of fluoride ion per ton of P_2O_5 or equivalent, shall not exceed 0.40 pounds. The allowable emission of fluorides shall be calculated by multiplying the unit emission specified above times the expressed design capacity of the source in question.

(g) Sulfur Dioxide.

1. New fuel-burning sources capable of firing fossil fuel(s) at a rate exceeding 250 million BTUs per hour heat input, constructed or extensively modified after January 1, 1972, excluding kraft pulp mill recovery furnaces, may not emit sulfur dioxide equal to or exceeding:

(i) 0.8 pounds of sulfur dioxide per million BTUs of heat input derived from liquid fossil fuel or derived from liquid fossil fuel and wood residue;

(ii) 1.2 pounds of sulfur dioxide per million BTUs of heat input derived from solid fossil fuel or derived from solid fossil fuel and wood residue;

(iii) When different fossil fuels are burned simultaneously in any combination, the applicable standard expressed as pounds of sulfur dioxide per million BTUs of heat input shall be determined by proration using the following formula:

$$a = \frac{y(0.80) + z(1.2)}{y + z}$$

where:

y = percent of total heat input derived from liquid fossil fuel;

z = percent of total heat input derived from solid fossil fuel;

a = the allowable emission in pounds per million BTUs.

2. All fuel burning sources below 100 million BTUs of heat input per hour shall not burn fuel containing more than 2.5 percent sulfur, by weight. All fuel burning sources having a heat input of 100 million BTUs per hour or greater shall not burn a fuel containing more than 3 percent sulfur, by weight.

3. Notwithstanding the limitations on sulfur content of fuels stated in paragraph 2. above, the Director may allow sulfur content greater than that allowed in paragraph 2. above, provided that the source utilizes sulfur dioxide removal and the sulfur dioxide emission does not exceed that allowed by paragraph 2. above, utilizing no sulfur dioxide removal.

(h) Portland Cement Plants.

1. See Section 391-3-1-.02(8) for applicable New Source Performance Standards.

(i) Nitric Acid Plants.

1. No person shall cause or allow the emission of nitrogen oxides (NOx), expressed as nitrogen dioxide, from Nitric Acid Plants equal to or exceeding:

(i) for plants constructed before January 1, 1972: 25 pounds of NOx expressed as nitrogen dioxide, per ton of 100% acid produced;

(ii) for plants constructed after January 1, 1972, the applicable New Source Performance Standards of 391-3-1-.02(8).

2. No person shall operate a nitric acid plant unless the plant is equipped with a continuous NOx monitor and recorder or an alternate system approved by the Director.

(j) Sulfuric Acid Plants.

1. No person shall cause or allow the emission of sulfur dioxide (SO₂) and acid mist from sulfuric acid plants equal to or exceeding:

(i) For plants constructed before January 1, 1972, 27.0 pounds of SO₂, and 0.15 pounds of acid mist per ton of 100% acid produced;

(ii) For plants constructed or extensively modified after January 1, 1972, the applicable New Source Performance Standards of 391-3-1.02(8).

2. No person shall operate a sulfuric acid plant unless the plant is equipped with a continuous SO₂ monitor and recorder or an approved alternate system approved by the Director.

(k) Particulate Emission from Asphaltic Concrete Hot Mix Plants.

1. No person shall cause, let, suffer, permit, or allow the emission of particulate matter from an Asphaltic Concrete Hot Mix Plant equal to or exceeding amounts derived from the following formulas:

(i) For existing plants below 45 tons per hour input- $E = P$, pounds per hour;

(ii) For existing plants equal to or greater than 45 tons per hour input- $E = 10P^{0.4}$ pounds per hour;

(iii) For new plants below 125 tons per hour input- $E = 2.1P^{0.6}$, pounds per hour;

(iv) For new plants equal to or greater than 125 tons per hour input- $E = 14P^{0.2}$, pounds per hour;

(v) Equals the allowable emission of particulate matter in pounds per hour. P equals the process input weight rate in tons per hour;

(vi) Equipment in operation, or under construction contract, on or before January 1, 1972, shall be considered existing equipment. All equipment constructed or extensively altered after said date shall be considered new.

2. The New Source Performance Standards of 391-3-1-.02(8) for such asphaltic concrete plants apply to all such plants commencing construction on or after the effective date of such standards.

(l) [reserved]

(m) Repealed.

(n) Fugitive Dust.

1. All persons responsible for any operation, process, handling, transportation or storage facility which may result in fugitive dust shall take all reasonable precautions to prevent such dust from becoming airborne. Some reasonable precautions which could be taken to prevent dust from becoming airborne include, but are not limited to, the following:

(i) Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;

(ii) Application of asphalt, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces which can give rise to airborne dusts;

(iii) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods can be employed during sandblasting or other similar operations;

(iv) Covering, at all times when in motion, open bodied trucks, transporting materials likely to give rise to airborne dusts;

(v) The prompt removal of earth or other material from paved streets onto which earth or other material has been deposited.

2. The percent opacity from any fugitive dust source listed in paragraph (2)(n)1. above shall not equal or exceed 20 percent.

(o) [reserved]

(p) Particulate Emissions from Kaolin and Fuller's Earth Processes.

1. The following equations shall be used to calculate the allowable rates of emission from kaolin and fuller's earth process equipment constructed or extensively modified after January 1, 1972:

(i) $E = 3.59P^{0.62}$; for process input weight rate up to and including 30 tons per hour;

(ii) $E = 17.31P^{0.16}$; for process input weight rate in excess of 30 tons per hour.

2. The following equation shall be used to calculate the allowable rates of emission from kaolin and fuller's earth process equipment constructed or put in operation on or before January 1, 1972:

(i) $E = 4.1P^{0.67}$; for process input weight rate up to and including 30 tons per hour;

(ii) $E = 55P^{0.11} - 40$; for process input weight rate above 30 tons per hour.

E = allowable emission rate in pounds per hour;

P = process input weight rate in tons per hour.

(q) Particulate Emissions from Cotton Gins.

1. The emission of particulate matter from any cotton ginning operation shall not exceed the amounts specified below.

(i) The following equation shall be used to calculate the allowable rates of emission:

$$E = 7 B^{0.5}$$

E = allowable emission rate in pounds per hour

B = number of standard bales per hour-A standard bale is defined as a finished bale weighing 500 pounds.

2. In lieu of demonstrating compliance with the applicable emission standard contained in 391-3-1-.02(2)(q)1.(i) the following control devices may be utilized:

(i) for emission control from low pressure exhausts, the use of screens with a mesh size of 80 by 80 or finer, or the use of perforated condenser drums with holes not exceeding .045 inches in diameter, or the use of a dust house.

(ii) for emission control from high pressure exhausts, the use of high efficiency cyclones.

If compliance with the emission standard specified in 391-3-1-.02(2)(q)1.(i) is required, then the testing methodology to be utilized shall be that specified in the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants.

(r) Particulate Emissions from Granular and Mixed Fertilizer Manufacturing Units.

1. For the purpose of this regulation the ammoniator, dryer, cooler and associated equipment will be considered one unit.

2. The following equations shall be used to calculate the allowable rates of emission from granular and mixed fertilizer manufacturing units:

(i) $E = 3.59P^{0.62}$; for production weights up to and including 30 tons per hour;

(ii) $E = 17.31P^{0.16}$; for production rates above 30 tons per hour;

E = allowable emission rate in pounds per hour;

P = production rate of finished product in tons per hour. Recycle will not be included.

(s) Nitrogen Oxides. (Repealed)

(t) VOC Emissions from Automobile and Light-Duty Truck Manufacturing.

1. No person shall cause, let, permit, suffer or allow the emissions of VOC from automobile and/or light-duty truck manufacturing facilities to exceed:

(i) 1.2 pounds of VOC per gallon of coating excluding water, as a monthly weighted average, from each electrophoretic applied prime operation;

(ii) 15.1 pounds of VOC per gallon of applied coating solids, as a daily weighted average, from each spray prime operation;

(iii) 15.1 pounds of VOC per gallon of applied coating solids, as a daily weighted average, from each topcoat operation;

(iv) 4.8 pounds of VOC per gallon of coating delivered to the coating applicator from each final repair operation. If any coating delivered to the coating applicator contains more than 4.8 pounds of VOC per gallon of coating, the limit shall be 13.8 pounds of VOC per gallon of coating solids sprayed, as a daily weighted average.

(v) 3.5 pounds of VOC per gallon of sealer, excluding water, delivered to an applicator that applies sealers in amounts less than 25,000 gallons during a 12 consecutive month period;

(vi) 1.0 pounds of VOC per gallon of sealer, excluding water, delivered to a coating applicator that applies sealers in amounts greater than 25,000 gallons during a 12 consecutive month period;

(vii) 3.5 pounds of VOC per gallon of adhesive, excluding water, delivered to an applicator that applies adhesives, except body glass adhesives;

(viii) 6.9 pounds of VOC per gallon of cleaner, excluding water, delivered to an applicator that applies cleaner to the edge of body glass prior to priming;

(ix) 5.5 pounds of VOC per gallon of primer, excluding water, delivered to an applicator that applies primer to the body glass or to the body to prepare the glass and body for bonding;

(x) 1.0 pounds of VOC per gallon of adhesive, excluding water, delivered to an applicator that applies adhesive to bond body glass to the body;

(xi) 4.4 pounds of VOC per gallon of coating delivered to any applicator that applies clear coating to fascias. No coating may be used that exceeds this limit;

(xii) 4.4 pounds of VOC per gallon of coating delivered to any applicator that applies base coat to fascias, on a daily weighted average basis;

(xiii) 3.5 pounds of VOC per gallon of material, excluding water, for all other materials not subject to some other emission limitation stated in this paragraph.

2. No person shall cause, let, permit, suffer or allow the emissions of VOC from automobile and/or light-duty truck manufacturing facilities to exceed:

(i) 0.7 pounds of VOC per gallon of coating solids applied, as a monthly weighted average, from each electrodeposition primer (EDP) operation when the solids turnover ratio is greater than or equal to 0.16. For purposes of this subsection an EDP operation includes application area, spray/rinse stations, and curing oven.

(ii) Electrodeposition Primer Operation: the value calculated by the following formula, as a monthly weighted average, from each electrodeposition primer (EDP) operation when the solids turnover ratio is less than 0.160 and greater than or equal to 0.040:

(I) pounds of VOC per gallon of coating solids applied

$$= (8.34 \text{ lb / gal})(0.084)(350^{0.160-R_T})$$

where R_T = Solids Turnover Ratio

(iii) 12.0 pounds of VOC per gallon of deposited solids, as a daily weighted average basis from each of the following: primer-surfacer operation; topcoat operation; combined primer-surfacer and topcoat operations. For purposes of this subsection each operation includes application area, flash-off area, and oven.

(iv) 4.8 pounds of VOC per gallon of coating, less water and less exempt solvents, as a daily weighted average, from each final repair operation.

(v) 3.5 pounds of VOC per gallon of sealer, excluding water, delivered to an applicator that applies sealers in amounts less than 25,000 gallons during a 12 consecutive-month period;

(vi) 1.0 pounds of VOC per gallon of sealer, excluding water, delivered to a coating applicator that applies sealers in amounts greater than 25,000 gallons during a 12 consecutive-month period;

(vii) 250 grams of VOC per liter of adhesive (2.08 lb/gallon), excluding water, delivered to an applicator that applies adhesives, except body glass adhesives and weatherstrip adhesives;

(viii) 1.0 pounds of VOC per gallon of adhesive, excluding water, delivered to an applicator that applies adhesive to bond body glass to the body;

(ix) 6.9 pounds of VOC per gallon of cleaner, excluding water, delivered to an applicator that applies cleaner to the edge of body glass prior to priming;

(x) 5.5 pounds of VOC per gallon of primer, excluding water, delivered to an applicator that applies glass bonding primer to the body glass or to the body to prepare the glass and body for bonding;

(xi) 4.4 pounds of VOC per gallon of coating delivered to any applicator that applies clear coating to fascias. No coating may be used that exceeds this limit;

(xii) 4.4 pounds of VOC per gallon of coating delivered to any applicator that applies base coat to fascias, on a daily weighted average basis;

(xiii) 200 grams of VOC per liter of coating (1.669 lb/gal), excluding water, delivered to an applicator that applies one of the following: gasket/gasket sealing material; bedliner;

(xiv) 3.5 pounds of VOC per gallon of material, excluding water, for all other materials not subject to some other emission limitation stated in this paragraph. This includes but is not limited to coatings such as cavity wax, deadener, underbody coating, interior coating, weatherstrip adhesive, and/or lubricating wax/compound.

3. The emission limits stated in paragraphs 1. and 2. shall be achieved by the application of low solvent technology or a system demonstrated to have equivalent control efficiency on the basis of pounds of VOC per gallon of solids.

4. No person shall cause, let, permit, suffer or allow the emissions of VOC from the use of wipe-off solvents to exceed 1.0 pounds per unit of production as a rolling, 12-month average. Wipe-off solvents shall include those solvents used to clean dirt, grease, excess sealer and adhesive, or other foreign matter from the car body in preparation for painting or other production-related operation.

5. No person shall cause, let, permit, suffer or allow the emission of VOCs from flush or clean paint application systems including paint lines, tanks and applicators, unless such solvents are captured to the maximum degree feasible by being directed into containers that prevent evaporation into the atmosphere.

6. No person shall store solvents or waste solvents in drums, pails, cans or other containers unless such containers have air-tight covers which are in place at all times when materials are not being transferred into or out of the container.

7. No person shall cause, let, permit, suffer or allow the emissions of VOC from the cleaning of oil and grease stains on the body shop floor to exceed 0.1 pounds per unit of production.

8. For the purpose of this subsection; the following definitions apply:

(i) "Adhesive" means any chemical substance that is applied for the purpose of bonding two surfaces together without regard to the substrates involved other than by mechanical means.

(ii) "Automobile" means all passenger cars or passenger car derivatives capable of seating a maximum of 12 or fewer passengers.

(iii) "Bedliner" means a multi-component coating, used at an automobile or light-duty truck assembly coating facility, applied to a cargo bed after the application of topcoat and outside of the topcoat operation to provide additional durability and chip resistance.

(iv) "Cavity wax" means a coating, used at an automobile or light-duty truck assembly coating facility, applied into the cavities of the vehicle primarily for the purpose of enhancing corrosion protection.

(v) "Deadener" means a coating, used at an automobile or light-duty truck assembly coating facility, applied to selected vehicle surfaces primarily for the purpose of reducing the sound of road noise in the passenger compartment.

(vi) "Electrodeposition primer" means a process of applying a protective, corrosion-resistant waterborne primer on exterior and interior surfaces that provides thorough coverage of recessed areas. It is a dip coating method that uses an electrical field to apply or deposit the conductive coating onto the part. The object being painted acts as an electrode that is oppositely charged from the particles of paint in the dip tank. Also referred to as E-coat, Uni-Prime, and ELPO Primer.

(vii) "Electrophoretic Applied Prime Operation" means the dip tank flash-off area and bake oven(s) which are used to apply and dry or cure the initial coating on components of automobile and light-duty truck bodies by submerging the body components in a coating bath with an electrical potential difference between the components and the bath, and drying or curing such coating on the components in bake oven(s);

(viii) "Final repair" means the operations performed and coating(s) applied to completely-assembled motor vehicles or to parts that are not yet on a completely assembled vehicle to correct damage or imperfections in the coating. The curing of the coatings applied in these operations is accomplished at a lower temperature than that used for curing primer-surfacer and topcoat. This lower temperature cure avoids the need to send parts that are not yet on a completely assembled vehicle through the same type of curing process used for primer-surfacer and topcoat and is necessary to protect heat sensitive components on completely assembled vehicles.

(ix) "Gasket/gasket sealing material" means a fluid, used at an automobile or light-duty truck assembly coating facility, applied to coat a gasket or replace and perform the same function as a gasket. Automobile and light-duty truck gasket/gasket sealing material includes room temperature vulcanization (RTV) seal material.

(x) "Glass bonding primer" means a primer, used at an automobile or light-duty truck assembly coating facility, applied to windshield or other glass, or to body openings, to prepare the glass or body opening for the application of glass bonding adhesives or the installation of adhesive bonded glass. Automobile and light-duty truck glass bonding primer includes glass bonding/cleaning primers that perform both functions (cleaning and priming of the windshield or other glass, or body openings) prior to the application of adhesive or the installation of adhesive bonded glass.

(xi) "In-line repair" means the operation performed and coating(s) applied to correct damage or imperfections in the topcoat on parts that are not yet on a completely assembled vehicle. The curing of the coatings applied in these operations is accomplished at essentially the same temperature as that used for curing the previously applied topcoat. Also referred to as high bake repair or high bake reprocess. In-line repair is considered part of the topcoat operation.

(xii) "Interior coating" means a coating, used at an automobile or light-duty truck assembly coating facility outside of the primer-surfacer and topcoat operations, applied to the trunk interior to provide chip protection.

(xiii) "Light-Duty Trucks" means any motor vehicles rated 8500 pounds gross weight or less which are designed primarily for the purpose of transportation or are derivatives of such vehicles;

(xiv) "Lubricating wax/compound" means a protective lubricating material, used at an automobile or light-duty truck assembly coating facility, applied to vehicle hubs and hinges.

(xv) "Manufacturing Facility" means a facility which assembles twenty (20) or more automobiles or light-duty trucks per day (either separately or in combination) ready for sale to vehicle dealers. Customizers, body shops and other repainters are not part of this definition;

(xvi) "Primer-surfacer" means an intermediate protective coating applied over the electrodeposition primer and under the topcoat. Primer-surfacer provides adhesion, protection, and appearance properties to the total finish. Primer-surfacer may also be called guide coat or surfacer. Primer-surfacer operations may include other coating(s) (e.g., anti-chip, lower-body anti-chip, chip-resistant edge primer, spot primer, blackout, deadener, interior color, basecoat replacement coating, etc.) that is (are) applied in the same spray booth(s).

(xvii) "Sealer" means a high viscosity material, used at an automobile or light-duty truck assembly coating facility, generally, but not always, applied in the paint shop after the body has received an electrodeposition primer coating and before the application of subsequent coatings (e.g., primer-surfacer). The primary purpose of automobile and light-duty truck sealer is to fill body joints completely so that there is no intrusion of water, gases or corrosive materials into the passenger area of the body compartment. Such materials are also referred to as sealant, sealant primer, or caulk.

(xviii) "Solids turnover ratio (R_T)" means the ratio of total volume of coating solids that is added to the EDP system in a calendar month divided by the total volume design capacity of the EDP system.

(xix) "Spray Prime Operation" means the spray prime booth, flash-off area and bake oven(s) which are used to apply and dry or cure a surface coating between the electrophoretic applied prime and topcoat operations on the components of automobile and light-duty truck bodies;

(xx) "Topcoat" means the final coating system applied to provide the final color and/or a protective finish. The topcoat may be a monocoat color or basecoat/clearcoat system. In-line repair and two-tone are part of topcoat. Topcoat operations may include other coating(s) (e.g., blackout, interior color, etc.) that is (are) applied in the same spray booth(s).

(xxi) "Underbody coating" means a coating, used at an automobile or light-duty truck assembly coating facility, applied to the undercarriage or firewall to prevent corrosion and/or provide chip protection.

(xxii) "Weatherstrip adhesive" means an adhesive, used at an automobile or light-duty truck assembly coating facility, applied to weatherstripping materials for the purpose of bonding the weatherstrip material to the surface of the vehicle.

9. Applicability: Prior to January 1, 2015, the requirements of this subparagraph (t) shall apply to facilities at which actual emissions of volatile organic compounds from the use of automobile and light-duty truck assembly coatings equal or exceed 2.7 tons per 12-month rolling period and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1, 3, 4, 5, 6, 7, and 8.

10. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (t) shall apply to facilities at which the potential emissions of volatile organic compounds from the use of automobile and light-duty truck assembly coatings equal or exceed 100 tons per year and are located outside the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1, 3, 4, 5, 6, 7, and 8.

11. Applicability: On and after January 1, 2015, the requirements of this subparagraph (t) shall apply to facilities at which actual emissions of volatile organic compounds from the use of automobile and light-duty truck assembly coatings equal or exceed 2.7 tons per 12-month rolling period and are located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 2, 3, 4, 5, 6, 7, and 8.

(ii) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraph 2 are subject to the compliance schedule specified in subparagraph 14.

12. On and after January 1, 2015, the requirements of this subparagraph (t) shall apply to facilities at which the potential emissions of volatile organic compounds from the use of automobile and light-duty truck assembly coatings equal or exceed 100 tons per year and are located outside the counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding and Walton as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1, 3, 4, 5, 6, 7, and 8.

13. Applicability: The requirements of subparagraphs 11. and 12. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 9. and 10. will continue to apply on and after January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraphs 11. and 12. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

14. Compliance Schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified in subparagraph 2 must be completed before **January 1, 2015**.

(u) VOC Emissions from Can Coating.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from can coating operations to exceed:

(i) 2.8 pounds per gallon of coating, excluding water, delivered to the coating applicator from sheet base coat (exterior and interior) and overvarnish or two-piece can exterior (basecoat and overvarnish) operations. If any coating delivered to the coating applicator contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.52 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) 4.2 pounds per gallon of coating, excluding water, delivered to the coating applicator from two and three-piece can interior body spray and two-piece can exterior end (spray and roll coat) operations. If any coating delivered to the coating applicator contains more than 4.2 pounds VOC per gallon, the solids equivalent limit shall be 9.78 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iii) 5.5 pounds per gallon of coating, excluding water, delivered to the coating applicator from three-piece side-seam spray operations. If any coating delivered to the coating applicator contains more than 5.5 pounds VOC per gallon, the solids equivalent limit shall be 21.8 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iv) 3.7 pounds per gallon of coating, excluding water, delivered to the coating applicator from end seal compound operations. If any coating delivered to the coating applicator contains more than 3.7 pounds VOC per gallon, the solids equivalent limit shall be 7.44 pounds VOC per gallon of coating solids delivered to the coating applicator.

2. The emission limits in this subsection shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit expressed in pounds VOC per gallon of coating, excluding water, stated in paragraph 1. of this subsection; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit, expressed in pounds VOC per gallon of coating solids, stated in paragraph 1. of this subsection; averaging across lines is not allowed; or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the non-methane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit expressed in pounds VOC per gallon of coating solids stated in paragraph 1. of this subsection.

3. For the purpose of this subsection, the following definitions apply:

(i) "End sealing compound" means a synthetic rubber compound which is coated onto can ends and which functions as a gasket when the end is assembled on the can.

(ii) "Exterior base coating" means a coating applied to the exterior of a two-piece can body to provide protection to the metal or to provide background for the lithographic or printing operation.

(iii) "Sheet base coating" means a coating applied to metal in sheet form to serve as either the exterior or interior of two-piece or three-piece can bodies or can ends.

(iv) "Interior body spray" means a coating sprayed on the interior of the can body to provide a protective film between the product and the can.

(v) "Overvarnish" means a coating applied directly over ink to reduce the coefficient of friction, to provide gloss and to protect the finish against abrasion and corrosion.

(vi) "Three-piece can side-seam spray" means a coating sprayed on the exterior and interior of a welded, cemented or solder seam to protect the exposed metal.

(vii) "Two-piece can exterior end coating" means a coating applied by roller coating or spraying to the exterior end of a can to provide protection to the metal.

(v) VOC Emissions from Coil Coating.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from coil coating operations to exceed:

(i) 2.6 pounds per gallon of coating, excluding water, delivered to the coating applicator from prime and topcoat or single coat operations. If any coating delivered to the coating applicator contains more than 2.6 pounds VOC per gallon, the solids equivalent limit shall be 4.02 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) The emission limits in this subsection shall apply to the coating applicator(s), oven(s) and quench area(s) of coil coating lines involved in prime and topcoat or single coat operations.

2. The emission limits in this subsection shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit of 2.6 pounds VOC per gallon of coating, excluding water, stated in paragraph 1. of this subsection; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit of 4.02 pounds VOC per gallon of coating solids, stated in paragraph 1. of this subsection; averaging across lines is not allowed; or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the non-methane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit of 4.02 pounds VOC per gallon of coating solids stated in paragraph 1. of this subsection.

3. For the purpose of this subsection, the following definitions apply:

(i) "Coil Coating" means the coating of any flat metal sheet or strip that comes in rolls or coils;

(ii) "Quench Area" means a chamber where the hot metal exiting the oven is cooled by either a spray of water or a blast of air followed by water cooling.

(w) VOC Emissions from Paper Coating.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from paper coating to exceed:

(i) 2.9 pounds per gallon of coating, excluding water, delivered to the coating applicator from a paper coating line. This limit shall apply to roll, knife, rotogravure and saturation coater(s) and drying oven(s) of paper coating. If any coating delivered to the coating applicator contains more than 2.9 pounds VOC per gallon, the solids equivalent limit shall be 4.79 pounds VOC per gallon of coating solids delivered to the coating applicator.

2. The emission limits in subparagraph 1. shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit of 2.9 pounds VOC per gallon of coating, excluding water; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit of 4.79 pounds VOC per gallon of coating solids; averaging across lines is not allowed; or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the non-methane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit of 4.79 pounds VOC per gallon of coating solids.

3. No person shall cause, let, permit, suffer, or allow the emissions of VOC from paper, film and foil coating unless:

(i) VOC emission reduction equipment with an overall VOC control efficiency is 90 percent for each coating line is installed and operated; or

(ii) VOC emissions are less than 0.08 pounds per pound of coating for each coating line except pressure sensitive tape and label coating; or

(iii) VOC emissions are less than 0.40 pounds per pound of solids applied for each coating line except pressure sensitive tape and label coating.

4. No person shall cause, let, permit, suffer, or allow the emissions of VOC from pressure sensitive tape and label coating unless:

(i) VOC emission reduction equipment with an overall VOC control efficiency is 90 percent for each coating line is installed and operated; or

(ii) VOC emissions are less than 0.067 pounds per pound of coating for each coating line; or

(iii) VOC emissions are less than 0.20 pounds per pound of solids applied for each coating line.

5. Each owner or operator of a facility that coats paper, film or foil including pressure sensitive tape and label coating shall comply with the following housekeeping requirements for any affected cleaning operation:

(i) store all VOC-containing cleaning materials and used shop towels in closed containers;

(ii) ensure that storage containers used for VOC-containing cleaning materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing cleaning materials;

(iv) convey VOC-containing cleaning materials from one location to another in closed containers or pipes; and

(v) minimize VOC emissions from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.

6. For the purpose of this subparagraph, the following definitions apply:

(i) "Knife Coating" means the application of a coating material to a substrate by means of drawing the substrate beneath a knife that spreads the coating evenly over the full width of the substrate;

(ii) "Paper Coating" means the application of a coating on paper and pressure sensitive tapes, including plastic film and metallic foil, regardless of substrate, in which the coating is distributed uniformly across the web;

(iii) "Roll Coating" means the application of a coating material to a substrate by means of hard rubber or steel rolls;

(iv) "Rotogravure Coating" means the application of a coating material to a substrate by means of a roll coating technique in which the pattern to be applied is etched on the coating roll. The coating material is picked up in these recessed areas and is transferred to the substrate.

7. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (w) shall apply to facilities at which the actual emissions of volatile organic compounds from paper, film, and foil coating, including pressure sensitive tape and label coating, equal or exceed 15 pounds per day and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 6.

8. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (w) shall apply to facilities at which the potential emissions of volatile organic compounds from paper, film, and foil coating, including pressure sensitive tape and label coating, equal or exceed 100 tons per year and are located outside the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 6.

9. Applicability. On and after January 1, 2015, the requirements of this Subparagraph (w) shall apply to facilities at which actual emissions of volatile organic compounds from paper, film, and foil coating, including pressure sensitive tape and label coating, equal or exceed 15 pounds per day (or 2.7 tons per 12-month rolling period) for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 5. and 6.

(ii) Individual surface coating lines that have potential emissions of volatile organic compounds from paper, film, and foil coating, including pressure sensitive tape and label coating, that equal or exceed 25 tons per year shall comply with the provisions of subparagraphs 3. and 4.

(iii) Individual surface coating lines that have potential emissions of volatile organic compounds from paper, film, and foil coating, including pressure sensitive tape and label coating, that do not equal or exceed 25 tons per year and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale County shall comply with the provisions of subparagraphs 1. and 2.

(iv) Individual surface coating lines that have potential emissions of volatile organic compounds from paper, film, and foil coating, including pressure sensitive tape and label coating, that do not equal or exceed 25 tons per year but are located at facilities that have potential emissions of volatile organic compounds from paper coating that equal or exceed 100 tons per year and are located in Barrow, Bartow, Carroll, Hall, Newton, Spalding, or Walton County shall comply with the provisions of subparagraphs 1. and 2.

(v) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraphs 3., 4., or 5. are subject to the compliance schedule specified in subparagraph 12.

10. Applicability. On and after January 1, 2015, the requirements of this subparagraph (w) shall apply to facilities at which potential emissions of volatile organic compounds from paper, film, and foil coating, including pressure sensitive tape and label coating, equal or exceed 100 tons per year and are located outside of counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 6.

11. Applicability. The requirements of subparagraphs 9. and 10. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 7. and 8. will continue to apply on and after January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraphs 9. and 10. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

12. Compliance schedule.

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements of subparagraphs 3., 4., and 5. must be completed before **January 1, 2015**.

(x) VOC Emissions from Fabric and Vinyl Coating.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from fabric and vinyl coating operations to exceed:

(i) 2.9 pounds per gallon of coating, excluding water, delivered to the coating applicator from a fabric coating line. If any coating delivered to the coating applicator contains more than 2.9 pounds VOC per gallon, the solids equivalent limit shall be 4.79 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) 3.8 pounds per gallon of coating, excluding water, delivered to the coating applicator from a vinyl coating line. If any coating delivered to the coating applicator contains more than 3.8 pounds VOC per gallon, the solids equivalent limit shall be 7.86 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iii) The emission limits in this subsection shall apply to roll, knife, or rotogravure coater(s) and drying oven(s) of fabric and vinyl coating lines.

2. The emission limits in this subsection shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit, expressed in pounds VOC per gallon of coating excluding water, stated in paragraph 1. of this subsection; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit, expressed in pounds VOC per gallon of coating solids, stated in paragraph 1. of this subsection; averaging across lines is not allowed: or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the non-methane volatile organic compounds which enter the control equipment are recovered or destroyed and that overall VOC emissions do not exceed the solids equivalent limit expressed in pounds VOC per gallon of coating solids stated in paragraph 1. of this subsection.

3. For the purpose of this subsection, the following definitions apply:

(i) "Fabric Coating" means the coating of a textile substrate with a knife roll, or rotogravure coater to impart properties that are not initially present, such as strength, stability, water or acid repellency, or appearance;

(ii) "Knife Coating" means the application of a coating material to a substrate by means of drawing the substrate beneath a knife that spreads the coating evenly over the full width of the substrate;

(iii) "Roll coating" means the application of a coating material to a substrate by means of hard rubber or steel rolls;

(iv) "Rotogravure Coating" means the application of a coating material to a substrate by means of a roll coating technique in which the pattern to be applied is etched on the coating roll. The coating material is picked up in these recessed areas and is transferred to the substrate.

(v) "Vinyl Coating" means applying a decorative or protective topcoat, or printing on vinyl coated fabric or vinyl sheets, but shall not mean applying plastisol coating.

(y) VOC Emissions from Metal Furniture Coating.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from metal furniture coating operations to exceed:

(i) 3.0 pounds per gallon of coating, excluding water, delivered to the coating applicator from prime and topcoat or single coat operations. If any coating delivered to the coating applicator contains more than 3.0 pounds VOC per gallon, the solids equivalent limit shall be 5.06 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) The emission limit in this subparagraph shall apply to the application area(s), flashoff area(s) and oven(s) of metal furniture coating lines involved in prime and topcoat or single coat operations.

2. The emission limits in subparagraph 1. shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit of 3.0 pounds VOC per gallon of coating, excluding water; or

(ii) the application of low solvent coating technology where the 24-hour or monthly weighted average of all coatings on a single coating line or operation meets the solids equivalent limit of 5.06 pounds VOC-per-gallon of coating solids (averaging across lines is not allowed); or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the nonmethane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit of 5.06 pounds VOC per gallon of coating solids.

3. No person shall cause, let, permit, suffer, or allow the emissions of VOC from metal furniture coating operations for baked coatings to exceed:

(i) 2.3 pounds per gallon of coating, excluding water, delivered to the coating applicator from general one-component, and general multi-component coatings. If any coating delivered to the coating applicator contains more than 2.3 pounds VOC per gallon, the solids equivalent limit shall be 3.3 pounds VOC per gallon of coating solids as applied.

(ii) 3.0 pounds per gallon of coating, excluding water, delivered to the coating applicator from extreme high gloss, extreme performance, heat resistant, metallic, solar absorbent and pretreatment coatings. If any coating delivered to the coating applicator contains more than 3.0 pounds VOC per gallon, the solids equivalent limit shall be 5.06 pounds VOC per gallon of coating solids as applied.

4. No person shall cause, let, permit, suffer, or allow the emissions of VOC from metal furniture coating operations for air-dried coatings to exceed:

(i) 2.3 pounds per gallon of coating, excluding water, delivered to the coating applicator from general one-component coatings. If any coating contains more than 2.3 pounds VOC per gallon, the solids equivalent limit shall be 3.3 pounds VOC per gallon of coating solids as applied.

(ii) 2.8 pounds per gallon of coating, excluding water, delivered to the coating applicator from general multi-component, and extreme high gloss coatings. If any coating delivered to the coating applicator contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.5 pounds VOC per gallon of coating solids as applied.

(iii) 3.0 pounds per gallon of coating, excluding water, delivered to the coating applicator from extreme performance, heat resistant, metallic, solar absorbent and pretreatment coatings. If any coating delivered to the coating applicator contains more than 3.0 pounds VOC per gallon, the solids equivalent limit shall be 5.06 pounds VOC per gallon of coating solids as applied.

5. Each owner or operator of a facility that coats metal furniture shall ensure that all coating application systems utilize one or more of the application techniques stated below:

(i) Electrostatic spray application;

(ii) High volume low pressure (HVLP) spraying;

(iii) Flow/curtain application;

(iv) Roll coating;

(v) Dip coat application including electrodeposition;

(vi) Brush coat;

(vii) Airless spray;

(viii) Air-assisted airless spray; or

(ix) Other coating application methods that achieve transfer efficiency equivalent to HVLP or electrostatic spray application methods, as determined by the Director.

6. Each owner or operator of a facility that coats metal furniture shall comply with the following work practice standards:

(i) store all VOC-containing coatings, thinners, and coating-related waste materials in closed containers;

(ii) ensure that mixing and storage containers used for VOC-containing coatings, thinners, and coating-related waste materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing coatings, thinners, and coating-related waste materials; and

(iv) convey VOC-containing coatings, thinners, and coating-related waste materials from one location to another in closed containers or pipes.

7. Each owner or operator of a facility that coats metal furniture shall comply with the following housekeeping requirements for any affected cleaning operation:

(i) store all VOC-containing cleaning materials and used shop towels in closed containers;

(ii) ensure that storage containers used for VOC-containing cleaning materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing cleaning materials;

(iv) convey VOC-containing cleaning materials from one location to another in closed containers or pipes; and

(v) minimize VOC emissions from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.

8. The VOC limits specified in this subparagraphs 3. and 4. do not apply to the following types of metal furniture coatings and/or coating operations:

(i) Touch-up and repair coatings;

(ii) Stencil coatings;

(iii) Safety-indicating coatings;

(iv) Solid-film lubricants;

(v) Electric-insulating and thermal-conducting coatings; and

(vi) Coating application utilizing hand-held aerosol cans.

9. The emission limits in subparagraphs 3. and 4. shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit expressed in pounds VOC per gallon of coating, excluding water, stated in subparagraphs 3. and 4. of this subparagraph; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit expressed in pounds VOC per gallon of coating solids, stated in subparagraphs 3. and 4. of this subparagraph; averaging across lines is not allowed; or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the nonmethane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit, expressed in pounds VOC per gallon of coating solids stated in subparagraphs 3. and 4. of this subparagraph.

10. For the purpose of this subparagraph, the following definitions apply:

(i) "Application Area" means the area where the coating is applied by spraying, dipping or flow coating techniques.

(ii) "Metal Furniture Coating" means the surface coating of any furniture made of metal or any metal part, which will be assembled with other metal wood, fabric, plastic or glass parts to form a furniture piece.

11. Applicability: Prior to January 1, 2015, the requirements of this subparagraph (y) shall apply to facilities at which the actual emissions of volatile organic compounds from the use of metal furniture coatings equal or exceed 15 pounds per day and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 10.

12. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (y) shall apply to facilities at which the potential emissions of volatile organic compounds from the use of metal furniture coatings equal or

exceed 100 tons per year and are located outside the counties of in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 10.

13. Applicability. On and after January 1, 2015, the requirements of this subparagraph (y) shall apply to facilities at which the actual emissions of volatile organic compounds from the use of metal furniture coatings, before controls, equal or exceed 15 pounds per day (or 2.7 tons per 12-month rolling period) for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 3., 4., 5., 6., 7., 8., 9., and 10.

(ii) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraphs 3., 4., 5., 6., 7., 8., or 9. are subject to the compliance schedule specified in subparagraph 16.

14. On and after January 1, 2015, the requirements of this subparagraph (y) shall apply to facilities at which the potential emissions of volatile organic compounds from the use of metal furniture coatings equal or exceed 100 tons per year and are located outside the counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 10.

15. Applicability. The requirements of subparagraphs 13. and 14. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 11. and 12. will continue to apply on and after January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraphs 13. and 14. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

16. Compliance schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements of subparagraphs 3., 4., 5., 6., 7., 8., and 9. must be completed before **January 1, 2015**.

(z) **VOC Emissions from Large Appliance Surface Coating.**

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from the surface coating of large appliances to exceed:

(i) 2.8 pounds per gallon of coating, excluding water, delivered to the coating applicator from prime single or topcoat operations. If any coating delivered to the coating applicator contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.52 pounds VOC per gallon of coating solids delivered to the coating applicator;

(ii) The emission limits in this subparagraph shall apply to the application area(s), flashoff area(s) and oven(s) of large appliance coating lines involved in prime, single or topcoat coating operations;

(iii) The emission limit in this subparagraph shall not apply to the use of quick drying lacquers used for repair of scratches and nicks.

2. The emission limits in subparagraph 1. shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit of 2.8 pounds VOC per gallon of coating, excluding water; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit of 4.52 pounds VOC per gallon of coating solids; averaging across lines is not allowed; or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the non-methane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit of 4.52 pounds VOC per gallon of coating solids.

3. No person shall cause, let, permit, suffer, or allow the emissions of VOC from the surface coating of large appliances using baked coatings to exceed:

(i) 2.3 pounds per gallon of coating, excluding water and exempt compounds, delivered to the coating applicator general one component and general multi-component coatings. If any coating delivered to the coating applicator contains more than 2.3 pounds VOC per gallon, the solids equivalent limit shall be 3.3 pounds VOC per gallon of coating solids delivered to the coating applicator;

(ii) 2.8 pounds per gallon of coating, excluding water and exempt compounds, delivered to the coating applicator from extreme high gloss, extreme performance, heat resistant, metallic, and solar absorbent, and pretreatment coatings. If any coating delivered to the coating applicator contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.5 pounds VOC per gallon of coating solids delivered to the coating applicator;

4. No person shall cause, let, permit, suffer, or allow the emissions of VOC from the surface coating of large appliances using air-dried coatings to exceed:

(i) 2.3 pounds per gallon of coating, excluding water and exempt compounds, delivered to the coating applicator from general one-component coatings. If any coating delivered to the coating applicator contains more than 2.3 pounds VOC per gallon, the solids equivalent limit shall be 3.3 pounds VOC per gallon of coating solids delivered to the coating applicator;

(ii) 2.8 pounds per gallon of coating, excluding water and exempt compounds, delivered to the coating applicator from general multi-component, extreme high gloss, extreme performance, heat resistant, metallic, solar absorbent and pretreatment coatings. If any coating delivered to the coating applicator contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.5 pounds VOC per gallon of coating solids delivered to the coating applicator;

5. Each owner or operator of a facility that coats large appliances shall ensure that all coating application systems utilize one or more of the application techniques stated below:

(i) Electrostatic spray application;

(ii) High volume low pressure (HVLP) spraying;

(iii) Flow/curtain application;

(iv) Roll coating;

(v) Dip coat application including electrodeposition;

- (vi) Brush coat;
 - (vii) Airless spray;
 - (viii) Air-assisted airless spray; or
 - (ix) Other coating application methods that achieve transfer efficiency equivalent to HVLP or electrostatic spray application methods, as determined by the Director.
6. Each owner or operator of a facility that coats large appliances shall comply with the following work practice standards:
- (i) store all VOC-containing coatings, thinners, and coating-related waste materials in closed containers;
 - (ii) ensure that mixing and storage containers used for VOC-containing coatings, thinners, and coating-related waste materials are kept closed at all times except when depositing or removing these materials;
 - (iii) minimize spills of VOC-containing coatings, thinners, and coating-related waste materials; and
 - (iv) convey VOC-containing coatings, thinners, and coating-related waste materials from one location to another in closed containers or pipes.
7. Each owner or operator of a facility that coats large appliances shall comply with the following housekeeping requirements for any affected cleaning operation:
- (i) store all VOC-containing cleaning materials and used shop towels in closed containers;
 - (ii) ensure that storage containers used for VOC-containing cleaning materials are kept closed at all times except when depositing or removing these materials;
 - (iii) minimize spills of VOC-containing cleaning materials;
 - (iv) convey VOC-containing cleaning materials from one location to another in closed containers or pipes; and
 - (v) minimize VOC emissions from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.
8. The VOC limits specified in subparagraphs 3. and 4. do not apply to the following types of large appliance coatings and/or coating operations:
- (i) Touch-up and repair coatings;
 - (ii) Stencil coatings;
 - (iii) Safety-indicating coatings;
 - (iv) Solid-film lubricants;
 - (v) Electric-insulating and thermal-conducting coatings; and
 - (vi) Coating application utilizing hand-held aerosol cans.
9. The emission limits in subparagraphs 3. and 4. shall be achieved by:

- (i) the application of low solvent coating technology where each and every coating meets the limit expressed in pounds VOC per gallon of coating, excluding water, stated in subparagraphs 3. and 4. of this subparagraph; or
- (ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit expressed in pounds VOC per gallon of coating solids, stated in subparagraphs 3. and 4. of this subparagraph (averaging across lines is not allowed); or
- (iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the nonmethane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit, expressed in pounds VOC per gallon of coating solids stated in subparagraphs 3. and 4. of this subparagraph.

10. For the purpose of this subparagraph, the following definitions apply:

- (i) "Application Area" means the area where the coating is applied by spraying, dipping or flow coating techniques.
- (ii) "Single Coat" means a single film of coating applied directly to the metal substrate omitting the primer application.
- (iii) "Large Appliances" means doors, cases, lids, panels and interior support parts of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners and other similar products.

11. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (z) shall apply to facilities at which the actual emissions of volatile organic compounds from the use of large appliance coatings equal or exceed 15 pounds per day and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

- (i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 10.

12. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (z) shall apply to facilities at which the potential emissions of volatile organic compounds from the use of large appliance coatings equal or exceed 100 tons per year and are located outside the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

- (i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 10.

13. Applicability. On and after January 1, 2015, the requirements of this subparagraph (z) apply to facilities at which actual emissions of volatile organic compounds from the use of large appliance coatings, before controls, equal or exceed 15 pounds per day (or 2.7 tons per 12-month rolling period) for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

- (i) All applicable facilities shall comply with the provisions of subparagraphs 3., 4., 5., 6., 7., 8., 9. and 10.
- (ii) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraphs 3., 4., 5., 6., 7., 8., or 9. are subject to the compliance schedule specified in subparagraph 16.

14. Applicability. On and after January 1, 2015, the requirements of this subparagraph (z) shall apply to facilities at which potential emissions of volatile organic compounds from the use of large appliance coatings equal or exceed 100 tons per year and are located outside of counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

- (i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 10.

15. Applicability: The requirements of subparagraphs 13. and 14. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 11. and 12. will continue to apply on and after January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraphs 13. and 14. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

16. Compliance schedule: All existing facilities subject to this subparagraph shall comply with the following compliance schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements of subparagraphs 3., 4., 5., 6., 7., 8., and 9. must be completed before **January 1, 2015**.

(aa) VOC Emissions from Wire Coating.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from wire coating operations to exceed:

(i) 1.7 pounds per gallon of coating, excluding water, delivered to the coating applicator from wire coating operations. If any coating delivered to the coating applicator contains more than 1.7 pounds VOC per gallon, the solids equivalent limit shall be 2.21 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) The emission limit in this subsection shall apply to the oven(s) of wire coating operations.

2. The emission limits in this subsection shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit of 1.7 pounds VOC per gallon of coating, excluding water, stated in paragraph 1. of this subsection; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit of 2.21 pounds VOC per gallon of coating solids, stated in paragraph 1. of this subsection; averaging across lines is not allowed; or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the nonmethane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit of 2.21 pounds VOC per gallon of coating solids stated in paragraph 1. of this subsection.

3. For the purpose of this subsection, the following definitions apply:

(i) "Wire Coating" means the process of applying a coating of electrically insulating varnish or enamel to aluminum or copper wire for use in electrical machinery.

(bb) Petroleum Liquid Storage.

1. No person shall cause, let, permit, suffer, or allow the use of a fixed roof storage vessel with capacities of 40,000 gallons or greater containing a volatile petroleum liquid where true vapor pressure is greater than 1.52 psia unless:

(i) the vessel has been fitted with a floating roof; or

(ii) the vessel has been fitted with control equipment demonstrated to have control efficiency equivalent to or greater than required in (i) of this paragraph, and approved by the Director.

2. The requirements of this subsection shall not apply to vessels:

(i) underground, if the total volume of petroleum liquids added to and taken from the tank annually does not exceed twice the volume of the tank; or

(ii) having capacities less than 425,000 gallons used to store crude oil prior to lease custody transfer.

3. For the purpose of this subsection, the following definitions shall apply:

(i) "Crude Oil" means a naturally occurring mixture which consists of hydrocarbons and/or sulfur, nitrogen and/or oxygen derivatives of hydrocarbons and which is a liquid at standard conditions;

(ii) "Floating Roof" means a storage vessel cover consisting of a double deck, pontoon single deck, internal floating cover or covered floating roof, which rests upon and is supported by the petroleum liquid being contained, and is equipped with a closure seal or seals to close the space between the roof edge and tank wall;

(iii) "Petroleum Liquids" means crude oil, condensate, and any finished or intermediate products manufactured in a petroleum refinery;

(iv) "Petroleum Refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of crude oils, or through redistillation, cracking, extraction, or reforming of unfinished petroleum derivatives;

(v) "True Vapor Pressure" means the equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss from Floating Roof Tanks," 1962.

(cc) **Bulk Gasoline Terminals.**

1. No person may load gasoline into any tank trucks or trailers from any bulk gasoline terminal unless:

(i) The bulk gasoline terminal is equipped with vapor control equipment capable of complying with subparagraph 1.(v) of this paragraph 1., properly installed, in good working order, in operation, and consisting of one of the following:

(I) An adsorber or condensation equipment which processes and recovers at least 90 percent of all vapors and gases from the equipment being controlled; or

(II) Vapor collection equipment which directs all vapors to a fuel gas system; or

(III) Control equipment demonstrated to have control efficiency equivalent to or greater than required in (I) or (II) of this paragraph, and approved by the Director; and

(ii) All displaced vapors and gases are vented only to the vapor control equipment; and

(iii) Complete drainage of any loading arm will be accomplished before it is removed from the tank; and

(iv) All loading and vapor lines are equipped with fittings which make vapor-tight connections and which close automatically when disconnected, or a loading arm with vapor return line and hatch seal designed to prevent the escape of gases and vapor while loading;

(v) Sources and persons affected under this subsection may not allow mass emissions of volatile organic compounds from control equipment to exceed 4.7 grains per gallon of gasoline loaded.

2. Sources and persons affected under this subsection shall comply with the vapor collection and control system requirements of Rule 3913-1-.02(2)(ss).

3. The requirements of this subsection shall not apply to loading of gasoline into tank trucks or trailers of less than 3000 gallons capacity outside those counties of Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Paulding, and Rockdale.

4. The requirements of this subsection shall apply to loading of gasoline into tank trucks or trailers of less than 3000 gallons capacity inside those counties of Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, Paulding, and Rockdale after July 1, 1991.

5. For the purpose of this subsection, the following definitions apply:

(i) "Bulk Gasoline Terminal" means a gasoline storage facility which receives gasoline from refineries primarily by pipeline, ship, or barge, and delivers gasoline to bulk gasoline plants or to commercial or retail accounts primarily by tank truck and has an average daily throughput of more than 20,000 gallons of gasoline.

(ii) "Gasoline" means a petroleum distillate having a Reid vapor pressure of 4 psia or greater.

(dd) **Cutback Asphalt.**

1. After January 1, 1981, no person may cause, allow or permit the use of cutback asphalts for paving purposes except as necessary for:

(i) long-life stockpile storage; or

(ii) the use or application at ambient temperatures less than 50°F; or

(iii) solely as a penetrating prime coat; or

(iv) base stabilization.

2. For the purpose of this subsection, the following definitions shall apply:

(i) "Asphalt" means a dark-brown to black cementitious material (solid, semisolid, or liquid in consistency) in which the predominating constituents are bitumens which occur in nature as such or which are obtained as residue in refining petroleum;

(ii) "Cutback Asphalt" means asphalt cement which has been liquified by blending with petroleum solvents (diluent). Upon exposure to atmospheric conditions the diluents evaporate, leaving the asphalt cement to perform its function;

(iii) "Penetrating Prime Coat" means an application of low viscosity liquid asphalt to an absorbent surface. It is used to prepare an untreated base for an asphalt surface. The prime penetrates the base and plugs the voids, hardens the top, and helps bind it to the overlying asphalt course. It also reduces the necessity of maintaining an untreated base course prior to placing the asphalt pavement.

(ee) **Petroleum Refinery.**

1. Persons responsible for any vacuum producing system at a petroleum refinery shall control the emissions of any noncondensable volatile organic compound from the condensers, hot wells or accumulators by:

(i) Piping the noncondensable vapors to a firebox or incinerator; or

- (ii) Compressing the vapors and adding them to the refinery fuel gas; or
- (iii) Controlling the vapors by using control equipment demonstrated to have control efficiency equivalent to or greater than required in (i) or (ii) of this paragraph, and approved by the Director; and

2. Persons responsible for any wastewater (oil/water) separator at a petroleum refinery shall:

- (i) Provide covers and seals approved by the Director, on all separators and forebays; and
- (ii) Equip all openings in covers, separators, and forebays with lids or seals such that the lids or seals are in the closed position at all times except when in actual use.

3. Before January 1, 1980, the owner or operator of any affected petroleum refinery located in this State shall develop and submit to the Director for approval a detailed procedure for minimization of volatile organic compound emissions during process unit turnaround. As a minimum, the procedure shall provide for:

- (i) Depressurization venting of the process unit or vessel to a vapor recovery system, flare or firebox; and
- (ii) No emission of volatile organic compounds from a process unit or vessel unless its internal pressure is 19.7 psi or less.

4. For the purpose of this subsection, the following definitions shall apply:

- (i) "Accumulator" means the reservoir of a condensing unit receiving the condensate from the condenser;
- (ii) "Condenser" means any heat transfer device used to liquefy vapors by removing their latent heats of vaporization. Such devices include, but are not limited to, shell and tube, coil, surface, or contact condensers;
- (iii) "Firebox" means the chamber or compartment of a boiler or furnace in which materials are burned but does not mean the combustion chamber of an incinerator;
- (iv) "Forebays" means the primary sections of a wastewater separator;
- (v) "Hot Well" means the reservoir of a condensing unit receiving the warm condensate from the condenser;
- (vi) "Petroleum Refinery" means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation, cracking, extraction, or refining of unfinished petroleum derivatives;
- (vii) "Refinery Fuel Gas" means any gas which is generated by a petroleum refinery process unit and which is combusted, including any gaseous mixture of natural gas and fuel gas;
- (viii) "Turnaround" means the procedure of shutting a refinery unit down after a run to do necessary maintenance and repair work and putting the unit back on stream;
- (ix) "Vacuum Producing System" means any reciprocating, rotary, or centrifugal blower or compressor, or any jet ejector or device that takes suction from a pressure below atmospheric and discharges against atmospheric pressure;
- (x) "Vapor Recovery System" means a system that prevents releases to the atmosphere of no less than 90 percent by weight of organic compounds emitted during the operation of any transfer, storage, or process equipment;
- (xi) "Wastewater (oil/water) Separator" means any device or piece of equipment which utilizes the difference in density between oil and water to remove oil and associated chemicals from water or any device, such as a flocculation tank, clarifier, etc., which removes petroleum derived compounds from wastewater.

(ff) Solvent Metal Cleaning.

1. No person shall cause, suffer, allow, or permit the operation of a cold cleaner degreaser unless the following requirements for control of emissions of the volatile organic compounds are satisfied:

(i) The degreaser shall be equipped with a cover to prevent the escape of volatile organic compounds during periods of non-use;

(ii) The degreaser shall be equipped with a facility for draining cleaned parts before removal;

(iii) If used, the solvent spray must be a solid, fluid stream (not a fine, atomized or shower type spray) and at a pressure which does not cause excessive splashing;

(iv) If the solvent volatility is 0.60 psi or greater measured at 100°F, or if the solvent is heated above 120°F, then one of the following control devices must be used:

(I) Freeboard that gives a freeboard ratio of 0.7 or greater;

(II) Water cover (solvent must be insoluble in and heavier than water);

(III) Other systems of equivalent control, such as a refrigerated chiller or carbon adsorption.

(v) Waste solvent shall be stored only in covered containers and shall not be disposed of by such a method as to allow excessive evaporation into the atmosphere.

2. No person shall cause, suffer, allow, or permit the operation of an open top vapor degreaser unless the following requirements for control of emissions of volatile organic compounds are satisfied:

(i) The degreaser shall be equipped with a cover to prevent the escape of volatile organic compounds during periods of non-use;

(ii) The degreaser shall be equipped with one of the following control devices:

(I) Freeboard ratio greater than or equal to 0.75;

(II) Refrigerated chiller;

(III) Enclosed design (cover or door opens only when the dry part is actually entering or exiting the degreaser);

(IV) Carbon adsorption system, with ventilation greater than 50 cfm/ft² of air/vapor area (when cover is open), and exhausting less than 25 ppm solvent averaged over one complete adsorption cycle; or

(V) Control equipment demonstrated to have control efficiency equivalent to or better than any of the above.

(iii) The degreaser shall be operated in accordance with the following procedures. Operating instructions summarizing these procedures shall be displayed on the degreaser.

(I) Keep cover closed at all times except when processing work loads through the degreaser;

(II) Minimize solvent carry-out by the following measures:

I. Rack parts to allow full drainage;

II. Degrease the work load in the vapor zone at least 30 seconds or until condensation ceases;

III. Tip out any pools of solvent on the cleaned parts before removal;

IV. Allow parts to dry within the degreaser for at least 15 seconds or until visually dry.

(III) Do not degrease porous or adsorbent materials, such as cloth, leather, wood or rope;

(IV) Work loads should not occupy more than half of the degreaser's open top area;

(V) The vapor level should not drop more than 4 inches when the workload enters the vapor zone;

(VI) Never spray above the vapor level;

(VII) Repair solvent leaks immediately, or shutdown the degreaser;

(VIII) Ventilation fans should not be used near the degreaser opening;

(IX) Water should not be visually detectable in solvent exiting the water separator.

(iv) Waste solvent shall be stored only in covered containers and shall not be disposed of or transferred to another party by such a method as to allow excessive evaporation into the atmosphere.

3. No person shall cause, suffer, allow, or permit the operation of a conveyORIZED degreaser unless the following requirements for control of emissions of the volatile organic compounds are satisfied.

(i) The degreaser shall be equipped with a cover to prevent the escape of volatile organic compounds during periods of non-use;

(ii) The degreaser shall be equipped with either a drying tunnel, or other means such as rotating (tumbling) basket, sufficient to prevent cleaned parts from carrying out solvent liquid or vapor;

(iii) The degreaser shall be equipped with one of the following:

(I) Refrigerated chiller;

(II) Carbon adsorption system, with ventilation greater than 50 cfm/ft² of air/vapor area (when down-time covers are open), and exhausting less than 25 ppm of solvent by volume averaged over a complete adsorption cycle; or

(III) Control equipment demonstrated to have control efficiency equivalent to or better than any of the above.

(iv) The degreaser shall be operated in accordance with the following procedure. Operating instructions summarizing these procedures shall be displayed on the degreaser.

(I) Exhaust ventilation should not exceed 65 cfm per ft² of degreaser opening, unless necessary to meet OSHA requirements. Work place fans should not be used near the degreaser opening;

(II) Minimize carryout emissions by:

I. Racking parts for best drainage; Maintaining vertical conveyor speed at less than 11 ft/min.

(III) Repair solvent leaks immediately, or shutdown the degreaser;

(IV) Water should not visibly be detectable in the solvent exiting the water separator;

(V) Down-time cover must be placed over entrances and exits of conveyORIZED degreasers immediately after the conveyor and exhaust are shutdown and removed just before they are started up.

(v) Waste solvent shall be stored only in covered containers and shall not be disposed of or transferred to another party by such a method as to allow excessive evaporation into the atmosphere.

4. The following requirements apply to degreasers using trichloroethylene, carbon tetrachloride, and/or chloroform in a total concentration greater than 5 percent by weight:

(i) Degreasers constructed or reconstructed after November 29, 1993 shall comply with paragraph 391-3-1-.02(9)(b)34. "Emission Standard for Halogenated Solvent Cleaning, 40 CFR 63, Subpart T, as amended" (NESHAP) and not paragraphs 1. through 3. of this subsection (ff) (Georgia Rule).

(ii) Existing degreasers (constructed or reconstructed on or before November 29, 1993) shall comply with paragraphs 1. through 3. of this subsection (ff) (Georgia Rule) until December 2, 1997; after which they must comply with paragraph 391-3-1-.02(9)(b)34. (NESHAP).

(iii) An existing degreaser (as defined above) may elect to comply with paragraph 391-3-1-.02(9)(b)34. prior to December 2, 1997. In such case, they are not required comply with Paragraphs 1. through 3. of this subsection (ff) (Georgia Rule) once they are in compliance with paragraph 391-3-1-.02(9)(b)34. (NESHAP).

(iv) Any facility which currently complies with paragraphs 391-3-1-.02(2)(ff)1. through 3. (Georgia Rule) which will be changing to comply with paragraph 391-3-1-.02(9)(b)34. (NESHAP) should submit a schedule of construction/modification for changes necessary to comply with 391-3-1-.02(9)(b)34. (NESHAP) as soon as practically possible but no later than 60 days prior to any construction/modification.

5. For the purpose of this subsection, the following definitions shall apply:

(i) "Cold Cleaning" means the batch process of cleaning and removing soils from metal surfaces by spraying, brushing, flushing or immersion while maintaining the solvent below its boiling point. Wipe cleaning is not included in this definition;

(ii) "Conveyorized Degreasing" means the continuous process of cleaning and removing soils from metal surfaces by operating with either cold or vaporized solvents;

(iii) "Freeboard Height" means the distance from the top of vapor zone to the top of the degreaser tank;

(iv) "Freeboard Ratio" means the freeboard height divided by the width (smallest dimension) of the degreaser;

(v) "Open Top Vapor Degreasing" means the batch process of cleaning and removing soils from metal surfaces by condensing hot solvent vapor on the colder metal parts;

(vi) "Solvent Metal Cleaning" means the process of cleaning soils from metal surfaces by cold cleaning, or open top vapor degreasing or conveyorized degreasing. Solvent metal cleaning does not include cleaners that use aqueous cleaning solvent or buckets, pails and beakers with capacities of two gallons or less.

(vii) "Aqueous Cleaning Solvent" means a cleaning solvent in which water is the primary ingredient (greater than 80 percent by weight of cleaning solvent solution as applied must be water).

6. The requirements of this subsection shall not apply to any solvent metal cleaning operation subject to Section 391-3-1-.02(2)(kkk) of the Georgia Rules for Air Quality Control "VOC Emissions from Aerospace manufacturing and Rework Facilities."

(gg) **Kraft Pulp Mills.**

1. Except as provided for in paragraph 2. of this subsection, no person shall cause, let, suffer, permit, or allow the emissions of TRS from any kraft pulp mill in operation, or under construction contract, on or before September 24, 1976, in amounts equal to or exceeding the following:

(i) Recovery Furnaces.

(I) Old Recovery Furnaces: 20 parts per million of TRS on a dry basis and as a 24-hour average, corrected to 8 volume percent oxygen;

(II) New Recovery Furnaces: 5 parts per million of TRS on a dry basis and as a 24-hour average, corrected to 8 volume percent oxygen;

(III) Cross Recovery Furnaces: 25 parts per million of TRS on a dry basis and as a 24-hour average, corrected to 8 volume percent oxygen.

(ii) Digester System or Multiple-Effect Evaporator System: 5 parts per million of TRS on a dry basis and a 24-hour average, corrected to 10 volume percent oxygen unless the following conditions are met:

(I) The gases are combusted in a lime kiln subject to the provisions of paragraph (iv) of this subsection; or

(II) The gases are combusted in a recovery furnace subject to the provisions of paragraph (i) of this subsection; or

(III) The gases are combusted with other gases in an incinerator or other device, or combusted in a lime kiln or recovery boiler not subject to the provisions of this subsection, and are subjected to a minimum temperature of 1200°F for at least 0.5 second; or

(IV) The gases are controlled by a means other than combustion. In this case, the gases discharged shall not contain TRS in excess of five parts per million on a dry basis and as a 24-hour average, corrected to the actual oxygen content of the untreated gas stream.

(iii) Smelt Dissolving Tanks: 0.0168 pounds of TRS per ton of black liquor solids (dry weight).

(iv) Lime Kilns: 40 parts per million of TRS on a dry basis and as a 24-hour average, corrected to 10 volume percent oxygen.

2. Nothing in paragraph 1. shall prevent the owner or operator of a kraft pulp mill subject to the provisions of this subsection (gg) from applying to the Director for permission to control TRS emissions from the kraft pulp mill under the provisions of this paragraph provided that:

(i) General Provisions.

(I) The owner or operator of such kraft pulp mill makes such application in writing no later than six months following the notification date; and

(II) In the event that the kraft pulp mill contains TRS emitting process equipment which is subject to the New Source Performance Standard for Kraft Pulp Mills, 391-3-1-.02(2)(b)23., then that TRS emitting process equipment must also comply with the applicable New Source Performance Standard TRS emission limitation(s);

(III) The owner or operator of such kraft pulp mill may not elect to control TRS emissions from process equipment not subject to the provisions of this subsection (gg) in lieu of controlling TRS emissions from those sources subject to this subsection (gg); and

(IV) For the purpose of this paragraph 2.; the maximum allowable emissions of TRS shall be calculated using the production rate (annual average or most recent 12 months of record) for the kraft pulp mill expressed as tons of air dried pulp per day, and the allowable emission rate of TRS from the kraft pulp mill shall be expressed as pounds of TRS per ton of air dried pulp.

(V) For the purpose of this paragraph, the "notification date" means September 1, 1988.

(ii) Emission Limitation: No person shall cause, let, suffer, permit, or allow the total emissions of TRS from the following processes: recovery furnace(s), lime kiln(s), smelt dissolving tank(s), digester system, multiple-effect evaporator system, equal to or exceeding the amount determined by the following formula:

$A = RB + LK + 0.065$ pounds of TRS per ton of air dried pulp;

The values for the terms RB and LK shall be determined using the following formula:

$$LK = \frac{(0.20U + 0.04V)}{U + V}$$

$$RB = \frac{(0.15W + 0.15X + 0.60Y + 0.75Z)}{W + X + Y + Z}$$

Where:

A = the total amount of allowable TRS emissions from the kraft pulp mill expressed as pounds of TRS per ton of air dried pulp;

LK = the fraction of the total allowable emission of TRS in pounds per ton of air dried pulp for lime kilns;

RB = the fraction of the total allowable emission of TRS in pounds per ton of air dried pulp for recovery furnaces;

U = tons per hour of lime mud solids calcined in lime kiln(s) not subject to the New Source Performance Standard for Kraft Pulp Mills;

V = tons per hour of lime solids calcined in lime kiln(s) subject to the New Source Performance Standard for Kraft Pulp Mills;

W = pounds per hour of black liquor solids burned in recovery furnace(s) subject to the New Source Performance Standard for Kraft Pulp Mills;

X = pounds per hour of black liquor solids burned in new recovery furnace(s);

Y = pounds per hour of black liquor solids burned in old recovery furnace(s);

Z = pounds per hour of black liquor solids burned in cross recovery furnace(s);

3. For the purpose of this subsection, the following definitions shall apply:

(i) "New Recovery Furnace" means a recovery furnace which had stated in the purchase contract a TRS performance guarantee or which included in the purchase contract a statement that the control of air pollutants was a design objective and which has incorporated into its design: membrane wall or welded wall construction; and emission control air systems.

(ii) "Old Recovery Furnace" means a recovery furnace which is not classified as a new recovery furnace.

(hh) **Petroleum Refinery Equipment Leaks.**

1. No person shall cause, let, suffer, or allow the use of petroleum refinery equipment unless:

(i) A plan is submitted to the Director by no later than July 1, 1981 for monitoring VOC leaks. Such a program must contain:

- (I) A list of refinery units and the quarter in which they will be monitored;
 - (II) A copy of the log book format;
 - (III) The make and model of the monitoring equipment to be used.
- (ii) Monitoring for potential VOC leaks is carried out no less frequently than:
- (I) Yearly using detection equipment for pump seals, pipeline valves in liquid service, and process drains;
 - (II) Quarterly using detection equipment for compressor seals, pipeline valves in gaseous service, and pressure relief valves in gaseous service;
 - (III) Weekly by visible inspection for all pump seals;
 - (IV) Immediately using detection equipment for any pump seals from which liquids are observed dripping and immediately after repair of any component previously found to be leaking;
 - (V) Within 24 hours for a relief valve after it has vented to the atmosphere.
- (iii) All components which have emissions with a VOC concentration exceeding 10,000 ppm, as determined by Method 21 of the reference in Section 391-3-1-.02(3)(a) of these Rules, shall be affixed with a weatherproof and readily visible tag, bearing an identification number and the date on which the leak is located. This tag shall remain in place until the leaking component is repaired.
- (iv) Leaking components as defined by (iii) above which can be repaired without a unit shutdown shall be repaired and retested as soon as practicable but no later than 15 days after the leak is identified.
- (v) Leaking components as defined by (iii) above which require unit shutdown for repair may be corrected at the regularly scheduled turnaround unless the Director at his discretion requires early unit turnaround based on the number and severity of tagged leaks awaiting turnaround.
- (vi) Except for safety pressure relief valves, no owner or operator of a petroleum refinery shall install or operate a valve at the end of a pipe or line containing volatile organic compounds unless the pipe or line is sealed with a second valve, a blind flange, a plug, or a cap. The sealing device may be removed only when a sample is being taken or during maintenance operations.
- (vii) Pipeline valves and pressure relief valves in gaseous volatile organic compound service shall be marked in some manner that will be readily obvious to both refinery personnel performing monitoring and the Director.
- (viii) Pressure relief devices which are connected to an operation flare header, vapor recovery device, inaccessible valves, storage tank valves, and valves that are not externally regulated are exempt from the monitoring requirements of this rule.
2. The owner or operator of a petroleum refinery shall maintain a leaking components monitoring log. Copies of the monitoring log shall be retained by the owner or operator for a minimum of two years after the date on which the record was made or the report prepared and shall immediately be made available to the Director, upon verbal or written request, at any reasonable time. The monitoring log shall contain the following data:
- (i) The name and the process unit where the component is located.
 - (ii) The type of component (e.g., valve, seal).
 - (iii) The tag number of the component.
 - (iv) The date on which a leaking component is discovered.

- (v) The date on which a leaking component is repaired.
- (vi) The date and instrument reading of the recheck procedure after a leaking component is repaired.
- (vii) A record of the calibration of the monitoring instrument.
- (viii) Those leaks that cannot be repaired until turnaround.
- (ix) The total number of components checked and the total number of components found leaking.

3. The owner or operator of a petroleum refinery shall:

- (i) Submit a report to the Director by the fifteenth day of January, April, July, and October that lists all leaking components that were located during the previous three calendar months but not repaired within fifteen days, all leaking components awaiting unit turnaround, the total number of components inspected, and the total number of components found leaking.
- (ii) Submit a signed statement with the report attesting to the fact that, all monitoring and repairs were performed as stipulated in the monitoring program.
- (iii) The first quarterly report shall be submitted to the Director no later than January 1, 1982.

4. The Director, upon written notice, may modify the monitoring, record keeping and reporting requirements.

5. For the purpose of this subsection, the following definitions apply:

- (i) "Petroleum refinery" means any facility engaged in producing gasoline, aromatics, kerosene, distillate fuel oils residual fuel oils, lubricants, asphalt, or other products through distillation of petroleum or through redistillation, cracking, rearrangement or reforming of unfinished petroleum derivatives.
- (ii) "Component" means any piece of equipment which has the potential to leak volatile organic compounds when tested in the manner described in subparagraph 1.(iii). These sources include, but are not limited to, pumping seals, compressor seals, seal oil degassing vents pipeline valves, pressure relief devices, process drains, and open ended pipes. Excluded from these sources are valves which are not externally regulated.
- (iii) "Liquid service" means equipment which processes, transfers or contains a volatile organic compound or mixture of volatile organic compounds in the liquid phase.
- (iv) "Gas service" means equipment which processes, transfers or contains a volatile organic compound or mixture of volatile organic compounds in the gaseous phase.
- (v) "Valves not externally regulated" means valves that have no external controls, such as in-line check valves.
- (vi) "Refinery unit" means a set of compounds which are a part of a basic process operation, such as, distillation, hydrotreating, cracking or reforming of hydrocarbons.

(ii) VOC Emissions from Surface Coating of Miscellaneous Metal Parts and Products.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of miscellaneous metal parts and products to exceed:

- (i) 4.3 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies clear coatings. If any coating delivered to the coating applicator contains more than 4.3 pounds VOC per gallon, the solids equivalent limit shall be 10.3 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) 3.5 pounds per gallon of coating, excluding water, delivered to a coating applicator in a coating application system that is air dried or forced warm air dried at temperatures up to 194°F. If any coating delivered to the coating applicator contains more than 3.5 pounds VOC per gallon, the solids equivalent limit shall be 6.67 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iii) 3.5 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies extreme performance coatings. If any coating delivered to the coating applicator contains more than 3.5 pounds VOC per gallon, the solids equivalent limit shall be 6.67 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iv) 6.2 pounds per gallon of coating, excluding water, delivered to a coating applicator in a high performance architectural coating operation; and

(v) 3.0 pounds per gallon of coating, excluding water, delivered to a coating applicator for all other coatings and coating application systems. If any coating delivered to the coating applicator contains more than 3.0 pounds VOC per gallon, the solids equivalent limit shall be 5.06 pounds VOC per gallon of coating solids delivered to the coating applicator.

2. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of miscellaneous metal parts and products using air-dried coatings to exceed:

(i) 2.8 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies anyone of the following air-dried coatings: general one component; general multi component; military specification; drum coating - new exterior. If any coating delivered to the coating applicator contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.52 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) 3.5 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies any one of the following air-dried coatings: camouflage; electric-insulating varnish; etching filler; high temperature; metallic; mold-seal; pan backing; pretreatment; drum coating - new interior; drum coating - reconditioned, exterior; silicone release; vacuum-metalizing; extreme high-gloss; extreme performance; heat-resistant; drum coating - reconditioned interior; solar-absorbent; prefabricated architectural multi-component; prefabricated architectural one-component. If any coating delivered to the coating applicator contains more than 3.5 pounds VOC per gallon, the solids equivalent limit shall be 6.67 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iii) 3.5 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies the following air-dried coating: repair and touch-up.

(iv) 6.2 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies the following air-dried coating: high performance architectural.

3. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of miscellaneous metal parts and products using baked coatings to exceed:

(i) 2.3 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies anyone of the following baked coatings: general one component; general multi-component; military specification; prefabricated architectural multi-component; prefabricated architectural one-component. If any coating delivered to the coating applicator contains more than 2.3 pounds VOC per gallon, the solids equivalent limit shall be 3.35 pounds VOC per gallon of coating solids delivered to the coating applicator.

(ii) 2.8 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies drum coating - new exterior coating. If any coating delivered to the coating applicator contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.52 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iii) 3.0 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies anyone of the following baked coatings: drum coating - reconditioned interior; camouflage; electric-insulating varnish; etching

filler; extreme high-gloss; extreme performance; heat-resistant; high temperature; metallic; mold-seal; pan backing; pretreatment; drum coating - new interior; drum coating - reconditioned exterior; silicone release; solar-absorbent; and vacuum-metalizing. If any coating delivered to the coating applicator contains more than 3.0 pounds VOC per gallon, the solids equivalent limit shall be 5.06 pounds VOC per gallon of coating solids delivered to the coating applicator.

(iv) 6.2 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies the following baked coating: high performance architectural.

(v) 3.0 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies repair and touch-up coatings.

4. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of motor vehicle materials at a facility that is not an automobile or light-duty truck manufacturing facility to exceed:

(i) 1.7 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies the following motor vehicle materials: gasket/gasket sealing material and bedliner.

(ii) 3.5 pounds per gallon of coating, excluding water, delivered to a coating applicator that applies the following motor vehicle materials: cavity wax, sealer, deadener, underbody coating, trunk interior coating, and lubricating wax/compound.

5. If more than one emission limitation in this subparagraph (ii) applies to a specific coating, then the least stringent emission limitation in this subparagraph (ii) of this subsection shall be applied.

6. All VOC emissions from solvent washings shall be considered in the emission limitations unless the solvent is directed into containers that prevent evaporation into the atmosphere.

7. The emission limits in this subsection shall be achieved by:

(i) the application of low solvent coating technology where each and every coating meets the limit expressed in pounds VOC per gallon of coating, excluding water, stated in paragraphs 1., 2., 3., and 4. of this subsection; or

(ii) the application of low solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit expressed in pounds VOC per gallon of coating solids, stated in paragraphs 1., 2., and 3. of this subsection; averaging across lines is not allowed; or

(iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the nonmethane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit, expressed in pounds VOC per gallon of coating solids stated in paragraphs 1., 2., 3., and 4. of this subsection.

(iv) for high performance architectural coatings, compliance may be achieved only as stated in subparagraph 7.(i) or 7.(iii). There is no solids equivalent limit for such coatings.

(v) for motor vehicle materials, compliance may be achieved only as stated in subparagraph 7.(i). There is no solids equivalent limit for such coatings.

(vi) for repair and touch-up materials, compliance may be achieved only as stated in subparagraphs 7.(i). There is no solids equivalent limit for such coatings.

8. For the purpose of this subsection, the following definitions apply:

(i) "Air dried coating" means coatings which are dried by the use of air or forced warm air at temperatures up to 194°F.

- (ii) "Baked coating" means a coating that is cured at a temperature at or above 194°F.
- (iii) "Bedliner" means a multi-component coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to a cargo bed after the application of topcoat to provide additional durability and chip resistance.
- (iv) "Cavity wax" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied into the cavities of the vehicle primarily for the purpose of enhancing corrosion protection.
- (v) "Camouflage coating" means a coating used, principally by the military, to conceal equipment from detection.
- (vi) "Clear coating" means a colorless coating which contains binders, but no pigment, and is formulated to form a transparent film.
- (vii) "Coating application system" means all operations and equipment which applies, conveys, and dries a surface coating, including, but not limited to spray booths, flow coaters, flashoff areas, air dryers and ovens.
- (viii) "Deadener" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to selected vehicle surfaces primarily for the purpose of reducing the source of road noise in the passenger compartment.
- (ix) "Drum" means any cylindrical metal shipping container larger than 12 gallons capacity but no larger than 110 gallons capacity.
- (x) "Electric dissipating coating" means a coating that rapidly dissipates a high-voltage electric charge.
- (xi) "Electric-insulating varnish" means a non-convertible-type coating applied to electric motors, components of electric motors, or power transformers, to provide electrical, mechanical, and environmental protection or resistance.
- (xii) "EMI/RFI Shielding" means a coating used on electrical or electronic equipment to provide shielding against electromagnetic interference, radio frequency interference, or static discharge.
- (xiii) "Etching filler" means a coating that contains less than 23 percent solids by weight, at least 0.5 percent acid by weight, and is used instead of applying a pretreatment coating followed by a primer.
- (xiv) "Extreme high-gloss coating" means a coating which, when tested by the American Society for Testing Material Test Method D-523 adopted in 1980, shows a reflectance of 75 or more on a 60 degree meter.
- (xv) "Extreme-performance coating" means a coating used on a metal or plastic surface where the coated surface is, in its intended use, subject to the following:
- (a) Chronic exposure to corrosive, caustic or acidic agents, chemicals, chemical fumes, chemical mixtures or solutions; or
 - (b) Repeated exposure to temperatures in excess of 250°F; or
 - (c) Repeated heavy abrasion, including mechanical wear and repeated scrubbing with industrial grade solvents, cleansers or scouring agents. Extreme performance coatings include, but are not limited to, coatings applied to locomotives, railroad cars, farm machinery, and heavy duty trucks.
- (xvi) "Extreme environmental conditions" means exposure to any of: the weather all of the time, temperatures consistently above 200°F, detergents, abrasive and scouring agents, solvents, corrosive atmospheres, or similar environmental conditions;

(xvii) "Gasket/sealing material" means a fluid, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to coat a gasket or replace and perform the same function as a gasket. Automobile and light-duty truck gasket/gasket sealing material includes room temperature vulcanization (RTV) seal material.

(xviii) "Heat-resistant coating" means a coating that must withstand a temperature of at least 400°F during normal use.

(xix) "High-performance architectural coating" means a coating used to protect architectural subsections and which meets the requirements of the Architectural Aluminum Manufacturer Association's publication number AAMA 2604-05 (Voluntary Specification, Performance Requirements and Test Procedures for High Performance Organic Coatings on Aluminum Extrusions and Panels) or 2605-05 (Voluntary Specification, Performance Requirements and Test Procedures for Superior Performing Organic Coatings on Aluminum Extrusions and Panels).

(xx) "High-temperature coating" means a coating that is certified to withstand a temperature of 1000°F for 24 hours.

(xxi) "Low solvent coating" means coatings which contain less organic solvent than the conventional coatings used by the industry. Low solvent coatings include water-borne, higher solids, electrodeposition and powder coatings.

(xxii) "Lubricating wax/compound" means a protective lubricating material, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to vehicle hubs and hinges.

(xxiii) "Mask coating" means thin film coating applied through a template to coat a small portion of a substrate.

(xxiv) "Metallic coating" means a coating which contains more than five grams of metal particles per liter of coating as applied. "Metal particles" are pieces of a pure elemental metal or combination of elemental metals.

(xxv) "Miscellaneous metal parts and products" means surface coating of products manufactured by the following industrial source categories: large farm machinery, small farm machinery, small appliances, commercial machinery, industrial machinery, fabricated metal products and any other industrial category which coats metal parts or products under the Standard Industry Classification Code Major Groups 33, 34, 35, 36, 37, 38, 40, and 41. The miscellaneous metal parts and products source category does not include:

(I) automobiles and light-duty trucks;

(II) metal cans;

(III) flat metal sheets and strips in the form of rolls or coils;

(IV) magnet wire for use in electrical machinery;

(V) metal furniture;

(VI) large appliances;

(VII) aerospace manufacturing and rework operations;

(VIII) automobile refinishing;

(IX) customized top coating of automobiles and trucks, if production is less than 35 vehicles per day; and

(X) exterior of marine vessels.

(xxvi) "Military specification coating" means a coating which has a formulation approved by a United States Military Agency for use on military equipment.

(xxvii) "Mold seal coating" means the initial coating applied to a new mold or a repaired mold to provide a smooth surface which, when coated with a mold release coating, prevents products from sticking to the mold.

(xxviii) "Multi-colored coating" means a coating which exhibits more than one color when applied, and which means packaged in a single container and applied in a single coat.

(xxix) "Multi-component coating" means a coating requiring the addition of a separate reactive resin, commonly known as a catalyst or hardener, before application to form an acceptable dry film.

(xxx) "One-component coating" means a coating that is ready for application as it comes out of its container to form an acceptable dry film. A thinner, necessary to reduce the viscosity, is not considered a component.

(xxxi) "Optical coating" means a coating applied to an optical lens.

(xxxii) "Pan-backing coating" means a coating applied to the surface of pots, pans, or other cooking implements that are exposed directly to a flame or other heating elements.

(xxxiii) "Prefabricated architectural component coatings" are coatings applied to metal parts and products which are to be used as an architectural structure.

(xxxiv) "Pretreatment coating" means a coating which contains no more than 12 percent solids by weight, and at least 0.5 percent acid by weight, is used to provide surface etching, and is applied directly to metal surfaces to provide corrosion resistance, adhesion, and ease of stripping.

(xxxv) "Prime coat" means the first of two or more films of coating applied to a metal surface.

(xxxvi) "Repair coating" means a coating used to re-coat portions of a previously coated product which has sustained mechanical damage to the coating following normal coating operations.

(xxxvii) "Sealer" means a high viscosity material, used at a facility that is not an automobile or light-duty truck assembly coating facility, generally, but not always, applied in the paint shop after the body has received an electrodeposition primer coating and before the application of subsequent coatings (e.g., primer-surfacer). The primary purpose of automobile and light-duty truck sealer is to fill body joints completely so that there is no intrusion of water, gases or corrosive materials into the passenger area of the body compartment. Such materials are also referred to as sealant, sealant primer, or caulk.

(xxxviii) "Shock-free coating" means a coating applied to electrical components to protect the user from electric shock. The coating has characteristics of being of low capacitance and high resistance, and having resistance to breaking down under high voltage.

(xxxix) "Silicone-release coating" means any coating which contains silicone resin and is intended to prevent food from sticking to metal surfaces such as baking pans.

(xl) "Single coat" means one film of coating applied to a metal surface.

(xli) "Solar-absorbent coating" means a coating which has as its prime purpose the absorption of solar radiation.

(xlii) "Stencil coating" means an ink or a pigmented coating which is rolled or brushed onto a template or stamp in order to add identifying letters, symbols and/or numbers.

(xliii) "Topcoat" means the final film or series of films of coating applied in a two-coat or more operation.

(xliv) "Touch-up coating" means a coating used to cover minor coating imperfections appearing after the main coating operation.

(xlv) "Translucent coating" means a coating which contains binders and pigment and is formulated to form a colored, but no opaque, film.

(xlvi) "Transfer efficiency" means the weight (or volume) of coating solids adhering to the surface being coated divided by the total weight (or volume) of coating solids delivered to the applicator.

(xlvii) "Trunk interior coating" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to the trunk interior to provide chip protection.

(xlviii) "Two-component coating" means a coating requiring the addition of a separate reactive resin, commonly known as a catalyst, before application to form an acceptable dry film.

(xlix) "Underbody coating" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to the undercarriage or firewall to prevent corrosion and/or provide chip protection.

(l) "Vacuum-metalizing coating" means the undercoat applied to the substrate on which the metal is deposited or the overcoat applied directly to the metal film. Vacuum metalizing/physical vapor deposition (PVD) is the process whereby metal is vaporized and deposited on a substrate in a vacuum chamber.

9. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (ii) shall apply to facilities at which the potential emissions of volatile organic compounds from all surface coating of miscellaneous parts and products equal or exceed 10 tons per year and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 5., 6., 7., and 8.

10. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (ii) shall apply to facilities at which the potential emissions of volatile organic compounds from all surface coating of miscellaneous parts and products equal or exceed 100 tons per year and are located outside the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 5., 6., 7., and 8.

11. Applicability. On and after January 1, 2015, the requirements of this subparagraph (ii) shall apply to facilities at which the potential emissions of volatile organic compounds from all surface coating of miscellaneous parts and products equal or exceed 10 tons per year and are located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 2., 3., 4., 5., 6., 7., and 8.

(ii) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraphs 2., 3., or 4. are subject to the compliance schedule specified in subparagraph 14.

12. Applicability. On and after January 1, 2015, the requirements of this subparagraph (ii) shall apply to facilities at which the potential emissions of volatile organic compounds from all surface coating of miscellaneous parts and products equal or exceed 100 tons per year and are located outside the counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale Spalding, and Walton as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 5., 6., 7., and 8.

13. Applicability: The requirements of subparagraphs 11. and 12. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 9. and 10. will continue to apply on and after January

1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraphs 11. and 12. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

14. Compliance Schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified in subparagraphs 2., 3., and 4. must be completed before **January 1, 2015**.

(jj) VOC Emissions from Surface Coating of Flat Wood Paneling.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of flat wood paneling to exceed:

(i) 6.0 pounds per 1000 square feet of coated finished product from printed interior panels, regardless of the number of coats applied;

(ii) 12.0 pounds per 1000 square feet of coated finished product from natural finish hardwood plywood panels, regardless of the number of coats applied; and

(iii) 10.0 pounds per 1000 square feet of coated finished product from Class II finishes on hardboard panels, regardless of the number of coats applied.

2. The emission limits in this subparagraph shall be achieved by:

(i) the application of low solvent coating technology where the 24-hour of all coatings on a single coating line or operation meets the limits stated in subparagraph 1. of this subparagraph; averaging across lines is not allowed; or

(ii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the nonmethane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the limits stated in subparagraph 1. of this subparagraph.

(iii) control equipment demonstrated to have control efficiency equivalent to or greater or VOC emissions equal to or less than required in (i) or (ii) of this subparagraph and approved by the Director.

3. No person shall cause, let, permit, suffer, or allow the emissions of VOC from the inks, coatings, and adhesives used by flat wood paneling coating facilities to exceed:

(i) 2.1 lbs VOC per gallon (250 grams per liter) of coating, excluding water, and exempt compounds, or

(ii) 2.9 lbs VOC per gallon (350 grams per liter) of solids.

4. Averaging across lines for the VOC limits in subparagraph 3. is not permitted.

5. Should product performance requirements or other needs dictate the use of higher VOC coatings, than those specified in subparagraph 3., add-on control equipment with an overall control efficiency of 90% may be used as an alternative.

6. Each owner or operator of a facility that manufactures flat wood paneling shall comply with the following work practice standards:

- (i) store all VOC-containing materials in closed containers;
- (ii) ensure that mixing and storage containers used for VOC-containing materials are kept closed at all times except when depositing or removing these materials;
- (iii) minimize spills of VOC-containing materials; and
- (iv) convey VOC-containing materials from one location to another in closed containers or pipes.

7. For the purpose of this subparagraph, the following definitions also apply:

- (i) "Class II hardboard paneling finish" means finishes which meet the specifications of Voluntary Product Standard PS-59-73 as approved by the American National Standards Institute.
- (ii) "Coating application system" means all operations and equipment which apply, convey, and dry a surface coating, including, but not limited to, spray booths, flow coaters, conveyers, flashoff areas, air dryers and ovens.
- (iii) "Flat wood paneling" means both interior and exterior panels used in construction and typically include decorative interior panels, exterior siding and tileboard. Flat wood paneling includes hardboard, hardwood plywood, natural finish hardwood plywood panels, printed interior panels, thin particleboard and tileboard.
- (iv) "Hardboard" is a panel manufactured primarily from interfelted lignocellulosic fibers which are consolidated under heat and pressure in a hot press.
- (v) "Hardwood plywood" is plywood whose surface layer is a veneer.
- (vi) "Natural finish hardwood plywood panels" means panels whose original grain pattern is enhanced by essentially transparent finishes frequently supplemented by fillers and toners.
- (vii) "Thin particleboard" is a manufactured board 1/4 inch or less in thickness made of individual wood particles which have been coated with a binder and formed into flat sheets by pressure.
- (viii) "Tileboard" means paneling that has a colored waterproof surface coating.
- (ix) "Printed interior panels" means panels whose grain or natural surface is obscured by fillers and basecoats upon which a simulated grain or decorative pattern is printed.

8. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (jj) shall apply to facilities at which the actual emissions of volatile organic compounds from the surface coating of flat wood paneling equal or exceed 15 pounds per day and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

- (i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 7.

9. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (jj) shall apply to facilities at which the potential emissions of volatile organic compounds from the surface coating of flat wood paneling equal or exceed 100 tons per year and are located outside the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

- (i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 7.

10. Applicability. On and after January 1, 2015, the requirements of this subparagraph (jj) shall apply to facilities at which actual emissions of volatile organic compounds from the surface coating of flat wood paneling, before

controls, equal or exceed 15 pounds per day (or 2.7 tons per 12-month rolling period) for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 3., 4., 5., 6., and 7.

(ii) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraphs 3., 4., 5., or 6. are subject to the compliance schedule specified in subparagraph 13.

11. Applicability. On and after January 1, 2015, the requirements of this subparagraph (jj) shall apply to facilities at which potential emissions of volatile organic compounds from the surface coating of flat wood paneling equal or exceed 100 tons per year and are located outside of counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 7.

12. Applicability. The requirements of subparagraphs 10. and 11. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 8. and 9. will continue to apply on and after January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraphs 10. and 11. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

13. Compliance Schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified in subparagraph 10.(i) must be completed before **January 1, 2015**.

(kk) VOC Emissions from Synthesized Pharmaceutical Manufacturing.

1. The owner or operator of a synthesized pharmaceutical manufacturing facility shall:

(i) Control the volatile organic compound emissions from all reactors, distillation operations, crystallizers, centrifuges and vacuum dryers that emit 15 pounds per day or more of VOC. Surface condensers or equivalent controls shall be used, provided that:

(I) If surface condensers are used, the condenser outlet gas temperature must not exceed:

I. -13°F when condensing VOC of vapor pressure greater than 5.8 psi, measured at 68°F;

II. 5°F when condensing VOC of vapor pressure greater than 2.9 psi, measured at 68°F;

III. 32°F when condensing VOC of vapor pressure greater than 1.5 psi, measured at 68°F;

IV. 50°F when condensing VOC of vapor pressure greater than 1.0 psi, measured at 68°F;

V. 77°F when condensing VOC of vapor pressure greater than 0.5 psi, measured at 68°F.

(II) If equivalent controls are used, the VOC emissions must be reduced by at least as much as they would be by using a surface condenser which meets the requirements of Part I. of this subparagraph.

(ii) The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this regulation shall reduce the VOC emissions from all air dryers and production equipment exhaust systems;

(I) By at least 90 percent if emissions are 330 pounds per day or more of VOC; or

(II) 33 pounds per day or less if emissions are less than 330 pounds;

(III) The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this regulation shall:

I. Provide a vapor balance system or equivalent control that is at least 90.0 percent effective in reducing emissions from truck or railcar deliveries to storage tanks with capacities greater than 2,000 gallons that store VOC with vapor pressures greater than 4.1 psi at 68°F; and

II. Install pressure/vacuum conservative vents set on all storage tanks that store VOC with vapor pressure greater than 1.5 psi at 68°F unless a more effective control system is used.

(iii) The owner or operator of a synthesized pharmaceutical facility subject to this regulation shall enclose all centrifuges, rotary vacuum filters, and other filters having an exposed liquid surface, where the liquid contains VOC and exerts a total VOC vapor pressure of 0.5 psi or more at 68°F.

(iv) The owner or operator of a synthesized pharmaceutical facility subject to this regulation shall install covers on all in-process tanks containing a volatile organic compound at any time. These covers must remain closed, unless production, sampling, maintenance, or inspection procedures require operator access.

(v) The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this regulation shall repair all leaks from which liquid, containing VOC, can be observed running or dripping. The repair shall be completed the first time the equipment is off-line for a period of time long enough to complete the repair.

2. For the purpose of this regulation, the following definitions also apply:

(i) "Condenser" means a device which cools a gas stream to a temperature which removes specific organic compounds by condensation;

(ii) "Control system" means any number of control devices, including condensers, which are designed and operated to reduce the quantity of VOC emitted to the atmosphere;

(iii) "Reactor" means a vat or vessel, which may be jacketed to permit temperature control, designed to contain chemical reactions;

(iv) "Separation operation" means a process that separates a mixture of compounds and solvents into two or more components. Specific mechanisms include extraction, centrifugation, filtration, and crystallization;

(v) "Synthesized pharmaceutical manufacturing" means manufacture of pharmaceutical products by chemical synthesis;

(vi) "Production equipment exhaust system" means a device for collecting and directing out of the work area VOC fugitive emissions from reactor openings, centrifuge openings, and other vessel openings for the purpose of protecting workers from excessive VOC exposure.

(II) VOC Emissions from the Manufacture of Pneumatic Rubber Tires.

1. The owner or operator of an undertread cementing, tread end cementing, or bead dipping operation subject to this regulation shall:

(i) Install and operate a capture system, designed to achieve maximum reasonable capture from all undertread cementing, tread and cementing and bead dipping operation; and install and operate a control device that effects at least a 90.0 percent reduction efficiency, measured across the control system, and has been approved by the Director.

(ii) The owner or operator of an undertread cementing operation, tread end cementing operation or bead dipping operation may, in lieu of a vapor capture and control system for those operations, make process changes which reduces emissions to a level equal to or below that which would be achieved with emission controls as specified in subparagraph (i) above.

2. The owner or operator of a green tire spraying operation subject to this regulation shall:

(i) Substitute water-based sprays for the normal solvent-based mold release compound; or

(ii) Comply with paragraph 1. of this regulation.

3. If the total volatile organic compound emissions from all undertreading cementing, tread end cementing, bead dipping and green tire spraying operations at a pneumatic rubber tire manufacturing facility do not exceed 57 grams per tire, paragraphs 1. and 2. above shall not apply.

4. For the purpose of this subsection the following definitions also apply:

(i) "Pneumatic rubber tire manufacture" means the undertread cementing, tread end cementing, bead dipping, and green tire spraying associated with the production of pneumatic rubber, passenger type tires on a mass production basis.

(ii) "Passenger type tire" means agricultural, airplane, industrial, mobile home, light and medium duty truck, and passenger vehicle tires with a bead diameter up to but excluding 20.0 inches and cross section dimension up to 12.8 inches.

(iii) "Undertread cementing" means the application of a solvent based cement to the underside of a tire tread.

(iv) "Bead dipping" means the dipping of an assembled tire bead into a solvent based cement.

(v) "Tread end cementing" means the application of a solvent based cement to the tire tread ends.

(vi) "Green tires" means assembled tires before molding and curing have occurred.

(vii) "Green tire spraying" means the spraying of green tires, both inside and outside, with release compounds which help remove air from the tire during molding and prevent the tire from sticking to the mold after curing.

(viii) "Water based spray" means release compounds, sprayed on the inside and outside of green tires, in which solids, water, and emulsifiers have been substituted for organic solvents.

(mm) **VOC Emissions from Graphic Arts Systems.**

1. No person shall cause, let, permit, suffer, or allow the operation of a packaging rotogravure, publication rotogravure or flexographic printing facility unless:

(i) For packaging rotogravure and flexographic printing, the VOC content of any ink or coating as applied is equal to or less than one of the following:

(I) 25 percent by volume of the volatile content of the coating or ink; or

(II) 40 percent by volume of the coating or ink, minus water; or

(III) 0.5 pounds of VOC per pound of coating solids.

(ii) For publication rotogravure printing, the VOC content of any ink or coating as applied is equal to or less than one of the following:

(I) 25 percent by volume of the volatile content of the coating or ink; or

(II) 40 percent by volume of the coating or ink, minus water.

2. As an alternative to compliance with the limits in subparagraph 1., an owner or operator of a packaging rotogravure, publication rotogravure or flexographic printing facility may comply with the requirements of this subparagraph by:

(i) Averaging on a 24-hour weighted basis the VOC content of all inks and coatings, as applied, on a single printing line, where the average does not exceed the limits in subparagraph 1.; averaging across lines is not allowed; or

(ii) Installing and operating volatile organic compound emission reduction equipment having at least 90.0 percent reduction efficiency, and a capture system approved by the Director.

3. If, as an alternative to compliance with the limits in subparagraph 1.(i), volatile organic compound emission reduction equipment is installed and operated at a flexible packaging printing facility to comply with subparagraph 2.(ii) it shall have an overall VOC control efficiency that is equal to or greater than the percentage specified in the following subparagraphs (i) through (iv).

(i) 65 percent for a press that was first installed prior to March 14, 1995, and that is controlled by an add-on air pollution control device whose first installation date was prior to February 19, 2012;

(ii) 70 percent for a press that was first installed prior to March 14, 1995, and that is controlled by an add-on air pollution control device whose first installation date was on or after February 19, 2012;

(iii) 75 percent for a press that was first installed on or after to March 14, 1995, and that is controlled by an add-on air pollution control device whose first installation date was prior to February 19, 2012; and

(iv) 80 percent for a press that was first installed on or after March 14, 1995, and that is controlled by an add-on air pollution control device whose first installation date was on or after February 19, 2012.

4. Each owner or operator of a facility that prints flexible packaging shall comply with the following housekeeping requirements for any affected cleaning operation:

(i) store all VOC-containing cleaning materials and used shop towels in closed containers;

(ii) ensure that storage containers used for VOC-containing cleaning materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing cleaning materials;

(iv) convey VOC-containing cleaning materials from one location to another in closed containers or pipes; and

(v) minimize VOC emissions from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.

5. For the purpose of this subparagraph, the following definitions shall apply:

(i) "Cleaning" for flexible packaging printing means cleaning of a press, press parts, or removing dried ink from areas around a press. It does not include cleaning electronic components of a press, cleaning in-press or post-press operations or the use of janitorial supplies to clean areas around a press.

(ii) "Flexible packaging printing" refers to printing upon any package or part of a package the shape of which can be readily changed. Flexible packaging includes, but is not limited to, bags, pouches, liners, and wraps utilizing paper, plastic, film, aluminum foil, metalized or coated paper or film, or any combination of these materials.

(iii) "Flexographic printing" means the application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.

(iv) "Packaging rotogravure printing" means rotogravure printing upon paper, paperboard, metal foil, plastic film, and other substrates, which are in subsequent operations, formed into packaging products and labels for articles to be sold.

(v) "Publication rotogravure printing" means rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements, and other types of printed materials.

(vi) "Rotogravure printing" means the application of words, designs and pictures to a substrate by means of a roll printing technique which involves intaglio or recessed image areas in the form of cells.

(vii) "Roll printing" means the application of words, designs and pictures to a substrate usually by means of a series of hard rubber or steel rolls each with only partial coverage.

6. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (mm) shall apply to facilities at which the potential emissions of volatile organic compounds from packaging rotogravure, publication rotogravure, and flexographic printing equal or exceed 25 tons per year and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 5.

7. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (mm) shall apply to facilities at which the potential emissions of volatile organic compounds from packaging rotogravure, publication rotogravure, and flexographic printing equal or exceed 100 tons per year and are located outside the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 5.

8. Applicability. On and after January 1, 2015, the requirements of this subparagraph (mm) shall apply to facilities at which actual emissions of volatile organic compounds from flexible package printing, before controls, equal or exceed 15 pounds per day (or 2.7 tons per 12-month rolling period) for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) Individual presses that have potential emissions of volatile organic compounds from flexible package printing that equal or exceed 25 tons per year shall comply with the provisions of subparagraphs 1.(i), 2., and 3.

(ii) Individual presses that have potential emissions of volatile organic compounds from flexible package printing that do not equal or exceed 25 tons per year shall comply with the provisions of subparagraphs 1.(i) and 2.

(iii) All applicable facilities shall comply with the provisions of subparagraphs 4., 5., and 14.

(iv) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraph 8.(i) or (iii) are subject to the compliance schedule specified in subparagraph 13.

9. Applicability, On and after January 1, 2015, the requirements of this subparagraph (mm) shall apply to facilities at which potential emissions of volatile organic compounds from packaging rotogravure, publication rotogravure, and flexographic printing equals or exceeds 25 tons per year but at which the actual emissions of volatile organic compounds from flexible package printing, before controls, is less than 15 pounds per day (or 2.7 tons per 12-month rolling period) and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 5.

10. Applicability. On and after January 1 2015, the requirements of this subparagraph (mm) shall apply to facilities at which potential emissions of volatile organic compounds from packaging rotogravure, publication rotogravure, and flexographic printing equal or exceeds 100 tons per year but at which the actual emissions of volatile organic compounds from flexible package printing, before controls, is less than 15 pounds per day (or 2.7 tons per 12-month rolling period) and are located Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 5.

11. Applicability. On and after January 1, 2015, the requirements of this subparagraph (mm) shall apply to facilities at which the potential emissions of volatile organic compounds from packaging rotogravure, publication rotogravure, and flexible package printing equal or exceed 100 tons per year and are located outside of counties of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1., 2., and 5.

12. Applicability: The requirements of subparagraphs 8., 9., 10., and 11. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 6. and 7. will continue to apply on and after January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraphs 8., 9., 10., and 11. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

13. Compliance schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than July 1, 2014.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by November 1, 2014.

(iii) Full compliance with the applicable requirements specified in subparagraph 8.(i) and (iii) must be completed before January 1, 2015.

14. Compliance determinations for inks shall treat volatile compounds not defined as VOCs as water for the purposes of calculating the "percent-by-volume-or-more of water" and the "less water" parts of the ink composition.

(nn) VOC Emissions from External Floating Roof Tanks.

1. No person shall cause, let, permit, suffer, or allow the storage of petroleum liquids in external floating roof tanks having capacities greater than 40,000 gallons unless:

(i) The vessel has been fitted with:

(I) A continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal); or

(II) A closure or other device which controls VOC emissions with an effectiveness equal to or greater than a seal required under Part (I) of this subparagraph and approved by the Director.

(ii) All seal closure devices meet the following requirements:

(I) There are no visible holes, tears, or other openings in the seal(s) or seal fabric;

(II) The seal(s) are intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall; and

(III) For vapor mounted primary seals, the accumulated area of gaps exceeding 1/8 inch in width between the secondary seal and the tank wall shall not exceed 1.0 inch 2 per foot of tank diameter.

(iii) All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves are:

(I) Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and

(II) Equipped with projections into the tank which remain below the liquid surface at all times.

(iv) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;

(v) Rim vents are set to open when the roof is being floated off leg supports or at the manufacturer's recommended setting; and

(vi) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers which cover at least 90 percent of the area of the opening.

2. The owner or operator of a petroleum liquid storage vessel with an external floating roof subject to this regulation shall:

(i) Perform routine inspections semi-annually in order to insure compliance with paragraph 1. of this subsection and the inspections shall include a visual inspection of the secondary seal gap;

(ii) Measure the secondary seal gap annually when the floating roof is equipped with a vapor-mounted primary seal; and

(iii) Maintain records of the types of volatile petroleum liquids stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed in subparagraphs 2.(i) and (ii).

3. Copies of all records under paragraphs 2. of this subsection shall be retained by the owner or operator for a minimum of two years after the date on which the record was made.

4. Copies of all records under this section shall immediately be made available to the Director, upon verbal or written request, at any reasonable time.

5. The Director may, upon written notice, require more frequent inspections or modify the monitoring and record keeping requirements, when necessary to accomplish the purposes of this regulation.

6. This regulation does not apply to petroleum liquid storage vessels which:

(i) Are used to store waxy, heavy pour crude oil;

(ii) Have capacities less than 420,000 gallons and are used to store produced crude oil and condensate prior to lease custody transfer;

(iii) Contain a petroleum liquid with a true vapor pressure of less than 1.5 psia;

(iv) Contain a petroleum liquid with a true vapor pressure of less than 4.0 psia; and

(I) Are of welded construction; and

(II) Presently possess a metallic-type shoe seal, a liquid mounted foam seal, a liquid-mounted liquid filled type seal, or other closure device of demonstrated equivalence approved by the Director; or

(III) Are of welded construction, equipped with a metallic-type shoe primary seal and has a secondary seal from the top of the shoe to the tank wall (shoe-mounted secondary seal).

7. For the purpose of this subsection, the following definitions shall apply:

(i) "Condensate" means hydrocarbon liquid separated from natural gas which condenses due to changes in the temperature and/or pressure and remains liquid at standard conditions.

(ii) "Crude oil" means a naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen and/or oxygen derivatives of hydrocarbons which is a liquid at standard conditions.

(iii) "Lease custody transfer" means the transfer of produced crude oil and/or condensate, after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

(iv) "External floating roof" means a storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which rests upon and is supported by the petroleum liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank wall.

(v) "Liquid-mounted seal" means a primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof around the circumference of the tank.

(vi) "Petroleum liquids" means crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery.

(vii) "Vapor-mounted seal" means a primary seal mounted so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface and the floating roof.

(viii) "Waxy, heavy pour crude oil" means a crude oil with a pour point of 50°F or higher as determined by the American Society for Testing and Materials Standards D97-66, "Test for Pour Point of Petroleum Oils."

(oo) Fiberglass Insulation Manufacturing Plants.

1. No person shall cause, let, suffer, permit or allow the emission of particulate matter from any fiberglass insulation production line to exceed a concentration of 0.04 grains per standard dry cubic foot.

2. For the purpose of this subsection, "Fiberglass insulation production line" means any combination of equipment, devices or contrivances for the manufacture of fiberglass insulation. This does not include glass melting furnaces, equipment associated with the process which is defined herein as "Fuel-burning Equipment," equipment the primary purpose of which involves the handling, storing or packaging of the fiberglass insulation or equipment the primary purpose of which involves the handling, storing or conveying of raw products for input into the glass melting furnace.

(pp) Bulk Gasoline Plants.

1. After the compliance date specified in paragraph 6. of this subsection, no owner or operator of a bulk gasoline plant may permit the receiving or dispensing of gasoline by its stationary storage tanks unless:

- (i) Each stationary storage tank is equipped with a submerged fill pipe, approved by the Director; or
- (ii) Each stationary storage tank is equipped with a fill line whose discharge opening is at the tank bottom.
- (iii) Each stationary storage tank has a vapor balance system consisting of the following major components:
 - (I) A vapor space connection on the stationary storage tank equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of gasoline or gasoline vapors; and
 - (II) A connecting pipe or hose equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of gasoline or gasoline vapors.

2. After the compliance date specified in paragraph 6. of this subsection, no owner or operator of a bulk gasoline plant, or the owner or operator of a tank truck or trailer may permit the transfer of gasoline between the tank truck or trailer and stationary storage tank unless:

- (i) The vapor balance system is in good working order and is connected and operating;
- (ii) The gasoline transport vehicle is maintained to prevent the escape of fugitive vapors and gasses during loading operations;
- (iii) A means is provided to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected; and
- (iv) The pressure relief valves on storage vessels and tank trucks or trailers are set to release at 0.7 psia or greater unless restricted by state or local fire codes or the National Fire Prevention Association guidelines in which case the pressure relief valve must be set to release at the highest possible pressure allowed by these codes or guidelines.

3. The requirements of this subsection shall not apply to stationary storage tanks of less than 2,000 gallons.

4. Sources and persons affected under this subsection shall comply with the vapor collection and control system requirements of subsection 391-3-1-.02(2)(ss).

5. For the purpose of this subsection, the following definitions shall apply:

- (i) "Bottom filling" means the filling of a tank truck or stationary storage tank through an opening that is located at the tank bottom.
- (ii) "Bulk gasoline plant" means a gasoline storage and distribution facility with an average daily throughput of more than 4,000 gallons but less than 20,000 gallons which receives gasoline from bulk terminals by rail and/or trailer transport, stores it in tanks, and subsequently dispenses it via account trucks to local farms, businesses, and service stations.
- (iii) "Bulk gasoline terminal" means a gasoline storage facility which receives gasoline from refineries primarily by pipeline, ship, or barge, and delivers gasoline to bulk gasoline plants or to commercial or retail accounts primarily by tank truck and has an average daily throughput of more than 20,000 gallons of gasoline.
- (iv) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4.0 psia or greater.
- (v) "Stationary Storage Tank" means all underground vessels and any aboveground vessels never intended for mobile use.

(vi) "Submerged filling," means the filling of a tank truck or stationary tank through a pipe or hose whose discharge opening is not more than six inches from the tank bottom.

(vii) "Vapor balance system" means a combination of pipes or hoses that create a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tank are transferred to the tank being unloaded.

6. Compliance Dates.

(i) All bulk gasoline plants located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties shall be in compliance.

(ii) All bulk gasoline plants located in Catoosa, Richmond and Walker counties shall be in compliance with this subsection by May 1, 2006.

(iii) All bulk gasoline plants located in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton counties shall be in compliance with this subsection by June 1, 2008.

(qq) **VOC Emissions from Large Petroleum Dry Cleaners.**

1. No person shall cause, let, permit, suffer or allow the emissions of VOC from a large petroleum dry cleaner facility to exceed 3.5 pounds per 100 pounds dry weight of articles dry cleaned.

2. The VOC content in all filtration waste shall be reduced to one pound or less per hundred pounds dry weight of articles dry cleaned before disposal and exposure to the atmosphere from a petroleum solvent filtration system; or

3. Install and operate a cartridge filtration system and drain the filter cartridges in the sealed housing for eight hours or more before their removal.

4. Each owner or operator of a large petroleum dry cleaner shall inspect all equipment for leaks every 15 days and repair all petroleum solvent vapor and liquid leaks within three working days after identifying the source of the leaks.

5. Each owner or operator of a large petroleum dry cleaner shall maintain sufficient records to demonstrate compliance and provide them to the Division upon request, for a period of two years.

6. For the purpose of this subsection, the following definitions shall apply:

(i) "Cartridge filter" means perforated canisters containing filtration paper and activated carbon that are used in the pressurized system to remove solid particles and fugitive dyes from soil-laden solvents.

(ii) "Large petroleum dry cleaner" means any facility engaged in the process of the cleaning of textile and fabric products in which articles are washed in a nonaqueous solution (solvent), then dried by exposure to a heated air stream and consumes 25 tons or more of a petroleum solvent annually.

(iii) "Solvent recovery dryer" means a class of dry cleaning dryers that employs a condenser to liquefy and recover solvent vapors evaporated in a closed loop recirculating stream of heated air.

(rr) **Gasoline Dispensing Facility - Stage I.**

1. Requirements: After the compliance date specified in subparagraph 16. of this subparagraph, no person may transfer or cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank subject to subparagraph (rr), unless:

(i) The stationary storage tank is equipped with all of the following:

(I) A submerged fill pipe; and

(II) A Division approved Gasoline Vapor Recovery System as noted below:

A. An Enhanced Stage I Gasoline Vapor Recovery System as defined in subparagraph 15.(iv) that shall remain in good working condition, such as keeping the vapor return opening free of liquid or solid obstructions, and that also shall be leak tight as determined by tests conducted in accordance with test procedures as approved by the Division; or

B. For existing gasoline dispensing facilities in Catoosa, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, Richmond, Rockdale, and Walker counties, a Stage I Gasoline Vapor Recovery System as defined in subparagraph 15.(x) that shall remain in good working condition; and

(III) Vents that shall be vertical and at least 12 feet in height from the ground and shall have a Pressure/Vacuum vent valve with settings as specified by applicable Stage I or II vapor recovery CARB executive order. In systems where vents have manifolds, the manifold may be less than 12 feet.

(ii) The vapors displaced from the gasoline stationary storage tank during filling are controlled by one of the following:

(I) A vapor-tight vapor return line from the gasoline stationary storage tank(s) to the delivery vessel for each product delivery line that is connected from the delivery vessel to the gasoline stationary storage tank(s) and a method or procedure that will ensure the vapor line(s) is connected before gasoline can be transferred into the gasoline stationary storage tank(s); or

(II) If a manifold connects all gasoline stationary storage tanks vent lines, a vapor-tight vapor return line connected from a gasoline stationary storage tank being filled to the delivery vessel with sufficient return capacity to control vapors from all gasoline stationary storage tanks being filled at the time and to prevent release of said vapors from the vent line(s) or other gasoline stationary storage tank openings; however, no more than two tanks shall be filled at the same time per connected vapor-tight return line; or

(III) A refrigeration-condensation system or a carbon adsorption system is utilized and recovers at least 90 percent by weight of the organic compounds.

2. Applicability: The requirements contained in this subparagraph shall apply to all stationary storage tanks with capacities of 2,000 gallons or more which were in place before January 1, 1979, and stationary storage tanks with capacities of 250 gallons or more which were in place after December 31, 1978, located at gasoline dispensing facilities located in those counties of Barrow, Bartow, Carroll, Catoosa, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Paulding, Richmond, Rockdale, Spalding, Newton, Walker and Walton.

3. Applicability: Once a gasoline dispensing facility becomes subject to this rule, it will continue to be subject even if the gasoline average throughput rate falls below the applicability threshold.

4. Exemptions: The requirements of this subparagraph shall not apply to stationary storage tanks of less than 550 gallons capacity used exclusively for the fueling of implements of husbandry or to gasoline dispensing facilities that dispense no more than 10,000 gallons average monthly throughput rate of gasoline, provided the tanks are equipped with submerged fill pipes.

5. Stage I Gasoline Vapor Recovery Systems installed prior to January 1, 1993 that currently utilize a co-axial Stage I vapor recovery system in which the gasoline stationary storage tanks are not manifolded in any manner and that are utilized at a facility that is not required to have a Stage II vapor recovery system shall be exempted from installing a co-axial poppetted drop tube. All co-axial Stage I Gasoline Vapor Recovery Systems must be upgraded to Enhanced Stage I Gasoline Vapor Recovery Systems before May 1, 2012.

6. Certification and Recertification Testing Requirements: All Stage I Gasoline Vapor Recovery Systems and Enhanced Stage I Gasoline Vapor Recovery Systems at gasoline dispensing facilities shall be certified by the equipment owner as being properly installed and properly functioning in accordance with the applicable CARB Executive Order. Certification and recertification testing shall be conducted by a qualified technician who has a thorough knowledge of the system. Tests shall be conducted in accordance with test procedures as approved by the Division. The fill cap and vapor cap must be removed when performing certification testing.

7. Certification and Recertification Testing Requirements: Testing may be conducted by the Division or by an installation or testing company that meets the minimum criteria established by the Division for conducting such tests. In the case where a party other than the Division will be conducting the testing, the owner or operator shall notify the Division at least five business days in advance as to when and where the testing will occur, what party will conduct the testing, and the CARB Executive Order number associated with the system to be tested. For Enhanced Stage I Gasoline Vapor Recovery Systems, a certified and trained individual is required to install and test the System in accordance with the applicable CARB Executive Order.

8. Certification, recertification, and testing and compliance reporting for all Stage I gasoline vapor recovery systems shall be required according to the following schedule:

(i) Certification testing is required within 30 days of system installation for any Stage I gasoline vapor recovery systems approved by the Division after December 31, 2002.

(ii) After June 1, 2008, recertification testing will be required within 12 months following the initial certification or recertification for any Stage I Gasoline Vapor Recovery Systems approved by the Division.

9. Reporting Requirements: Compliance reporting shall be required within 30 days of the certification or recertification test(s) required by subparagraph 8. This report shall be submitted to the Division and shall include results of all tests conducted for certification or recertification, including failed test results.

10. Maintenance Requirements: The owner or operator of the gasoline dispensing facility shall maintain the Enhanced Stage I Gasoline Vapor Recovery System or Stage I Gasoline Vapor Recovery System in proper operating condition as specified by the manufacturer and free of defects that could impair the effectiveness of the system. For the purposes of this subparagraph, the following is a list of equipment defects that substantially impair the effectiveness of the systems in reducing gasoline bulk transfer and fugitive vapor emissions:

(i) Absence or disconnection of any component that is a part of the approved system;

(ii) Pressure/vacuum relief valves or dry breaks and drain valves in the spill bucket that are inoperative; and

(iii) Any visible product leaks.

11. Upon identification of any of the defects as described above, the owner or operator of the gasoline dispensing facility shall immediately schedule and implement repair, replacement or adjustment by the company's repair representative as necessary.

12. Recordkeeping Requirements: The following records shall be maintained on-site for two years:

(i) Maintenance records including any repaired or replaced parts and a description of the problems;

(ii) Compliance records including warnings or notices of violation issued by the Division; and

(iii) Gasoline throughput records that will allow the average monthly gasoline throughput rate to be continuously determined.

13. Record disposal may be approved by the Division upon a written request by the owner or operator of the gasoline dispensing facility. Approval may be granted on a case-by-case basis considering volume of records, number of times the records have been inspected by the Division, and the value of maintaining the records.

14. Compliance Inspections: Gasoline dispensing facilities equipped with Enhanced Stage I Gasoline Vapor Recovery Systems and Stage I Gasoline Vapor Recovery Systems shall be subject to annual compliance inspections and functional testing which include but are not limited to the following:

- (i) Verification that all equipment is present and maintains a certified system configuration as defined in subparagraphs 15.(iv). or 15.(x), whichever is applicable.
- (ii) Inspection of all Stage I vapor recovery related files to ensure that the gasoline dispensing facility has complied with maintenance requirements and other record keeping requirements such as inspection, compliance and volume reports as required by subparagraphs 10., 11., 12., and 13.
- (iii) Observation of the use of equipment by facility operators and product suppliers.
- (iv) Verification that the facility has complied with the certification and/or recertification testing requirements as specified by subparagraphs 6., 7., and 8., whichever is applicable.

15. Definitions: For the purpose of this subparagraph, the following definitions shall apply:

- (i) "Average monthly throughput rate" means the average of the gallons pumped monthly for the most recent two year period of operation excluding any inactive period. If a facility has not been in operation for two years or does not have access to records for the most recent two years of operation, the Division shall determine the length of time to determine the average of the gallons pumped monthly.
- (ii) "CARB" means the California Air Resources Board.
- (iii) "Delivery vessel" means tank trucks or trailers equipped with a storage tank and used for the transport of gasoline from sources of supply to stationary storage tanks of gasoline dispensing facilities.
- (iv) "Enhanced Stage I Gasoline Vapor Recovery System" means:
 - (I) any Stage I gasoline vapor recovery system properly certified under current version of the CARB vapor recovery certification procedures and applicable executive order effective on or after April 1, 2001, and demonstrated efficiency of 98% collection of vapor; or
 - (II) any Stage I gasoline vapor recovery system whose design has been submitted to the Division, has passed any required certification tests, demonstrated an efficiency of 98% collection of vapors, and whose owner/operator has received a written approval from the Division. The submitted design shall include but may not be limited to drawings detailing all components of the system and a written narrative describing the components and their use.
- (v) "Existing gasoline dispensing facility" means any applicable gasoline dispensing facility with an approved Stage I Gasoline Vapor Recovery System that was in operation on or before April 30, 2008.
- (vi) "Gasoline" means a petroleum distillate having a Reid vapor pressure of 4.0 psia or greater.
- (vii) "Gasoline dispensing facility" means any site where gasoline is dispensed to motor vehicle gasoline tanks from stationary storage tanks.
- (viii) "Major Modification" means the addition, replacement, or removal of a gasoline storage tank or a modification that causes the tank top of an underground storage tank to be unburied.
- (ix) "Reconstruction" means the replacement of any stationary gasoline storage tank.
- (x) "Stage I Gasoline Vapor Recovery System" means:

(I) any Stage I Gasoline Vapor Recovery System properly certified under the CARB vapor recovery certification procedures effective before April 1, 2001, excluding the coaxial poppetted drop tube requirement exempted by subparagraph 5.; or

(II) any Stage I Gasoline Vapor Recovery System whose design has been submitted to the Division, has passed any required certification tests, demonstrated an efficiency of 95% collection of vapor and whose owner/operator has received a written approval from the Division. The submitted design shall include but may not be limited to drawings detailing all components of the system and a written narrative describing the components and their use. Mixing of equipment components certified under separate certification procedures may be allowed when supported by manufacturer or independent third-party certification that the configuration meets or exceeds the applicable performance standards and has received prior written approval from the Division.

(xi) "Stationary storage tank" means all underground vessels and any aboveground vessels never intended for mobile use.

(xii) "Submerged fill pipe" means any fill pipe with a discharge opening which is within a nominal distance of six inches from the tank bottom.

16. Compliance Dates

(i) All gasoline dispensing facilities located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale counties shall be in compliance.

(ii) All gasoline dispensing facilities located in Catoosa, Richmond and Walker counties that dispense more than 50,000 gallons of gasoline per month shall be in compliance with this subparagraph by May 1, 2006.

(iii) All gasoline dispensing facilities located in Catoosa, Richmond and Walker counties that dispense 50,000 gallons or less of gasoline per month shall be in compliance with this subparagraph by May 1, 2007.

(iv) All gasoline dispensing facilities that dispense 100,000 gallons average monthly throughput of gasoline or more per month located in Barrow, Bartow, Carroll, Hall, Spalding, Newton and Walton counties shall be in compliance with this subparagraph by June 1, 2008.

(v) All gasoline dispensing facilities that dispense greater than or equal to 50,000 gallons and less than 100,000 gallons average monthly throughput of gasoline per month located in Barrow, Bartow, Carroll, Hall, Spalding, Newton and Walton counties shall be in compliance with this subparagraph by November 1, 2008.

(vi) All gasoline dispensing facilities that dispense greater than 10,000 gallons and less than 50,000 gallons average monthly throughput of gasoline-per-month and are located in Barrow, Bartow, Carroll, Hall, Spalding, Newton and Walton counties shall be in compliance with this subparagraph by March 1, 2009.

(vii) Upon the effective date of this rule, all newly constructed or reconstructed gasoline dispensing facilities located in Barrow, Bartow, Carroll, Catoosa, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Paulding, Richmond, Rockdale, Spalding, Newton, Walker and Walton shall be in compliance with this subparagraph upon startup of gasoline dispensing operations.

(viii) Upon the effective date of this rule, all existing gasoline dispensing facilities located in Catoosa, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, Richmond, Rockdale, and Walker counties that undergo major modification shall be in compliance with the requirements of an approved Enhanced Stage I Gasoline Vapor Recovery System as defined in subparagraph 15.(iv) upon completion of the modification.

(ix) All existing gasoline dispensing facilities located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale counties shall be in compliance with the requirements of an approved Enhanced Stage I Gasoline Vapor Recovery System as defined in subparagraph 15.(iv) before May 1, 2012.

(ss) Gasoline Transport Vehicles and Vapor Collection Systems.

1. After the compliance date specified in paragraph 6. of this subparagraph, no person shall cause, let, permit, suffer, or allow the loading or unloading of gasoline from a gasoline transport vehicle of any size capacity unless:

(i) The tank sustains a pressure change of not more than three inches of water in five minutes when pressurized to 18 inches of water and evacuated to six inches of water as tested at least once per year in accordance with test procedures specified by the Division;

(ii) Displays a marking on the right front (passenger) side of the tank, in characters at least 2 inches high, which reads either P/V TEST DATE or EPA27 and the date on which the gasoline transport tank was last tested;

(iii) The tank has no visible liquid leaks and no gasoline vapor leaks as measured by a combustible gas detector;

(iv) The owner or operator of the gasoline transport vehicle has submitted to the Division within 30 days of the test date a data sheet in the format specified by the Division containing at a minimum the following information: name of person(s) or company that conducted the test, date of test, test results including a list of any repairs made to the transport vehicle to bring it into compliance and the manufacturer's vehicle identification number (VIN) of the tank truck or frame number of a trailer-mounted tank; and

(v) The transport vehicle has been equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of gasoline or gasoline vapors, with a vapor return line and hatch seal designed to prevent the escape of gasoline or gasoline vapors while loading.

2. The owner or operator of a vapor collection and vapor control system shall:

(i) Design and operate the vapor collection and vapor control system and the gasoline loading equipment in a manner that prevents:

(I) Gauge pressure from exceeding 18 inches of water and vacuum from exceeding six inches of water in the gasoline tank truck;

(II) A reading equal to or greater than 100 percent of the lower explosive limit (LEL, measured as propane) at one inch from all points on the perimeter of a potential leak source when measured (in accordance with test procedures specified by the Division) during loading or unloading operations at gasoline dispensing facilities, bulk gasoline plants and bulk gasoline terminals; and

(III) Avoidable visible liquid leaks during loading and unloading operations at gasoline dispensing facilities, bulk gasoline plants and bulk gasoline terminals.

(ii) Within 15 days, repair and retest a vapor collection or vapor control system that exceeds the limits in Subparagraph (i) above.

3. Applicability: The requirements of this subparagraph shall apply only to those gasoline transport vehicles which load or unload gasoline at bulk gasoline terminals, bulk gasoline plants, and gasoline dispensing facilities subject to VOC vapor control requirements contained under section 391-3-1-.02(2).

4. The Division may require a pressure/vacuum retest or leak check for any gasoline transport vehicle, vapor collection system, vapor control system, and/or gasoline loading equipment subject to this subparagraph. A gasoline transport vehicle, vapor collection system, vapor control system, and/or gasoline loading equipment for which the Division has required a pressure/vacuum retest or leak check shall:

(i) Cease loading and unloading operations within fourteen (14) days of the date of the initial retest or leak check request unless the retest or leak check has been completed to the satisfaction of the Division;

(ii) Provide written advance notification to the Division of the scheduled time and place of the test in order to provide the Division an opportunity to have an observer present; and

(iii) Supply a copy of the results of all such tests to the Division within 30 days of the test date.

5. For the purpose of this subparagraph, the following definitions shall apply:

(i) "Combustible Gas Detector" means a portable VOC gas analyzer with a minimum range of 0-100 percent of the LEL as propane.

(ii) "Gasoline" means a petroleum distillate having a Reid vapor pressure of 4.0 psia or greater.

(iii) "Gasoline Transport Vehicle" means any mobile storage vessel including tank trucks and trailers used for the transport of gasoline from sources of supply to stationary storage tanks of gasoline dispensing facilities, bulk gasoline plants or bulk gasoline terminals.

(iv) "Gasoline Vapor Leak" means a reading of 100 percent or greater of the Lower Explosive Limit (LEL) of gasoline when measured as propane at a distance of one inch.

(v) "Vapor Collection System" means a vapor transport system, including any piping, hoses and devices, which uses direct displacement by the gasoline being transferred to force vapors from the vessel being loaded into either a vessel being unloaded or vapor control system or vapor holding tank.

(vi) "Vapor Control System" means a system, including any piping, hoses, equipment and devices, that is designed to control the release of volatile organic compounds displaced from a vessel during transfer of gasoline.

6. Compliance Dates.

(i) All gasoline transport vehicles and vapor collection systems operating in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale counties shall be in compliance.

(ii) All gasoline transport vehicles and vapor collection systems operating in Catoosa, Richmond and Walker counties shall be in compliance with this subparagraph by May 1, 2006.

(iii) All gasoline transport vehicles and vapor collection systems operating in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton counties shall be in compliance with this subparagraph by June 1, 2008.

(tt) VOC Emissions from Major Sources.

1. No person shall cause, let, permit, suffer or allow the emissions of VOC from any source to exceed the levels specified in paragraph 3. below unless such source has been approved by the Director as utilizing all reasonably available control technology in controlling those VOC emissions.

2. For the purpose of this subsection, "Reasonably Available Control Technology" means the utilization and/or implementation of water based or low solvent coatings, VOC control equipment such as incineration, carbon adsorption, refrigeration or other like means as determined by the Director to represent reasonably available control technology for the source category in question.

3. The requirements contained in this subsection shall apply to all such sources located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale which have potential VOC emissions exceeding 25 tons-per-year and to all such sources in the counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton which have potential VOC emissions exceeding 100 tons-per-year.

4. Compliance Dates.

(i) All sources of VOC emissions subject to this subsection and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall be in compliance.

(ii) All sources of VOC emissions subject to this subsection located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton and in operation on or before October 1, 1999, shall comply with the following compliance schedule:

(I) A demonstration of appropriate reasonably available control technology for controlling VOC emissions from the source must be submitted to the Division no later than October 1, 2000. Each demonstration is subject to approval, denial, or modification by the Division.

(II) A final control plan and application for a permit to construct for the installation of VOC emission control systems and/or modification of coatings, solvents, processes, or equipment must be submitted to the Division no later than April 1, 2001.

(III) On-site construction of emission control systems and/or modification of coatings, solvents, processes, or equipment must be completed by March 1, 2003.

(IV) Full compliance with the applicable requirements of this subsection must be demonstrated through methods and procedures approved by Division on or before May 1, 2003.

(iii) All sources of VOC emissions subject to this subsection located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton and which begin initial operation after October 1, 1999, shall be in compliance upon startup.

(iv) All sources of VOC emissions subject to this subsection and located in Barrow County shall be in compliance by March 1, 2009.

5. For the purpose of determining applicability of this subsection, the emissions of VOC from any source shall exclude all VOC emissions subject to any other more specific VOC requirements contained in other subsections of this Rule.

6. For all Reasonably Available Control Technology demonstrations approved or determined pursuant to this subsection, the Division shall issue a public notice which provides for an opportunity for public comment and an opportunity for a hearing on the determination.

7. All Reasonably Available Control Technology demonstrations, and any modifications or changes to those determinations, approved or determined by the Division pursuant to this subsection shall be submitted by the Division to the U.S. EPA as a revision to the state implementation plan. No Reasonably Available Control Technology demonstration, nor any modification or change to a demonstration, approved or determined by the Division pursuant to this subsection shall revise the state implementation plan or be used as a state implementation plan credit, until it is approved by the U.S. EPA as a state implementation plan revision.

(uu) Visibility Protection.

1. The Director shall provide written notice of any permit application or written advance notice of a permit application for a proposed major stationary source or major modification to an existing major stationary source of emissions from which may have an impact on visibility in a Class I area to the federal land manager and the federal official charged with direct responsibility for management of any land within any such area.

2. The Director shall provide such notice within 30 days after receiving an application or written advance notice from a source as described in paragraph 1. above. The notification of a permit application shall include an analysis of the proposed source's anticipated impact on visibility in any federal Class I area and all materials in the

application. In addition, the Director shall provide the Federal Land Manager a 60-day notice of any public hearing on that permit application.

3. The Director shall consider any analysis performed and/or written comments made by the Federal Land Manager in any final determination regarding the issuance of the permit provided that such analysis and/or comments are received within 30 days of having been notified by the Division. Where such analysis does not demonstrate to the satisfaction of the Director that an adverse impact will occur, the Director shall explain his decision and give notice of where the explanation can be obtained.

4. The provisions of this paragraph shall apply regardless of whether the proposed facility is to be located in an attainment, unclassified or non-attainment area.

5. The Director may require the source to monitor visibility in any Class I Federal area near the proposed new stationary source or major modification for such purposes and by such means as the Director deems necessary and appropriate.

6. For the purpose of this paragraph, major stationary source or major modification to an existing source shall be defined as in 40 CFR 51.24, but only for the pollutants of particulate matter, sulfur dioxide and nitrogen oxides.

7. Prior to the issuance of any permit, the Director shall ensure that the source's emissions will be consistent with making reasonable progress towards the national visibility goal of preventing any future, and remedying any existing, impairment of visibility in mandatory Class I areas which impairment results from manmade air pollution. The Director may take into account the cost of compliance, the time necessary for compliance, the energy and non-air quality environmental impacts of compliance, and the useful life of the source.

8. For the purpose of this paragraph, "impact on visibility" means visibility impairment (reductions in visual range and atmospheric discoloration) which interferes with the management, protection, preservation or enjoyment of the visitor's visual experience of the Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency and time of visibility impairment, and must have these factors correlate with:

(i) Times of visitor use of the Federal Class I area; and

(ii) The frequency and timing of natural conditions that reduce visibility.

(vv) Volatile Organic Liquid Handling and Storage.

1. After the compliance date specified in section 3. of this subsection, no person subject to other VOC requirements contained in other subsections of this Rule may transfer or cause or allow the transfer of any volatile organic liquid other than gasoline from any delivery vessel into a stationary storage tank of greater than 4,000 gallons, unless the tank is equipped with submerged fill pipes.

2. For the purpose of this subsection, the following definitions shall apply:

(i) "Delivery Vessel" means any tank truck or trailer equipped with a storage tank in use for the transport of volatile organic liquids from sources of supply to stationary storage tanks; and

(ii) "Submerged Fill Pipe" means any fill pipe with a discharge opening which is within six inches of the tank bottom.

3. Compliance Dates.

(i) All volatile organic liquid handling and storage facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall be in compliance.

(ii) All volatile organic liquid handling and storage facilities subject to this subsection; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and in operation on or before October 1, 1999, shall be in compliance by May 1, 2003.

(iii) All volatile organic liquid handling and storage facilities subject to this subsection; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and which begin initial operation after October 1, 1999, shall be in compliance upon startup.

(iv) All volatile organic liquid handling and storage facilities subject to this subsection and located in Barrow County shall be in compliance by March 1, 2009.

(ww) **Reserved.**

(xx) **Reserved.**

(yy) **Emissions of Nitrogen Oxides from Major Sources.**

1. No person shall cause, let, permit, suffer or allow the emissions of nitrogen oxides from any source to exceed the levels specified in paragraph 2. below unless such source has been approved by the Director as meeting the appropriate requirement for all reasonably available control technology in controlling those emissions of nitrogen oxides.

2. The requirements contained in this subsection shall apply to all such sources located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale which have potential emissions of nitrogen oxides, expressed as nitrogen dioxide, exceeding 25 tons-per-year and to all such sources in the counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton which have potential emissions of nitrogen oxides, expressed as nitrogen dioxide, exceeding 100 tons-per-year.

3. Compliance Dates.

(i) All sources of nitrogen oxides emissions subject to this subsection which have potential emissions of nitrogen oxides, expressed as nitrogen dioxide, exceeding 50 tons per year; were in operation on or before April 1, 2004; and are located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall be in compliance.

(ii) All sources of nitrogen oxides emissions subject to this subsection located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton and in operation on or before October 1, 1999, shall comply with the following compliance schedule:

(I) A demonstration of appropriate reasonably available control technology for controlling emissions of nitrogen oxides from the source must be submitted to the Division no later than October 1, 2000. Each demonstration is subject to approval, denial, or modification by the Division.

(II) A final control plan and application for a permit to construct for the installation of nitrogen oxides emission control systems and/or modifications of process or fuel-burning equipment must be submitted to the Division no later than April 1, 2001.

(III) On-site construction of emission control systems and/or modification of process or fuel-burning equipment must be completed by March 1, 2003.

(IV) Full compliance with the applicable requirements of this subsection must be demonstrated through methods and procedures approved by Division on or before May 1, 2003.

(iii) All sources of nitrogen oxides emissions subject to this subsection located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton and which begin initial operation after October 1, 1999, shall be in compliance.

(iv) All sources of nitrogen oxides emissions subject to this subsection which have potential emissions, expressed as nitrogen dioxide, not exceeding 50 tons-per-year; were in operation on or before April 1, 2004; and are located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall comply with the following compliance schedule:

(I) A demonstration of appropriate reasonably available control technology for controlling emissions of nitrogen oxides from the source must be submitted to the Division no later than October 1, 2004. Each demonstration is subject to approval, denial, or modification by the Division.

(II) A final control plan and application for a permit to construct for the installation of nitrogen oxides emission control systems and/or modifications of process or fuel-burning equipment must be submitted to the Division no later than April 1, 2005.

(III) On-site construction of emission control systems and/or modification of process or fuel-burning equipment must be completed by March 1, 2007.

(IV) Full compliance with the applicable requirements of this subsection must be demonstrated through methods and procedures approved by Division on or before May 1, 2007.

(v) All sources of nitrogen oxide emissions subject to this subsection located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale and which begin initial operation after April 1, 2004, shall be in compliance upon startup.

(vi) All sources of nitrogen oxide emissions subject to this subsection and located in Barrow County shall be in compliance by March 1, 2009.

4. The requirements contained in this subsection shall not apply to individual equipment at the source which have potential emissions of nitrogen oxides, expressed as nitrogen dioxide, in quantities less than a de minimis level of one ton-per-year or to air pollution control devices which are installed to effect compliance with any requirement of this Chapter.

5. The requirements contained in this subsection shall not apply to individual equipment at the source which are subject to subsections (jjj), (lll), (mmm), or (nnn) of this section 391-3-1-.02(2).

6. For the purpose of determining applicability of this subsection, the emissions of nitrogen oxides from any source shall exclude all nitrogen oxides emissions subject to subsections (jjj), (lll), (mmm), or (nnn) of this section 391-3-1-.02(2).

7. For all Reasonably Available Control Technology demonstrations approved or determined pursuant to this subsection, the Division shall issue a public notice which provides for an opportunity for public comment and an opportunity for a hearing on the determination.

8. All Reasonably Available Control Technology demonstrations, and any modifications or changes to those determinations, approved or determined by the Division pursuant to this subsection shall be submitted by the Division to the U.S. EPA as a revision to the state implementation plan. No Reasonably Available Control Technology demonstration, nor any modification or change to a demonstration, approved or determined by the Division pursuant to this subsection shall revise the state implementation plan or be used as a state implementation plan credit, until it is approved by the U.S. EPA as a state implementation plan revision.

(zz) [reserved]

(aaa) [reserved]

(bbb) [reserved]

(ccc) **VOC Emissions from Bulk Mixing Tanks.**

1. After the compliance date specified in section 4. of this subsection, no person shall let, permit, suffer, or allow the operation of a mixing tank unless the following requirements for control of emissions of volatile organic compounds are satisfied:

(i) All portable and stationary mixing tanks used for the manufacture of any VOC containing material shall be equipped with covers which completely cover the tank except for an opening no larger than necessary to allow for safe clearance of the mixer shaft. The tank opening shall be covered at all times except when operator access is necessary.

(ii) Free fall of VOC containing material into product containers shall be accomplished by utilization of drop tubes, fill pipes or low-clearance equipment design on filling equipment unless demonstrated to the Division impractical for a specific operation.

(iii) Detergents or non-VOC containing cleaners shall be utilized for both general and routine cleaning operations of floors, equipment, and containers unless the cleanup cannot be accomplished without the use of VOC containing cleaners.

(iv) All waste solvents shall be stored in closed containers or vessels, unless demonstrated to be a safety hazard, and shall be disposed or reclaimed such solvents in a manner approved by the Division.

2. For the purpose of this subsection, the following definitions shall apply:

(i) "Mixing Tanks" means any vessel in which resin, coating or other materials, or any combination thereof, are added to produce product blend.

3. The requirements of this subsection shall apply to facilities with potential VOC emissions exceeding 25 tons-per-year and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale and to facilities with potential VOC emissions exceeding 100 tons-per-year and located in the counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton.

4. Compliance Dates.

(i) All sources subject to this subsection and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale shall be in compliance.

(ii) All sources subject to this subsection; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and in operation on or before October 1, 1999, shall be in compliance by May 1, 2003.

(iii) All sources subject to this subsection; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and which begin initial operation after October 1, 1999 shall be in compliance with this subsection upon startup.

(iv) All sources subject to this subsection and located in Barrow County shall be in compliance by March 1, 2009.

(ddd) VOC Emissions from Offset Lithography and Letterpress.

1. No person shall cause, let, permit, suffer, or allow the operation of any offset lithography printing facility unless:

(i) Offset presses utilize fountain solutions containing 8 percent or less by volume VOCs; and

(ii) The owner or operator installs and operates a VOC emission reduction system for all heatset offset printing operations approved by the Director to have at least a 90 percent reduction efficiency and a capture system approved by the Director, or an equivalent VOC emission rate.

2. No person shall cause, let, permit, suffer, or allow the operation of any sheet-fed offset lithography printing facility unless the VOC content of the on-press (as-applied) fountain solution is:

(i) 5.0 percent alcohol or less (by weight); or

(ii) 8.5 percent alcohol or less (by weight) and the fountain solution is refrigerated to below 60°F (15.5°C); or

(iii) 5 percent alcohol substitute or less (by weight) and no alcohol in the fountain solution.

3. Sheet-fed offset lithography presses with a sheet size of 11 inches by 17 inches or smaller, and presses with a total fountain solution reservoir of less than 1 gallon are exempt.

4. No person shall cause, let, permit, suffer or allow the operation of any cold-set web-fed offset lithography printing facility unless the VOC content of the on-press (as applied) fountain solution is 5 percent alcohol substitute or less (by weight) and no alcohol in the fountain solution.

5. No person shall cause, let, permit, suffer, or allow the operation of any heatset web-fed offset lithography printing facility unless the VOC content of the on-press (as-applied) fountain solutions is:

(i) 1.6 percent alcohol or less (by weight); or

(ii) 3.0 percent alcohol or less (by weight) and the fountain solution is refrigerated to below 60°F (15.5°C); or

(iii) 5.0 percent alcohol substitute or less (by weight) and no alcohol in the fountain solution.

6. For heatset web-fed offset lithographic and letterpress printing presses, the owner or operator shall install and operate a VOC emission reduction system for all dryers with a potential to emit greater than or equal to 25 tons of VOC emissions per year prior to controls.

(i) Control devices with an initial installation date on or before January 1, 2015, shall be approved by the Director to have at least a 90 percent reduction efficiency and a capture system approved by the Director.

(ii) Control devices with an initial installation date after January 1, 2015, shall be approved by the Director to have at least a 95 percent reduction efficiency and a capture system approved by the Director.

(iii) For situations where the inlet concentration is so low that 90 or 95 percent efficiency cannot be achieved, an outlet concentration of 20 ppmv as hexane on a dry basis may be used as an alternative.

(iv) Heatset presses used for book printing and heatset presses with a maximum web width of 22 inches or less are exempt from the requirements in of subparagraph 6.(i) through (iii).

(v) The following materials are exempt from the requirements of subparagraph 6.(i) through (iii):

(I) sheet-fed or coldset web-fed inks;

(II) sheet-fed or coldset web-fed varnishes; and

(III) waterborne coatings or radiation (ultra-violet light or electron beam) cured materials used on offset lithographic or letterpress presses.

7. All cleaners used for blanket washing, roller washing, plate cleaners, impression cylinder cleaners, rubber rejuvenators and other cleaners used for cleaning a press, press parts, or to remove dried ink from areas around a press shall have a VOC composite vapor pressure less than 10 mm Hg at 20°Celsius or contain less than 70 weight percent VOC. For those tasks that cannot be carried out with low VOC composite vapor pressure cleaning materials or reduced VOC content cleaning materials, 110 gallons per year of cleaning materials that do not meet the requirements of this subsection may be used.

8. All cleaning materials and used shop towels are to be kept in closed containers.

9. For the purpose of this subsection, the following definitions shall apply:

(i) "Cleaning Materials" means the materials used to remove excess printing inks, oils, and residual paper from press equipment. These materials are typically mixtures of organic (often petroleum-based) solvents.

(ii) "Fountain Solution" means the mixture of water and additional ingredients such as etchant, gum arabic and dampening aid which coats the non-image areas of the printing plate.

(iii) "Letterpress printing" means a printing process in which the image area is raised relative to the non-image area and the past ink is transferred to the substrate directly from the image surface.

(iv) "Lithographic printing" means a printing process where the image and the non-image areas are chemically differentiated; the image area is oil receptive and non-image area is water receptive.

(v) "Offset lithography printing" means a printing process that transfers the ink film from the lithographic plate to an intermediary surface (blanket) which then transfers the ink film to the substrate.

(vi) "Sheet-fed" refers to the process in which the substrate is cut into sheets before being printed.

(vii) "Web-fed" refers to the process in which the substrate is supplied to the press in the form of rolls.

10. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (ddd) shall apply to facilities at which the potential emissions of volatile organic compounds from offset lithography printing equal or exceed 25 tons per year and are located in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1. and 9.

11. Applicability. Prior to January 1, 2015, the requirements of this subparagraph (ddd) shall apply to facilities at which the potential emissions of volatile organic compounds from offset lithography printing equal or exceed 100 tons per year and are located in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton Counties as follows:

(i) All applicable facilities shall comply with the provisions of subparagraphs 1. and 9.

12. Applicability. Prior to January 1, 2015, all letterpress printing operations are subject to the applicability and control requirements of subparagraph 391-3-1-.02(2)(tt).

13. Applicability. On and after January 1, 2015, the requirements of this subparagraph (ddd) shall apply to facilities at which actual emissions of volatile organic compounds from offset lithographic printing and letter press printing, before controls, equal or exceed 15 pounds per day (or 2.7 tons per 12-month rolling period) for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton Counties as follows:

(i) Individual heatset web offset lithographic printing presses and individual heatset web letterpress printing presses that have potential emissions of volatile organic compounds from the dryer, prior to controls, that equal or exceed 25 tons per year shall comply with the provisions of subparagraph 6;

(ii) Individual heatset web offset lithographic printing presses that have potential emissions of volatile organic compounds from the dryer, prior to controls, that do not equal or exceed 25 tons per year and are located at facilities at which the potential emissions of volatile organic compounds from offset lithography printing equal or exceed 25 tons per year in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties shall comply with the provisions of subparagraph 1.(ii);

(iii) Individual heatset web offset lithographic printing presses that have potential emissions of volatile organic compounds from the dryer, prior to controls, that do not equal or exceed 25 tons per year and are located at facilities at which the potential emissions of volatile organic compounds from offset lithography printing equal or exceed 100 tons per year in Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton Counties shall comply with the provisions of subparagraph 1.(ii);

(iv) All applicable facilities shall comply with the provisions of subparagraphs 2., 3., 4., 5., 7., 8., and 9;

(v) Any physical or operational changes that are necessary to comply with the provisions specified in subparagraphs 13.(i) or (iv) are subject to the compliance schedule specified in subparagraph 15.

14. **Applicability:** The requirements of subparagraph 13. will no longer be applicable by the compliance deadlines if the counties specified in those subparagraphs are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015 and such counties continue to maintain that Standard thereafter. Instead, the provisions of subparagraphs 10., 11., and 12. will continue to apply on and after January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of subparagraph 13. will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

15. **Compliance Schedule:**

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified in subparagraphs 13.(i) and (iv) must be completed before **January 1, 2015**.

(eee) **VOC Emissions from Expanded Polystyrene Products Manufacturing.**

1. Except as provided in sections 2., 3., and 4. of this section, after the compliance date specified in section 8. of this subsection, no person shall cause, let, permit, suffer, or allow the VOC emissions from an expandable polystyrene product manufacturing facility to exceed 0.015 lbs VOC/lb bead utilized.

2. No person shall cause, let, permit, suffer, or allow the operation of an expandable polystyrene cup manufacturing facility existing before November 1, 1987 unless the facility has installed and operates volatile organic compound emission reduction equipment on the pre-expanders having at least a 90.0 percent reduction efficiency and a capture system approved by the Director.

3. No person shall cause, let, permit, suffer, or allow the operation of an expandable polystyrene board insulation manufacturing facility existing before January 1, 1990 unless the facility has installed and operates volatile organic compound emission reduction equipment on the pre-expanders so as to achieve at least a 90.0 percent reduction efficiency and a capture system approved by the Director; or limits VOC emissions from the entire facility to no greater than 0.0175 lb VOC/lb bead utilized.

4. No person shall cause, let, permit, suffer, or allow the operation of an expandable polystyrene custom shape manufacturing facility existing before January 1, 1990, unless the facility utilizes a batch expander and reduced volatile expandable polystyrene bead containing no more than 4.5 percent initial VOC content. The monthly weighted average of all beads used shall not exceed 4.5 percent.

5. For the purposes of this subsection, VOC emitted after the average curing time shall not be considered to be emitted from the facility.

6. For the purpose of this subsection, the following definitions shall apply:

(i) "Expandable Polystyrene Products Manufacturing" means the manufacturing of products utilizing expandable polystyrene bead impregnated with a VOC blowing agent.

(ii) "Board Insulation Manufacturers" means producers of thermal insulation, display foam, or floatation products. Thermal insulation production usually requires densities as specified in ASTM C-578, the industry standard for both EPS and XPS insulation applications.

(iii) "Custom Shape Manufacturers" means producers of a variety of different products ranging in density and size and based primarily on customer specifications.

(iv) "Pre-expander" means the system where initial expansion of the bead occurs.

(v) "Process" means the point from the opening of the gaylord to the end of the average curing time.

7. The requirements of this subsection shall apply to facilities with potential VOC emissions exceeding 25 tons per year and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale and to facilities with potential VOC emissions exceeding 100 tons per year and located in the counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton.

8. Compliance Dates.

(i) All sources subject to this subsection and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall be in compliance.

(ii) All sources subject to this subsection located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and in operation on or before October 1, 1999, shall be in compliance with this subsection by May 1, 2003.

(iii) All sources subject to this subsection; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and which begin initial operation after October 1, 1999, shall be in compliance with this subsection upon startup.

(iv) All sources subject to this subsection and located in Barrow County shall be in compliance by March 1, 2009.

(fff) **Particulate Matter Emissions from Yarn Spinning Operations.**

1. No person shall cause, let, permit, suffer or allow the rate of particulate matter emissions from a yarn spinning operation with process input rates up to and including 30 tons per hour to equal or exceed the allowable rate of emissions calculated from the following equation.

$$E = 4.1P^{0.67}$$

where:

E = allowable emission rate in pounds per hour;

P = process input weight of raw or partially processed fiber in tons per hour.

2. For the purpose of this subparagraph, the term process, as it applies to the yarn spinning operation, shall include all of the activities from bale delivery, bale stripping, carding, drawing, spinning, twisting, to and including winding, conducted at the facility.

(ggg) **Existing Municipal Solid Waste Landfills.**

1. The provisions of this subsection apply to each existing municipal solid waste landfill that commenced construction, reconstruction or modification before May 30, 1991 and has accepted waste at any time since

November 8, 1987, or has additional design capacity available for future waste deposition. Physical or operational changes made to an existing municipal solid waste landfill solely to comply with this subsection are not considered construction, reconstruction, or modification and would not subject an existing municipal solid waste landfill to the requirements of 391-3-1-.02(8)(b)72. which are the Federal New Source Performance Standards for Municipal Solid Waste Landfills.

2. Definitions of all Terms used, but not defined in this subsection, have the meaning given them in 40 CFR Part 60 Subpart WWW, as amended. Terms not defined therein shall have the meaning given them in the federal Clean Air Act, the Georgia Air Quality Act or 40 CFR Part 60 Subparts A and B.

(i) The word "Administrator" as used in regulations adopted in this subsection shall mean the Director of the Georgia Environmental Protection Division.

3. For the purposes of implementing the requirements and provisions of the Emission Guidelines of 40 CFR 60 Subpart Cc for Existing Municipal Solid Waste Landfills, each existing municipal solid waste landfill meeting the conditions of paragraph 1. of this subsection shall comply with all of the applicable standards, requirements and provisions of 40 CFR Part 60 Subpart WWW, as amended, which is hereby incorporated and adopted by reference with the exceptions as follows:

(i) Standards for air emissions from municipal solid waste landfills. The FR 60.752 apply as stated therein with the exception of the following:

(I) In lieu of 40 CFR 60.752(a)(2), the following provision applies:

When an increase in the maximum design capacity of a landfill exempted from the provisions of 40 CFR 60.752(b) through 40 CFR 60.759 on the basis of the design capacity exemption in 40 CFR 60.752(a) results in a revised maximum design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, the owner or operator shall comply with the provision of 391-3-1-.02(8)(b)72. which are the Federal New Source Performance Standards for Municipal Solid Waste Landfills.

(II) In lieu of 40 CFR 60.752(b)(2)(i)(B), the following provision applies:

The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR 60.753 through 40 CFR 60.758 proposed by the owner or operator. In addition, the collection and control system design plan must specify:

(1) the date by which contracts for control system/process modifications shall be awarded, (which shall be no later than 20 months after the date the NMOC emissions rate is first calculated to meet or exceed 50 megagrams per year);

(2) the date by which on-site construction or installation of the air pollution control devices(s) or process changes will begin (which shall be no later than 24 months after the date the NMOC emissions rate is first calculated to meet or exceed 50 megagrams per year); and

(3) the date by which the construction or installation of the air pollution control devices(s) or process changes will be complete.

(III) In lieu of 40 CFR 60.752(c)(1) and (c)(2) which establishes the date that a landfill is subject to 40 CFR Parts 70 and 71, the following date applies:

I. June 23, 1997.

(ii) Operational standards for collection and control systems. The provisions of 40 CFR 60.753 apply as stated therein.

(iii) Test methods and procedures. The provisions of 40 CFR 60.754 apply as stated therein with the exception of 40 CFR 60.754(c), which does not apply.

(iv) Compliance provisions. The provisions of 40 CFR 60.755 apply as stated therein.

(v) Monitoring of operations. The provisions of 40 CFR 60.756 apply as stated therein.

(vi) Reporting requirements. The provisions of 40 CFR 60.757 apply as stated therein with the exception of the following:

(I) In lieu of 40 CFR 60.757(a)(1), (a)(1)(i) and (a)(1)(ii), the following provision applies:

The initial design capacity report shall be submitted by October 1, 1997.

(II) In lieu of 40 CFR 60.757(b)(1)(i), (i)(A) and (i)(B), the following provision applies:

The initial NMOC emission rate report shall be submitted by October 1, 1997 and may be combined with the initial design capacity report required in 40 CFR 60.757(a). Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in 40 CFR 60.757(b)(1)(ii) and 40 CFR 60.757(b)(3).

(vii) Recordkeeping requirements. The provisions of 40 CFR 60.758 apply as stated therein.

(viii) Specifications for active collection systems. The provisions of 40 CFR 60.759 apply as stated therein.

4. Subparagraphs 1. through 3. are applicable PRIOR to the approval of Georgia's state plan implementing the revised Emission Guidelines for existing Municipal Solid Waste (MSW) Landfills (40 CFR Part 60 Subpart Cf).

5. Subparagraphs 6. through 8. are applicable AFTER the approval of Georgia's state plan implementing the revised Emission Guidelines for existing Municipal Solid Waste (MSW) Landfills (40 CFR Part 60 Subpart Cf).

6. The provisions of this subparagraph apply to each existing municipal solid waste landfill that commenced construction, reconstruction or modification on or before July 17, 2014 and has either accepted waste at any time since November 8, 1987 or has additional design capacity available for future waste deposition. Physical or operational changes made to an existing municipal solid waste landfill solely to comply with this subparagraph are not considered construction, reconstruction, or modification and would not subject an existing municipal solid waste landfill to the requirements of 391-3-1-.02(8)(b)89., 40 CFR Part 60 Subpart XXX Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014.

7. Definitions of all Terms used, but not defined in subparagraphs 6. through 8., have the meaning given them in 40 CFR Part 60 Subpart Cf. Terms not defined therein shall have the meaning given them in the federal Clean Air Act, the Georgia Air Quality Act or 40 CFR Part 60 Subparts A and B.

(i) Except as noted, the word "Administrator" as used in regulations adopted by reference in subparagraphs 6. through 8. shall mean the Director of the Georgia Environmental Protection Division. For 40 CFR 60.30f(c), 40 CFR 60.35f(a)(5) and 40 CFR 60.38f(j) the word "Administrator" shall mean the Administrator of the EPA.

8. For the purposes of implementing the requirements and provisions of the Emission Guidelines of 40 CFR Part 60 Subpart Cf for Existing Municipal Solid Waste Landfills, each existing municipal solid waste landfill meeting the conditions of subparagraph 6. shall comply with all of the applicable standards, requirements and provisions of 40 CFR Part 60 Subpart Cf, which is hereby incorporated and adopted by reference with the exceptions as follows:

(i) The requirements of the State to incorporate the provisions into an approvable state plan, and

(ii) The provisions of 60.30f.

(iii) In lieu of 40 CFR 60.33f(d)(2), the following provision applies:

When an increase in the maximum design capacity of a landfill exempted from the provisions of 40 CFR 60.33f through 40 CFR 60.40f on the basis of the design capacity exemption in 40 CFR 60.31f results in a revised maximum design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, due to reconstruction or modification, that was commenced after July 17, 2014, then the owner or operator shall comply with the provision of 391-3-1-.02(8)(b)89., 40 CFR Part 60 Subpart XXX Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014.

(iv) In lieu of 40 CFR 60.38f(d)(2), the following provision applies:

(I) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR 60.34f through 40 CFR 60.39f proposed by the owner or operator. In addition, the collection and control system design plan must specify:

I. The date by which contracts for control system/process modifications shall be awarded, which shall be no later than 20 months after the date the NMOC emissions rate is first reported to meet or exceed 34 megagrams per year, or the date the NMOC emissions rate is first reported to meet or exceed 50 megagrams per year for a landfill in the closed landfill subcategory, or the date when a surface emission concentration of 500 parts per million methane or greater is reported if conducting Tier 4 surface emissions monitoring;

II. The date by which on-site construction or installation of the air pollution control devices(s) or process changes will begin which shall be no later than 24 months after the date the NMOC emissions rate is first reported to meet or exceed 34 megagrams per year, or the date the NMOC emissions rate is first reported to meet or exceed 50 megagrams per year for a landfill in the closed landfill subcategory, or the date when a surface emission concentration of 500 parts per million methane or greater is reported if conducting Tier 4 surface emissions monitoring; and

III. The date by which the construction or installation of the air pollution control device(s) or process changes will be complete.

(II) Operational standards for collection and control systems. The provisions of 40 CFR 60.34f apply as stated therein.

(III) Test methods and procedures. The provisions of 40 CFR 60.35f apply as stated therein.

(IV) Compliance provisions. The provisions of 40 CFR 60.36f apply as stated therein.

(V) Monitoring of operations. The provisions of 40 CFR 60.37f apply as stated therein.

(VI) Reporting requirements. The provisions of 40 CFR 60.38f apply as stated therein. Except as provided in 7.(i) and 8.(iv).

(VII) Recordkeeping requirements. The provisions of 40 CFR 60.39f apply as stated therein.

(VIII) Specifications for active collection systems. The provisions of 40 CFR 60.40f apply as stated therein.

(hhh) Wood Furniture Finishing and Cleaning Operations.

1. Each owner or operator of a wood furniture finishing and cleaning operation shall limit VOC emissions from finishing operations by:

(i) Using topcoats that contain no more than 0.8 pounds of VOC per pound of solids, as applied; or

(ii) In lieu of complying with subsection (i), wood furniture finishing operations may comply by:

(I) Using a finishing system of sealers that contain no more than 1.9 pounds of VOC per pound of solids, as applied; and

(II) Using topcoats that contain no more than 1.8 pounds of VOC per pound of solids, as applied; or

(iii) For wood furniture finishing operations that use acid-cured alkyd amino vinyl sealers and that use acid-cured alkyd amino conversion varnish topcoats:

(I) Using sealers that contain no more than 2.3 pounds of VOC per pound of solids, as applied; and

(II) Using topcoats that contain no more than 2.0 pounds of VOC per pound of solids, as applied; or

(iv) For wood furniture finishing operations that do not use acid-cured alkyd amino vinyl sealers and that use acid-cured alkyd amino conversion varnish topcoats:

(I) Using sealers that contain no more than 1.9 pounds of VOC per pound of solids, as applied; and

(II) Using topcoats that contain no more than 2.0 pounds of VOC per pound of solids, as applied; or

(v) For wood furniture finishing operations that use acid-cured alkyd amino vinyl sealers and that do not use acid-cured alkyd amino conversion varnish topcoats:

(I) Using sealers that contain no more than 2.3 pounds of VOC per pound of solids, as applied; and

(II) Using topcoats that contain no more than 1.8 pounds of VOC per pound of solids, as applied; or

(vi) Using an averaging approach that demonstrates the wood furniture finishing operation meets the emission limits defined in subsections (i), (ii), (iii), (iv) or (v), averaged on a daily basis throughout the facility; or

(vii) Using a control system that will achieve an equivalent reduction in emissions and meet the requirements of subsections (i), (ii), (iii), (iv) or (v) of this section; or

(viii) Using a combination of the methods presented in subsections (i), (ii), (iii), (iv), (v), (vi), and (vii).

2. Each owner or operator of a wood furniture finishing and cleaning operation shall limit VOC emissions by using strippable booth coating materials that contain no more than 0.8 pounds of VOC per pound of solids, as applied.

3. Each owner or operator of a wood furniture finishing and cleaning operation shall prepare and maintain a written work practice implementation plan that defines work practices for each wood furniture manufacturing operation and addresses each of the topics specified. The work practice implementation plan shall be submitted to the Division for approval by the compliance dates contained in section 7. This plan shall include: an operator training course; a leak inspection and maintenance plan; a cleaning and washoff solvent accounting system; a spray booth cleaning plan; a storage plan for finishing, cleaning and washoff materials; an application equipment requirement plan; a paint line and gun cleaning plan; and an outline of washoff operations.

4. Each owner or operator of a wood furniture finishing and cleaning operation shall maintain certified product data sheets for each sealer, topcoat, and strippable booth coating material that is used to meet the requirements of sections 1. and 2. of this rule. If solvent or other VOC is added to the finishing material before application, the affected source shall maintain documentation showing the VOC content of the finishing material in pounds of VOC-per-pound of solids, as applied.

5. For the purpose of this subsection the following definitions shall apply:

(i) "As applied" means the VOC and solids content of the finishing material that is actually used for coating the substrate. It includes the contribution of materials used for in-house dilution of the finishing material.

(ii) "Certified product data sheet" means documentation furnished by a coating supplier or an outside laboratory that provides the VOC content by percent weight, the solids content by percent weight, and density of a finishing material, strippable booth coating, or solvent, measured using the EPA Method 24, or an equivalent or alternative method. The VOC content should represent the maximum VOC emission potential of the finishing material, strippable booth coating, or solvent.

(iii) "Sealer" means a finishing material used to seal the pores of a wood substrate before additional coats of finishing material are applied. Washcoats, which are used in some finishing systems to optimize aesthetics, are not sealers.

(iv) "Stain" means any color coat having a solids content by weight of no more than 8.0 percent that is applied in single or multiple coats directly to the substrate. This includes, but is not limited to, nongrain raising stains, equalizer stains, sap stains, body stains, no-wipe stains, penetrating stains, and toners.

(v) "Strippable booth coating" means a coating that:

(1) is applied to a booth wall to provide a protective film to receive overspray during finishing operations;

(2) that is subsequently peeled off and disposed; and

(3) by achieving (1) and (2), reduces or eliminates the need to use organic solvents to clean booth walls.

(vi) "Topcoat" means the last film-building finishing material applied in a finishing system. Non-permanent final finishes are not topcoats.

(vii) "Wood Furniture" means any product made of wood, a wood product such as rattan or wicker, or an engineered wood product such as particleboard that is manufactured under any of the following standard industrial classification codes: 2434, 2511, 2512, 2517, 2519, 2521, 2531, 2541, 2599, or 5712.

6. The requirements of this subsection shall apply to facilities with potential VOC emissions exceeding 25 tons-per-year and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale and to facilities with potential VOC emissions exceeding 100 tons-per-year and located in the counties of Barrow, Bartow, Carroll, Hall, Newton, Spalding, and Walton.

7. Compliance Dates.

(i) All sources subject to this subsection and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall be in compliance.

(ii) All sources subject to this subsection; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and in operation on or before October 1, 1999, shall be in compliance with this subsection by May 1, 2003.

(iii) All sources subject to this subsection; located in the counties of Bartow, Carroll, Hall, Newton, Spalding, and Walton; and which begin initial operation after October 1, 1999, shall be in compliance with this subsection upon startup.

(iv) All sources subject to this subsection and located in Barrow County shall be in compliance by March 1, 2009.

(iii) **Hospital/Medical/Infectious Waste Incinerators.**

1. The provisions of this subparagraph apply to each hospital/medical/infectious waste incinerator (HMIWI) that commenced construction no later than December 1, 2008 or commenced modification no later than April 6, 2010 (hereinafter referred to as an "Existing HMIWI"). Physical or operational changes made to an Existing HMIWI solely to comply with this subparagraph are not considered construction or modification and would not subject an Existing HMIWI to the requirements of 391-3-1-.02(8)(b)73.

(i) A combustor is not subject to this subparagraph during periods when only pathological waste, low-level radioactive waste, and/or chemotherapeutic waste (all defined in 40 CFR 60.51c) is burned, provided the owner or operator of the combustor:

(I) Notifies the Director of an exemption claim; and

(II) Keeps records on a calendar quarter basis of the periods of time when only pathological waste, low-level radioactive waste and/or chemotherapeutic waste is burned.

(ii) Any co-fired combustor (defined in 40 CFR 60.51c) is not subject to this subparagraph if the owner or operator of the co-fired combustor:

(I) Notifies the Director of an exemption claim;

(II) Provides an estimate of the relative amounts of hospital waste, medical/infectious waste, and other fuels and wastes to be combusted; and

(III) Keeps records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.

(iii) Any combustor required to have a permit under section 3005 of the Solid Waste Disposal Act is not subject to this subparagraph.

(iv) Any combustor which meets the applicability requirements under subpart Cb, Ea, or Eb of 40 CFR Part 60 is not subject to this subparagraph.

(v) Any pyrolysis unit (defined in 40 CFR 60.51c) is not subject to this subparagraph.

(vi) Cement kilns firing hospital waste and/or medical/infectious waste are not subject to this subparagraph.

2. Each Existing HMIWI is subject to the permitting requirements of [391-3-1-.03\(10\)](#) "Title V Operating Permits."

3. Definitions of all Terms used, but not defined in this subparagraph, shall have the meaning given to them in 40 CFR Part 60, Subpart Ec, as amended on April 4, 2011. Terms not defined therein shall have the meaning given to them in the federal Clean Air Act or 40 CFR Part 60, Subparts A and B. For the purposes of this subparagraph the following definitions also apply:

(i) Except as noted, the word "Administrator" as used in regulations adopted by reference in this subparagraph shall mean the Director of the Georgia Environmental Protection Division. For subparagraph (iii)6. the word "Administrator" shall mean the Administrator of the EPA.

4. For the purposes of implementing the requirements and provisions of the Emission Guidelines of 40 CFR 60, Subpart Ce for Existing HMIWIs, each Existing HMIWI shall comply with the standards, requirements and provisions of 40 CFR Part 60, Subpart Ec, as amended on April 4, 2011, which is hereby incorporated and adopted by reference, with the exceptions as follows:

(i) The provisions of 40 CFR 60.50c apply to each Existing HMIWI as stated therein with the exception of the following:

(I) In lieu of 40 CFR 60.50c(a), the following provision applies:

Except as provided in 40 CFR 60.50c(b) through (h), this subparagraph shall apply to each existing HMIWI, as identified in subparagraph 1.

(II) In lieu of 40 CFR 60.50c(e), the following provision applies:

Any combustor which meets the applicability requirements under 40 CFR Part 60 Subparts Cb, Ea, or Eb is not subject to this subparagraph.

(III) The provisions of 40 CFR 60.50c(j), (k), (l), (m), and (n) do not apply to an Existing HMIWI.

(ii) Emission Limits. The provisions of 40 CFR 60.52c apply to each Existing HMIWI as stated therein with the exception of the following:

(I) In lieu of 40 CFR 60.52c(a), the following provisions apply:

I. From an affected facility constructed on or before June 20, 1996 no owner or operator of an Existing HMIWI shall cause to be discharged into the atmosphere from that affected facility any gases that contain stack emissions in excess of the applicable limits found in Table 1B of 40 CFR Part 60, Subpart Ce.

II. From an affected facility constructed after June 20, 1996 but no later than December 1, 2008 no owner or operator of an Existing HMIWI shall cause to be discharged into the atmosphere from that affected facility any gases that contain stack emissions in excess of the applicable limits found in the more stringent of the requirements listed in Table 1B of 40 CFR Subpart Ce and Table 1A of 40 CFR Part 60, Subpart Ec.

(II) The provisions of 40 CFR 60.52c(c), (d), and (e) do not apply to an Existing HMIWI.

(iii) Operator Training. The provisions of 40 CFR 60.53c apply to each Existing HMIWI as stated therein.

(iv) Siting Requirements. The provisions of 40 CFR 60.54c do not apply to an Existing HMIWI.

(v) Waste Management Plan. The provisions of 40 CFR 60.55c apply to each Existing HMIWI as stated therein.

(vi) Compliance and Performance Testing. In lieu of 40 CFR 60.56c, Section 2.117.2 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants applies to each Existing HMIWI.

(vii) Monitoring Requirements. In lieu of 40 CFR 60.57c, Section 2.117.3 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants applies to each Existing HMIWI.

(viii) Reporting and Record Keeping Requirements. In lieu of 40 CFR 60.58c, Section 2.117.4 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants applies to each Existing HMIWI.

(ix) Table 1B of 40 CFR Part 60, Subpart Ec does not apply to an Existing HMIWI.

5. In keeping with subparagraph (iii)4., owners and operators of existing HMIWI units must comply with Georgia's state plan for existing HMIWI units, which is required by 40 CFR Part 60, Subpart Ce. The owner operator of each existing HMIWI unit shall comply with the requirements of 391-3-1-.02(2)(iii)4. upon approval of Georgia's state plan for existing HMIWI units by EPA.

6. The owner of an existing HMIWI unit must contact EPA with respect to the following subparagraphs (i) through (v) as specified in 40 CFR 60.50c(i).

(i) The requirements of 40 CFR 60.56c(j) establishing operating parameters when using controls other than those listed in 40 CFR 60.56c(d)

(ii) Approval of alternative methods of demonstrating compliance under 40 CFR 60.8 including:

(I) Approval of CEMS for PM, HCl, multi-metals, and Hg where used for purposes of demonstrating compliance,

(II) Approval of continuous automated sampling systems for dioxin/ furan and Hg where used for purposes of demonstrating compliance, and

(III) Approval of major alternatives to test methods;

(iii) Approval of major alternatives to monitoring;

(iv) Waiver of recordkeeping requirements; and

(v) Performance test and data reduction waivers under 40 CFR 60.8(b)

(jjj) NO_x Emissions from Electric Utility Steam Generating Units.

1. Effective May 1, 1999, through September 30, 1999, no person shall cause, let, permit, suffer, or allow the emissions of NO_x from an affected unit under this subsection unless:

(i) The NO_x emissions from each affected unit(s) do not exceed the alternative emission limit established by the Director for the unit(s). Said alternative emission limits shall be determined by the Division and established in the Title V Permit for the affected unit(s). In no case shall the alternative emission limits established pursuant to this section, averaged over all affected units on a maximum rated heat input capacity basis, be greater than the average allowable rate specified in subsection 1.(ii).

(ii) If the person does not comply with all alternative emission limits established under subsection 1.(i) above, the person shall demonstrate that the NO_x emissions, averaged over all affected units, do not exceed 0.34 lb/MMBTU heat input.

2. Effective May 1, 2000 through September 30, 2002, no person shall cause, let, permit, suffer, or allow the emissions of NO_x from an affected unit under this subsection unless:

(i) The NO_x emissions from each affected unit(s) do not exceed the alternative emission limit established by the Director for the unit(s). Said alternative emission limits shall be determined by the Division and established in the Title V Permit for the affected unit(s). In no case shall the alternative emission limits established pursuant to this section, averaged over all affected units on a maximum rated heat input capacity basis, be greater than the average allowable rate specified in subsection 2.(ii).

(ii) If the person does not comply with all alternative emission limits established under subsection 2.(i) above, the person shall demonstrate that the NO_x emissions, averaged over all affected units, do not exceed 0.30 lb/MMBTU heat input.

3. Effective May 1, 2003, no person shall cause, let, permit, suffer, or allow the emissions of NO_x from an affected unit under this subsection unless:

(i) The NO_x emissions from each affected unit(s) do not exceed the alternative emission limit established by the Director for the unit(s). Said alternative emission limits shall be determined by the Division and established in the Title V Permit for the affected unit(s). In no case shall the alternative emission limits established pursuant to this section, averaged over all affected units using the highest 30 consecutive days of actual heat input for 1999, be greater than the average allowable rate specified in subsection 3.(ii).

(ii) If the person does not comply with all alternative emission limits established under subsection 3.(i) above, the person shall demonstrate that the NO_x emissions, averaged over all affected units, do not exceed 0.13 lb/MMBTU heat input.

4. Effective May 1, 2003, through September 30, 2006, no person shall cause, let, permit, suffer, or allow the emissions of NO_x from an affected unit under this subsection unless:

(i) The NO_x emissions from each affected unit(s) do not exceed the alternative emission limit established by the Director for the unit(s). Said alternative emission limits shall be determined by the Division and established in the Title V Permit for the affected unit(s). In no case shall the alternative emission limits established pursuant to this section, averaged over all affected units using the highest 30 consecutive days of actual heat input for 1999, be greater than the average allowable rate specified in subsection 4.(ii).

(ii) If the person does not comply with all alternative emission limits established under subsection 4.(i) above, the person shall demonstrate that the NO_x emissions, averaged over all affected units, do not exceed 0.20 lb/MMBTU heat input.

5. Effective May 1, 2007, no person shall cause, let, permit, suffer, or allow the emissions of NO_x from an affected unit under this subsection unless:

(i) The NO_x emissions from each affected unit(s) do not exceed the alternative emission limit established by the Director for the unit(s). Said alternative emission limits shall be determined by the Division and established in the Title V Permit for the affected unit(s). In no case shall the alternative emission limits established pursuant to this section, averaged over all affected units using the highest 30 consecutive days of actual heat input for 1999, be greater than the average allowable rate specified in subsection 5.(ii).

(ii) If the person does not comply with all alternative emission limits established under subsection 5.(i) above, the person shall demonstrate that the NO_x emissions, averaged over all affected units, do not exceed 0.18 lb/MMBTU heat input.

6. Effective May 1, 2007, no person shall cause, let, permit, suffer, or allow the emissions of NO_x from an affected unit under this subsection unless:

(i) The NO_x emissions from each affected unit(s) do not exceed the alternative emission limit established by the Director for the unit(s). Said alternative emission limits shall be determined by the Division and established in the Title V Permit for the affected unit(s). In no case shall the alternative emission limits established pursuant to this section, averaged over all affected units using the highest 30 consecutive days of actual heat input for 1999, be greater than the average allowable rate specified in subsection 6.(ii).

(ii) If the person does not comply with all alternative emission limits established under subsection 6.(i) above, the person shall demonstrate that the NO_x emissions, averaged over all affected units, do not exceed 0.17 lb/MMBTU heat input.

7. The compliance period shall be based on a 30-day rolling average beginning May 1 and ending September 30 of each year.

(i) The first 30-day averaging period shall begin on May 1.

(ii) The last 30-day averaging period shall end on September 30.

(iii) Affected units under this subsection shall be all coal-fired electric utility steam generating units with a maximum heat input greater than 250 MMBTU/hr.

8. The requirements contained in sections 1 and 2 of this subsection shall apply to all such sources located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale. The requirements contained in Section 3 of this subsection shall apply to all such sources located in the counties of Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gwinnett, Heard, Henry, Paulding, and Rockdale. The requirements contained in sections 4 and 5 of this subsection shall apply to all such sources located in the counties of Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gwinnett, Heard, Henry, Monroe, Paulding, Putnam, and Rockdale. The requirements contained in Section 6 of this subsection shall apply to sources located in Monroe County.

(kkk) VOC Emissions from Aerospace Manufacturing and Rework Facilities.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from the coating of aerospace vehicles or components to exceed:

(i) 2.9 pounds per gallon of coating, excluding water and exempt solvents, delivered to a coating applicator that applies primers. For general aviation rework facilities, the VOC limitation shall be 4.5 pounds per gallon of coating, excluding water and exempt solvents, delivered to a coating applicator that applies primers.

(ii) 3.5 pounds per gallon of coating, excluding water and exempt solvents, delivered to a coating applicator that applies topcoats (including self-priming topcoats). For general aviation rework facilities, the VOC limitation shall be 4.5 pounds per gallon of coating, excluding water and exempt solvents, delivered to a coating applicator that applies topcoats (including self-priming topcoats).

(iii) The VOC content limits listed in Table (kkk) -1 below expressed in pounds per gallon of coating, excluding water and exempt solvents, delivered to a coating applicator that applies specialty coatings.

TABLE (kkk) -1 Specialty Coating VOC Limitations

Coating Type	VOC Content Limit (lb/gal)	VOC Content Limit (g/L)
Ablative Coating	5.0	600
Adhesion Promoter	7.4	890
Adhesive Bonding Primers:		
Cured at 250°F or below	7.1	850
Cured above 250°F	8.6	1030
Adhesives:		
Commercial Interior Adhesive	6.3	760
Cyanoacrylate Adhesive	8.5	1,020
Fuel Tank Adhesive	5.2	620
Nonstructural Adhesive	3.0	360
Rocket Motor Bonding Adhesive	7.4	890
Rubber-based Adhesive	7.1	850
Structural Autoclavable Adhesive	0.5	60
Structural Nonautoclavable Adhesive	7.1	850
Antichafe Coating	5.5	660
Bearing Coating	5.2	620
Caulking and Smoothing Compounds	7.1	850
Chemical Agent-Resistant Coating	4.6	550
Clear Coating	6.0	720
Commercial Exterior Aerodynamic Structure Primer	5.4	650
Compatible Substrate Primer	6.5	780
Corrosion Prevention Compound	5.9	710
Cryogenic Flexible Primer	5.4	645
Cryoprotective Coating	5.0	600
Dry Lubricative Material	7.3	880
Electric or Radiation-Effect Coating	6.7	800
Electrostatic Discharge and Electromagnetic Interference (EMI) Coating	6.7	800
Elevated Temperature Skydrol Resistant Commercial Primer	6.2	740
Epoxy Polyamide Topcoat	5.5	660
Fire-Resistant (Interior) Coating	6.7	800

Coating Type	VOC Content Limit (lb/gal)	VOC Content Limit (g/L)
Flexible Primer	5.3	640
Flight-Test Coatings:		
Missile or Single Use Aircraft	3.5	420
All Other	7.0	840
Fuel-Tank Coating	6.0	720
High-Temperature Coating	7.1	850
Insulation Covering	6.2	740
Intermediate Release Coating	6.3	750
Lacquer	6.9	830
Maskants:		
Bonding Maskant	10.3	1,230
Critical Use and Line Sealer Maskant	8.5	1,020
Seal Coat Maskant	10.3	1,230
Metallized Epoxy Coating	6.2	740
Mold Release	6.5	780
Optical Anti-Reflective Coating	6.3	750
Part Marking Coating	7.1	850
Pretreatment Coating	6.5	780
Rain Erosion-Resistant Coating	7.1	850
Rocket Motor Nozzle Coating	5.5	660
Scale Inhibitor	7.3	880
Screen Print Ink	7.0	840
Sealants:		
Extrudable/Rollable/Brushable Sealant	2.3	280
Sprayable Sealant	5.0	600
Silicone Insulation Material	7.1	850
Solid Film Lubricant	7.3	880
Specialized Function Coating	7.4	890
Temporary Protective Coating	2.7	320
Thermal Control Coating	6.7	800
Wet Fastener Installation Coating	5.6	675
Wing Coating	7.1	850

(iv) 5.2 pounds per gallon of coating, excluding water and exempt solvents, delivered to a coating applicator that applies Type I chemical milling maskants.

(v) 1.3 pounds per gallon of coating, excluding water and exempt solvents, delivered to a coating applicator that applies Type II chemical milling maskants.

(vi) The following aerospace activities are exempt from the coating emission limits in subparagraphs 1.(i) through (v): touchup coating, aerosol coating, and the application of Department of Defense classified coatings; coatings used on space vehicles; and facilities that comply with the low volume usage exemption in subparagraph 10.

2. The emission limitations in subparagraph (kkk) shall be achieved by:

(i) The application of low solvent coating technology where each and every coating meets the specified applicable limitation expressed in pounds of VOC per gallon of coating, excluding water and exempt solvents, stated in subparagraph 1.; or

(ii) The application of low solvent coating technology where the monthly volume-weighted average VOC content of each specified coating type meets the specified applicable limitation expressed in pounds of VOC per gallon of coating, excluding water and exempt solvents, stated in subparagraph 1.; averaging is not allowed between primers, topcoats (including self-priming topcoats), specialty coating types, Type I milling maskants, and Type II milling maskants or any combination of the above coating categories; or

(iii) Control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that the control system has a VOC reduction efficiency of 81 percent or greater.

3. Each owner or operator of an aerospace manufacturing and/or rework operation shall apply all spray applied non-exempt primers, topcoats, and specialty coatings utilizing one or more of the spray application techniques specified below:

(i) High-volume low-pressure (HVLP) spraying;

(ii) Electrostatic spray application;

(iii) Airless spray application;

(iv) Air-assisted airless spray application; or

(v) Other coating application methods that achieve emission reductions equivalent to HVLP, electrostatic spray application, airless spray, or air-assisted airless spray application methods, as determined by the Director.

4. Each owner or operator of an aerospace manufacturing and/or rework operation shall ensure that all application devices used to apply primers, topcoats (including self-priming topcoats), and specialty coatings are operated according to company procedures, local specified operating procedures, and/or the manufacturer's specifications, whichever is most stringent, at all times. Equipment modified by the owner or operator shall maintain a transfer efficiency equivalent to HVLP, electrostatic spray application, airless spray application, or air-assisted airless spray application techniques.

5. Each owner or operator of an aerospace manufacturing and/or rework operation shall comply with the following housekeeping requirements for any affected cleaning operation. Aqueous cleaning solvents and hydrocarbon-based solvents which have a maximum composite vapor pressure of 7 mm Hg at 20°C are exempt from these requirements.

(i) Solvent-laden cloth, paper, or any other absorbent applicators used for cleaning shall be placed in bags or other closed containers upon completing their use. These bags and containers must be kept closed at all times except when depositing or removing these materials from the container. The bags and containers used must be of such a design so as to contain the vapors of the cleaning solvent. Cotton-tipped swabs used for very small cleaning operations are exempt from this requirement.

(ii) All fresh and spent cleaning solvents, except semi-aqueous solvent cleaners, used in aerospace cleaning operations shall be stored in closed containers.

(iii) Conduct the handling and transfer of cleaning solvents to or from enclosed systems, vats, waste containers, and other cleaning operation equipment that hold or store fresh spent cleaning solvents in such a manner that spills are minimized.

6. Each owner or operator of an aerospace manufacturing and/or rework operation utilizing hand-wipe cleaning operations (excluding the cleaning of spray gun equipment performed in accordance with subparagraph 7.) shall comply with one of the following:

(i) Utilize cleaning solvent solutions that are classified as an aqueous cleaning solvent and/or a hydrocarbon-based cleaning solvent with a maximum composite vapor pressure of 7 mm Hg at 20°C.

(ii) Utilize cleaning solvent solutions that have a composite vapor pressure of 45 mm Hg or less at 20°C.

7. Each owner or operator of an aerospace manufacturing and/or rework operation shall clean all spray guns used in the application of primers, topcoats (including self-priming topcoats), and specialty coatings utilizing one or more of the following techniques:

(i) Enclosed System: Spray guns shall be cleaned in an enclosed system that is closed at all times except when inserting or removing the spray gun. Cleaning shall consist of forcing cleaning solvent through the gun. If leaks are found, repairs shall be made as soon as practicable, but no later than 15 days after the leak was found. If the leak is not repaired by the 15th day after detection, the cleaning solvent shall be removed and the enclosed cleaner shall be shut down until the leak is repaired or its use is permanently discontinued.

(ii) Nonatomized Cleaning: Spray guns shall be cleaned by placing cleaning solvent in the pressure pot and forcing it through the gun with the atomizing cap in place. No atomizing air is to be used. The cleaning solvent from the spray gun shall be directed into a vat, drum, or other waste container that is closed when not in use.

(iii) Disassembled Spray Gun Cleaning: Spray guns shall be cleaned by disassembling and cleaning the components by hand in a vat, which shall remain closed at all times except in use. Alternatively, the components shall be soaked in a vat, which shall remain closed during the soaking period and when not inserting or removing components.

(iv) Atomizing cleaning: Spray guns shall be cleaned by forcing the cleaning solvent through the gun and directing the resulting atomized spray into a waste container that is fitted with a device designed to capture the atomized cleaning solvent emissions.

8. Each owner or operator of an aerospace manufacturing and/or rework operation that includes a flush cleaning operation shall empty the used cleaning solvents each time aerospace parts or assemblies, or components of a coating unit (with the exception of spray guns) are flush cleaned into an enclosed container or collection system that is kept closed when not in use or into a system with equivalent emission control approved by the Director. Hydrocarbon-based solvents which have a maximum composite vapor pressure of 7 mm Hg at 20°C and aqueous and semi-aqueous materials are exempt from the requirements of subparagraph (kkk).

9. The following activities are not regulated by subparagraph (kkk):

(i) Research and development;

(ii) Quality control;

(iii) Laboratory testing activities;

(iv) Metal finishing;

(v) Electrodeposition (except for the electrodeposition of paints);

(vi) Composites processing (except for cleaning and coating of composite parts or components that become part of an aerospace vehicle or component as well as composite tooling that comes in contact with such composite parts or components prior to cure);

(vii) Electronic parts and assemblies (except for cleaning and topcoating of completed assemblies);

(viii) Manufacture of aircraft transparencies;

(ix) Wastewater treatment operations;

(x) Regulated activities associated with space vehicles designed to travel beyond the limit of the earth's atmosphere, including but not limited to satellites, space stations, and the space shuttle;

(xi) Maintenance and rework of antique aerospace vehicles and components;

(xii) Chemical milling;

(xiii) Rework of aircraft or aircraft components if the holder of the Federal Aviation Administration (FAA) design approval, or the holder's licensee, is not actively manufacturing the aircraft or aircraft components;

(xiv) Parts and assemblies not critical to the vehicle's structural integrity or flight performance;

(xv) Primers, topcoats, specialty coatings, chemical milling maskants, strippers, and cleaning solvents that meet the definition of non-VOC material, as determined from manufacturer's representations, such as in a material safety data sheet or product data sheet, or testing, except that if an owner or operator chooses to include one or more non-VOC primer, topcoat, specialty coating, or chemical milling maskant in averaging under subparagraph 2.(ii);

(xvi) Primers, topcoats, and specialty coatings that meet the definition of "classified national security information" in subparagraph 17.(xvii).

10. The requirements for primers, topcoats, specialty coatings, and chemical milling maskants in subparagraphs 1.(i), 1.(ii), 1.(iii), 1.(iv) and 1.(v) do not apply to the use of low-volume coatings in these categories for which the rolling twelve month total of each separate formulation used at a facility does not exceed 50 gallons, and the combined rolling twelve month total of all such primers, topcoats, specialty coatings, and chemical milling maskants used at a facility does not exceed 200 gallons. Primers, topcoats, and specialty coatings exempted under subparagraphs 9. and 11. are not included in the 50 and 200 gallon limits.

11. The following situations are exempt from the requirements of subparagraphs 3. and 4.:

(i) Any situation that normally requires the use of an airbrush or an extension on the spray gun to properly reach limited access spaces;

(ii) The application of coatings that contain fillers that adversely affect atomization with HVLP spray guns and that cannot be applied by any of the application methods specified in subparagraph 3.;

(iii) The application of coatings that normally have a dried film thickness of less than 0.0013 centimeter (0.0005 inches) and that cannot be applied by any of the application methods specified in subparagraph 3.;

(iv) The spray application of no more than 3.0 fluid ounces of coating in a single application (i.e., the total volume of a single coating formulation applied during any one day to any one aerospace vehicle or component) from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fluid ounces (89 cubic centimeters). Using multiple small paint cups or refilling a small paint cup to apply more than 3.0 fluid ounces under the requirements of subparagraph (kkk) is prohibited. If a paint cup liner is used in a reusable holder or cup, then the holder or cup must be designed to hold a liner with a capacity of no more than 3.0 fluid ounces. For example, a 3.0 ounce liner cannot be used in a holder that can also be used with a 6.0 ounce liner under the requirements of subparagraph (kkk);

(v) The use of airbrush application methods for stenciling, lettering, and other identification markings;

(vi) The use of hand-held non-refillable spray (aerosol) can application methods;

(vii) Touchup and repair operations;

(viii) Adhesives, sealants, maskants, caulking materials, and inks; and

(ix) The application of coatings that contain less than 0.17 pounds of VOC per gallon of coating.

12. The following cleaning operations are exempt from the requirements of subparagraph 6.:

(i) Cleaning during the manufacture, assembly, installation, maintenance, or testing of components of breathing oxygen systems that are exposed to the breathing oxygen;

- (ii) Cleaning during the manufacture, assembly, installation, maintenance, or testing of parts, subassemblies, or assemblies that are exposed to strong oxidizers or reducers (e.g., nitrogen tetroxide, liquid oxygen, or hydrazine);
- (iii) Cleaning and surface activation prior to adhesive bonding;
- (iv) Cleaning of electronic parts and assemblies containing electronic parts;
- (v) Cleaning of aircraft and ground support equipment fluid systems that are exposed to the fluid including air-to-air heat exchangers and hydraulic fluid systems;
- (vi) Cleaning of fuel cells, fuel tanks, and confined spaces;
- (vii) Surface cleaning of solar cells, coating optics, and thermal control surfaces;
- (viii) Cleaning during fabrication, assembly, installation, and maintenance of upholstery, curtains, carpet, and other textile materials used in the interior of the aircraft;
- (ix) Cleaning of metallic and non-metallic materials used in honeycomb cores during the manufacture or maintenance of these cores, and cleaning of the completed cores used in the manufacture or maintenance of aerospace vehicles or components;
- (x) Cleaning of aircraft transparencies, polycarbonate, or glass substrates;
- (xi) Cleaning and solvent usage associated with research and development, quality control, and laboratory testing;
- (xii) Cleaning operations, using nonflammable liquids, conducted within five feet of energized electrical systems. Energized electrical systems means any AC or DC electrical circuit on an assembled aircraft once electrical power is connected, including interior passenger and cargo areas, wheel wells, and tail sections; and
- (xiii) Cleaning operations identified as essential uses under the Montreal Protocol for which the U.S. EPA has allocated essential use allowances or exemptions.

13. Each owner or operator of an aerospace manufacturing and/or rework operation shall submit a monitoring plan to the Division that specifies the applicable operating parameter value, or range of values, to ensure ongoing compliance with subparagraph 2.(iii). The monitoring device shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's specifications.

14. Each owner or operator of an aerospace manufacturing and/or rework operation utilizing an enclosed spray gun cleaner shall visually inspect the seals and all other potential sources of leaks at least once per month. Each inspection shall occur while the spray gun cleaner is in operation.

15. Each owner or operator of an aerospace manufacturing and/or rework operation utilizing coatings specified in subparagraph 1. shall maintain the following records:

- (i) If following the compliance option in subparagraph 2.(i), a current list of each coating formulation including the specific category, VOC content as applied, and the annual amount used for each coating.
- (ii) If following the compliance option in subparagraph 2.(ii), a current list of each coating formulation including the specific category, VOC content as applied, the monthly amount used for each coating, and the calculated monthly volume-weighted average VOC content of each specified coating type expressed in pounds of VOC per gallon of coating, excluding water and exempt solvents.
- (iii) If following the compliance option in subparagraph 2.(iii), continuous records demonstrating the control device was operating at the required destruction efficiency at all times the coating process was in operation and records demonstrating the control device was achieving the required destruction efficiency while the coating process was in operation.

(iv) If using the low volume usage exemption in subparagraph 10., a list of each separate formulation and quantity applied each month and the twelve-consecutive month total of each formulation and the twelve-consecutive month total of all materials exempted.

16. Each owner or operator of an aerospace manufacturing and/or rework operation utilizing cleaning solvents shall maintain the following records:

(i) Maintain a current list of hand-wipe and flush cleaning solvents with documentation that demonstrates that the cleaning solvent complies with one of the composition requirements in subparagraph 6.(i) and for semi aqueous cleaning solvent used for flush cleaning. This list shall include the annual amount of each applicable solvent used.

(ii) Maintain a current list of hand-wipe cleaning solvents with their respective vapor pressures or, for blended solvents, VOC composite vapor pressures for all vapor pressure compliant hand-wipe cleaning solvents listed in subparagraph 6.(ii). This list shall include the monthly amount of each applicable solvent used.

(iii) Maintain a current list of all cleaning solvents with a vapor pressure greater than 45 mm Hg used in exempt hand-wipe cleaning operations. This list shall identify the applicable exemption(s) for each process and include the monthly amount of each applicable solvent used.

(iv) Maintain a record of all leaks from enclosed gun cleaners, as found during the monthly inspection required by subparagraph 14.. The record shall include the identification of the leaking paint gun cleaner, the date the leak was discovered, and the date the leak was repaired.

17. For the purpose of subparagraph (kkk), the following definitions shall apply:

(i) "Ablative coating" means a coating that chars when exposed to open flame or extreme temperatures, as would occur during the failure of an engine casing or during aerodynamic heating. The ablative char surface serves as an insulative barrier, protecting adjacent components from the heat or open flame.

(ii) "Adhesion promoter" means a very thin coating applied to a substrate to promote wetting and form a chemical bond with the subsequently applied material.

(iii) "Adhesive bonding primer" means a primer applied in a thin film to aerospace components for the purpose of corrosion inhibition and increased adhesive bond strength by attachment. There are two categories of adhesive bonding primers: primers with a design cure at 250°F or below and primers with a design cure above 250°F.

(iv) "Aerosol coating" means a coating applied by means of a hand-held, pressurized container, which is non-refillable or which utilizes non-refillable propellant canisters and which expels an adhesive or a coating in a finely divided spray when a valve on the container is depressed.

(v) "Aerospace facility" means any facility that produces, reworks, or repairs in any amount any commercial, civil, or military aerospace vehicle or component. Regulated activities include coating, chemical milling, solvent use, and repainting operations.

(vi) "Aerospace vehicle or component" means any fabricated part, processed part, assembly of parts, or completed unit, with the exception of electronic components, of any aircraft.

(vii) "Aircraft transparency" means the aircraft windshield, canopy, passenger windows, lenses and other components which are constructed of transparent materials.

(viii) "Airless and air-assisted airless spray" mean any coating spray application technology that relies solely on the fluid pressure of the coating to create an atomized coating spray pattern and does not apply any atomizing compressed air to the coating before it leaves the spray gun nozzle. Air-assisted airless spray uses compressed air to shape and distribute the fan of atomized coating, but still uses fluid pressure to create the atomized coating.

(ix) "Antichafe coating" means a coating applied to areas of moving aerospace components that may rub during normal operations or installation.

(x) "Antique aerospace vehicle or component" means an aircraft or component thereof that was built at least 30 years ago. An antique aerospace vehicle would not routinely be in commercial or military service in the capacity for which it was designed.

(xi) "Aqueous cleaning solvent" means a cleaning solvent in which water is the primary ingredient (greater than 80 percent by weight of cleaning solvent solution as applied must be water). Detergents, surfactants, and bioenzyme mixtures and nutrients may be combined with the water along with a variety of additives such as organic solvents (e.g., high boiling point alcohols), builders, saponifiers, inhibitors, emulsifiers, pH buffers, and antifoaming agents. Aqueous solutions must have a flash point greater than 93°C (200°F) (as reported by the manufacturer) and the solution must be miscible with water.

(xii) "Bearing coating" means a coating applied to an antifriction bearing, a bearing housing, or the area adjacent to such a bearing in order to facilitate bearing function or to protect base material from excessive wear. A material shall not be classified as a bearing coating if it can also be classified as a dry lubricative material or a solid film lubricant.

(xiii) "Bonding maskant" means a temporary coating used to protect selected areas of aerospace parts from strong acid or alkaline solutions during processing for bonding.

(xiv) "Caulking and smoothing compounds" means semi-solid materials which are applied by hand application methods and are used to aerodynamically smooth exterior vehicle surfaces or fill cavities such as bolt hole accesses. A material shall not be classified as a caulking and smoothing compound if it can be classified as a sealant.

(xv) "Chemical agent-resistant coating (CARC)" means an exterior topcoat designed to withstand exposure to chemical warfare agents or the decontaminants used on these agents.

(xvi) "Chemical milling maskants" means a coating that is applied directly to aluminum components to protect surface areas when chemical milling the component with a Type I or Type II etchant. Type I chemical milling maskants are used with a Type I etchant and Type II chemical milling maskants are used with a Type II etchant. This definition does not include bonding maskants, critical use and line sealer maskants, and seal coat maskants. Additionally, maskants that must be used with a combination of Type I or Type II etchants and any of the above types of maskants are also not included in this definition. (See also Type I and Type II etchant definitions.)

(xvii) "Classified National Security Information" means information that has been determined pursuant to Executive Order 13526, "Classified National Security Information," December 29, 2009 or any successor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form. The term "Classified Information" is an alternative term that may be used instead of "Classified National Security Information."

(xviii) "Cleaning operation" means collectively spray-gun, hand-wipe, and flush cleaning operations.

(xix) "Cleaning solvent" means a liquid material used for hand-wipe, spray gun, or flush cleaning. This definition does not include solutions that contain no VOCs (i.e., VOC content less than 1.0 weight percent).

(xx) "Clear coating" means a transparent coating applied over a colored opaque coating, metallic substrate, or placard to give improved gloss and protection to the color coat. In some cases, a clearcoat refers to any transparent coating without regard to substrate.

(xxi) "Coating" means a material that is applied to a substrate for decorative, protective, or functional purposes. Such materials include, but are not limited to, paints, sealants, liquid plastic coatings, caulks, inks, adhesives, and maskants. Decorative, protective, or functional materials that consist only of protective oils for metal, acids, bases, or any combination of these substances; paper film or plastic film which may be precoated with an adhesive by the film manufacturer; or pre-impregnated composite sheets are not considered coatings for the purposes of

subparagraph (kkk). Materials in handheld non-refillable aerosol containers, touch-up markers, and marking pens are also not considered coatings for the purposes of subparagraph (kkk). A liquid plastic coating means a coating made from fine particle-size polyvinyl chloride (PVC) in solution (also referred to as a plastisol).

(xxii) "Coating operation" means using a spray booth, tank, or other enclosure or any area, such as a hangar, for applying a single type of coating (e.g., primer); using the same spray booth for applying another type of coating (e.g., topcoat) constitutes a separate coating operation for which compliance determinations are performed separately.

(xxiii) "Coating unit" means a series of one or more coating applicators and any associated drying area and/or oven wherein a coating is applied, dried, and/or cured. A coating unit ends at the point where the coating is dried or cured, or prior to any subsequent application of a different coating. It is not necessary to have an oven or flashoff area to be included in this definition.

(xxiv) "Commercial exterior aerodynamic structure primer" means a primer used on aerodynamic components and structures that protrude from the fuselage, such as wings and attached components, control surfaces, horizontal stabilizers, vertical fins, wing-to-body fairings, antennae, landing gear, and doors, for the purpose of extended corrosion protection and enhanced adhesion.

(xxv) "Commercial interior adhesive" means materials used in the bonding of passenger cabin interior components. These components must meet FAA fireworthiness requirements.

(xxvi) "Compatible substrate primer" means either compatible epoxy primer or adhesive primer.

(xxvii) "Corrosion prevention compound" means a compound that provides corrosion protection by displacing water and penetrating mating surfaces, forming a protective barrier between the metal surface and moisture. Coatings containing oils or waxes are excluded from this category.

(xxviii) "Critical use and line sealer maskant" means a temporary coating, not covered under other maskant categories, used to protect selected areas of aerospace parts from strong acid or alkaline solutions such as those used in anodizing, plating, chemical milling and processing of magnesium, titanium, or high-strength steel, high-precision aluminum chemical milling of deep cuts, and aluminum chemical milling of complex shapes. Materials used for repairs or to bridge gaps left by scrubbing operations are also included in this category.

(xxix) "Cryogenic flexible primer" means a primer designed to provide corrosion resistance, flexibility, and adhesion of subsequent coating systems when exposed to loads up to and surpassing the yield point of the substrate at cryogenic temperatures (-275°F and below).

(xxx) "Cryoprotective coating" means a coating that insulates cryogenic or subcooled surfaces to limit propellant boil-off, maintain structural integrity of metallic structures during ascent or reentry, and prevent ice formation.

(xxxi) "Cyanoacrylate adhesive" means a fast-setting, single component adhesive that cures at room temperature. Also known as "super glue."

(xxxii) "Depainting operation" means the use of a chemical agent, media blasting, or any other technique to remove permanent coatings from the outer surface of an aerospace vehicle or components. The depainting operation includes washing of the aerospace vehicle or component to remove residual stripper, media, or coating residue.

(xxxiii) "Dry lubricative material" means a coating consisting of lauric acid, cetyl alcohol, waxes, or other noncross linked resin-bond materials that act as a dry lubricant.

(xxxiv) "Electric or radiation-effect coating" means a coating or coating system engineered to interact, through absorption or reflection, with specific regions of the electromagnetic energy spectrum, such as the ultraviolet, visible, infrared, or microwave regions. Uses include, but are not limited to, lighting strike protection, electromagnetic pulse (EMP) protection, and radar avoidance. Coatings that have been designated as "classified" by the Department of Defense are exempt.

(xxxv) "Electrostatic discharge and electromagnetic interference (EMI) coating" means a coating applied to space vehicles, missiles, aircraft radomes, and helicopter blades to disperse static energy or reduce electromagnetic interference.

(xxxvi) "Elevated-temperature Skydrol-resistant commercial primer" means a primer applied primarily to commercial-type aircraft that must withstand immersion in phosphate-ester (PE) hydraulic fluid (Skydrol 500b or equivalent) at the elevated temperature of 150°F for 1,000 hours.

(xxxvii) "Epoxy polyamide topcoat" means a coating used where harder films are required or in some areas where engraving is accomplished in camouflage colors.

(xxxviii) "Exempt solvent" means a specified organic compound that has been determined by the EPA to have negligible photochemical reactivity and is listed in 40 CFR 51.100 and/or [391-3-1-.01\(III\)](#).

(xxxix) "Fire-resistant (interior) coating" means for civilian aircraft, fire-resistant coatings are used on passenger cabin interior parts that are subject to the FAA fire-worthiness requirements. For military aircraft, fire-resistant interior coatings are used on parts that are subject to the flammability requirements of MIL-STD-1630A and MIL-A-87721. For space applications, these coatings are used on parts that are subject to the flammability requirements of SE-R-0006 and SSP 30233.

(xl) "Flexible primer" means a primer that meets flexibility requirements such as those needed for adhesive bond primer fastener heads or on surfaces expected to contain fuel. The flexible coating is required because it provides a compatible, flexible substrate over bonded sheet rubber and rubber-type coatings as well as a flexible bridge between fasteners, skin, and skin-to-skin joints on outer aircraft skins.

(xli) "Flight test coating" means a coating applied to aircraft other than missiles or single-use aircraft prior to flight testing to protect the aircraft from corrosion and to provide required marking during flight test evaluation.

(xlii) "Flush cleaning" means the removal of contaminants such as dirt, grease, and coatings from an aerospace vehicle or component or coating equipment by passing solvent over, into, or through the item being cleaned. The solvent may simply be poured into the item cleaned and then drained, or be assisted by air or hydraulic pressure, or by pumping. Hand-wipe cleaning operations where wiping, scrubbing, mopping, or other hand actions used are not included in this definition.

(xlili) "Fuel tank adhesive" means a non-rubber based adhesive used to bond components exposed to fuel and which must be compatible with fuel tank coatings.

(xliv) "Fuel tank coating" means a coating applied to fuel tank components for the purpose of corrosion and/or bacterial growth inhibition and to assure sealant adhesion in extreme environmental conditions.

(xlv) "General aviation" means that segment of civil aviation that encompasses all facets of aviation except air carriers, commuters, and military. General aviation includes charter and corporate-executive transportation, instruction, rental, aerial application, aerial observation, business, pleasure, and other special uses.

(xlvi) "General aviation rework facility" means any aerospace facility with the majority of its revenues resulting from the reconstruction, repair, maintenance, repainting, conversion, or alteration of general aviation aerospace vehicles or components.

(xlvii) "Hand-wipe cleaning operation" means removing contaminants such as dirt, grease, oil, and coatings from an aerospace vehicle or component by physically rubbing it with a material such as a rag, paper, or cotton swab that has been moistened with a cleaning solvent.

(xlviii) "High temperature coating" means a coating designed to withstand temperatures of more than 350°F.

(xlix) "High volume low pressure (HVLP) spray equipment" means spray equipment that is used to apply coating by means of a spray gun that operates at 10.0 psig of atomizing air pressure or less at the air cap.

(l) "Hydrocarbon-based cleaning solvent" means a cleaning solvent that is composed of a mixture of photochemically reactive hydrocarbons and oxygenated hydrocarbons and have a maximum vapor pressure of seven mm Hg at 20°C. These cleaners also contain no hazardous air pollutants.

(li) "Insulation covering" means material that is applied to foam insulation to protect the insulation from mechanical or environmental damage.

(lii) "Intermediate release coating" means a thin coating applied beneath topcoats to assist in removing the topcoats in repainting operations and generally to allow the use of less hazardous repainting methods.

(liii) "Lacquer" means a clear or pigmented coating formulated with a nitrocellulose or synthetic resin to dry by evaporation without a chemical reaction. Lacquers are resolvable in their original solvent.

(liv) "Leak" means any visible leakage, including misting and clouding.

(lv) "Metallized epoxy coating" means a coating that contains relatively large quantities of metallic pigmentation for appearance and/or added protection.

(lvi) "Mold release" means a coating applied to a mold surface to prevent the molded piece from sticking to the mold as it is removed.

(lvii) "Non-VOC material" means a primer, topcoat, specialty coating, chemical milling maskant, cleaning solvent, or stripper that contains no more than 1.0 percent by mass VOC.

(lviii) "Nonstructural adhesive" means an adhesive that bonds nonload bearing aerospace components in noncritical applications and is not covered in any other specialty adhesive categories.

(lix) "Optical antireflection coating" means a coating with a low reflectance in the infrared and visible wavelength ranges that is used for antireflection on or near optical and laser hardware.

(lx) "Part marking coating" means coatings or inks used to make identifying markings on material, components, and/or assemblies. These markings may be either permanent or temporary.

(lxi) "Pretreatment coating" means an organic coating that contains at least 0.5 percent acids by weight and is applied directly to metal or composite surfaces provide surface etching, corrosion resistance, adhesion, and ease of stripping.

(lxii) "Primer" means the first layer and any subsequent layers of identically formulated coating applied to the surface of an aerospace vehicle or component. Primers are typically used for corrosion prevention, protection from the environment, functional fluid resistance, and adhesion of subsequent coatings. Primers that are defined as specialty coatings are not included under this definition.

(lxiii) "Rain erosion-resistant coating" means a coating or coating system used to protect leading edges of parts such as flaps, stabilizers, radomes, engine inlet nacelles, etc., against erosion caused by rain impact during flight.

(lxiv) "Research and development" means an operation whose primary purpose is for research and development of new processes and products and that is conducted under the close supervision of technically trained personnel and is not involved in the manufacture of final or intermediate products for commercial purposes, except in a de minimis manner.

(lxv) "Rocket motor bonding adhesive" means an adhesive used in rocket motor bonding applications.

(lxvi) "Rocket motor nozzle coating" means a catalyzed epoxy coating system used in elevated temperature applications on rocket motor nozzles.

(lxvii) "Rubber-based adhesive" means a quick setting contact cement that provide a strong, yet flexible bond between two mating surfaces that may be of dissimilar materials.

(lxviii) "Scale Inhibitor" means a coating that is applied to the surface of a part prior to thermal processing to inhibit the formation of scale.

(lxix) "Screen print ink" means an ink used in screen printing processes during fabrication of decorative laminates and decals.

(lxx) "Sealant" means a material used to prevent the intrusion of water, fuel, air, or other liquids or solids from certain areas of aerospace vehicles or components.

(lxxi) "Seal coat maskant" means an overcoat applied over a maskant to improve abrasion and chemical resistance during production operations.

(lxxii) "Self-priming topcoat" means a topcoat that is applied directly to an uncoated aerospace vehicle or component for purposes of corrosion prevention, environmental protection, and functional fluid resistance. More than one layer of identical coating formulation may be applied to the vehicle or component.

(lxxiii) "Semi-aqueous cleaning solvent" means a solution in which water is a primary ingredient (greater than 60 percent by weight of the solvent solution as applied must be water).

(lxxiv) "Silicone insulation material" means an insulating material applied to exterior metal surfaces for protection from high temperatures caused by atmospheric friction or engine exhaust. These materials differ from ablative coatings in that they are not "sacrificial."

(lxxv) "Solid film lubricant" means a very thin coating consisting of a binder system containing as its main pigment material one or more of the following: molybdenum, graphite, polytetrafluoroethylene (PTFE), or other solids that act as a dry lubricant between faying surfaces.

(lxxvi) "Specialty coating" means a coating that, even though it meets the definition of a primer, topcoat, or self-priming topcoat, has additional performance criteria beyond those of primers, topcoats, and self-priming topcoats for specific applications. These performance criteria may include, but are not limited to, temperature or fire resistance, substrate compatibility, antireflection, temporary protection or marking, sealing, adhesively joining substrates, or enhanced corrosion protection.

(lxxvii) "Specialized function coating" means a coating that fulfills extremely specific engineering requirements that are limited in application and are characterized by low volume usage. This category excludes coatings covered in other Specialty coating categories.

(lxxviii) "Spray-applied coating operation" means coatings that are applied using a device that creates an atomized mist of coating and deposits the coating on a substrate. For the purposes of subparagraph (kkk), spray-applied coatings do not include the following materials or activities:

(I) Coatings applied from a hand-held device with a paint cup capacity that is equal to or less than 3.0 fluid ounces (89 cubic centimeters) in which no more than 3.0 fluid ounces of coating is applied in a single application (i.e., the total volume of a single coating formulation applied during any one day to any one aerospace vehicle or component). Under this definition, the use of multiple small paint cups and the refilling of a small paint cup to spray apply more than 3.0 fluid ounces of a coating is a spray-applied coating operation. Under this definition, the use of a paint cup liner in a reusable holder or cup that is designed to hold a liner with a capacity of more than 3.0 fluid ounces is a spray-applied coating operation.

(II) Application of coating using powder coating, hand-held non-refillable aerosol containers, or non-atomizing application technology, including but not limited to paint brushes, rollers, flow coating, dip coating, electrodeposition coating, web coating, coil coating, touch-up markers, marking pens, trowels, spatulas, daubers, rags, sponges, mechanically and/or pneumatic-driven syringes, and inkjet machines.

(III) Application of adhesives, sealants, maskants, caulking materials, and inks.

(lxxix) "Spray gun" means a device that atomizes a coating or other material and projects the particulates or other material onto a substrate.

(lxxx) "Stripper" means a liquid that is applied to an aerospace vehicle or component to remove permanent coatings such as primers, topcoats, and specialty coatings.

(lxxxi) "Structural autoclavable adhesive" means an adhesive used to bond load-carrying aerospace components that is cured by heat and pressure in an autoclave.

(lxxxii) "Structural nonautoclavable adhesive" means an adhesive used to bond load-carrying aerospace components that is cured under ambient conditions.

(lxxxiii) "Surface preparation" means the removal of contaminants from the surface of an aerospace vehicle or component or the activation or reactivation of the surface in preparation for the application of a coating.

(lxxxiv) "Temporary protective coating" means a coating applied to provide scratch or corrosion protection during manufacturing, storage, or transportation. Two types include peelable protective coatings and alkaline removable coatings. These materials are not intended to protect against strong acid or alkaline solutions.

(lxxxv) "Thermal control coating" means a coating formulated with specific thermal conductive or radiative properties to permit temperature control of the substrate.

(lxxxvi) "Topcoat" means a coating that is applied over a primer on a aerospace vehicle or component for appearance, identification, camouflage, or protection. Topcoats that are defined as specialty coatings are not included under this definition.

(lxxxvii) "Touch-up and repair coating" means a coating used to cover minor coating imperfections appearing after the main coating operation.

(lxxxviii) "Touch-up and repair operation" means that portion of the coating operation that is the incidental application of coating used to cover minor imperfections in the coating finish or to achieve complete coverage. This definition includes out-of-sequence or out-of-cycle coating.

(lxxxix) "Type I etchant" means a chemical milling etchant that contains varying amounts of dissolved sulfur and does not contain amines.

(xc) "Type II etchant" means a chemical milling etchant that is a strong sodium hydroxide solution containing amines.

(xci) "Wet fastener installation coating" means a primer or sealant applied by dipping, brushing, or daubing to fasteners that are installed before the coating is cured.

(xcii) "Wing coating" means a corrosion-resistant topcoat that is resilient enough to withstand the flexing of the wings.

18. Applicability.

(i) The requirements of subparagraph (kkk) shall apply to all aerospace facilities with potential emissions of volatile organic compounds exceeding 100 tons per year, except in the counties of Cherokee, Clayton, Cobb, Coweta,

DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, where facilities with potential emissions of volatile organic compounds exceeding 25 tons per year are subject to subparagraph (kkk).

(ii) Effective January 1, 2015, the requirements of subparagraph (kkk) shall apply to all aerospace facilities with potential emissions of volatile organic compounds exceeding 25 tons per year in Barrow, Bartow, Carroll, Hall, Newton, Spalding, or Walton County. The requirements of this subparagraph (ii) will no longer be applicable if the counties specified in this subparagraph (ii) are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in these counties or the counties specified in subparagraph (i) above, the requirements of this subparagraph (ii) will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

19. Compliance Dates.

(i) All aerospace facilities subject to subparagraph (kkk) and located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall be in compliance.

(ii) All aerospace facilities subject to subparagraph (kkk); located outside Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale counties; and in operation on or before October 1, 1999, shall be in compliance by January 1, 2001.

(iii) All aerospace facilities subject to subparagraph (kkk); located outside Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale counties; and which begin initial operation after October 1, 1999, shall be in compliance upon startup.

(iv) All aerospace facilities subject to subparagraph (kkk) and utilizing specialty coatings that begin operation after the effective date of this rule shall be in compliance upon startup. All aerospace facilities subject to subparagraph (kkk) and utilizing specialty coatings that are in operation on or before the effective date of this rule shall be in compliance on or before March 31, 2019.

(III) NO_x Emissions From Fuel-Burning Equipment.

1. No person shall cause, let, suffer, permit, or allow the emission of nitrogen oxides (NO_x) from an affected unit under this subparagraph that is installed or modified on or after May 1, 1999, to exceed 30 ppm at 3% oxygen on a dry basis.

2. The requirements of this subparagraph shall apply during the period May 1 through September 30 of each year.

3. All affected units subject to this subparagraph shall be in compliance on or before May 1, 2000.

4. The requirements contained in Subparagraph 1. shall apply to all such affected units as defined in subparagraph

5.(i) that are located in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton.

5. For the purpose of this subparagraph, the following definitions apply:

(i) "Affected Unit" means fuel-burning equipment with a maximum design heat input capacity equal to or greater than 10 MMBTU/hr and less than or equal to 250 MMBTU/hr.

(ii) "Annual Capacity Factor" as used in this subparagraph means the ratio between the actual heat input to the fuel-burning equipment from fuels other than wood during a period of 12 consecutive calendar months and the potential heat input to the fuel-burning equipment from all fuels had the fuel-burning equipment been operated 8,760 hours during that 12-month period at the maximum design heat input capacity.

(iii) "Modified" as used in subparagraph 1. shall be as defined in 40 CFR 60.14.

(iv) "Wood" means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including, but not limited to, sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

6. The requirements of this subparagraph do not apply to the following:

(i) Fuel-burning equipment, which was permitted under [391-3-1-.03\(1\)](#) on or before May 1, 1999, or which was brought onto the facility on or before May 1, 1999.

(ii) Duct burners associated with combined cycle gas turbines.

(iii) Fuel-burning equipment located in any of the following counties: Banks, Butts, Chattooga, Clarke, Dawson, Floyd, Gordon, Haralson, Heard, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Pickens, Pike, Polk, Putnam, Troup, and Upson that combusts either:

(I) wood alone; or

(II) wood in combination with any other fuel and has annual capacity factor for the other fuels of 10 percent (0.10) or less and is subject to an enforceable requirement limiting operation of the equipment to an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(mmm) NO_x Emissions from Stationary Gas Turbines and Stationary Engines used to Generate Electricity.

1. No person shall cause, let, suffer, permit, or allow the emission of nitrogen oxides (NO_x), from any stationary gas turbine or any stationary engine used to generate electricity whose nameplate capacity is greater than or equal to 100 kilowatts (KWe) and is less than or equal to 25 megawatts (MWe), to exceed the following:

(i) For stationary engines in operation before April 1, 2000:

160 ppm @ 15% O₂, dry basis

(ii) For stationary engines installed or modified on or after April 1, 2000:

80 ppm @ 15% O₂, dry basis

(iii) For stationary gas turbines in operation on or after January 1, 1999 and before October 1, 1999:

42 ppm @ 15% O₂, dry basis

(iv) For stationary gas turbines installed or modified on or after October 1, 1999:

30 ppm @ 15% O₂, dry basis

2. The requirements of this subsection shall apply during the period May 1 through September 30 of each year.

3. Compliance Dates.

(i) For stationary engines in operation before April 1, 2000, the affected unit shall comply with the applicable standard under paragraph 1 above by May 1, 2003.

(ii) For stationary engines installed or modified on or after April 1, 2000, the affected unit shall comply with the applicable standard under paragraph 1 upon startup of the affected unit.

(iii) For stationary gas turbines in operation on or after January 1, 1999 and before October 1, 1999, the affected unit shall comply with the applicable standard under paragraph 1 above by May 1, 2000.

(iv) For stationary gas turbines installed or modified on or after October 1, 1999, the affected unit shall comply with the applicable standard under paragraph 1 upon startup of the affected unit.

4. For the purpose of this subsection, the following definitions apply:

(i) "Emergency standby stationary gas turbines and stationary engines" means any stationary gas turbine or stationary engine that operates only when electric power from the local utility is not available and which operates less than 200 hours per year.

(ii) "Modified" shall be as defined in 40 CFR 60.14.

(iii) "Stationary engine" means any spark or compression ignited internal combustion engine which is either attached to a foundation at a facility or is portable equipment located at a specific facility.

(iv) "Stationary gas turbine" means any gas turbine that is gas and/or liquid fueled with or without power augmentation. It is either attached to a foundation at a facility or is portable equipment located at a specific facility.

5. Exemptions.

The following units are exempt from the provisions of this subsection:

(i) Stationary engines used to power portable rock crushing plants.

(ii) Stationary engines used directly and exclusively for agricultural operation necessary for the growing of crops or the raising of fowl or animals.

(iii) Stationary gas turbines and stationary engines not connected to an electrical generator.

(iv) Laboratory engines or gas turbines used for research and testing purposes.

(v) Engines or gas turbines operated by the manufacturer or distributor of such equipment for purposes of performance verification and testing at the production facility.

(vi) Portable, temporary generators used for special events (i.e. county fair, circus) provided the event does not last more than 14 days.

(vii) Nonroad engines as defined in 40 CFR 89.2.

6. The requirements contained in this subsection shall apply to all such sources located in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton.

7. Emergency standby stationary gas turbines and stationary engines which meet the definition stated in paragraph 4.(i) are not subject to the emission limitations of paragraph 1.

8. Stationary engines at data centers that meet all of the following criteria are not subject to the emission limitations in subparagraph 1:

(i) Operate only for routine testing and maintenance, when electric power from the local utility is not available, or during internal system failures;

- (ii) Total annual operation for the engine is less than 500 hours per year;
- (iii) Operation for routine testing and maintenance during the months of May through September occurs only between 10 p.m. to 4 a.m. Operation for routine testing and maintenance during the months of January through April and October through December may be done during any time of day; and
- (iv) The facility maintains records of all operation, including the reason for the operation.

(nnn) **NOx Emissions from Large Stationary Gas Turbines.**

1. No person shall cause, let, suffer, permit, or allow the emission of nitrogen oxides (NO_x), from any stationary gas turbine whose nameplate capacity is greater than 25 megawatts (MWe), to exceed the following:

- (i) For stationary gas turbines permitted under [391-3-1-.03\(1\)](#) before April 1, 2000:

30 ppm @ 15% O₂, dry basis

- (ii) [reserved]

- (iii) For stationary gas turbines permitted under [391-3-1-.03\(1\)](#) on or after April 1, 2000:

6 ppm @ 15% O₂, dry basis

2. The requirements of this subsection shall apply during the period May 1 through September 30 of each year.

3. Compliance Dates.

- (i) Stationary gas turbines subject to paragraph 1.(i) above shall comply by May 1, 2003.
- (ii) Stationary gas turbines subject to paragraph 1.(iii) above shall be in compliance upon startup.

4. The requirements contained in subparagraph 1.(iii) of this subsection shall not apply to individual units which are subject to [391-3-1-.03\(8\)\(c\)14](#), or [391-3-1-.03\(8\)\(c\)15](#).

5. By no later than May 1, 2003, the owner/operator of an affected unit may submit actual operating performance data on the affected unit, with the emission reduction technologies, as approved by the Director, in place and optimized on the affected unit, sufficient to allow the Director to determine if the NO_x emission limit in subparagraph 1.(i) is technically achievable taking into account the cost and feasibility of available control options. Based on the Director's review of the data provided, this rule may be modified.

6. The requirements contained in this subsection shall apply to all such sources located in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton.

7. Exemptions.

The following units are exempt from the provisions of this subsection provided that they only operate under the following conditions:

- (i) Units operating for purposes of routine testing, to maintain operability, not to exceed three (3) hours per month.
- (ii) Units operating under one of the following emergency conditions. For the purpose of restarting the steam-electric generating units when all steam-electric generating units at a facility are down and off-site power is not available (also known as a "Black Start"). Or, when power problems on the grid would necessitate implementing

manual load shedding procedures for retail customers (Note: This does not apply to special rate structure conditions).

(ooo) **Reserved.**

(ppp) **Commercial and Industrial Solid Waste Incineration Units.**

1. The provisions of this subparagraph apply to each commercial and industrial solid waste incinerator (CISWI) unit that commenced construction on or before June 4, 2010, or commenced modification or reconstruction after June 4, 2010 but no later than August 7, 2013 (hereinafter referred to as "existing CISWI unit").

(i) For the purposes of this subparagraph, a "CISWI unit" means any unit that meets the definition of "Commercial and industrial solid waste incineration (CISWI) unit" in 40 CFR Part 60, Subpart DDDD. The types of CISWI units include the following: incinerators; air curtain incinerators; small, remote incinerators; waste-burning kilns; and energy recovery units. Physical or operational changes made at an existing CISWI unit solely to comply with this subparagraph are not considered construction, reconstruction, or modification and would not subject an existing CISWI unit to the requirements of Georgia rule 391-3-1-.02(8)(b)75.

(ii) The following units are exempt from the requirements of this subparagraph:

(I) This subparagraph exempts the types of units described in subparagraphs I. through XI., but some units are required to provide notifications. Air curtain incinerators are exempt from the requirements in this subparagraph except for the provisions in 40 CFR 60.2805, 60.2860, and 60.2870.

I. Pathological waste incineration units. Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low level radioactive waste, and/or chemotherapeutic waste as defined in 40 CFR 60.2875 are not subject to this subpart if you meet the two requirements specified in subparagraphs I.A. and B.

A. Notify the Administrator that the unit meets these criteria.

B. Keep records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, and/ or chemotherapeutic waste burned, and the weight of all other fuels and wastes burned in the unit.

II. Municipal waste combustion units. Incineration units that are subject to 40 CFR Part 60, Subpart Ea (Standards of Performance for Municipal Waste Combustors); 40 CFR Part 60, Subpart Eb (Standards of Performance for Large Municipal Waste Combustors); 40 CFR Part 60, Subpart Cb (Emission Guidelines and Compliance Time for Large Municipal Combustors); 40 CFR Part 60, Subpart AAAA (Standards of Performance for Small Municipal Waste Combustion Units); or 40 CFR Part 60, Subpart BBBB (Emission Guidelines for Small Municipal Waste Combustion Units).

III. Medical waste incineration units. Incineration units regulated under 40 CFR Part 60, Subpart Ec (Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996) or 40 CFR Part 60, Subpart Ce (Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators).

IV. Small power production facilities as specified below.

A. The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

B. The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

C. You submit documentation to the Director and notify the EPA Administrator that the qualifying small power production facility is combusting homogenous waste.

D. You maintain the records specified in 40 CFR 60.2740(v).

V. Cogeneration facilities as specified below.

A. The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

B. The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

C. You submit documentation to the Director and notify the EPA Administrator that the qualifying cogeneration facility is combusting homogenous waste.

D. You maintain the records specified in 40 CFR 60.2740(w).

VI. Hazardous waste combustion units. Units for which you are required to get a permit under section 3005 of the Solid Waste Disposal Act.

VII. Materials recovery units. Units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters.

VIII. Air curtain incinerators. Air curtain incinerators that burn only the materials listed in paragraphs VIII.A. through C. of this section are only required to meet the requirements under "Air Curtain Incinerators" (40 CFR 60.2810 through 60.2870).

A. 100 percent wood waste.

B. 100 percent clean lumber.

C. 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

IX. Sewage treatment plants. Incineration units regulated under Subpart O of 40 CFR Part 60 (Standards of Performance for Sewage Treatment Plants).

X. Sewage sludge incineration units. Incineration units combusting sewage sludge for the purpose of reducing the volume of the sewage sludge by removing combustible matter that are subject to 40 CFR Part 60, Subpart LLLL (Standards of Performance for Sewage Sludge Incineration Units) or 40 CFR Part 60, Subpart MMMM (Emission Guidelines for Sewage Sludge Incineration Units).

XI. Other solid waste incineration units. Incineration units that are subject to 40 CFR Part 60, Subpart EEEE (Standards of Performance for Other Solid Waste Incineration Units) or 40 CFR Part 60, Subpart FFFF (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).

2. Each existing CISWI unit shall comply with the model rule standards, requirements, and provisions of 40 CFR Part 60, Subpart DDDD (Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units), as amended June 23, 2016, which are hereby incorporated and adopted by reference.

(i) For the purposes of implementing the requirements and provisions of 40 CFR Part 60, Subpart DDDD, the following provisions are hereby incorporated and adopted by reference:

(I) 40 CFR 60.2575 through 40 CFR 60.2615, Increments of Progress except that in 40 CFR 60.2580, "table 1 of this subpart" is replaced with "391-3-1-.02(2)(ppp)6."; and in 40 CFR 60.2595, "for that increment of progress in table 1 of this subpart" is replaced with "in 391-3-1-.02(2)(ppp)6.".

(II) 40 CFR 60.2620 through 40 CFR 60.2630, Waste Management Plan except that in 40 CFR 60.2625, "table 1 of this subpart for submittal of the final control plan" is replaced with "391-3-1-.02(2)(ppp)6.".

(III) 40 CFR 60.2635 through 40 CFR 60.2665, Operator Training and Qualification.

(IV) 40 CFR 60.2670 through 60.2680, Emission Limitations and Operating Limits.

(V) 40 CFR 60.2690 through 60.2695, Performance Testing.

(VI) 40 CFR 60.2700 through 60.2706, Initial Compliance Requirements except that in 40 CFR 60.2705(a), "table 1 of this subpart" is replaced with "391-3-1-.02(2)(ppp)6."

(VII) 40 CFR 60.2710 through 60.2725, Continuous Compliance Requirements.

(VIII) 40 CFR 60.2730 through 60.2735, Monitoring.

(IX) 40 CFR 60.2740 through 60.2800, Recordkeeping and Reporting with the exception of the following:

I. In 40 CFR 60.2755, "table 1 of this subpart for submittal of the final control plan" is replaced with "391-3-1-.02(2)(ppp)6."

II. In lieu of 40 CFR 60.2795(b)(1)&(2):

A. Within 60 days after the date of completing each performance test as required by this subparagraph, each owner or operator must submit the results of the performance test required by this subparagraph to the Director. Performance test results required to be submitted to EPA must follow provision 40 CFR 60.2795(b)(1).

B. Within 60 days after the date of completing each CEMS performance evaluation test, as defined in this subparagraph and required by this subparagraph, each owner or operator must submit the relative accuracy test audit (RATA) data, to the Director. RATA data required to be submitted to EPA must follow provision 40 CFR 60.2795(b)(2).

(X) 40 CFR 60.2805, Title V Operating Permits.

(XI) 40 CFR 60.2810 through 60.2870, Air Curtain Incinerators except that in 40 CFR 60.2820, "table 1 of this subpart" is replaced with "391-3-1-.02(2)(ppp)6."; and in 40 CFR 60.2835, "for that increment of progress in table 1 of this subpart" is replaced with "391-3-1-.02(2)(ppp)6."

(XII) 40 CFR 60.2875, Definitions.

(XIII) 40 CFR Part 60 Subpart DDDD Tables 2 through 9 except that in Table 5, in the Due Date column for the Waste Management Plan report, "table 1 for the submittal of the final control plan" is replaced with "391-3-1-.02(2)(ppp)6."

3. The owner of an existing CISWI unit must contact EPA with respect to the authorities specified in 40 CFR Part 60.2542.

4. Each Existing CISWI unit is subject to the permitting requirements of [391-3-1-.03\(10\)](#) "Title V Operating Permits".

5. Definitions of all terms used, but not defined in this subparagraph, shall have the meaning given to them in 40 CFR Part 60, Subpart DDDD, as amended. Terms not defined therein shall have the meaning given to them in the federal Clean Air Act or 40 CFR Part 60, Subparts A and B. For the purposes of this subparagraph the following definitions also apply:

(i) Except as noted, the word "Administrator" as used in regulations adopted by reference in this subparagraph shall mean the Director of the Georgia Environmental Protection Division. For subparagraph (ppp)3. the word "Administrator" shall mean the Administrator of the EPA.

(ii) The term "Air Curtain Incinerator" as used in regulations adopted in this subparagraph shall mean an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(iii) The term "You" means the owner or operator of a CISWI unit subject to this rule.

6. In keeping with subparagraph (ppp)2., owners and operators of existing CISWI units must comply with Georgia's state plan for existing CISWI units, which is required by 40 CFR Part 60, Subpart DDDD. The owner operator of each existing CISWI unit shall comply with the requirements of 391-3-1-.02(2)(ppp)2. upon approval of Georgia's state plan for existing CISWI units by EPA.

(qqq) VOC Emissions from Extruded Polystyrene Products Manufacturing Utilizing a Blowing Agent.

1. No person shall cause, let, permit, suffer, or allow the three-month rolling average VOC emissions from an existing extruded polystyrene (XPS) products manufacturing facility that utilizes a blowing agent, to exceed 0.8 lbs per 100 lbs of raw material processed during any month. Compliance with this limit shall be calculated as follows:

$$\text{Final VOC Emissions} = (\text{Facility VOC Emissions})/(\text{Raw Material})$$

2. No person shall cause, let, permit, suffer, or allow the three-month rolling average VOC emissions from any new or reconstructed extruded polystyrene (XPS) products manufacturing facility that utilizes a blowing agent, to exceed 0.3 lbs per 100 lbs of raw material processed during any month. Compliance with this limit shall be calculated as follows:

$$\text{Final VOC Emissions} = (\text{Facility VOC Emissions})/(\text{Raw Material})$$

3. For the purposes of subparagraphs 1 and 2 above, the VOC emissions from the product manufacturing operations and the post-manufacturing operations are to be calculated as follows:

Facility VOC Emissions =

$$\sum_{i=1}^m B_i(1 - OCE_i) + \sum_{i=1}^n C_i(1 - OCE_i) + \sum_{i=1}^p E_i(1 - OCE_i)$$

$$B = A - C - D$$

A = VOC Blowing Agent Used (pounds per any consecutive three-month period)

B = VOC Emissions Primary Extrusion, Roll Storage, and Thermoforming (Uncontrolled) for each control device (pounds per any consecutive three-month period)

C = VOC in the Reclaim Material (pounds per any consecutive three-month period)

D = VOC in the Final Product (pounds per any consecutive three-month period)

E = VOC Emissions from Finished Goods Warehouses (Uncontrolled) (pounds per any consecutive three-month period)

$OCE = \text{Overall Control Efficiency of a control device} = [(CE)/100 * (DE)/100 * (UT)/100]$

CE = Capture Efficiency of a Control Device (percent VOC captured)

DE = Destruction Efficiency of a Control Device (percent VOC destruction)

UT = Percentage of operating time for the control device (for the consecutive three-month period)

n = Total number of control device systems associated with primary extrusion, roll storage, and thermoforming

m = Total number of control device systems associated with the reclaim system

p = Total number of control device systems associated with the finished goods warehouses

4. Exemptions.

(i) The provisions of subparagraphs 1 and 2 above shall not apply to Extruded Polystyrene Products Manufacturing facilities at any single site that processes less than 200 pounds per day of raw material.

(ii) The provisions of subparagraphs 1 and 2 above shall not apply to any single site that contains one or more XPS post-manufacturing operations and does not contain any XPS product manufacturing operations.

5. Any owner or operator subject to subparagraphs 1 or 2 above shall maintain a record of operations, including but not limited to the amount of raw material processed, the equipment used, the type of blowing agent used, and operation and maintenance records of all VOC emission control systems such as temperature, pressure, flow rate, and other measures to demonstrate compliance with subparagraphs 1 or 2, as applicable. Such records shall be maintained in a format specified by the Division and shall be retained on site for a period of five years from the date of record and shall be made available to the Division upon request.

6. For the purpose of this rule, the following definitions shall apply:

(i) "Affected Facility" means the entire Extruded Polystyrene (XPS) manufacturing operations and post-manufacturing operations at a single site.

(ii) "Blowing Agent" means a liquid, gaseous or solid material that facilitates the formation of a cellular product from raw polymeric material.

(iii) "Existing Extruded Polystyrene (XPS) Products Manufacturing Facility" means any such facility that begins initial operation on or before April 16, 2003.

(iv) "Extruded Polystyrene (XPS) Products Manufacturing Facility" means a series of processes, where a blowing agent is injected into an extruded polystyrene resin and processed through cup, block, or shape molding into low-density, closed cell, cellular products. XPS products include but are not limited to insulation board, product and food packaging material. For the purposes of the applicability thresholds in subparagraph 7 below, all of the potential VOC emissions from the affected facility at a single site should be counted toward the emission thresholds. XPS product manufacturing facility includes all product manufacturing operations as well as post-manufacturing operations.

(v) "Facility VOC Emissions" means VOC emissions from the product manufacturing operation and the post-manufacturing operation during any consecutive three-month period as calculated per subparagraph 3 above.

(vi) "Final VOC Emissions" means VOC emission calculations that are expressed in pounds VOC emitted from the facility per 100 pounds of raw material processed during any consecutive three-month period as calculated per subparagraphs 1 and 2 above.

(vii) "New Extruded Polystyrene (XPS) Products Manufacturing Facility" means any such facility that begins initial operation after April 16, 2003.

(viii) "Product Manufacturing Operation" means every step of the processing of a polymeric material from the delivery of the raw material, up until the storage of the final cellular product.

(ix) "Post-Manufacturing Operation" means the storage of the final cellular product.

(x) "Raw Material" means all polystyrene (including recycle polystyrene from reclaim systems), additives, and blowing agent used in the manufacture of polymeric cellular products during any consecutive three-month period.

(xi) "Reconstructed" means the replacement or addition of components at an existing affected facility in which the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable affected facility.

(xii) "Reconstructed Extruded Polystyrene (XPS) Products Manufacturing Facility" means any existing facility that is reconstructed after April 16, 2003.

(xiii) "Single Site" means any stationary source or group of stationary sources that are located on one or more contiguous or adjacent properties and are under common control.

7. The requirements of this rule shall apply to all Extruded Polystyrene (XPS) Products Manufacturing facilities, at a single site, with potential VOC emissions from product manufacturing and post-manufacturing operations equal to or exceeding 25 tons per year in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale. In the counties of Bartow, Carroll, Hall, Newton, Spalding and Walton, facilities, at a single site, with potential VOC emissions from product manufacturing and post-manufacturing operations equal to or exceeding 100 tons per year are subject to this rule.

8. Compliance Dates.

(i) All existing facilities shall be subject to the following compliance schedule:

(I) Existing facilities shall submit a letter to the Division no later than May 1, 2003, indicating the option they are considering to comply with the limit in subparagraph 1. These options shall be either installation and use of additional VOC emission control systems or a blowing agent substitution.

(II) Existing facilities that choose to install and operate additional VOC emission control systems shall do the following:

1. An application for a permit to construct for the installation of VOC emission control systems shall be submitted no later than November 1, 2003.

2. Full compliance with the limit in subparagraph 1 above shall be demonstrated no later than November 1, 2004.

(III) Existing facilities that choose a blowing agent substitution shall do the following:

1. Two six-month progress reports shall be submitted to the Division no later than November 1, 2003, and May 1, 2004.

2. Full compliance with the limit in subparagraph one above shall be demonstrated no later than November 1, 2004.

3. If the facility cannot comply with the limit, then an application for a permit to construct for the installation of VOC emission control systems shall be submitted no later than November 1, 2004, and full compliance with the limit in subparagraph 1 above shall be demonstrated no later than January 1, 2006.

(i) All new or reconstructed facilities shall be subject to the limit in subparagraph 2 upon startup.

(rrr) NOx Emissions from Small Fuel-Burning Equipment.

1. The owner or operator of an affected unit as defined in subparagraph 4. shall:

(i) Perform an annual tune-up of each affected unit, no earlier than February 1 and no later than May 1 of each calendar year. The annual tune-up shall be performed using the manufacturer's recommended settings for reduced NOx emissions, or using a NOx analyzer so that NOx emissions are minimized in a manner consistent with good combustion practices and safe fuel-burning equipment operation.

(ii) Fire only natural gas, LPG or propane in an affected unit during the calendar months of May through September of each year. If an affected unit is not equipped to fire LPG or propane, the owner or operator shall be excused from this requirement only during periods of natural gas curtailment as defined in subparagraph 5.

(iii) Maintain records of all tune-ups required to be performed in accordance with subparagraph 1.(i). These records shall indicate the date and time the tune-up was performed, state what burner settings were implemented to minimize NOx emissions, and explain how those settings were determined. All documents and calculations used to determine reduced NOx fuel-burning equipment settings shall be kept as part of the tune-up, maintenance and adjustments records. All records required by this subparagraph shall be retained available for inspection or submittal either in written or electronic form for at least five years from the date of record.

2. The owner or operator shall cause all affected units in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale County to be in compliance with the requirements of this paragraph on or before May 15, 2005, and the owner or operator shall cause all affected units in Barrow, Bartow, Carroll, Hall, Newton, Spalding or Walton County to be in compliance with the requirements of this paragraph on or before March 1, 2009.

3. As an alternative to complying with the requirements of this paragraph, the owner or operator of any affected emissions unit(s) may elect to comply with the requirements of paragraph 391-3-1-.02(2)(yy).

4. For the purposes of this paragraph, the term "affected unit" means individual fuel burning equipment that:

(i) is not subject to the requirements of paragraphs 391-3-1-.02(2)(jjj) or 391-3-1-.02(2)(lll); and

(ii) is located at a facility having (from all emission sources combined) potential emissions of nitrogen oxides, expressed as nitrogen dioxide, exceeding 25 tons-per-year in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale County or any facility having (from all emission sources combined) potential emissions of nitrogen oxides, expressed as nitrogen dioxide, exceeding 100 tons-per-year in Barrow, Bartow, Carroll, Hall, Newton, Spalding or Walton County; and

(iii) has potential emissions (from the individual fuel burning equipment) of nitrogen oxides, expressed as nitrogen dioxide, equal to or exceeding one ton per year; and either

(iv) was installed before May 1, 1999 and has a maximum design heat input capacity of less than 100 million BTU-per-hour, or

(v) was installed on or after May 1, 1999 and has a maximum design heat input capacity of less than 10 million BTU-per-hour.

5. For the purposes of this paragraph, the term "natural gas curtailment" means any period during which the supply of natural gas is not available for firing in an affected unit, for reasons beyond the control of and not related to any action or decision of the owner or operator.

6. An affected unit shall be exempt from the requirements of subparagraph 1, provided the owner or operator submits such documentation as specified in the facility's air quality permit confirming that the affected unit will not be operated during the months of May through September.

(sss) Multipollutant Control for Electric Utility Steam Generating Units.

1. **Effective December 31, 2008**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Bowen Unit 4 unless such source is equipped and operated with selective catalytic reduction and flue gas desulfurization.

(ii) Plant Bowen Unit 3 unless such source is equipped and operated with selective catalytic reduction and flue gas desulfurization.

(iii) Plant Wansley Unit 1 unless such source is equipped and operated with selective catalytic reduction and flue gas desulfurization.

(iv) Plant Hammond Unit 1 unless such source is equipped and operated with flue gas desulfurization.

(v) Plant Hammond Unit 2 unless such source is equipped and operated with flue gas desulfurization.

(vi) Plant Hammond Unit 3 unless such source is equipped and operated with flue gas desulfurization.

(vii) Plant Hammond Unit 4 unless such source is equipped and operated with selective catalytic reduction and flue gas desulfurization.

(viii) Plant Yates Unit 1 unless such source is equipped and operated with flue gas desulfurization.

2. **Effective June 1, 2009**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Bowen Unit 2 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

(ii) Plant Scherer Unit 2 unless such source is equipped and operated with sorbent injection and a baghouse.

(iii) Plant Scherer Unit 3 unless such source is equipped and operated with sorbent injection and a baghouse.

3. **Effective December 31, 2009**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Scherer Unit 1 unless such source is equipped and operated with sorbent injection and a baghouse.

(ii) Plant Wansley Unit 2 unless such source is equipped and operated with selective catalytic reduction and flue gas desulfurization.

4. **Effective April 30, 2010**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Scherer Unit 4 unless such source is equipped and operated with sorbent injection and a baghouse.

5. **Effective June 1, 2010**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Bowen Unit 1 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

6. **Effective July 1, 2011**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Scherer Unit 3 unless such source is equipped and operated with selective catalytic reduction, flue gas desulfurization, sorbent injection, and a baghouse; provided that the owner or operator is not required to operate the selective catalytic reduction system during the months of January through April and October through December of each year.

7. **Effective December 31, 2011**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) [reserved]

(ii) Plant McDonough Unit 2 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

8. **Effective April 30, 2012**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant McDonough Unit 1 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

9. **Effective December 31, 2012**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Scherer Unit 4 unless such source is equipped and operated with selective catalytic reduction, flue gas desulfurization, sorbent injection, and a baghouse, provided that the owner or operator is not required to operate the selective catalytic reduction system during the months of January through April and October through December of each year.

10. **Effective October 1, 2013**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Branch Unit 2 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

11. **Effective December 31, 2013**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) [reserved]

(ii) Plant Scherer Unit 2 unless such source is equipped and operated with selective catalytic reduction, flue gas desulfurization, sorbent injection, and a baghouse, provided that the owner or operator is not required to operate the selective catalytic reduction system during the months of January through April and October through December of each year.

(iii) [reserved]

12. **Effective December 31, 2014**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) [reserved]

(ii) [reserved]

(iii) Plant Scherer Unit 1 unless such source is equipped and operated with selective catalytic reduction, flue gas desulfurization, sorbent injection, and a baghouse; provided that the owner or operator is not required to operate the selective catalytic reduction system during the months of January through April and October through December of each year.

13. **Effective April 16, 2015**, no person shall cause, let, permit, suffer or allow the operation of the following affected units except as specified below:

(i) Plant Yates Unit 6 unless such source is operated as a natural gas-fired electric utility steam generating unit or is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

(ii) Plant Yates Unit 7 unless such source is operated as a natural gas-fired electric utility steam generating unit or is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

(iii) Plant Yates Units 2, 3, 4, and 5 unless such sources are operated as natural gas-fired electric steam generating units.

(iv) Plant Branch Unit 1 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

(v) Plant Branch Unit 3 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

(vi) Plant Branch Unit 4 unless such source is equipped and operated with selective catalytic reduction (SCR) and flue gas desulfurization (FGD).

(vii) Plant Yates Unit 1 unless such source is operated as a natural gas-fired electric utility steam generating unit and is equipped and operated with flue gas desulfurization when burning coal.

14. [reserved]

15. [reserved]

16. **Effective January 1, 2018**, should the annual heat input (from coal combustion) of the following unit or group of units exceed the levels specified in each Subparagraphs 16.(i) through 16.(iii), the owner/operator will comply with the requirements specified in Subparagraph 16.(v):

(i) Plant Kraft Units 1, 2, and 3 with a total annual heat input of 17,911,898 million Btu;

(ii) Plant McIntosh Unit 1 with a total annual heat input of 14,557,638 million Btu;

(iii) Plant Mitchell Unit 3 with a total annual heat input of 8,621,580 million Btu;

(iv) [reserved]

(v) The owner/operator shall evaluate the economic and technical feasibility of additional mercury controls on the applicable unit(s) specified in Subparagraphs 16.(i) through 16.(iii), and submit a report on their findings to the Division no later than September 1 of the calendar year following the calendar year that the annual heat input exceeded the applicable level specified in Subparagraphs 16.(i) through 16.(iii).

(vi) The Division will review the report submitted in accordance with Subparagraph 16.(v) and determine if additional mercury controls are required and, if additional mercury controls are required, establish deadlines for submission of a permit application(s) to the Division and for start-up of such mercury controls.

(vii) The Division will document the results of its evaluation conducted in accordance with Subparagraph 16.(vi) and notify the owner and/or operator within a timely fashion whether additional mercury controls are required.

17. Control Equipment Monitoring Design: For the anticipated range of operations of the affected units specified in Subparagraphs 1. through 13., the designated representative shall follow the procedures given in Section 2.124 of the Division's **Procedures for Testing and Monitoring Sources of Air Pollutants** for the establishment of optimized operating parameters for the applicable control equipment installed as required in Subparagraphs 1. through 13.

18. Alternative Control Technology: The owner/operator of an affected unit specified in Subparagraphs 1. through 13. may operate alternative control technology or alternative method of emissions reductions from that which is specified in the applicable Subparagraphs 1. through 13. if the following requirements are met:

(i) The Division has approved the operation of the alternative control technology or the alternative method of emission reductions as being capable of achieving reductions of NO_x, SO₂ and/or mercury emissions equivalent to or greater than the control technology requirement specified in applicable Subparagraphs 1. through 13. for an individual emissions unit or the respective plant site as a whole; and

(ii) The owner/operator has obtained the appropriate permit(s) from the Division prior to operating the alternative control technology.

19. The owner or operator of any electric utility steam generating unit subject to this subsection may submit a request to the Director to delay implementation of any of the controls required by Subparagraphs 1. through 13. for a specific electric utility steam generating unit if there is a delay caused by reasonably unforeseen circumstances beyond the control of the owner operator. Any delay allowed under this subparagraph is subject to review and approval by the Division. Reasonably unforeseen circumstances beyond the control of the owner or operator shall include, without limitation, the following:

(i) Failure to secure timely and necessary federal, state or local approvals, responses, notifications or permits to install the controls, provided that such approvals or permits have been timely and diligently sought;

(ii) Act of God, act of war, insurrection, civil disturbance, flood or other extraordinary weather conditions, vandalism, contractor or supplier strikes or bankruptcy, or unanticipated breakage or accident to machinery or equipment despite diligent maintenance; and

(iii) Any other delay caused by unforeseeable circumstances beyond the reasonable control of owner or operator as reasonably determined by the Director.

20. On and after the effective date of each Subparagraph 1. through 13. for an affected unit, the applicable owner or operator is not required to operate the required control technology under the following conditions:

(i) Restarting an electric utility steam generating unit when all electric utility steam generating units [as listed in Subparagraphs 1. through 13.] at a facility are down and off-site power is not available (also known as a "Black Start").

(ii) Periods of startup of an electric utility steam generating unit provided that such periods are consistent with the requirements of Paragraph 391-3-1-.02(2)(a)7.

(iii) Periods of shutdown of an electric utility steam generating unit provided that such periods are consistent with the requirements of Paragraph 391-3-1-.02(2)(a)7.

(iv) Periods of scheduled and/or preventative maintenance of control technology equipment if such maintenance cannot reasonably be performed during a scheduled outage of the respective electric utility steam generating unit.

(v) Periods of malfunction of electric utility steam generating unit and/or control technology equipment provided that such periods are consistent with the requirements of Paragraph 391-3-1-.02(2)(a)7.

(vi) Periods when the owner/operator is required to conduct the Relative Accuracy Test Audit and any other necessary periodic quality assurance procedures on the Continuous Emissions Monitoring System located on the bypass stack pursuant to 40 CFR Part 75 or the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants**.

(vii) Periods when the owner/operator is required to conduct any performance tests on the bypass stack as required by state or federal air quality rules, air quality operating permits, or as ordered by the Division.

(viii) Division-approved periods of research and development of emission control technologies, provided that the unit does not exceed other applicable emission limits. For purposes of this subparagraph, the owner/operator shall submit a request for approval under this subparagraph at least 120 days prior to such date as well as including the following items:

(1) length of time of research and development (R&D) period;

(2) identification of steps to take to minimize emissions in accordance with best operational practices during R&D period;

(3) for periods of R&D lasting more than 48 hours during any 5-day period, a demonstration that any increase in emissions resulting from the R&D project that are above that which is allowed by this subparagraph (sss) will not cause or significantly contribute to a violation of any national ambient air quality standard or prevent compliance with any other applicable provisions.

(ix) Any other occasion not covered by Subparagraphs 20.(i) through (viii), as approved by the Division.

21. **The requirements** of Subparagraph 20 do not relieve the owner or operator from the requirement to comply with any other applicable requirements of Georgia Rules for Air Quality Control Chapter 391-3-1.

22. **Technology and Mercury Impact Review - Periodic Evaluation:** The Director shall submit a report to the Georgia Department of Natural Resources Board by December 31, 2023. The report shall constitute an evaluation of available and relevant information to determine if additional reductions of mercury emissions from electric utility steam generating units are necessary or appropriate. This report shall include an evaluation that includes, but is not limited to, the following:

(i) mercury concentrations in fish tissue in water bodies in the State and any changes or trends of such concentrations over time;

(ii) the sources of mercury (including air, land, and water sources) that might influence in-state mercury concentrations in fish tissue;

(iii) the state of the science regarding the relationship among sources of mercury, mercury speciation and mercury concentrations in fish tissue in water bodies in the State;

(iv) the health impact of mercury contamination in fish tissue;

(v) technically- and economically-feasible controls for the reduction of mercury emissions from coal-fired EGUs or other sources;

(vi) whether additional reductions of mercury from coal-fired electric utility steam generating units or other sources and/or whether additional time or study is appropriate and necessary in light of items (i) through (v);

(vii) recommendations for any necessary revisions to Paragraph (sss) or other actions as needed to address other sources; and

(viii) recommendations for an appropriate timeline for the development of any such additional regulations; provided, however, that implementation and operation of any such additional controls shall be required no earlier than January 1, 2027.

23. **Effective January 1, 2013**, no person shall cause, let, permit, suffer or allow the operation of the following units affected except as specified below:

(i) Plant Branch Units 3 and 4, combined, shall not emit more than 11,165 tons of nitrogen oxides annually in 2013, 2014, and 2015 only.

(ii) Plant Branch Units 3 and 4, combined, shall not emit more than 52,988 tons of sulfur dioxide annually in 2013, 2014, and 2015 only.

24. **Definitions.** For the purpose of this subparagraph (sss), the following definitions apply:

(i) "Affected Unit" means electric utility steam generating units at Plants Bowen 1, 2, 3, and 4; Plants Branch Units 1, 2, 3, and 4; Plant Hammond Units 1, 2, 3, and 4; Plant McDonough Units 1 and 2; Plant Scherer Units, 1, 2, 3, and 4; Plant Wansley Units 1 and 2; and Plant Yates Units 1, 2, 3, 4, 5, 6, and 7.

(ii) The definition of natural gas-fired electric utility steam generating unit specified in 40 CFR 63.10042 is hereby incorporated and adopted by reference.

(ttt) **[reserved]**

(uuu) **SO₂ Emissions from Electric Utility Steam Generating Units.**

1. Effective January 1, 2010, no person shall cause, let, permit, suffer or allow any gases which contain sulfur dioxide in excess of 10 percent (0.10) of the potential combustion concentration (90 percent reduction) from the following affected unit: Plant Yates Unit 1.

2. Effective on the dates established below, no person shall cause, let, permit, suffer or allow any gases which contain sulfur dioxide in excess of 5 percent (0.05) of the potential combustion concentration (95 percent reduction) from the following affected units: Plant Bowen Units 1 through 4, Plant Branch Units 1 through 4, Plant Hammond Units 1 through 4, Plant McDonough Units 1 and 2, Plant Scherer Units 1 through 4, Plant Wansley Units 1 and 2, and Yates Units 6 and 7.

The limit established in this subparagraph shall become effective beginning:

(i) January 1, 2010, for Plant Bowen Units 2, 3 and 4, and Plant Wansley Units 1 and 2.

(ii) July 1, 2011, for Plant Scherer Unit 3.

(iii) January 1, 2012, for Plant Bowen Unit 1, Plant Hammond Units 1, 2, 3, and 4, and Plant McDonough Unit 2.

(iv) May 1, 2012, for Plant McDonough Unit 1.

(v) January 1, 2013, for Plant Scherer Unit 4.

(vi) October 1, 2013, for Plant Branch Unit 2.

(vii) January 1, 2014, for Plant Scherer Unit 2.

(viii) January 1, 2015, for Plant Scherer Unit 1.

(ix) April 16, 2015, for Plant Yates Units 6 and 7, and Plant Branch Units 1, 3, and 4.

(x) [reserved]

(xi) [reserved]

3. Compliance with Subparagraphs 1 and 2 shall be determined on a 30-day rolling average basis. The first 30-day averaging period for each Affected Unit shall begin on the effective date specified in Subparagraphs 1 and 2.

4. The requirements of Subparagraphs 1 and 2 do not apply during the following periods:

(i) Restarting an Electric Utility Steam Generating Unit specified in subparagraphs 1 or 2 when all Electric Utility Steam Generating Units at a facility are down and off-site power is not available (also known as a "Black Start").

(ii) Periods of startup of an Electric Utility Steam Generating Unit provided that such periods are consistent with the requirements of Paragraph 391-3-1-.02(2)(a)7.

(iii) Periods of shutdown of an Electric Utility Steam Generating Unit provided that such periods are consistent with the requirements of Paragraph 391-3-1-.02(2)(a)7.

(iv) Periods of scheduled and/or preventative maintenance of control technology equipment if such maintenance cannot reasonably be performed during a scheduled outage of the respective Electric Utility Steam Generating Unit.

(v) Periods of malfunction of an Electric Utility Steam Generating Unit and/or control technology equipment provided that such periods are consistent with the requirements of Paragraph 391-3-1-.02(2)(a)7.

(vi) Periods when the owner/operator is required to conduct the Relative Accuracy Test Audit and any other necessary periodic quality assurance procedures on the Continuous Emissions Monitoring System located on the bypass stack pursuant to 40 CFR Part 75 or the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants**.

(vii) Periods when the owner/operator is required to conduct any performance tests on the bypass stack as required by State or Federal air quality rules, air quality operating permits, or as ordered by the Division.

(viii) Division-approved periods of research and development of emission control technologies, provided that the unit does not exceed other applicable emission limits. For purposes of this subparagraph, the owner/operator shall submit a request for approval under this subparagraph at least 120 days prior to such date, as well as include the following items:

(1) length of time of research and development (R&D) period;

(2) identification of steps to take to minimize emissions in accordance with best operational practices during R&D period;

(3) for periods of R&D lasting more than 48 hours during any 5-day period, a demonstration that any increase in emissions resulting from the R&D project that are above that which is allowed by this subparagraph (uuu) will not cause or significantly contribute to an violation of any national ambient air quality standard or prevent compliance with any other applicable provisions.

5. For the purpose of this subsection, the following definitions apply:

(i) "Potential combustion concentration" means the theoretical sulfur dioxide emissions (lb/MMBtu heat input) that would result from combusting fuel without using emission control systems.

(ii) "Affected Unit" means electric utility steam generating units Plant Bowen Units 1, 2, 3, and 4; Plant Branch Units 1, 2, 3, and 4; Plant Hammond Units 1, 2, 3, and 4; Plant McDonough Units 1 and 2; Plant Wansley Units 1 and 2; Plant Scherer Units 1, 2, 3, and 4; and Plant Yates Units 1, 6, and 7, except when operated as a natural gas-fired electric utility steam generating unit. The definition of natural gas-fired electric generating unit notwithstanding, Plant Yates Unit 1 shall be treated as an affected unit whenever it burns any coal.

(iii) The definition of natural gas-fired electric steam generating units specified in 40 CFR 63.10042 is hereby incorporated and adopted by reference.

(vvv) VOC Emissions from Surface Coating of Miscellaneous Plastic Parts and Products.

1. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of miscellaneous plastic parts and products that does not fall under subparagraphs 2., 3., 4., 5., 6., 7., and/or 8. of this subsection to exceed:

(i) 2.3 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a general one-component coating. If any coating delivered to the coating application system contains more than 2.3 pounds VOC per gallon, the solids equivalent limit shall be 3.35 pounds VOC per gallon of coating solids delivered to the coating application system.

(ii) 2.8 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a military specification (1-pack) coating. If any coating delivered to the coating application system contains more than 2.8 pounds VOC per gallon, the solids equivalent limit shall be 4.52 pounds VOC per gallon of coating solids delivered to the coating application system.

(iii) 3.5 pounds per gallon of coating, excluding water, delivered to a coating application system that applies one or more of the following coatings: general multi-component; extreme-performance (2-pack) coating; metallic coating; and military specification (2-pack) coating. If any coating delivered to the coating application system contains more than 3.5 pounds VOC per gallon, the solids equivalent limit shall be 6.67 pounds VOC per gallon of coating solids delivered to the coating application system.

(iv) 5.7 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a multi-colored coating. If any coating delivered to the coating application system contains more than 5.7 pounds VOC per gallon, the solids equivalent limit shall be 25.3 pounds VOC per gallon of coating solids delivered to the coating application system.

(v) 6.3 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a mold-seal coating. If any coating delivered to the coating application system contains more than 6.3 pounds VOC per gallon, the solids equivalent limit shall be 43.7 pounds VOC per gallon of coating solids delivered to the coating application system.

(vi) 6.7 pounds per gallon of coating, excluding water, delivered to a coating application system that applies an electric dissipating coating, shock-free coating, optical coating, or vacuum metalizing coating. If any coating delivered to the coating application system contains more than 6.7 pounds VOC per gallon, the solids equivalent limit shall be 74.7 pounds VOC per gallon of coating solids delivered to the coating application system.

2. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of plastic parts of automobiles and trucks at a facility that is not an automobile or light-duty truck manufacturing facility using baked coatings for interior and exterior parts to exceed:

(i) 3.5 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a non-flexible primer. If any non-flexible primer coating delivered to the coating application system contains more than 3.5 pounds VOC per gallon, the solids equivalent limit shall be 6.67 pounds VOC per gallon of coating solids delivered to the coating application system.

(ii) 4.0 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a clear coat. If any clear coat coating delivered to the coating application system contains more than 4.0 pounds VOC per gallon, the solids equivalent limit shall be 8.76 pounds VOC per gallon of coating solids delivered to the coating application system.

(iii) 4.3 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a base coat or non-base coat/clear coat. If any one of these coatings delivered to the coating application system contains more than 4.3 pounds VOC per gallon, the solids equivalent limit shall be 8.76 pounds VOC per gallon of coating solids delivered to the coating application system.

(iv) 4.5 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a flexible primer. If any coating delivered to the coating application system contains more than 4.5 pounds VOC per gallon, the solids equivalent limit shall be 11.58 pounds VOC per gallon of coating solids delivered to the coating application system.

3. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of plastic parts of automobiles and trucks at a facility that is not an automobile or light-duty truck manufacturing facility using air dried coatings for exterior parts to exceed:

(i) 4.0 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a clear coat. If any coating delivered to the coating application system contains more than 4.0 pounds VOC per gallon, the solids equivalent limit shall be 11.58 pounds VOC per gallon of coating solids delivered to the coating application system.

(ii) 4.8 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a primer. If any coating delivered to the coating application system contains more than 4.8 pounds VOC per gallon, the solids equivalent limit shall be 13.80 pounds VOC per gallon of coating solids delivered to the coating application system.

(iii) 4.0 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a base coat or a non-basecoat/clear coat. If any coating delivered to the coating application system contains more than 4.0 pounds VOC per gallon, the solids equivalent limit shall be 13.4 pounds VOC per gallon of coating solids delivered to the coating application system.

4. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of plastic parts of automobile and trucks at a facility that is not an automobile or light-duty truck manufacturing facility using air dried coatings for interior parts to exceed:

(i) 5.0 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a coating. If any coating delivered to the coating application system contains more than 5.0 pounds VOC per gallon, the solids equivalent limit shall be 15.59 pounds VOC per gallon of coating solids delivered to the coating application system.

5. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of plastic parts of automobile and trucks at a facility that is not an automobile or light-duty truck manufacturing facility using touchup and repair coatings to exceed:

(i) 5.2 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a coating. If any coating delivered to the coating application system contains more than 5.2 pounds VOC per gallon, the solids equivalent limit shall be 17.72 pounds VOC per gallon of coating solids delivered to the coating application system.

6. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of plastic parts of business machines to exceed:

(i) 2.2 pounds per gallon of coating, excluding water, delivered to a coating application system that applies a fog coat. If any coating delivered to the coating application system contains more than 2.2 pounds VOC per gallon, the solids equivalent limit shall be 3.14 pounds VOC per gallon of coating solids delivered to the coating application system.

(ii) 2.9 pounds per gallon of coating, excluding water, delivered to a coating application system that applies one or more of the following coatings: primer, topcoat, texture coat, touchup and repair. If any coating delivered to the coating application system contains more than 2.9 pounds VOC per gallon, the solids equivalent limit shall be 4.80 pounds VOC per gallon of coating solids delivered to the coating application system.

7. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of miscellaneous motor vehicle plastic parts and products at a facility that is not an automobile or light-duty truck manufacturing facility to exceed:

(i) 1.7 pounds per gallon of coating, excluding water, delivered to a coating application system that applies the following motor vehicle materials: gasket/gasket sealing material and bedliner.

(ii) 3.5 pounds per gallon of coating, excluding water, delivered to a coating application system that applies the following motor vehicle materials: cavity wax, sealer, deadener, underbody coating, trunk interior coating, and lubricating wax/compound.

8. No person shall cause, let, permit, suffer, or allow the emissions of VOC from surface coating of plastic parts of automobile and trucks at a facility that is not an automobile or light-duty truck manufacturing facility using red or black coatings to exceed 1.15 times the applicable limit in this subsection except in the case of touch-up and repair coatings in which the applicable limit shall apply.

9. Each owner or operator of a facility that coats plastic parts shall ensure that all coating application systems utilize one or more of the application techniques stated below:

(i) Electrostatic spray application;

(ii) High volume low pressure (HVLP) spraying;

(iii) Flow/curtain application;

(iv) Roll coating;

(v) Dip coat application including electrodeposition;

(vi) Airless spray;

(vii) Air-assisted airless spray; or

(viii) Other coating application methods that achieve transfer efficiency equivalent to HVLP or electrostatic spray application methods, as determined by the Director.

10. Each owner or operator of a facility that coats plastic parts shall comply with the following work practice standards:

(i) store all VOC-containing coatings, thinners, and coating-related waste materials in closed containers;

(ii) ensure that mixing and storage containers used for VOC-containing coatings, thinners, and coating-related waste materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing coatings, thinners, and coating-related waste materials; and

(iv) convey VOC-containing coatings, thinners, and coating-related waste materials from one location to another in closed containers or pipes.

11. Each owner or operator of a facility that coats plastic parts shall comply with the following housekeeping requirements for any affected cleaning operation:

(i) store all VOC-containing cleaning materials and used shop towels in closed containers;

(ii) ensure that storage containers used for VOC-containing cleaning materials are kept closed at all times except when depositing or removing these materials;

(iii) minimize spills of VOC-containing cleaning materials;

(iv) convey VOC-containing cleaning materials from one location to another in closed containers or pipes; and

(v) minimize VOC emission from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.

12. The VOC limits specified in this subsection do not apply to the following types of plastics coatings and/or coating operations:

(i) Touch-up and repair coatings;

(ii) Stencil coatings applied on clear or transparent substrates;

(iii) Clear or translucent coatings;

(iv) Coatings applied at a paint manufacturing facility while conducting performance tests on the coatings;

(v) Any individual coating category used in volumes less than 50 gallons in any one year, if substitute compliant coatings are not available, provided that the total usage of all such coatings does not exceed 200 gallons per year, per facility;

(vi) Reflective coating applied to highway cones;

(vii) Mask coatings that are less than 0.5 millimeter thick (dried) and the area coated is less than 25 square inches;

(viii) EMI/RFI shielding coatings; and

(ix) Heparin-benzalkonium chloride (HBAC)-containing coatings applied to medical devices, provided that the total usage of all such coatings does not exceed 100 gallons per year, per facility.

The recommended application methods and work practice standards specified in this subsection still apply.

13. Airbrush operations using five gallons or less per year of coating are exempt from the application technique requirements of this subsection but must comply with the VOC limits and work practices specified.

14. The VOC limits specified in this subsection do not apply to the coating of plastic parts of automobiles and trucks or the coating of plastic parts of business machines of the following types of coatings and/or coating operations:

(i) Texture coatings;

(ii) Vacuum metalizing coatings;

(iii) Gloss reducers;

- (iv) Texture topcoats;
- (v) Adhesion primers;
- (vi) Electrostatic preparation coatings;
- (vii) Resist coatings; and
- (viii) Stencil coatings.

The application methods and work practice standards specified in this subsection still apply.

15. All VOC emissions from solvent washings shall be considered in the emission limitations unless the solvent is directed into containers that prevent evaporation into the atmosphere.

16. The emission limits in this subsection shall be achieved by:

- (i) the application of low solvent coating technology where each and every coating meets the limit expressed in pounds VOC per gallon of coating, excluding water, stated in paragraphs 1., 2., 3., 4., 5., 6., 7., and 8. of this subsection; or
- (ii) the application of low-solvent coating technology where the 24-hour weighted average of all coatings on a single coating line or operation meets the solids equivalent limit expressed in pounds VOC per gallon of coating solids stated in paragraphs 1., 2., 3., 4., 5., 6., and 8. of this subsection. Averaging across lines is not allowed; or
- (iii) control equipment, including but not limited to incineration, carbon adsorption and condensation, with a capture system approved by the Director, provided that 90 percent of the nonmethane volatile organic compounds which enter the control equipment are recovered or destroyed, and that overall VOC emissions do not exceed the solids equivalent limit, expressed in pounds VOC per gallon of coating solids stated in paragraphs 1., 2., 3., 4., 5., 6., and 8. of this subsection; and
- (iv) for motor vehicle plastic parts, compliance may be achieved only as stated in subparagraph 7. of this section. There is no solids equivalent limit for such coatings.

17. Definitions: For the purpose of this subsection, the following definitions apply:

- (i) "2-pack coating" means a coating requiring the addition of a separate reactive resin, commonly known as a catalyst, before application to form an acceptable dry film. 2-pack coating may also be known as a "two-component coating".
- (ii) "Adhesion primer" means a coating that is applied to a polyolefin part to promote the adhesion of a subsequent coating. An adhesion prime is clearly identified as an adhesion prime or adhesion promoter on its accompanying material safety data sheet.
- (iii) "Air brush operations" means the application of a coating with a small, air-operated tool.
- (iv) "Air-dried coating" means a coating that is dried by the use of air or forced warm air at temperatures up to 194°F.
- (v) "Baked Coating" means a coating that is cured at a temperature at or above 90°C (194°F).
- (vi) "Base Coat" means an initial coat of paint, generally after a primer, that is applied for protection or as a background color.

(vii) "Bedliner" means a multi-component coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to a cargo bed after the application of topcoat to provide additional durability and chip resistance.

(viii) "Black coating" means a coating which meets both of the following criteria:

(1) maximum lightness: 23 units; and

(2) saturation: less than 2.8, where saturation equals the square root of $A^2 + B^2$. These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, maximum lightness is 33 units.

(ix) "Business machine" means a device that uses electronic or mechanical methods to process information, perform calculations, print or copy information or convert sound into electrical impulses for transmission, including devices listed in standard industrial classification numbers 3572, 3573, 3579, and 3661 and photocopy machines, a subcategory of standard industrial classification number 3861.

(x) "Cavity wax" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied into the cavities of the vehicle primarily for the purpose of enhancing corrosion protection.

(xi) "Clear coating" means a coating which lacks color and opacity or is transparent and uses the undercoat as a reflectant base or undertone color;

(xii) "Coating application system" means all operations and equipment which applies, conveys, and dries a surface coating including, but not limited to, spray booths, flow coaters, flashoff areas, air dryers and ovens.

(xiii) "Coating of plastic parts of automobiles and trucks" means the coating of any plastic part that is or shall be assembled with other parts to form an automobile or truck.

(xiv) "Coating of plastic parts of business machines" means the coating of any plastic part that is or shall be assembled with other parts to form a business machine.

(xv) "Deadener" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to selected vehicle surfaces primarily for the purpose of reducing the source of road noise in the passenger compartment.

(xvi) "Electric dissipating coating" means a coating that rapidly dissipates a high-voltage electric charge.

(xvii) "Electrostatic prep coat" means a coating that is applied to a plastic part solely to provide conductivity for the subsequent application of a primer, a topcoat, or other coating through the use of electrostatic application methods. An electrostatic prep coat is clearly identified as an electrostatic prep coat on its accompanying material safety data sheet.

(xviii) "EMI/RFI shielding coating" means a coating used on plastic electronics enclosures to reduce or eliminate electromagnetic or radio frequency interference.

(xix) "Extreme-performance coating" means a coating used on a plastic surface where the coated surface is, in its intended use, subject to the following:

(a) chronic exposure to corrosive, caustic or acidic agents, chemicals, chemical fumes, chemical mixtures or solutions; or

(b) repeated exposure to temperatures in excess of 250°F; or

(c) repeated heavy abrasion, including mechanical wear and repeated scrubbing with industrial grade solvents, cleansers or scouring agents. Extreme-performance coatings include, but are not limited to, coatings applied to locomotives, railroad cars, farm machinery, and heavy duty trucks.

(xx) "Flexible coating" means any coating including but not limited to primer, base coat, clear coat or topcoat that is required to comply with engineering specifications for impact resistance, mandrel bend, or elongation as defined by the original equipment manufacturer.

(xxi) "Fog coat" means a coating that is applied to a plastic part for the purpose of color matching without masking a molded-in texture. A fog coat shall not be applied at a thickness of more than 0.5 mils of coating solids.

(xxii) "Gasket/sealing material" means a fluid, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to coat a gasket or replace and perform the same function as a gasket. Automobile and light-duty truck gasket/gasket sealing material includes room temperature vulcanization (RTV) seal material.

(xxiii) "Gloss reducer" means a coating that is applied to a plastic part solely to reduce the shine of the part. A gloss reducer shall not be applied at a thickness of more than 0.5 mils of coating solids.

(xxiv) "Lubricating wax/compound" means a protective lubricating material, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to vehicle hubs and hinges.

(xxv) "Metallic coating" means a coating which contains more than five grams of metal particles per liter of coating as applied. "Metal particles" are pieces of a pure elemental metal or combination of elemental metals.

(xxvi) "Miscellaneous plastic parts and products" means surface coating of products manufactured by the following industrial source categories: large farm machinery, small farm machinery, small appliances, commercial machinery, industrial machinery, fabricated plastic products and any other industrial category which coats plastic parts or products under the Standard Industry Classification Code Major Groups 33, 34, 35, 36, 37, 38, 40, and 41. The miscellaneous plastic parts and products source category does not include:

(I) automobiles and light-duty trucks;

(II) metal cans;

(III) flat metal sheets and strips in the form of rolls or coils;

(IV) magnet wire for use in electrical machinery;

(V) metal furniture;

(VI) large appliances;

(VII) aerospace manufacturing and rework operations;

(VIII) automobile refinishing;

(IX) customized top coating of automobiles and trucks, if production is less than 35 vehicles per day;

(X) exterior of marine vessels;

(XI) gel coats applied to fiber reinforced plastic (fiberglass composite) products removed from the mold or used as in-mold coatings in the production of fiberglass parts;

(XII) fiberglass boat manufacturing materials; and

(XIII) miscellaneous industrial adhesives.

(xxvii) "Military specification coating" means a coating which has a formulation approved by a United States Military Agency for use on military equipment.

(xxviii) "Mold-seal coating" means the initial coating applied to a new mold or a repaired mold to provide a smooth surface which, when coated with a mold release coating, prevents products from sticking to the mold.

(xxix) "Multi-colored coating" means a coating which exhibits more than one color when applied and is packaged in a single container and applied in a single coat.

(xxx) "Multi-component coating" means a coating requiring the addition of a separate reactive resin, commonly known as a catalyst or hardener, before application to form an acceptable dry film.

(xxxi) "Non-flexible Coating" means any coating that does not meet the definition of "flexible coating" as specified in this subsection.

(xxxii) "One-component coating" or "1-pack coating" means a coating that is ready for application as it comes out of its container to form an acceptable dry film. A thinner, necessary to reduce the viscosity, is not considered a component.

(xxxiii) "Optical coating" means a coating applied to an optical lens.

(xxxiv) "Primer" means the first layer and any subsequent layers of identically-formulated coating applied to the surface of a plastic part or product. Primers are typically used for corrosion prevention, protection from the environment, functional fluid resistance, and adhesion of subsequent coatings.

(xxxv) "Red coating" means a coating which meets all of the following criteria:

(I) Yellow limit: the hue of hostaperm scarlet.

(II) Blue limit: the hue of monastrel red-violet.

(III) Lightness limit for metallics: 35 percent aluminum flake.

(IV) Lightness limit for solids: 50 percent titanium dioxide white.

(V) Solid reds: hue angle of -11 to 38 degrees and maximum lightness of 23 to 45 units.

(VI) Metallic reds: hue angle of -16 to 35 degrees and maximum lightness of 28 to 45 units.

(VII) These criteria are based on Cielab color space, 0/45 geometry. For spherical geometry, specular included, the upper limit is 49 units. The maximum lightness varies as the hue moves from violet to orange. This is a natural consequence of the strength of the colorants, and real colors show this effect.

(xxxvi) "Sealer" means a high viscosity material, used at a facility that is not an automobile or light-duty truck assembly coating facility, that is generally, but not always, applied in the paint shop after the body has received an electrodeposition primer coating and before the application of subsequent coatings (e.g., primer-surfacer). The primary purpose of automobile and light-duty truck sealer is to fill body joints completely so that there is no intrusion of water, gases or corrosive materials into the passenger area of the body compartment. Such materials are also referred to as sealant, sealant primer, or caulk.

(xxxvii) "Repair coating" means a coating used to re-coat portions of a previously coated product which has sustained mechanical damage to the coating following normal coating operations.

(xxxviii) "Resist coat" means a coating that is applied to a plastic part before metallic plating to prevent deposits of metal on portions of the plastic part.

(xxxix) "Shock-free coating" means a coating applied to electrical components to protect the user from electric shock. The coating has characteristics of being of low capacitance, high resistance, and having resistance to breaking down under high voltage.

(xl) "Stencil coating" means an ink or a pigmented coating which is rolled or brushed onto a template or stamp in order to add identifying letters, symbols and/or numbers.

(xli) "Texture coating" means a coating that is applied to a plastic part which, in its finished form, consists of discrete raised spots of the coating.

(xlii) "Topcoat" means any final coating applied to a plastic part or product.

(xlili) "Touch-up coating" means a coating used to cover minor coating imperfections appearing after the main coating operation.

(xliv) "Translucent coating" means a coating which contains binders and pigment and is formulated to form a colored, but no opaque, film.

(xlv) "Transfer efficiency" means the weight (or volume) of coating solids adhering to the surface being coated divided by the total weight (or volume) of coating solids delivered to the applicator.

(xlvi) "Trunk interior coating" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to the trunk interior to provide chip protection.

(xlvii) "Underbody coating" means a coating, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to the undercarriage or firewall to prevent corrosion and/or provide chip protection.

(xlviii) "Vacuum-metalizing coating" means the undercoat applied to the substrate on which the metal is deposited or the overcoat applied directly to the metal film. Vacuum metalizing/physical vapor deposition (PVD) is the process whereby metal is vaporized and deposited on a substrate in a vacuum chamber.

18. Applicability: On and after January 1, 2015, the requirements of this subparagraph (vvv) shall apply to facilities at which the potential emissions of volatile organic compounds from all surface coating of miscellaneous plastic parts and products categories covered in subparagraphs 1. through 8. of this subparagraph equal or exceed 10 tons per year and are located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton counties. Any physical or operational changes that are necessary to comply with the provisions specified in this subparagraph are subject to the compliance schedule specified in subparagraph 20. Prior to January 1, 2015, such facilities shall comply with the provisions of subparagraph 391-3-1-.02(2)(tt), if applicable.

19. Applicability: The requirements of this Subparagraph (vvv) will no longer be applicable by the compliance deadlines if the counties specified in subparagraph 18. are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of this Subparagraph (vvv) will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

20. Compliance Schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified this subparagraph (vvv) must be completed before **January 1, 2015**.

(www) **Sewage Sludge Incineration Units.**

1. The provisions of this subparagraph apply to each sewage sludge incineration (SSI) unit that is located at a wastewater treatment facility and that commenced construction on or before October 14, 2010 (hereinafter referred to as "existing SSI unit"). Physical or operational changes made at an existing SSI unit solely to comply with this subparagraph are not considered construction, reconstruction, or modification and would not subject an existing SSI unit to the requirements of 40 CFR Part 60, Subpart LLLL, which contains the "Standards of Performance for Sewage Sludge Incineration Units for Which Construction is Commenced After October 14, 2010".

2. For the purposes of implementing the requirements and provisions of 40 CFR Part 60, Subpart MMMM (Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units), each existing SSI unit shall comply with the model rule standards, requirements, and provisions of 40 CFR Part 60, Subpart MMMM, as promulgated March 21, 2011, which are hereby incorporated and adopted by reference.

(i) For the purposes of implementing the requirements and provisions of 40 CFR Part 60, Subpart MMMM, the following provisions are hereby incorporated and adopted by reference. The emission limits and standards apply at all times and during periods of malfunction. The operating limits apply at all times that sewage sludge is in the combustion chamber.

(I) 40 CFR 60.5085 through 40 CFR 60.5125, Increments of Progress with the exception of 40 CFR 60.5090 and Table 1 which do not apply to an Existing SSI.

(II) 40 CFR 60.5130 through 40 CFR 60.5160, Operator Training and Qualification.

(III) 40 CFR 60.5240 and 60.5245, Title V Operating Permits.

(IV) 40 CFR Part 60, Subpart MMMM Tables 2 through 6 and 60.5181.

(ii) With the following exceptions:

(I) Emission Limits, Emission Standards, and Operating Limits and Requirements. In lieu of 40 CFR 60.5165 through 60.5180, Sections 2.130.2 through 2.130.4 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants shall apply to each existing SSI unit.

(II) Initial and Continuous Compliance Requirements. In lieu of 40 CFR 60.5185 through 60.5215, Sections 2.130.2 through 2.130.4 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants shall apply to each existing SSI unit.

(III) Performance Testing, Monitoring, and Calibration Requirements. In lieu of 40 CFR 60.5220 through 60.5225, Sections 2.130.2 through 2.130.4 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants shall apply to each existing SSI unit.

(IV) Record keeping and Reporting Requirements. In lieu of 40 CFR 60.5230 and 60.5235, Sections 2.130.2 through 2.130.4 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants shall apply to each existing SSI unit.

3. In keeping with subparagraph 2., owners and operators of existing SSI units must comply with Georgia's state plan for existing SSI units, which is required by 40 CFR Part 60, Subpart MMMM. The owner or operator of each existing SSI unit shall comply with the requirements of 391-3-1-.02(2)(www) 2. upon approval of Georgia's state plan for existing SSI units by EPA.

4. Each existing SSI unit is subject to the permitting requirements of [391-3-1-.03\(10\)](#) "Title V Operating Permits".

5. Definitions of all terms used but not defined in this subparagraph shall have the meaning given to them in 40 CFR Part 60, Subpart Mmmm, as promulgated on March 21, 2011. Terms not defined therein shall have the meaning given to them in the federal Clean Air Act or 40 CFR Part 60, Subparts A and B. For the purposes of this subsection the following definitions also apply:

(i) Except as noted, the word "Administrator" as used in regulations adopted by reference in this subparagraph shall mean the Director of the Georgia Environmental Protection Division. For subparagraph (www)6. the word "Administrator" shall mean the Administrator of the EPA.

(ii) The term "You" means the owner or operator of an affected sewage sludge incineration unit subject to this rule.

6. The owner of an existing SSI facility must contact EPA with respect to the following subparagraphs (i) through (vii) as specified in 40 CFR 60.5050.

(i) Approval of alternatives to the emission limits and standards in Tables 2 and 3 to 40 CFR Part 60, Subpart Mmmm and operating limits established under provisions of 40 CFR 60.5175 or 60.5190.

(ii) Approval of major alternatives to test methods.

(iii) Approval of major alternatives to monitoring.

(iv) Approval of major alternatives to recordkeeping and reporting.

(v) The requirements in provision 40 CFR 60.5175.

(vi) The requirements in provision 40 CFR 60.5155(b)(2).

(vii) Performance test and data reduction waivers under provision 40 CFR 60.8(b).

(xxx) **Reserved.**

(yyy) **VOC Emissions from the Use of Miscellaneous Industrial Adhesives.**

1. No person shall cause, let, permit, suffer or allow the emissions of VOC from the use of miscellaneous industrial adhesives with general adhesive application processes to exceed:

(i) 0.3 pounds per gallon of adhesive or adhesive primer, excluding water, when used with one of the following substrates: metal; wood.

(ii) 1.0 pounds per gallon of adhesive or adhesive primer, excluding water, when used with porous material (except wood) substrates.

(iii) 1.7 pounds per gallon of adhesive or adhesive primer, excluding water, when used with reinforced plastic composite substrates.

(iv) 2.1 pounds per gallon of adhesive or adhesive primer, excluding water, when used with flexible vinyl or rubber substrates.

(v) 2.1 pounds per gallon of adhesive or adhesive primer, excluding water, when used with a substrate not specified in paragraphs 1.(i) through 1.(iv).

2. No person shall cause, let, permit, suffer, or allow the emissions of VOC from the use of miscellaneous industrial adhesives with specialty adhesive application processes to exceed:

(i) 0.8 pounds per gallon of adhesive or adhesive primer, excluding water, when used with one of the following: structural glazing; tire repair.

- (ii) 1.1 pounds per gallon of adhesive or adhesive primer, excluding water, when used in ceramic tile installation.
 - (iii) 1.3 pounds per gallon of adhesive or adhesive primer, excluding water, when used with one of the following: cove base installation; indoor floor covering installation.
 - (iv) 1.4 pounds per gallon of adhesive or adhesive primer, excluding water, when used with waterproof resorcinol glue.
 - (v) 1.7 pounds per gallon of adhesive or adhesive primer, excluding water, when used with multipurpose construction.
 - (vi) 2.1 pounds per gallon of adhesive or adhesive primer, excluding water, when used with one of the following: contact bond adhesive; outdoor floor covering installation; motor vehicle adhesive; single-ply roof membrane installation/repair (except ethylene propylenediene monomer (EPDM) roof membrane installation/repair).
 - (vii) 3.3 pounds per gallon of adhesive or adhesive primer, excluding water, when used with plastic solvent welding (containing acrylonitrile-butadiene-styrene or ABS).
 - (viii) 4.2 pounds per gallon of adhesive or adhesive primer, excluding water, when used with plastic solvent welding (except ABS).
 - (ix) 5.5 pounds per gallon of adhesive or adhesive primer, excluding water, when used with perimeter-bonded sheet vinyl (floor covering installation).
 - (x) 6.3 pounds per gallon of adhesive or adhesive primer, excluding water, when used with motor vehicle weatherstrip adhesive.
 - (xi) 6.5 pounds per gallon of adhesive or adhesive primer, excluding water, when used with thin metal laminating.
 - (xii) 7.1 pounds per gallon of adhesive or adhesive primer, excluding water, when used with one of the following: metal to urethane/rubber molding or casting; sheet rubber lining installation.
3. No person shall cause, let, permit, suffer, or allow the emissions of VOC from the use of miscellaneous industrial adhesives with adhesive primer application processes to exceed:
- (i) 7.5 pounds per gallon of adhesive or adhesive primer, excluding water, when used as motor vehicle glass bonding primer.
 - (ii) 5.4 pounds per gallon of adhesive or adhesive primer, excluding water, when used as a plastic solvent welding adhesive primer.
 - (iii) 2.1 pounds per gallon of adhesive or adhesive primer, excluding water, when used as an adhesive primer for an application process not specified in paragraphs 3.(i) through 3.(ii).
4. All volatile organic compounds containing materials applied by each miscellaneous industrial adhesive application process shall be used in one of the following application methods in conjunction with using low volatile organic compound adhesives or adhesive primers:
- (i) Electrostatic spray;
 - (ii) High Volume-Low Pressure (HVLP) spray;
 - (iii) Flow coat;

(iv) Roll coat or hand application, including non-spray application methods similar to hand or mechanically-powered caulking gun, brush, or direct hand application;

(v) Dip coat (including electrodeposition);

(vi) Airless spray;

(vii) Air-assisted airless spray; or

(viii) Other adhesive application method capable of achieving a transfer efficiency equivalent to or better than achieved by HVLP spraying.

5. The VOC emission limits and the recommended application methods of this subsection do not apply to the following adhesives and adhesives primer application processes:

(i) Adhesives or adhesive primers being tested or evaluated in any research and development, quality assurance, or analytical laboratory.

(ii) Adhesives or adhesive primers used in the assembly, repair, or manufacture of aerospace or undersea-based weapon systems.

(iii) Adhesives or adhesive primers used in medical equipment manufacturing operations.

(iv) Cyanoacrylate adhesive application processes.

(v) Aerosol adhesive and aerosol adhesive primer application processes.

(vi) Processes using polyester bonding putties to assemble fiberglass parts at fiberglass boat manufacturing facilities and at other reinforced plastic composite manufacturing facilities.

(vii) Processes using adhesives and adhesive primers that are supplied to the manufacturer in containers with a net volume of 16 ounces or less, or a net weight of one pound or less,

The recommended work practice standards specified in this subsection still apply.

6. The emission limits in this subsection shall be achieved by the application of adhesive or adhesive primer where each and every adhesive meets the limit expressed in pounds VOC per gallon of coating, excluding water, stated in paragraphs 1., 2., and 3. of this subsection; or

7. Any miscellaneous industrial adhesive application process subject to this subsection, which chooses to use control equipment for adhesive application processes rather than to comply with the emission limits and requirements established in paragraphs 1., 2., 3., and 4. of this subsection, shall install control equipment with an overall control efficiency of at least 85 percent or use a combination of adhesives and add-on control equipment on an application process to meet limits established in paragraph 1. of this subsection.

8. If an adhesive is used to bond dissimilar substrates together in general adhesive application processes, then the applicable substrate category with the highest volatile organic compounds emission limit shall be established as the limit for such application.

9. For the purpose of this subsection; the following definitions apply:

(i) "Acrylonitrile-butadiene-styrene" or "ABS welding" means any process to weld acrylonitrile-butadiene-styrene pipe.

(ii) "Adhesive" means any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

(iii) "Adhesive primer" means any product intended by the manufacturer for application to a substrate, prior to the application of an adhesive, to provide a bonding surface.

(iv) "Adhesive primer application process" means any one of the following: motor vehicle glass bonding primer; plastic solvent welding adhesive primer; single-ply roof membrane adhesive primer; other adhesive primer.

(v) "Aerosol adhesive" means an adhesive or adhesive primer packaged as an aerosol product in which the spray mechanism is permanently housed in a non-refillable can designed for handheld application without the need for ancillary hoses or spray equipment.

(vi) "Air-assisted airless spray" means a system that consists of an airless spray gun with a compressed air jet at the gun tip to atomize the adhesive.

(vii) "Airless spray" means the application of an adhesive through an atomizing nozzle at high pressure (1,000 to 6,000 pounds per square inch) by a pump force.

(viii) "Ceramic tile installation adhesive" means any adhesive intended by the manufacturer for use in the installation of ceramic tiles.

(xi) "Contact bond adhesive" means an adhesive that:

(1) is designed for application to both surfaces to be bonded together,

(2) is allowed to dry before the two surfaces are placed in contact with each other,

(3) forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces are placed in contact with each other, and

(4) does not need sustained pressure or clamping of surfaces after the adhesive-coated surfaces have been brought together using sufficient momentary pressure to establish full contact between both surfaces. Contact bond adhesive also does not include rubber cements that are primarily intended for use on paper substrates. Contact bond adhesive also does not include vulcanizing fluids that are designed and labeled for tire repair only.

(xii) "Cove base" means a flooring trim unit, generally made of vinyl or rubber, having a concave radius on one edge and a convex radius on the opposite edge that is used in forming a junction between the bottom wall course and the floor or to form an inside corner.

(xiii) "Cove base installation adhesive" means any adhesive intended by the manufacturer to be used for the installation of cove base or wall base on a wall or vertical surface at floor level.

(xiv) "Cyanoacrylate adhesive" means any adhesive with a cyanoacrylate content of at least 95 percent by weight.

(xv) "Dip coating" means application where substrates are dipped into a tank containing the adhesive. The substrates are then withdrawn from the tank and any excess adhesive is allowed to drain.

(xvii) "Electrostatic spray" means application where the adhesive and substrate are oppositely charged.

(xviii) "EPDM roof membrane" means a prefabricated single sheet of elastomeric material composed of ethylene propylenediene monomer (EPDM) and that is field applied to a building roof using one layer or membrane material.

(xix) "Flexible vinyl" means non-rigid polyvinyl chloride plastic with a 5 percent by weight plasticizer content.

(xx) "Flow coating" means conveying the substrate over an enclosed sink where the adhesive is applied at low pressure as the item passes under a series of nozzles.

(xxi) "General adhesive application processes" means the use of adhesive on any one of the following substrates: reinforced plastic composite; flexible vinyl; metal; porous material (except wood); rubber; wood; other substrates.

(xxii) "HVLP" means a system with specialized nozzles that provide better air and fluid flow at lower air pressure, shape spray pattern, and guide high volumes of atomized adhesive particles to the substrate using lower air pressure (10 pounds per square inch or less at the spray cap).

(xxiii) "Indoor floor covering installation adhesive" means any adhesive intended by the manufacturer for use in the installation of wood flooring, carpet, resilient tile, vinyl tile, vinyl backed carpet, resilient sheet and roll or artificial grass. Adhesives used to install ceramic tile and perimeter bonded sheet flooring with vinyl backing onto a non-porous substrate, such as flexible vinyl, are excluded from this category.

(xxv) "Metal to urethane/rubber molding or casting adhesive" means any adhesive intended by the manufacturer to bond metal to high density or elastomeric urethane or molded rubber materials, in heater molding or casting processes, to fabricate products such as rollers for computer printers or other paper handling equipment.

(xxvi) "Miscellaneous industrial adhesive application" means an application process which consists of a series of one or more adhesive applicators and any associated drying area and/or oven wherein an adhesive is applied, dried, and/or cured. An application process ends at the point where the adhesive is dried or cured, or prior to any subsequent application of a different adhesive. It is not necessary for an application process to have an oven or flash-off area.

(xxvii) "Motor vehicle adhesive" means an adhesive, including glass bonding adhesive, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied for the purpose of bonding tow vehicle surfaces together without regard to the substrates involved.

(xxviii) "Motor vehicle glass bonding primer" means a primer, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to a windshield or other glass, or to body openings, to prepare the glass or body opening for the application of glass bonding adhesives or the installation of adhesive bonded glass. Motor vehicle glass bonding primer includes glass bonding/cleaning primers that perform both functions (cleaning and priming of the windshield or other glass, or body openings) prior to the application of adhesive or the installation of adhesive bonded glass.

(xxix) "Motor vehicle weatherstrip adhesive" means an adhesive, used at a facility that is not an automobile or light-duty truck assembly coating facility, applied to weatherstripping materials for the purpose of bonding the weatherstrip material to the surface of the vehicle.

(xxx) "Multipurpose construction adhesive" means any adhesive intended by the manufacturer for use in the installation or repair of various construction materials, including but not limited to drywall, subfloor, panel, fiberglass reinforced plastic (FRP), ceiling tile and acoustical tile.

(xxxi) "Outdoor floor covering installation adhesive" means any adhesive intended by the manufacturer for use in the installation of floor covering that is not in an enclosure and that is exposed to ambient weather conditions during normal use.

(xxxii) "Panel installation" means the installation of plywood, pre-decorated hardboard (or tileboard), fiberglass reinforced plastic, and similar pre-decorated or non-decorated panels to studs or solid surfaces using an adhesive formulated for that purpose.

(xxxiii) "Perimeter bonded sheet vinyl installation" means the installation of sheet flooring with vinyl backing onto a nonporous substrate using an adhesive designed to be applied only to a strip of up to four inches wide around the perimeter of the sheet flooring.

(xxxiv) "Plastic solvent welding adhesive" means any adhesive intended by the manufacturer for use to dissolve the surface of plastic to form a bond between mating surfaces.

(xxxv) "Plastic solvent welding adhesive primer" means any primer intended by the manufacturer for use to prepare plastic substrates prior to bonding or welding.

(xxvi) "Plastics" means synthetic materials chemically formed by the polymerization of organic (carbon-based) substances. Plastics are usually compounded with modifiers, extenders, and/or reinforcers and are capable of being molded, extruded, cast into various shapes and films, or drawn into filaments.

(xxxvii) "Porous material" means a substance that has tiny openings, often microscopic, in which fluids may be absorbed or discharged, including, but not limited to, paper and corrugated paperboard. For the purpose of this section, porous material does not include wood.

(xl) "Reinforced plastic composite" means a composite material consisting of plastic reinforced with fibers.

(xli) "Roll coating", "brush coating", and "hand application" means application of high viscosity adhesives onto small surface area.

(xlii) "Rubber" means any natural or manmade rubber substrate, including but not limited to, styrene-butadiene rubber, polychloroprene (neoprene), butyl rubber, nitrile rubber, chlorosulfonated polyethylene and ethylene propylene diene terpolymer.

(xlili) "Sheet rubber lining installation" means the process of applying sheet rubber liners by hand to metal or plastic substrates to protect the underlying substrate from corrosion or abrasion. These operations also include laminating sheet rubber to fabric by hand.

(xliv) "Single-ply roof membrane" means a prefabricated single sheet or rubber, normally ethylene-propylenediene terpolymer, that is field applied to a building roof using one layer of membrane material. For the purposes of this section, single-ply roof membrane does not include membranes prefabricated from ethylene-propylenediene monomer (EPDM).

(xlv) "Single-ply roof membrane installation and repair adhesive" means any adhesive labeled for use in the installation or repair of single-ply roof membrane. Installation includes, as a minimum, attaching the edge of the membrane to the edge of the roof and applying flashings to vents, pipes and ducts that protrude through the membrane. Repair includes gluing the edges of torn membrane together, attaching a patch over a hole and reapplying flashings to vents, pipes or ducts installed through the membrane.

(xlvi) "Single-ply roof membrane adhesive primer" means any primer labeled for use to clean and promote adhesion of the single-ply roof membrane seams or splices prior to bonding.

(xlvii) "Specialty adhesive application processes" means any one of the following: ceramic tile installation; contact bond adhesive; cove base installation; floor covering installation (indoor); floor covering installation (outdoor); floor covering installation (perimeter bonded sheet vinyl); metal to urethane/rubber molding or casting; motor vehicle adhesive; motor vehicle weatherstrip adhesive; multipurpose construction; plastic solvent welding (ABS); plastic solvent welding (except ABS); sheet rubber lining installation; single-ply roof membrane installation/repair (except EPDM); structural glazing; thin metal laminating; tire repair; and waterproof resorcinol glue.

(xlviii) "Structural glazing" means a process that includes the application of adhesive to bond glass, ceramic, metal, stone or composite panels to exterior building frames.

(xlix) "Thin metal laminating adhesive" means any adhesive intended by the manufacturer for use in bonding multiple layers of metal to metal or metal to plastic in the production of electronic or magnetic components in which the thickness of the bond line(s) is less than 0.25 millimeters.

(l) "Tire repair" means a process that includes expanding a hole, tear, fissure or blemish in a tire casing by grinding or gouging, applying adhesive and filling the hole or crevice with rubber.

(li) "Waterproof resorcinol glue" means a 2-part resorcinol-resin-based adhesive designed for applications where the bond line must be resistant to conditions of continuous immersion in fresh or salt water.

10. Applicability: On and after January 1, 2015, the requirements of this Subparagraph (yyy) shall apply:

(i) to facilities at which the actual emissions of volatile organic compounds from all miscellaneous industrial adhesive application processes at a facility equal or exceed 2.7 tons per 12-month rolling period for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton counties;

(ii) the facility is not subject to Georgia Rules 391-3-1-.02(2)(t), (u), (v), (w), (x), (y), (z), (jj), (ll), (mm), (ddd), or (kkk); and

(iii) any physical or operational changes that are necessary to comply with the provisions specified in this subparagraph are subject to the compliance schedule specified in Subparagraph 12.

Prior to January 1, 2015, facilities that meet the applicability provisions of subparagraphs 10.(i) and (ii) shall comply with the provisions of Subparagraph 391-3-1-.02(2)(tt), if applicable.

11. Applicability: The requirements of this Subparagraph (yyy) will no longer be applicable by the compliance deadlines if the counties specified in subparagraph 10. are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of this Subparagraph (yyy) will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

12. Compliance Schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified in this Subparagraph (yyy) must be completed before **January 1, 2015**.

(zzz) VOC Emissions from the Fiberglass Boat Manufacturing.

1. No person shall cause, let, permit, suffer or allow the emissions of monomer VOC from open molding resin and gel coat operations to exceed the limit specified by Equation 1 of this section, based on a 12-month rolling average.

Equation 1:

$$\text{Monomer VOC Limit} = 46(M_R) + 159(M_{PG}) + 291(M_{CG}) + 54(M_{TR}) + 214(M_{TG})$$

where:

Monomer VOC Limit = total allowable monomer VOC that can be emitted from the open molding operations included in the average, kilograms per 12 consecutive-month period.

M_R = mass of production resin used in the previous 12 consecutive months, excluding any materials that are exempt (megagrams).

M_{PG} = mass of pigmented gel coat used in the previous 12 consecutive months, excluding any materials that are exempt (megagrams).

M_{CG} = mass of clear gel coat used in the previous 12 consecutive months, excluding any materials that are exempt (megagrams).

M_{TR} = mass of tooling resin used in the previous 12 consecutive months, excluding any materials that are exempt (megagrams).

M_{TG} = mass of tooling gel coat used in the previous 12 consecutive months, excluding any materials that are exempt (megagrams).

2. The emission limit specified by Equation 1 of this subsection shall be achieved by one or more of the options listed in paragraphs 2.(i) through 2.(iii) of this subsection:

(i) Emissions averaging option: Demonstrate that emissions from the open molding resin and gel coat operations included in the average meet the emission limit specified by Equation 1 of this subsection using the procedures described in subparagraph 3. of this subsection.

(I) Compliance with this option is based on a 12-month rolling average; and

(II) Those operations and materials not included in the emissions average must comply with either paragraph 2.(ii) or 2.(iii) of this subsection.

(ii) Compliant materials option: Demonstrate compliance by using resins and gel coats that meet the monomer VOC content requirements specified in subparagraph 4. of this subsection.

(I) Compliance with this option is based on a 12-month rolling average.

(iii) Add-on control option: Use an enclosure and add-on control device, and demonstrate that the resulting emissions meet the emission limit specified by Equation 1 of this subsection.

(I) Compliance with this option is based on control device performance testing and control device monitoring.

3. Emissions Averaging Option:

(i) Compliance using this option is demonstrated on a 12-month rolling average basis and is determined at the end of every month (12 times per year).

(ii) At the end of the first twelfth month after initial operation and at the end of every subsequent month, use Equation 2 of this subsection to demonstrate that the monomer VOC emissions from those operations included in the average do not exceed the emission limit specified by Equation 1 of this subsection for the same 12-month period. (Include terms in Equation 1 and Equation 2 of this subsection only for those operations and materials included in the average.)

Equation 2:

Monomer VOC emissions =

$$(PV_R)(M_R) + (PV_{PG})(M_{PG}) + (PV_{CG})(M_{CG}) + (PV_{TR})(M_{TR}) + (PV_{TG})(M_{TG})$$

where:

Monomer VOC emissions = Monomer VOC emissions calculated using the monomer VOC emission equations for each operation included in the average (kilograms).

PV_R = Weighted-average monomer VOC emission rate for production resin used in the past 12 months (kilograms per megagram).

M_R = Mass of production resin used in the past 12 months (megagrams).

PV_{PG} = Weighted-average monomer VOC emission rate for pigmented gel coat used in the past 12 months (kilograms per megagram).

M_{PG} = Mass of pigmented gel coat used in the past 12 months (megagrams).

PV_{CG} = Weighted-average monomer VOC emission rate for clear gel coat used in the past 12 months (kilograms per megagram).

M_{CG} = Mass of clear gel coat used in the past 12 months (megagrams).

PV_{TR} = Weighted-average monomer VOC emission rate for tooling resin used in the past 12 months (kilograms per megagram).

M_{TR} = Mass of tooling resin used in the past 12 months (megagrams).

PV_{TG} = Weighted-average monomer VOC emission rate for tooling gel coat used in the past 12 months (kilograms per megagram).

M_{TG} = Mass of tooling gel coat used in the past 12 months (megagrams).

(iii) At the end of every calendar month, use Equation 3 of this subsection to compute the weighted average monomer VOC emission rate for each open molding resin and gel coat operation included in the average:

Equation 3:

$$PV_{OP} = \left[\frac{\sum_{i=1}^n [(M_i)(PV_i)]}{\sum (M_i)} \right]$$

where:

PV_{OP} = Weighted-average monomer VOC emission rate for each open molding operation (PV_R , PV_{PG} , PV_{CG} , PV_{TR} , PV_{TG}) included in the average, kilograms of monomer VOC per megagram of material applied.

M_i = Mass of resin or gel coat used within an operation in the past 12 months, megagrams.

n = Number of different open molding resins and gel coats used within an operation in the past 12 months.

PV_i = The monomer VOC emission rate for resin or gel coat used within an operation in the past 12 months, kilograms of monomer VOC per megagram of material applied.

(iv) The monomer VOC emission rate (PV_i) from the atomization of production resin or tooling resin is computed by the following equation:

$$[(0.014)(Resin\ VOC\%^{2.425})]$$

(v) The monomer VOC emission rate (PV_i) from the atomization plus vacuum bagging with roll-out of production resin or tooling resin is computed by the following equation:

$$\left[(0.01185) (\text{Resin VOC}\%^{2.425}) \right]$$

(vi) The monomer VOC emission rate (PV_i) from the atomization plus vacuum bagging without roll-out of production resin or tooling resin is computed by the following equation:

$$\left[(0.00945) (\text{Resin VOC}\%^{2.425}) \right]$$

(vii) The monomer VOC emission rate (PV_i) from the non-atomization of production resin or tooling resin is computed by the following equation:

$$\left[(0.014) (\text{Resin VOC}\%^{2.275}) \right]$$

(viii) The monomer VOC emission rate (PV_i) from the non-atomization plus vacuum bagging with roll-out of production resin or tooling resin is computed by the following equation:

$$\left[(0.0110) (\text{Resin VOC}\%^{2.275}) \right]$$

(ix) The monomer VOC emission rate (PV_i) from the non-atomization plus vacuum bagging without roll-out of production resin or tooling resin is computed by the following equation:

$$\left[(0.0076) (\text{Resin VOC}\%^{2.275}) \right]$$

(x) The monomer VOC emission rate (PV_i) from the application of any pigmented gel coat, clear gel coat or tooling gel coat is computed by the following equation:

$$\left[(0.445) (\text{Gel Coat VOC}\%^{1.675}) \right]$$

4. Compliant Coating Option: For each open molding operation complying using the compliant materials option:

(i) The monomer VOC content requirements are specified in paragraphs 4.(i)(I) through 4.(i)(VII).

(I) The weighted-average monomer VOC content requirement for spray atomized production resin operations is 28 percent (weight percent).

(II) The weighted-average monomer VOC content requirement for nonatomized production resin operations is 35 percent (weight percent).

(III) The weighted-average monomer VOC content requirement for pigmented gel coat operations applied using any method is 33 percent (weight percent).

(IV) The weighted-average monomer VOC content requirement for clear coat gel operations using any method is 48 percent (weight percent).

(V) The weighted-average monomer VOC content requirement for atomized tool resin operations is 30 percent (weight percent).

(VI) The weighted-average monomer VOC content requirement for nonatomized tooling resin operations is 39 percent (weight percent).

(VII) The weighted-average monomer VOC content requirement for tooling gel coat operations applied using any method is 40 percent (weight percent).

(ii) Compliance using the monomer VOC content requirements listed in paragraph 4.(i)(I) through 4.(i)(VII) is based on a 12-month rolling average that is calculated at the end of every month.

(iii) At the end of the first twelfth month and at the end of every subsequent month, if all resins and gel coats used in an operation have monomer VOC contents no greater than the applicable monomer VOC content limits specified in paragraph 4.(i)(I) through 4.(i)(VII), then:

(I) Compliance with the emission limit specified by Equation 1 of this subsection for the particular operation is achieved; and

(II) There is no need to complete the calculations required by paragraph 4.(iv) for that operation.

(iv) If compliance as specified in subparagraph 4.(iii) is not achieved, calculate the weighted-average monomer VOC content for all resins and gel coats [excluding filled resins] used in the previous 12 months at the end of every month using Equation 4:

Equation 4:

Weighted-Average Monomer VOC Content (%) =

$$\left[\frac{\sum_{i=1}^n [(M_i)(VOC_i)]}{\sum_{i=1}^n (M_i)} \right]$$

where:

M_i = Mass of open molding resin or gel coat used in the past 12 months in an operation (megagrams).

VOC_i = Monomer VOC content, by weight percent, of open molding resin or gel coat used in the past 12 months in an operation.

n = Number of different open molding resins or gel coats used in the past 12 months in an operation.

(v) The monomer VOC emissions from the use of filled production resins and filled tooling resins shall be calculated using Equation 5:

(I) Equation 5:

$$(PV_F) = (PV_U) \left[\frac{(100 - \% \text{ Filler})}{100} \right]$$

where:

PV_F = The as-applied monomer VOC emission rate for the filled production resin or tooling resin (kilograms monomer VOC per megagram of filled material).

PV_U = The monomer VOC emission rate for the neat (unfilled) resin, before filler is added, as calculated using paragraphs 3.(iv) through 3.(x), whichever is applicable.

% Filler = The weight-percent of filler in the as-applied filled resin system.

(II) The value of PV_F calculated by Equation 5 shall not exceed 46 kilograms of monomer VOC per megagram of filled resin, as applied, if the filled resin used is a production resin.

(III) The value of PV_F calculated by Equation 5 shall not exceed 54 kilograms of monomer VOC per megagram of filled resin, as applied, if the filled resin used is a tooling resin.

(IV) The facility shall use the value of PV_F calculated using Equation 5 if the facility is including a filled resin in Equation 3 of this subsection.

5. Add-On Control Option: If product performance requirements or other needs dictate the use of higher monomer VOC materials than those that would meet the recommended emission limits specified in subparagraph 4. of this subsection, a fiberglass boat manufacturing facility shall:

(i) Install and operate a thermal oxidizer as an add-on control device and meet the operating limits specified in Table 4 of 40 CFR Part 63 Subpart VVV, as amended, that apply to the emission capture system and thermal oxidizer.

(ii) Use of an add-on control device other than a thermal oxidizer, or monitoring an alternative parameter and complying with a different operating limit must be approved by the Director.

6. The non-monomer VOC content of filled resins shall not exceed 5 percent (weight percent) for all resins and gel coats included in VOC limits described in paragraphs 1. through 5. of this subsection.

7. All resin and gel coat mixing containers with a capacity equal to or greater than 55 gallons, including those used for on-site mixing of putties and polyputties, shall have a cover with no visible gaps in place at all times except during the following operations:

(i) When mixing is being manually added to or removed from a container; and

(ii) When mixing or pumping equipment is being placed or removed from a container.

8. The VOC content of cleaning solvents for routine application equipment cleaning shall not contain in excess of 5 percent VOC by weight.

9. For the purpose of this subsection, the definitions specified in 40 CFR Part 63.5779, as amended, are hereby incorporated and adopted by reference with the following additions:

(i) "Fiberglass boat manufacturing" means a facility that manufacturers hulls or decks of boats and related parts, builds molds to make fiberglass boat hulls or decks and related parts from fiberglass, or makes polyester resin putties for assembling fiberglass parts. For purposes of this subsection, fiberglass boat manufacturing does not include facilities that manufacture solely parts of boats (such as hatches, seats, or lockers), or boat trailers, but not manufacture hulls or decks of boats from fiberglass, or build molds to make fiberglass boat hulls or decks. If a facility manufactures hulls or decks, or molds for hulls or decks, then the manufacture of all other fiberglass boat parts, including small parts such as hatches, seats, and lockers is also covered.

(ii) "Monomer" means a volatile organic compound that partly combines with itself, or other similar compounds, by a cross-linking reaction to become a part of the cured resin.

10. Applicability: On and after January 1, 2015, the requirements of this subparagraph (zzz) shall apply to facilities at which the actual emissions of volatile organic compounds from all non-exempt fiberglass boat manufacturing processes at a facility equal or exceed 2.7 tons per 12-month rolling period for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry,

Newton, Paulding, Rockdale, Spalding, and Walton counties. Any physical or operational changes that are necessary to comply with the provisions specified in this subparagraph are subject to the compliance schedule specified in subparagraph 12. Prior to January 1, 2015, such facilities shall comply with the provisions of subparagraph 391-3-1-.02(2)(tt), if applicable.

11. Applicability: The requirements of this Subparagraph (zzz) will no longer be applicable by the compliance deadlines if the counties specified in subparagraph 10. are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of this Subparagraph (zzz) will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

12. Compliance Schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site of construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified Subparagraph (zzz) must be completed before **January 1, 2015**.

13. Applicability: The requirements of this subsection apply to the following operations at a fiberglass boat manufacturer:

(i) open molding and gel coat operations (including pigmented gel coat, clear gel coat, production resin, tooling gel coat, and tooling resin);

(ii) resins and gel coat mixing operations; and

(iii) resins and gel coat application equipment cleaning operations.

14. Applicability: The requirements of this subsection do not apply to the following operations at a fiberglass boat manufacturer:

(i) Surface coating applied to fiberglass boats;

(ii) Surface coating for fiberglass and metal recreational boats (pleasure craft); and

(iii) industrial adhesives used in the assembly of fiberglass boats.

15. Exemptions: The following activities are exempt from the open molding emission limit specified in subparagraph 1. of this subsection:

(i) Production resins (including skin coat resins) that shall meet specifications for use in military vessels or shall be approved by the U.S. Coast Guard for use in the construction of lifeboats, rescue boats, and other life saving appliances approved under 46 CFR Subchapter Q, or the construction of small passenger vessels regulated by 46 CFR Subchapter T. Production resins for which this exemption is used must be applied with nonatomizing (non-spray) resin application equipment. You must keep a record of the resins for which you are using this exemption.

(ii) Pigmented, clear, and tooling gel coat used for part or mold repair and touch up. The total gel coat materials included in this exemption must not exceed 1 percent by weight of all gel coat used at the facility on a 12-month rolling average basis. You must keep a record of the amount of gel coats used per month for which you are using this exemption and copies of calculations showing that the exempt amount does not exceed 1 percent of all gel coat used.

(iii) Pure, 100 percent vinylester resin used for skin coats. This exemption does not apply to blends of vinylester and polyester resins used for skin coats. The total resin materials included in the exemption cannot exceed 5 percent by weight of all resin used at the facility on a 12-month rolling-average basis. You must keep a record of the amount of 100 percent vinylester skin coat resin used per month that is eligible for this exemption and copies of calculations showing that the exempt amount does not exceed 5 percent of all resin used.

(aaaa) **Industrial Cleaning Solvents.**

1. No person shall cause, suffer, allow, or permit the use of organic solvents for cleaning operations such as mixing vessels (tanks), spray booths, parts drums or for other cleaning activities performed for the removal of material from substrate including actions such as wiping, flushing or spraying, unless the following requirements for control of emissions of the volatile organic compounds are satisfied:

(i) All containers used for organic solvent-related materials are kept closed at all times except when depositing or removing these materials;

(ii) All organic cleaning solvents and used solvent-related materials including shop towels shall be stored in closed containers;

(iii) Air circulation around cleaning-related operations and waste materials shall be minimized;

(iv) All used solvent materials and shop towels shall be disposed of in a manner that minimizes emissions (e.g., moving these items from one location to another in closed containers or pipes); and

(v.) Equipment shall be maintained in such a way that minimizes emissions (e.g., keeping parts cleaners covered, maintaining cleaning equipment to repair solvent leaks, etc.).

2. No person shall cause, suffer, allow, or permit volatile organic compound emissions from each cleaning process, spray gun cleaning, spray booth cleaning, large manufactured components cleaning, parts cleaning, equipment cleaning, line cleaning, floor cleaning, tank cleaning or small manufactured components cleaning to exceed 0.42 lbs of VOC per gallon (50 g/liter) of cleaning material unless the cleaning operation is equipped with an emission control system with an overall control efficiency of at least 85 percent. Alternatively, a VOC composite vapor pressure limit of 8 millimeters of mercury (mmHg) at 20° Celsius may be used as a replacement limit for VOC content limit.

3. The requirements of this subparagraph shall not apply to any cleaning operations in categories subject to other more specific VOC requirements contained in other subparagraphs of this Rule. The requirements of this subparagraph shall not apply to cleaners used for low temperature (below 40°F) applications, or the use of janitorial cleaners as relating to cleaning offices, bathrooms or other similar areas.

4. For the purpose of this subparagraph, the following definition shall apply:

(i) "Industrial cleaning solvents" means a variety of products that are used to remove contaminants such as adhesives, inks, paint, dirt, soil, oil, and grease from parts, products, tools, machinery, equipment, vessels, floors, walls, and other production related work areas for a variety of reasons including safety, operability, and to avoid product contamination.

5. Applicability: On and after January 1, 2015, the requirements of this Subparagraph (aaaa) shall apply to facilities at which actual emissions of volatile organic compounds from the use of organic solvents for cleaning operations equal or exceed 15 pounds per day for facilities located in Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding, and Walton counties. Any physical or operational changes that are necessary to comply with the provisions specified in this Subparagraph (aaaa) are subject to the compliance schedule specified in Subparagraph 7. Prior to January 1, 2015, such facilities shall comply with the provisions of Subparagraph 391-3-1-.02(2)(tt), if applicable.

6. Applicability: The requirements of this Subparagraph (aaaa) will no longer be applicable by the compliance deadlines if the counties specified in subparagraph 5. are re-designated to attainment for the 1997 National Ambient Air Quality Standard for ozone prior to January 1, 2015. In the event the 1997 National Ambient Air Quality Standard for ozone is violated in the specified counties, the requirements of this Subparagraph (aaaa) will only be reinstated if the Director determines that the measure is necessary to meet the requirements of the contingency plan.

7. Compliance Schedule:

(i) An application for a permit to construct and operate volatile organic compound emission control systems and/or modifications of process and/or coatings used must be submitted to the Division no later than **July 1, 2014**.

(ii) On-site construction of emission control systems and/or modification of process or coatings must be completed by **November 1, 2014**.

(iii) Full compliance with the applicable requirements specified this Subparagraph (aaaa) must be completed before **January 1, 2015**.

(3) Sampling.

(a) Any sampling, computation and analysis to determine the compliance with any of the emissions limitations or standards set forth herein shall be in accordance with applicable procedures and methods specified in the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants**. When no applicable test method or procedure is published therein, the Director shall specify or approve an applicable method or procedure prior to its use.

(b) The owner or operator of any equipment which is being sampled for the purpose of determining compliance with the Regulations shall operate such equipment during the sampling period at the maximum expected operating capacity, or at other specific operating conditions prescribed in the applicable operating permit or as otherwise may be required by the Director.

(c) The owner or operator of any source shall provide performance testing facilities as follows:

1. Sampling ports adequate for test methods applicable to such source;
2. Safe sampling platform;
3. Safe access to sampling platforms; and
4. Electric power for sampling and testing equipment.

(4) Ambient Air Standards.

(a) **No person** shall cause, suffer, permit, or allow the emission from any source the quantities of compounds listed below which would cause the ambient air standards listed to be exceeded. This does not exempt such sources from controlling their emissions to a point equal to or lower than the levels required to comply with a specific emission standard enumerated in other sections of these Rules.

(b) Sulfur Dioxide.

1. The level of the 2010 1-hour ambient air quality primary standard for oxides of sulfur is 75 parts per billion (ppb), measured in the ambient air as sulfur dioxide (SO₂).

(i) The 1-hour primary standard is attained when the three-year average of the annual (99th percentile) of the daily maximum 1-hour average concentrations is less than or equal to 75 ppb, as determined in accordance with Appendix T of 40 CFR Part 50.

(ii) The level of the 2010 1-hour ambient air quality primary standard shall be measured by a reference method based on Appendix A or A-1 of 40 CFR Part 50, or by a Federal Equivalent Method (FEM) designated in accordance with 40 CFR Part 53.

2. The level of the 1971 3-hour ambient air quality secondary standard for oxides of sulfur for any successive nonoverlapping calendar day three-hour period starting at midnight each calendar day is 0.5 ppm, measured in the ambient air as sulfur dioxide (SO₂).

(i) The 3-hour secondary standard is attained when the second-highest 3-hour average, as determined in accordance with 40 CFR 50.5(c), is less than or equal to 0.5 ppm. The standard shall not be exceeded more than once per calendar year.

(ii) The level of the 1971 3-hour ambient air quality secondary standard shall be measured in the ambient air as sulfur dioxide by the reference method described in Appendix A of 40 CFR Part 50, or by a FEM designated in accordance with 40 CFR Part 53.

(c) Particulate Matter.

1. PM₁₀

(i) The level of the 24-hour ambient air quality standard for PM₁₀ is 150 micrograms per cubic meter, 24-hour average concentration.

(I) The standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 micrograms per cubic meter, as determined in accordance with Appendix K of 40 CFR 50, is equal to or less than 1.

(II) PM₁₀ shall be measured in the ambient air as PM₁₀ (particles with an aerodynamic diameter less than or equal to a nominal ten micrometers) by a reference method based upon 40 CFR 50, Appendix J.

2. PM_{2.5}

(i) The level of the annual ambient air quality standard of PM_{2.5} (particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers) in the ambient air is 12.0 micrograms per cubic meter, annual arithmetic mean.

(I) The annual standard is attained when the annual arithmetic mean concentration, as determined in accordance with Appendix N of 40 CFR 50 is less than or equal to 12.0 micrograms per cubic meter.

(II) PM_{2.5} shall be measured in the ambient air as PM_{2.5} by reference method based upon 40 CFR 50, Appendix L.

(ii) The level of the 24-hour ambient air quality standard of PM_{2.5} in the ambient air is 35 micrograms per cubic meter, 24-hour average concentration.

(I) The 24-hour standard is attained when the 98th percentile 24-hour concentration, as determined in accordance with Appendix N of 40 CFR 50, is less than or equal to 35 micrograms per cubic meter.

(II) PM_{2.5} shall be measured in the ambient air as PM_{2.5} by reference method based upon 40 CFR 50, Appendix L.

(d) Carbon Monoxide.

1. The level of the ambient air quality standard for carbon monoxide is 35 ppm (40 milligrams per cubic meter) for a one-hour average or 9 ppm (10 milligrams per cubic meter) for an eight-hour average.

(i) These standards are not to be exceeded more than once per year.

(ii) Carbon monoxide shall be measured in the ambient air as CO by reference method based upon 40 CFR 50, Appendix C.

(e) Ozone.

1. The level of the 2008 8-hour ambient air standard for ozone is 0.075 ppm, daily maximum 8-hour average.

(i) The standard is attained when the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration is less than or equal to 0.075 ppm, as determined in accordance with Appendix P of 40 CFR 50.

(ii) Ozone shall be measured in the ambient air by a reference method based upon 40 CFR 50, Appendix D or an equivalent method designated in accordance with 40 CFR 53.

2. The level of the 2015 8-hour ambient air standard for ozone is 0.070 ppm, daily maximum 8-hour average.

(i) The standard is attained when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentration is less than or equal to 0.070 ppm, as determined in accordance with Appendix U of 40 CFR 50.

(ii) Ozone shall be measured in the ambient air by a reference method based upon 40 CFR 50, Appendix D or an equivalent method designated in accordance with 40 CFR 53.

(f) Lead.

1. The level of ambient air quality standard of lead and its compounds at ground level shall not exceed 0.15 micrograms per cubic meter, arithmetic mean concentration over a 3-month period.

(i) The standard is attained when the maximum arithmetic 3-month mean concentration for a 3-year period, as determined in accordance with Appendix R of this 40 CFR 50, is less than or equal to 0.15 micrograms per cubic meter.

(ii) The specified standard procedure for measuring ambient air concentrations of lead shall be a reference method based upon 40 CFR 50, Appendix G or an equivalent method designated in accordance with 40 CFR 53.

(g) Nitrogen Dioxide.

1. The level of the annual air quality standards for oxides of nitrogen at ground level is 53 ppb, annual average concentration, measured in the ambient air as nitrogen dioxide.

(i) The annual standard is met when the annual average concentration in a calendar year is less than or equal to 53 ppb, as determined in accordance with Appendix S of 40 CFR 50.

(ii) The level of the standard shall be measured by a reference method based on Appendix F or by a FEM designated in accordance with 40 CFR 53.

2. The level of the 1-hour ambient air quality standard for oxides of nitrogen is 100 ppb, 1-hour average concentration, measured in the ambient air as nitrogen dioxide.

(i) The 1-hour standard is met when the three-year average of the annual 98th percentile of the daily maximum 1-hour average concentration is less than or equal to 100 ppb, as determined in accordance with Appendix S of 40 CFR 50.

(ii) The level of the standard shall be measured by a reference method based on Appendix F or by a FEM designated in accordance with 40 CFR 53.

(h) Standard Conditions for Temperature and Pressure.

1. All measurements of air quality that are expressed as mass per unit volume (e.g., micrograms per cubic meter) other than for particulate matter (PM_{2.5}) standards contained in 391-3-1-.02(4)(c)2., and lead standards contained in 391-3-1-.02(4)(f) shall be corrected to a reference temperature of 25 (deg) C and a reference pressure of 760 millimeters of mercury (1,013.2 millibars).

2. Measurements of PM_{2.5} for purposes of comparison to the standards contained in 391-3-1-.02(4)(c)2., and of lead for purposes of comparison to the standards contained in 391-3-1-.02(4)(f) shall be reported based on actual ambient air volume measured at the actual ambient temperature and pressure at the monitoring site during the measurement period.

(5) Open Burning.

(a) **No person shall cause**, suffer, allow, or permit open burning in any area of the State except as follows:

1. Reduction of leaf piles, yard debris, or hand-piled natural vegetation on the premises on which they fall by the person in control of the premises, unless prohibited by local ordinance and/or regulation.

2. Carrying out recognized agricultural procedures necessary for production or harvesting of crops, if the agricultural tract, lot, or parcel is less than or equal to five acres.

3. Burning over any agricultural tract, lot, or parcel greater than five acres for purposes of any existing, expanded, or new agricultural operations as such term is defined by O.C.G.A. Section [1-3-3](#), provided that such burning is consistent with the requirements of the Federal Act and is limited to vegetative material.

4. The "prescribed burning" of any land by the owners or the owner's designee.

5. For recreational purposes or cooking food for immediate human consumption.

6. Fires set for purposes of training fire-fighting personnel when authorized by the appropriate governmental entity.

7. Acquired structure burns provided that an Authorization to Burn certificate has been issued by the Division.

8. Disposal of vegetative debris from storm damage.

9. For weed abatement, disease, and pest prevention.

10. Operation of devices using open flames such as tar kettles, blow torches, welding torches, portable heaters and other flame-making equipment.

11. Open burning for the purpose of land clearing or construction or right-of-way maintenance provided the following conditions are met:

(i) Prevailing winds at the time of the burning are away from the major portion of the area's population;

(ii) The location of the burning is at least 1,000 feet from any occupied structure, or lesser distance if approved by the Division;

(iii) The amount of dirt on or in the material being burned is minimized;

(iv) Heavy oils, asphaltic materials, items containing natural or synthetic rubber, or any materials other than plant growth are not being burned; and

(v) No more than one pile 60 feet by 60 feet, or equivalent, is being burned within a 9-acre area at one time.

12. Disposal of all packaging materials previously containing explosives, in accordance with U.S. Department of Labor Safety Regulations.

13. Open burning of vegetative material for the purpose of land clearing using an air curtain destructor provided the following conditions are met:

- (i) Authorization for such open burning is received from the fire department, if required, having local jurisdiction over the open burning location prior to initiation of any open burning at such location;
- (ii) The location of the air curtain destructor is at least 300 feet from any occupied structure or public road. Air curtain destructors used solely for utility line clearing or road clearing may be located at a lesser distance upon approval by the Division;
- (iii) No more than one air curtain destructor is operated within a ten (10) acre area at one time or there must be at least 1000 feet between any two air curtain destructors;
- (iv) Only wood waste consisting of trees, logs, large brush and stumps which are relatively free of soil are burned in the air curtain destructor;
- (v) Tires or other rubber products, plastics, heavy oils or asphaltic based or impregnated materials are not used to start or maintain the operation of the air curtain destructor;
- (vi) The air curtain destructor is constructed, installed and operated in a manner consistent with good air pollution control practice for minimizing emissions of fly ash and smoke;
- (vii) The cleaning out of the air curtain destructor pit is performed in a manner to prevent fugitive dust; and
- (viii) Whenever feasible, the air curtain destructor should not be fired before 10:00 a.m. and the fire should be completely extinguished, using water or by covering with dirt, at least one hour before sunset.

(b) Specific County Restrictions.

1. In the counties of Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding and Walton, the only legal exceptions to the general prohibition against open burning during the months of May, June, July, August and September shall be:

- (i) exceptions numbered 2, 5, 6, 10 and 12 under subparagraph (a) above provided, however, that such burning, whenever feasible, be conducted between 10:00 a.m. and one hour before sunset; and
- (ii) exception number 3 under subparagraph (a) above.

2. In the counties of Banks, Barrow, Bibb, Butts, Catoosa, Chattooga, Clarke, Columbia, Crawford, Dawson, Floyd, Gordon, Haralson, Heard, Houston, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Peach, Pickens, Pike, Polk, Putnam, Richmond, Troup, Twiggs, Upson, and Walker the only legal exceptions to the general prohibition against open burning during the months of May, June, July, August and September shall be:

- (i) exceptions numbered 2, 4, 5, 6, 10 and 12 under subparagraph (a) above provided, however, that such burning, whenever feasible, be conducted between 10:00 a.m. and one hour before sunset; and
- (ii) exception number 3 under subparagraph (a) above.

3. [reserved]

4. In counties listed in subparagraphs 1 or 2 above whose total population, as listed in the 2010 Census, exceeds 65,000 (Barrow, Bartow, Bibb, Carroll, Cherokee, Clarke, Clayton, Cobb, Columbia, Coweta, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gwinnett, Hall, Henry, Houston, Newton, Paulding, Richmond, Rockdale, Troup,

Walker and Walton), the only legal exceptions to the general prohibition against open burning during the months of January, February, March, April, October, November, and December are:

(i) exceptions numbered 1, 2, 4, 5, 6, 7, 10, 12, and 13 under subparagraph (a) above, provided, however, that such burning, whenever feasible, be conducted between 10:00 a.m. and one hour before sunset and does not cause air pollution in quantities or characteristics or of a duration which is injurious or which unreasonably interferes with the enjoyment of life or use of property in such area of the state as is affected thereby; and

(ii) exception number 3 under subparagraph (a) above.

(c) **Except for a reasonable period** to get a fire started, no smoke the opacity of which is equal to or greater than 40 percent, shall be emitted from any source of open burning listed in subparagraphs (a) and (b) above except as follows. Prescribed burning, agricultural burning and acquired structure burning are not subject to the 40 percent opacity standard in this paragraph.

(d) **The Director** may allow open burning prohibited under paragraphs (a) and (b), upon a determination that such open burning is necessary to protect the public health, safety or welfare of the people of the State of Georgia, or there are no reasonable alternatives to the open burning.

(e) **Prescribed burning** conducted under subparagraph (b)2. is subject to authorization by the Georgia Forestry Commission to include burning restrictions during periods that are conducive to the formation of ozone. Federal facilities which conduct prescribed burning in accordance with subparagraph (b)2. that are not required to obtain authorization from the Georgia Forestry Commission for such burning shall institute measures to ensure that prescribed burning is not conducted during periods conducive to the formation of ozone.

(f) **Definitions.**

1. "Prescribed burning" means the controlled application of fire to existing vegetative fuels under specified environmental conditions and following appropriate precautionary measures, which causes the fire to be confined to a predetermined area and accomplishes one or more planned land management objectives as specified in the Georgia Prescribed Burning Act (Georgia Code Title 12. Conservation and Natural Resources § [12-6-146](#)) or to mitigate catastrophic wildfires.

2. [reserved]

3. "Acquired structure burn" is the burning of a house, building or structure for the exclusive purpose of providing training to fire-fighting personnel or arson investigators.

(6) **Source Monitoring.**

(a) **Specific Monitoring and Reporting Requirements for Particular Sources.**

1. Sources, and owners and operators of sources, subject to any of the Standards of Performance for New Stationary Sources of or pursuant to 42 U.S.C. Section 7411, as amended, or National Emission Standards for Hazardous Air Pollutants of or pursuant to U.S.C. Section 7412, as amended, shall meet the monitoring and related requirements specified in the applicable standard, unless the Director specifies additional or more stringent requirements, in which case all requirements must be met.

2. Certain specific sources, as herein designated, shall provide for the continuous monitoring of emissions as prescribed below:

(i) Fossil Fuel-Fired Steam Generators. The owner or operator of any fossil fuel-fired steam generator, except as provided for in subparagraph (iv) of this paragraph, with an annual average capacity factor of greater than 30 percent, as reported to the Federal Power Commission for calendar year 1974, or as otherwise demonstrated to the Director by the owner or operator, shall install, calibrate, operate, and maintain all monitoring equipment necessary for the continuous monitoring of the following:

(I) Opacity, if such steam generator has a heat input greater than 250 million BTUs per hour, except where:

I. Gaseous fuel is the only fuel burned; or

II. Oil or mixture of gas and oil are the only fuels burned and the source is able to comply with the applicable particulate matter and opacity regulations without utilization of particulate matter collection equipment, and the source has never been found, through any administrative or judicial proceedings, to be in violation of any visible emission standard;

(II) Sulfur dioxide, if such steam generator has a heat input greater than 250 million BTUs per hour and has installed sulfur dioxide emission control equipment;

(III) The percent oxygen, or carbon dioxide, in the flue gas as necessary to accurately convert sulfur dioxide continuous emission monitoring data to the units of the emission standard.

(ii) Sulfuric Acid Plants.

(I) The owner or operator of any sulfuric acid plant of greater than 300 tons per day production capacity, the production being expressed as 100 percent acid, shall, except as provided for in subparagraph (iv) of this paragraph, install, calibrate, maintain, and operate a continuous monitoring system for the measurement of sulfur dioxide for each sulfuric acid production facility within such plant.

(iii) Wood Waste Fired Combination Boilers.

(I) The owner or operator of any boiler which fires wood waste or wood waste in combination with fossil fuel(s) with a total heat input equal to or greater than 100 million BTUs per hour shall, except as provided for in paragraph (iv) of this subsection, install, calibrate, operate and maintain a continuous monitoring system for the measurement of opacity;

(II) Boilers subject to this subparagraph (iii) shall comply with the opacity monitoring requirements as specified for fossil fuel fired steam generators. In any rule or subdivision thereof dealing with opacity monitoring requirements for fossil fuel-fired steam generators, where reference is made to "Fossil Fuel Fired Steam Generators" the term "Wood Waste Fired Combination Boilers" should be inserted for the purpose of this subparagraph.

(iv) Exemptions. A facility is exempt from the requirements otherwise imposed by this paragraph (a)2. if:

(I) It is subject to any of the Standards of Performance for New Stationary Sources promulgated in 40 CFR, Part 60 or National Emission Standards for Hazardous Air Pollutants promulgated in 40 CFR Part 61, pursuant to Section 111 of the Federal Act; or

(II) It is not subject to an applicable emission standard.

(v) Monitoring Equipment.

(I) The monitoring equipment required pursuant to the previous subparagraphs (i) through (iv) shall be demonstrated by the owners or operators of such monitoring equipment to meet the performance specifications specified in the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants**.

(vi) Data Reporting.

(I) The owner or operator of a facility subject to the requirements of this paragraph (a)2. shall submit a written report for each calendar quarter and, if excess emissions have occurred, the report shall state the nature and cause of the excess emissions, if known, and the corrective action taken. The averaging period used for data reporting shall correspond to the averaging period specified in the emission test method used to determine compliance with an

emission standard for the pollutant/source category in question. The required report shall include, as a minimum, the data specified in this subsection.

I. For opacity measurements, the summary shall consist of the magnitude in actual percent opacity of each 6-minute average of opacity which is greater than the opacity standard applicable to the source. If more than one opacity standard applies, excess emissions data must be submitted in relation to all such standards.

II. For gaseous measurements, the summary shall consist of emission averages in the units of the applicable standard, for each averaging period during which the applicable standard was exceeded.

III. The data and time identifying each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of system repairs or adjustments shall be reported. The Director may require proof of continuous monitoring system performance whenever system repairs or adjustments have been made.

IV. When no excess emissions have occurred and the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be included in the report.

V. The owners or operators of sources or facilities subject to this paragraph (a)2. shall maintain a file of all information reported in the quarterly summaries, and all other data collected either by the continuous monitoring system or as necessary to convert monitoring data to the units of the applicable standard for a minimum of two years from the date of collection of such data or submission of such summaries.

(vii) Data Conversion. The owner or operator of a source subject to this paragraph (a)2. shall use the following procedures for converting monitoring data to units of the applicable standard:

(I) For fossil fuel-fired steam generators, the procedures of Paragraph 2.1 of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants** shall be used to convert gaseous emissions monitoring data in ppm to pounds/million BTU where necessary.

(II) For sulfuric acid plants the owner or operator shall:

I. Establish a conversion factor three times daily according to the procedures in Paragraph 2.5 of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants**.

II. Multiply the conversion factor by the average sulfur dioxide concentration in the flue gases to obtain average sulfur dioxide emissions in lb/ton, and;

III. Report the average sulfur dioxide emission for each averaging period in excess of the applicable emission standard in the quarterly report.

(III) The owner or operator of a source subject to this regulation may employ data reporting or reduction procedures varying from those specified in this subparagraph (a)2.(vii) if such owner or operator shows to the satisfaction of the Director that such procedures are at least as accurate as the procedures identified in this subparagraph. Such procedures may include, but are not limited to, the following:

I. Alternative procedures for computing emission averages that do not require integration of data (e.g., some facilities may demonstrate that the variability of their emissions is sufficiently small to allow accurate reduction of data based upon computing averages from equally spaced data points over the averaging period);

II. Alternative methods of converting pollutant concentration measurements to the units of the emission standards.

(viii) In cases where the owner or operator of a source subject to this paragraph wishes to utilize different, but equivalent, procedures for continuous monitoring systems and/or alternative monitoring and data reporting procedures or other alternative equivalents to comply with the intent of this paragraph then:

(I) The owner or operator must submit:

I. A detailed summary of the limitations prohibiting the installation of a continuous monitor, and;

II. Alternative and/or equivalent emission monitoring and reporting requirements (e.g., periodic manual stack tests) to satisfy the intent of this paragraph.

(II) The use of any alternative or equivalent method for compliance with any requirement of this paragraph (a)2. shall be subject to approval of the Director.

(ix) Monitor Malfunction.

(I) The requirements of this paragraph shall not apply during any period of monitoring system malfunction, provided that the source owner or operator shows, to the satisfaction of the Director, that the malfunction was unavoidable and is being or was repaired as expeditiously as practicable.

(x) [reserved]

(xi) Kraft Pulp Mills.

(I) On or before March 1, 1984, unless otherwise specified in an alternate compliance schedule as provided for in paragraph 391-3-1-.02(2)(a)9., the owner or operator of any kraft pulp mill subject to any limitation or requirement of, or under subsection (gg) of section 391-3-1-.02(2) shall, except as provided in Part (II) of this subparagraph, install, calibrate, operate, and maintain a system to continuously measure and record the concentration of TRS emissions on a dry basis and the percent of oxygen by volume on a dry basis in the gases discharged from any lime kiln, recovery furnace, digester system, or multiple-effect evaporator system.

(II) The owner or operator of any kraft pulp mill which incinerates effluent gases emitted from any digester system or multiple-effect evaporator system subject to any limitation or requirement of, or under subsection (gg) of section 391-3-1-.02(2) shall install, calibrate, operate, and maintain a system to continuously measure and record the combustion temperature at the point of incineration.

(xii) Fuel Burning Equipment.

(I) The owner or operator of any fuel burning equipment with a maximum design heat input capacity equal to or greater than 100 million BTU/hr subject to the provisions of subsection (III) of section 391-3-1-.02(2) shall install, calibrate, operate, and maintain a continuous emissions monitoring system (CEMS) for the measurement of the concentration of nitrogen oxides (NOx) and the percent oxygen and shall record the output of the system.

(II) For any fuel burning equipment which only combusts gas residual oil with a nitrogen content less than 0.30 percent, or distillate oil or a combination of those fuels, the owner or operator may monitor equipment operating conditions to predict the concentration of nitrogen oxides, (Predictive Emissions Monitoring System) in lieu of the CEMS required in paragraph (I) provided such system meets the requirements of Section 2.119 of the **Procedures for Testing and Monitoring Sources of Air Pollutants**.

3. All sources, and owners and operators of sources, subject to any limitation of paragraphs (2)(t) through (2)(aa) [inclusive]; (2)(ii); (2)(jj); (2)(11); (2)(mm); and (2)(tt) [inclusive] shall maintain, as specified by the Director, at the source, for a period of at least two years, records containing the following information for each production line:

(i) Process information, including, but not limited to, hours of operation, method of application, and drying method.

(ii) Coating formulation and analytical data, including, but not limited to, the name of inks or coatings, coating or ink density, VOC content (weight or volume percent), and solids content (volume percent).

(iii) Coating consumption data, including, but not limited to, name of ink or coating used, amount of ink or coating used, name of diluent and amount of diluent used.

(iv) Capture and control equipment data, including, but not limited to, the destruction and removal efficiency, emission test results, and the capture efficiency.

(v) Transfer Efficiency Data, including, but not limited to, baseline transfer efficiency, actual transfer efficiency, and results of efficiency test.

4. Emission Statements.

(i) Owners and operators of stationary sources of nitrogen oxides or volatile organic compounds shall provide the Director with a statement, in such form as the Director may prescribe, for classes or categories of sources determined by the Director, showing the actual emissions of nitrogen oxides and volatile organic compounds from that source.

(ii) Statements shall be submitted by June 15 of every year and shall show the actual emissions of the previous calendar year.

(iii) The requirements of this paragraph shall apply to all stationary sources of nitrogen oxides or volatile organic compounds which emit equal to or more than 25 tons per calendar year of either pollutant and are located in Bartow, Clayton, Cobb, DeKalb, Fulton, Gwinnett, or Henry counties.

(b) General Monitoring and Reporting Requirements.

1. All Sources.

(i) Any person engaged in operations which cause emissions to be released into the atmosphere which may result in air pollution may be required to install, maintain, and use emission monitoring devices, to sample such specific emissions as prescribed by the Director; to make periodic reports on the nature and amounts of emissions and provide such other information as the Director may reasonably require; and to maintain such records as the Director may prescribe so as to determine whether emissions from such operations are in compliance with the provisions of the Act or any rules and regulations promulgated there under.

(ii) Specific types of information and/or equipment installation which may be requested may include, but are not limited to, the following:

(I) Detectors and recorders for continuous measurement and recording of the opacity of emissions;

(II) Composition and analysis of fuels of any nature, the determination of which shall be conducted in accordance with acceptable and appropriate procedures of the American Society for Testing and Materials or by other procedures specified or approved by the Director;

(III) As technology permits, instrumentation for continuously monitoring particulate matter and gaseous emissions;

(IV) Production and process feed rates, process charging rates, burning rates, hours of operation and periodic summaries of this information.

(iii) Records of information requested shall be submitted on forms supplied by the Director, or when forms are not supplied, in a format acceptable to and approved by the Director. The information obtained on request of the Director shall be retained for a period and shall be reported at time intervals to be specified. Records shall be kept current and be available for inspection at the discretion of the Director.

(iv) In the event of any malfunction or breakdown of process, fuel burning, or emission control equipment for a period of four hours or more which results in excessive emissions for a major source, the owner or operator of such major source shall notify the Division by a written report which would describe the cause of the breakdown, the corrective actions taken, and the plans to prevent future occurrences. Unless otherwise specified in a permit or order, the report must be submitted no later than seven (7) days after the occurrence. The information submitted shall be

adequate to allow the Director to determine whether the excessive emissions were due to a sudden and unavoidable breakdown. The reporting requirements of this subparagraph (iv) shall be in addition to any other reporting requirement under these rules (Chapter 391-3-1), and such reporting shall in no event serve to excuse, otherwise justify or in any manner affect any potential liability or enforcement action.

(v) All data gathered in the process of enforcing this or other Air Quality Control Rule or Regulation shall be considered public information and shall be made available upon request, except such information which is required to be kept confidential by Ga. Code Ann. Section [12-9-19](#), as amended.

(vi) Any continuous monitoring system or monitoring device shall be installed, operated, calibrated and maintained and information reported in accordance with the applicable procedures and performance specifications of the Georgia Department of Natural Resources **Procedures for Testing and Monitoring Sources of Air Pollutants**. Where no applicable procedure or performance specification for such installation, operation or reporting of data is published therein, the Director shall, as needed, specify or approve an applicable procedure or performance specification prior to operation of the monitoring system or monitoring device.

(7) Prevention of Significant Deterioration of Air Quality.

(a) General Requirements.

1. The provisions of paragraph (7) shall apply to any source and the owner or operator of any source subject to any requirement under 40 Code of Federal Regulations (hereinafter, CFR) Part 52.21. The subparagraphs of Paragraph (7) that incorporate by reference paragraphs of 40 CFR Part 52.21 are as promulgated on January 17, 2017, unless otherwise specified. The dates associated with the incorporation by reference of federal rules into this paragraph (7) refer to the dates of publication of the promulgated rules in the Federal Register.

2. Definitions: For the purpose of this paragraph, 40 CFR Part 52.21(b) as amended, is hereby incorporated by reference with the following exceptions:

(i) In lieu of the definition of "baseline actual emissions" as specified in paragraph (b)(48) of 40 CFR Part 52.21, the following shall apply:

"Baseline actual emissions" means the rate of emissions, in tons per year, of a regulated NSR pollutant, as determined in accordance with subparagraphs (7)(a)2.(i)(I) through (IV) of this rule.

(I) For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The Director shall allow the use of a different time period upon a determination that it is more representative of normal source operation.

I. The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions. However, fugitive emissions and/or emissions associated with startups, shutdowns, and malfunctions shall or may be excluded in accordance with the following subparagraphs A and B.

A. If fugitive emissions or emissions from startups, shutdowns, and/or malfunctions during the consecutive 24-month period selected by the owner or operator are not quantifiable and are therefore not included in the calculation of baseline actual emissions, then fugitive emissions or emissions from startups, shutdowns, and/or malfunctions, respectively, shall not be included in the calculation of projected actual emissions [as defined in subparagraph (7)(a)2.(ii) of this rule].

B. The owner or operator may elect to omit malfunctions from the calculation of baseline actual emissions. If the owner or operator elects to do so, then malfunctions shall also be omitted from the calculation of projected actual emissions [as defined in subparagraph (7)(a)2.(ii) of this rule].

II. The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

III. For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24-month period may be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period can be used for each regulated NSR pollutant.

IV. The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, or for which there is inadequate information for adjusting this amount downward to exclude any non-compliant emissions as required by subparagraph (7)(a)2.(i)(I)II. of this rule.

V. If any physical change(s) or change(s) in the method of operation subsequent to the consecutive 24-month period selected by the owner or operator resulted in a permanent change in the basic design parameter [as defined in subparagraph (7)(a)2.(viii) of this rule], not including the voluntary addition of air pollution control equipment or increase in removal or collection efficiency of existing air pollution control equipment, and thus resulted in a corresponding reduction in actual emissions of a regulated NSR pollutant, the baseline actual emissions shall be adjusted downward by a proportional reduction in emissions in tons per year or lbs/unit of production.

VI. The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major source been required to comply with such limitations during the consecutive 24-month period. However, if an emission limitation is part of a Maximum Available Control Technology (MACT) standard that the Administrator of U.S. EPA has proposed or promulgated under 40 CFR, Part 63, the baseline actual emissions need only be adjusted if the Division has taken credit for such emission reductions in an attainment demonstration or maintenance plan consistent with the requirements of 40 CFR Part 51.165(a)(3)(ii)(G).

(II) For an existing emissions unit (other than an electric utility steam generating unit), baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the Division for a permit required under this paragraph or by the reviewing authority for a permit required by a plan, whichever is earlier.

I. The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions. However, fugitive emissions and/or emissions associated with startups, shutdowns, and malfunctions shall or may be excluded in accordance with the following subparagraphs A and B.

A. If fugitive emissions or emissions from startups, shutdowns, and/or malfunctions during the consecutive 24-month period selected by the owner or operator are not quantifiable and are therefore not included in the calculation of baseline actual emissions, then fugitive emissions or emissions from startups, shutdowns, and/or malfunctions, respectively, shall not be included in the calculation of projected actual emissions (as defined in subparagraph (7)(a)2.(ii) of this rule).

B. The owner or operator may elect to omit malfunctions from the calculation of baseline actual emissions. If the owner or operator elects to do so, then malfunctions shall also be omitted from the calculation of projected actual emissions [as defined in subparagraph (7)(a)2.(ii) of this rule].

II. The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

III. The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. However, if an emission

limitation is part of a Maximum Achievable Control Technology (MACT) standard that the Administrator of U.S. EPA has proposed or promulgated under 40 CFR, Part 63, the baseline actual emissions need only be adjusted if the Division has taken credit for such emissions reductions in an attainment demonstration or maintenance plan consistent with the requirements of 40 CFR Part 51.165(a)(3)(ii)(G).

IV. For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24-month period may be used to determine the baseline actual emissions for all the emissions units being changed. A different consecutive 24-month period can be used for each regulated NSR pollutant.

V. The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, or for which there is inadequate information for adjusting this amount downward to exclude any non-compliant emissions as required by subparagraph (7)(a)2.(i)(II)II. or III. of this rule.

VI. If any physical change(s) or change(s) in the method of operation subsequent to the consecutive 24-month period selected by the owner or operator resulted in a permanent change in the basic design parameter [as defined in subparagraph (7)(a)2.(viii) of this Rule], not including the voluntary addition of air pollution control equipment or increase in removal or collection efficiency of existing air pollution control equipment, and thus resulted in a corresponding reduction in actual emissions of a regulated NSR pollutant, the baseline actual emissions shall be adjusted downward by a proportional reduction in emissions in tons per year or lbs/unit of production.

(III) For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit [as long as the unit remains a "new emissions unit" as defined in 40 CFR Part 52.21(b)(7)(i)].

(IV) For a PAL for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in subparagraph (7)(a)2.(i)(I) of this rule, for other existing emissions units in accordance with the procedures contained in subparagraph (7)(a)2.(i)(II) of this rule, and for a new emissions unit in accordance with the procedures contained in subparagraph (7)(a)2.(i)(III) of this rule. For existing emission units, the baseline actual emissions shall be based on any consecutive 24-month period selected by the operator within the appropriate PAL baseline period. For existing electric steam generating units, the PAL baseline period is the 5-year period (or different period allowed by the Director that is more representative or normal source operation) immediately preceding submission of a complete PAL application to the Division. For other existing emission units, the PAL baseline period is the 10-year period immediately preceding submission of a complete PAL permit application to the Division.

(ii) In lieu of the definition of "projected actual emissions" as specified in paragraph (b)(41) of 40 CFR Part 52.21, the following shall apply:

(I) "Projected actual emissions" means the maximum annual rate, in tons per year, at which an existing emissions unit is projected to emit a regulated NSR pollutant in any one of the five years (12-month period) following the date the unit resumes regular operation after the project, or in any one of the 10 years following that date, if the project involves increasing the emissions unit's design capacity or its potential to emit that regulated NSR pollutant and full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

(II) In determining the projected actual emissions under subparagraph (7)(a)2.(ii)(I) (before beginning actual construction), the owner or operator of the major stationary source:

I. Shall consider all relevant information, including but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the State or Federal regulatory authorities, and compliance plans under the approved State Implementation Plan; and

II. Shall include fugitive emissions to the extent quantifiable and emissions associated with startups, shutdowns, and malfunctions. However, fugitive emissions and/or emissions associated with startups, shutdowns, and malfunctions shall or may be excluded in accordance with the following subparagraphs A., B., and C.

A. If projected fugitive emissions or emissions from startups, shutdowns, and/or malfunctions are not quantifiable and are therefore not included in the calculation of projected actual emissions, then fugitive emissions or emissions from startups, shutdowns, and/or malfunctions, respectively, shall not be included in the calculation of baseline actual emissions [as defined in subparagraph (7)(a)2.(i) of this rule].

B. The owner or operator may elect to omit malfunctions from the calculation of projected actual emissions. If the owner or operator elects to do so, then malfunctions shall also be omitted from the calculation of baseline actual emissions [as defined in subparagraph (7)(a)2.(i) of this rule].

C. If the project involves increasing the emissions unit's design capacity or its potential to emit that regulated NSR pollutant and the increase in projected emissions associated with startups, shutdowns, and malfunctions is not proportional to the increase in the emission unit's design capacity or its potential to emit that regulated NSR pollutant, the owner or operator must include with the information required under subparagraph (7)(b)15.(i)(I) of this rule documentation that supports the projected emissions associated with startups, shutdowns, and malfunctions subsequent to completion of the project; and

III. May exclude, in calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions under subparagraph (7)(a)2.(i) of this rule and that is also unrelated to the particular project, including any increased utilization due to product demand growth (the increase in emissions that may be excluded under this subparagraph shall hereinafter be referred to as "demand growth emissions");

A. If the project involves increasing the emissions unit's design capacity or its potential to emit that regulated NSR pollutant, the owner or operator shall either:

(A) not exclude demand growth emissions, or

(B) must include in the information required under subparagraph (7)(b)15.(i)(I) of this paragraph, documentation that demand growth emissions are emissions that the emissions unit could have accommodated during the consecutive 24-month period used to establish the baseline actual emissions, are not related to the particular project, and are due to product demand growth; must have documentation supporting the portion of the emissions increase that is due to demand growth; and, following the change, must be able to track the emissions increase due to demand growth; or

IV. In lieu of using the method set out in subparagraphs (7)(a)2.(ii)(II)I. through III. of this rule, may elect to use the emissions unit's potential to emit, in tons per year, as defined under paragraph (b)(4) of 40 CFR Part 52.21.

(iii) The definition of "major stationary source" contained in 40 CFR Part 52.21(b)(1) is hereby incorporated by reference except as follows:

(I) Subparagraph (i)(b) shall read as follows: Notwithstanding the stationary source size specified in paragraph (b)1.(i)(a) of this section, any stationary source which emits, or has the potential to emit, 250 tons-per-year or more of a regulated NSR pollutant; or

(iv) The definition and use of the term "subject to regulation" in 40 CFR Part 52.21 is hereby incorporated by reference; provided, however, that in the event all or any portion of 40 CFR Part 52.21 containing that term is:

(I) declared or adjudged to be invalid or unconstitutional or stayed by the United States Court of Appeals for the Eleventh Circuit or for the District of Columbia Circuit; or

(II) withdrawn, repealed, revoked or otherwise rendered of no force and effect by the United States Environmental Protection Agency, Congress, or Presidential Executive Order.

Such action shall render the regulation as incorporated herein, or that portion thereof that may be affected by such action, as invalid, void, stayed, or otherwise without force and effect for purposes of this rule upon the date such action becomes final and effective; provided, further, that such declaration, adjudication, stay, or other action described herein shall not affect the remaining portions, if any, of the regulation as incorporated herein, which shall remain of full force and effect as if such portion so declared or adjudged invalid or unconstitutional or stayed or otherwise invalidated or effected were not originally a part of this rule. The Board declares that it would have incorporated the remaining parts of the federal regulation if it had known that such portion thereof would be declared or adjudged invalid or unconstitutional or stayed or otherwise rendered of no force and effect;

(v) The definition of "potential to emit" contained in 40 CFR Part 52.21(b)(4), shall be modified as follows:

(I) The phrase "is federally enforceable" shall read "is federally enforceable or enforceable as a practical matter."

(vi) The definition of "allowable emissions" contained in 40 CFR Part 52.21(b)(16), shall be modified as follows:

(I) The phrase "unless the source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both" shall read, "unless the source is subject to enforceable limits which restrict the operating rate, or hours of operation, or both."

(II) paragraph (iii) shall read as follows: The emissions rate specified as an enforceable permit condition, including those with a future compliance date.

(vii) The following shall be added to the definition of "major source baseline date" contained in 40 CFR Part 52.21(b)(14):

(I) Baseline dates established prior to April 19, 2006, will remain in effect.

(viii) In lieu of paragraph (b)(33)(iii) of the definition of "replacement unit" as specified in paragraph (b)(33) of 40 CFR Part 52.21, the following shall apply:

The replacement does not alter the basic design parameters of the process unit. Basic design parameters are defined as follows:

(I) Except as provided in subparagraph (7)(a)2.(viii)(III) of this rule, for a process unit at a steam electric generating facility, the owner or operator may select as its basic design parameters either maximum hourly heat input and maximum hourly fuel consumption rate or maximum hourly electric output rate and maximum steam flow rate. When establishing fuel consumption specifications in terms of weight or volume, the minimum fuel quality based on British Thermal Units content shall be used for determining the basic design parameter(s) for a coal-fired electric utility steam generating unit.

(II) Except as provided in subparagraph (7)(a)2.(viii)(III) of this rule, the basic design parameter(s) for any process unit that is not at a steam electric generating facility are maximum rate of fuel or heat input, maximum rate of material input, or maximum rate of product output. Combustion process units will typically use maximum rate of fuel input. For sources having multiple end products and raw materials, the owner or operator should consider the primary product or primary raw material when selecting a basic design parameter.

(III) If the owner or operator believes the basic design parameter(s) in subparagraphs (7)(a)2.(viii)(I) and (II) of this rule is (are) not appropriate for a specific industry or type of process unit, the owner or operator may propose to the Division an alternative basic design parameter(s) for the source's process unit(s). If the Director approves of the use of an alternative basic design parameter(s), he or she shall issue a permit that is legally enforceable that records such basic design parameter(s) and requires the owner or operator to comply with such parameter(s).

(IV) The owner or operator shall use credible information, such as results of historic maximum capability tests, design information from the manufacturer, or engineering calculations, in establishing the magnitude of the basic design parameter(s) specified in subparagraphs (7)(a)2.(viii)(I) and (II) of this rule.

(V) If design information is not available for a process unit, then the owner or operator shall determine the process unit's basic design parameter(s) using the maximum value achieved by the process unit in the 5-year period immediately preceding the planned activity.

(VI) Efficiency of a process unit is not a basic design parameter.

(ix) [reserved]

(x) [reserved]

(xi) In the definition of "net emissions increase" as specified in paragraph (b)(3) of 40 CFR Part 52.21, paragraphs (iii)(b) and (vi)(d), related to increases and decreases at a clean unit, are not adopted.

3. Applicability procedures: 40 CFR Part 52.21(a)(2), as amended, is hereby incorporated and adopted by reference.

4. Except as noted below, the word "Administrator" as used in regulations adopted by reference in this paragraph shall mean the "Director" as defined in [391-3-1-.01\(q\)](#). For the following provisions adopted by reference in this paragraph, the word "Administrator" shall mean the Administrator of the U.S. Environmental Protection Agency or, where allowable, his or her designee.

(i) 40 CFR Part 52.21(b)(17), Definition of "Federally Enforceable"

(ii) 40 CFR Part 52.21(b)(37)(i), First Paragraph within the Definition of "Repowering"

(iii) 40 CFR Part 52.21(b)(43), Definition of "Prevention of Significant Deterioration (PSD)"

(iv) 40 CFR Part 52.21(b)(51), Definition of "Reviewing Authority"

(v) 40 CFR Part 52.21(g), Redesignation

(vi) 40 CFR Part 52.21(l), Air Quality Models

(vii) 40 CFR Part 52.21(p)(2), Federal Land Manager

(viii) 40 CFR Part 52.21(o)(3), Visibility Monitoring

(b) Prevention of Significant Deterioration Standards.

1. Ambient air increments: 40 CFR Part 52.21(c), as amended, is hereby incorporated and adopted by reference.

2. Ambient air ceilings: 40 CFR Part 52.21(d), as amended, is hereby incorporated and adopted by reference.

3. Restrictions on area classifications: 40 CFR Part 52.21(e), as amended, is hereby incorporated and adopted by reference.

4. Redesignation: 40 CFR Part 52.21(g), as amended, is hereby incorporated and adopted by reference.

5. Stack heights: 40 CFR Part 52.21(h), as amended, is hereby incorporated and adopted by reference.

6. Exemptions: 40 CFR Part 52.21(i), as amended, is hereby incorporated and adopted by reference.

7. Control technology review: 40 CFR Part 52.21(j), as amended, is hereby incorporated and adopted by reference.

8. Source impact analysis: 40 CFR Part 52.21(k), as amended, is hereby incorporated and adopted by reference.

9. Air quality models: 40 CFR Part 52.21(l), as amended, is hereby incorporated and adopted by reference.

10. Air quality analysis: 40 CFR Part 52.21(m), as amended, is hereby incorporated and adopted by reference.

11. Source information: 40 CFR Part 52.21(n), as amended, is hereby incorporated and adopted by reference with the following exception:

(i) The first sentence of paragraph (n)(1) shall read as follows, "With respect to a source or modification to which paragraphs (j), (l), (o) and (p) of this section apply, such information shall include:"

12. Additional impact analyses: 40 CFR Part 52.21(o), as amended, is hereby incorporated and adopted by reference.

13. Sources impacting federal class I areas - additional requirements: 40 CFR Part 52.21(p), as amended, is hereby incorporated and adopted by reference with the following exception:

(i) The beginning of paragraph (p)(8) should read "In the case of a permit issued pursuant to paragraph (p) (6) or (7) of this section."

14. Public participation: 40 CFR Part 52.21(q), as amended, is hereby incorporated and adopted by reference.

15. Source obligation: 40 CFR Part 52.21(r), as amended, is hereby incorporated and adopted by reference with the following exceptions:

(i) In lieu of the provisions of paragraph (r)(6), the following shall apply:

The provisions of this subparagraph 15(i) apply to projects at an existing emissions unit at a major stationary source (other than projects at a source with a PAL) that are required to obtain a permit under the Construction (SIP) Permit requirements of paragraph [391-3-1-.03\(1\)](#) of these rules and the owner or operator elects to use the method specified in Subparagraph (7)(a)2.(ii)(II)I. through III. of this rule for calculating projected actual emissions.

(I) Before beginning actual construction of the project, the owner or operator shall document and maintain a record of the following information:

I. A description of the project;

II. Identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project; and

III. A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under Subparagraph (7)(a)2.(ii)(II)III. of this rule and an explanation for why such amount was excluded, and any netting calculations, if applicable.

IV. The records required in subparagraph (7)(b)15.(i)(I) of this rule shall be retained for a period of 10 years following resumption of regular operations after the change, or for a period of 15 years following resumption of regular operations after the change if the project increases the design capacity of or potential to emit of a regulated NSR pollutant at such emissions unit.

(II) The owner or operator shall provide a copy of the information set out in Subparagraph (7)(b)15.(i)(I) of this rule with the application for construction required under paragraph [391-3-1-.03\(1\)](#) of these rules.

(III) The owner or operator shall monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any emissions unit identified in subparagraph (7)(b)15.(i)(I)II. of this rule,

and calculate and maintain a record of the annual emissions, in tons-per-year on a calendar year basis, for a period of five years following resumption of regular operations after the change, or for a period of ten years following resumption of regular operations after the change if the project increases the design capacity of or potential to emit that regulated NSR pollutant at such emissions unit. These records shall be retained for a period of five years past the end of each calendar year. If an owner or operator is required to or elects to exclude emissions associated with startups, shutdowns, and/or malfunctions from estimations of projected actual emissions for PSD applicability purposes as allowed by subparagraph (7)(a)2.(ii)(II) of this rule, the owner or operator may exclude such emissions from the calculation of annual emissions.

(IV) If the owner or operator excluded demand growth emissions from the projected actual emissions for a project and that project is subject to the requirements of subparagraph (7)(a)2.(ii)(II)III.A.(B) of this rule, the owner or operator shall calculate the actual increase in emissions due to demand growth, in tons per year on a calendar year basis, for a period 10 years following resumption of regular operations after the change. These records shall be retained for a period of five years past the end of each calendar year.

(V) The owner or operator shall submit a report to the Division within 60 days after the end of each year during which records must be generated under subparagraphs (7)(b)15.(i)(III) and (IV) of this rule setting out the unit's annual emissions and, if applicable, the unit's actual increase in emissions due to demand growth during the calendar year that preceded submission of the report.

16. Innovative control technology: 40 CFR Part 52.21(v), as amended, is hereby incorporated and adopted by reference.

17. Permit rescission: 40 CFR Part 52.21(w), as amended, is hereby incorporated and adopted by reference with the following exceptions:

(i) Paragraph (1) of 40 CFR Part 52.21(w) shall read as follows: Any permit issued under this section or a prior version of this section shall remain in effect, unless and until it expires under paragraph (r) of this section or is rescinded.

(ii) Paragraph (3) of 40 CFR Part 52.21(w) shall read as follows: The Director may grant an application for rescission if the application shows that this section, as it existed at the time the permit was issued, would not apply to the source or modification.

18. [reserved]

19. [reserved]

20. [reserved]

21. Actuals PALs: 40 CFR, Part 52.21(aa), as amended, is hereby incorporated by reference with the following exceptions:

(i) [reserved]

(ii) In lieu of the public participation requirements for PALs of 40 CFR Part 52.21(aa)(5), PALs for existing major stationary sources shall be established, renewed, or increased through the procedures for Title V Permit issuance, renewal, and reopenings, and revisions specified in subparagraph [391-3-1-.03\(10\)\(e\)](#) of these rules.

(iii) In addition to the provisions for setting the 10-year actual PAL level specified in 40 CFR Part 52.21(aa)(6)(i), the PAL level shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period used to determine the baseline actual emissions for the PAL pollutant.

(iv) In lieu of the provisions of 40 CFR Part 52.21(aa)(6)(ii), the following shall apply:

For newly constructed units (which do not include modifications to existing units) on which actual construction began after the consecutive 24-month period selected for setting the 10-year actuals PAL level, in lieu of adding the baseline emissions as specified in paragraph (aa)(6)(i) of 40 CFR Part 52.21, the emissions must be added to the PAL level as follows:

(I) For an emissions unit on which actual operation commenced less than 36 months prior to submission of a complete PAL permit application, the emissions must be added to the PAL level in an amount equal to the potential to emit of the unit.

(II) For an emissions unit on which actual operation commenced greater than or equal to 36 months and less than 48 months prior to submission of a complete PAL permit application, the emissions must be added in an amount equal to the rate, in tons per year, at which the unit actually emitted the PAL pollutant during any consecutive 12-month period, selected by the owner or operator, that preceded submission of the PAL permit application.

(III) For an emissions unit on which actual operation commenced greater than or equal to 48 months prior to submission of a complete PAL permit application, the emissions must be added in an amount equal to the average rate, in tons per year, at which the unit actually emitted the PAL pollutant during any consecutive 24-month period, selected by the owner or operator, that preceded submission of the PAL permit application.

(v) In addition to the contents of the PAL permit specified in 40 CFR Part 52.21(aa)(7), the PAL permit must contain a requirement that emissions calculations for compliance purposes must include non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable and that were in excess of that allowed by any state or Federal air quality regulation or permit condition.

(vi) In lieu of the provisions of 40 CFR Part 52.21(aa)(8)(ii)(c), the following shall apply:

All reopenings shall be carried out in accordance with the procedures for Title V Permit issuance, renewal, and reopenings, and revisions specified in subparagraph [391-3-1-.03\(10\)\(e\)](#) of these rules.

(vii) In lieu of the provisions for PAL adjustment in 40 CFR Part 52.21(aa)(10)(iv), the following shall apply:

PAL adjustment. The Director shall set the PAL level for a renewed PAL permit in accordance with subparagraphs (7)(b)21.(vii)(I) and (II) of this rule. However, in no case may any PAL level fail to comply with subparagraph (7)(b)21.(vii)(III) of this rule.

(I) If the emissions level calculated in accordance with paragraph (aa)(6) of 40 CFR Part 52.21 and subparagraphs (7)(b)21.(iii) and (iv) of this rule is equal to or greater than 80 percent of the PAL level, the Director may renew the PAL at the same level. If the emissions level calculated in accordance with (aa)(6) of 40 CFR Part 52.21 and subparagraphs (7)(b)21.(iii) and (iv) of this rule is less than 80 percent of the PAL level, the Director may renew the PAL at a level determined using the procedures set forth in 40 CFR Part 52.21(aa)(6) and subparagraphs (7)(b)21.(iii) and (iv) of this rule.

(II) The Director may set the PAL at a level that he or she determines to be more representative of the source's baseline actual emissions, or that he or she determines to be more appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the source's voluntary emissions reductions, or other factors as specifically identified by the Director in his or her written rationale.

(III) Notwithstanding subparagraphs (7)(b)21.(vii)(I) and (II) of this rule:

I. If the potential to emit of the major stationary source is less than the PAL, the Director shall adjust the PAL to a level no greater than the potential to emit of the source; and

II. The Director shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source has complied with the provisions of paragraph (aa)(11) of 40 CFR Part 52.21 (increasing a PAL).

(viii) The following is added to the list of acceptable general monitoring approaches listed in 40 CFR Part 52.21(aa)(12)(ii).

(I) Mass balance calculations for sulfur dioxide emissions from fuel combustion.

(ix) The mass balance calculation requirements of 40 CFR Part 52.21(aa)(12)(iii) shall apply for mass balance calculations for sulfur dioxide emissions from fuel combustion.

(x) The data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions shall not be submitted with the semiannual report as specified in paragraph (aa)(14)(i)(c) of 40 CFR Part 52.21, but shall be retained in permanent form suitable for inspection and submission to the Division. The records shall be retained for at least five years following the end of each calendar year.

(xi) Paragraph 40 CFR Part 52.21(aa)(12)(i)(b) shall read as follows: The PAL monitoring system must employ one of the general monitoring approaches meeting the minimum requirements set forth in paragraph (aa)(12)(ii) of this section and must be approved by the Director.

(8) New Source Performance Standards.

(a) **General Requirement.** No person shall construct or operate any facility or source which fails to comply with the New Source Performance Standards contained in 40 Code of Federal Regulations (hereinafter, CFR), Part 60, as amended, including but not limited to (unless specifically excluded below), the subparts hereby adopted through incorporation by reference in paragraph (b) of this subsection.

(b) New Source Performance Standards.

1. General Provisions. For purposes of applying New Source Performance Standards, 40 CFR Part 60 Subpart A (excluding 60.4 and 60.9), as amended October 7, 2020, is hereby incorporated and adopted by reference. The word "Administrator" as used in regulations adopted in this paragraph shall mean the Director of EPD.

2. Standards of Performance for Fossil-fuel Fired Steam Generators: 40 CFR Part 60 Subpart D, as amended February 16, 2012, is hereby incorporated and adopted by reference.

3. Standards of Performance for Electric Utility Steam Generating Units: 40 CFR Part 60 Subpart Da, as amended April 6, 2016, is hereby incorporated and adopted by reference.

4. Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units: 40 CFR Part 60 Subpart Db, as amended February 16, 2012, is hereby incorporated and adopted by reference.

5. Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units: 40 CFR Part 60 Subpart Dc, as amended February 16, 2012, is hereby incorporated and adopted by reference.

6. Standards of Performance for Incinerators: 40 CFR Part 60 Subpart E, as amended May 10, 2006, is hereby incorporated and adopted by reference.

7. Standards of Performance for Municipal Waste Combustors: 40 CFR Part 60 Subpart Ea, as amended October 17, 2000, is hereby incorporated and adopted by reference.

8. Standards of Performance for Portland Cement Plants: 40 CFR Part 60 Subpart F, as amended July 27, 2015, is hereby incorporated and adopted by reference.

9. Standards of Performance for Nitric Acid Plants: 40 CFR Part 60 Subpart G, as amended May 6, 2014, is hereby incorporated and adopted by reference.

10. Standards of Performance for Sulfuric Acid Plants: 40 CFR Part 60 Subpart H, as amended October 17, 2000, is hereby incorporated and adopted by reference.
11. Standards of Performance for Asphalt Concrete Plants: 40 CFR Part 60 Subpart I, as amended February 14, 1989, is hereby incorporated and adopted by reference.
12. Standards of Performance for Petroleum Refineries: 40 CFR Part 60 Subpart J, as amended December 1, 2015, is hereby incorporated and adopted by reference.
13. Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978: 40 CFR Part 60 Subpart K, as amended October 17, 2000, is hereby incorporated and adopted by reference.
14. Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984: 40 CFR Part 60 Subpart Ka, as amended December 14, 2000, is hereby incorporated and adopted by reference.
15. Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984: 40 CFR Part 60 Subpart Kb, as amended January 19, 2021, is hereby incorporated and adopted by reference.
16. Standards of Performance for Secondary Lead Smelters: 40 CFR Part 60 Subpart L, as amended October 17, 2000, is hereby incorporated and adopted by reference.
17. Standards of Performance for Secondary Brass and Bronze Ingot Production Plants: 40 CFR Part 60 Subpart M, as amended October 17, 2000, is hereby incorporated and adopted by reference.
18. Standards of Performance for Iron and Steel Plants: 40 CFR Part 60 Subpart N, as amended October 17, 2000, is hereby incorporated and adopted by reference.
19. Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983: 40 CFR Part 60 Subpart Na, as amended October 17, 2000, is hereby incorporated and adopted by reference.
20. Standards of Performance for Sewage Treatment Plants: 40 CFR Part 60 Subpart O, as amended October 17, 2000, is hereby incorporated and adopted by reference.
21. Standards of Performance for Primary Copper Smelters: 40 CFR Part 60 Subpart P, as amended October 17, 2000, is hereby incorporated and adopted by reference.
22. Standards of Performance for Primary Zinc Smelters: 40 CFR Part 60 Subpart Q, as amended February 14, 1989, is hereby incorporated and adopted by reference.
23. Standards of Performance for Primary Lead Smelters: 40 CFR Part 60 Subpart R, as amended February 14, 1989, is hereby incorporated and adopted by reference.
24. Standards of Performance for Primary Aluminum Reduction Plants: 40 CFR Part 60 Subpart S, as amended October 17, 2000, is hereby incorporated and adopted by reference.
25. Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants: 40 CFR Part 60 Subpart T, as amended August 19, 2015, is hereby incorporated and adopted by reference.
26. Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants: 40 CFR Part 60 Subpart U, as amended August 19, 2015, is hereby incorporated and adopted by reference.

27. Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants: 40 CFR Part 60 Subpart V, as amended August 19, 2015, is hereby incorporated and adopted by reference.
28. Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants: 40 CFR Part 60 Subpart W, as amended August 19, 2015, is hereby incorporated and adopted by reference.
29. Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities: 40 CFR Part 60 Subpart X, as amended August 19, 2015, is hereby incorporated and adopted by reference.
30. Standards of Performance for Coal Preparation Plants: 40 CFR Part 60 Subpart Y, as amended October 8, 2009, is hereby incorporated and adopted by reference.
31. Standards of Performance for Ferroalloy Production Facilities: 40 CFR Part 60 Subpart Z, as amended October 17, 2000, is hereby incorporated and adopted by reference.
32. Standards of Performance for Steel Plants: Electric Arc Furnaces: 40 CFR Part 60 Subpart AA, as amended February 22, 2005, is hereby incorporated and adopted by reference.
33. Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983: 40 CFR Part 60 Subpart AAa, as amended February 22, 2005, is hereby incorporated and adopted by reference.
34. Standards of Performance for Kraft Pulp Mills: 40 CFR Part 60 Subpart BB, as amended September 21, 2006, is hereby incorporated and adopted by reference.
35. Standards of Performance for Glass Manufacturing Plants: 40 CFR Part 60 Subpart CC, as amended October 17, 2000, is hereby incorporated and adopted by reference.
36. Standards of Performance for Grain Elevators: 40 CFR Part 60 Subpart DD, as amended October 17, 2000, is hereby incorporated and adopted by reference.
37. Standards of Performance for Surface Coating of Metal Furniture: 40 CFR Part 60 Subpart EE, as amended October 17, 2000, is hereby incorporated and adopted by reference.
38. Standards of Performance for Stationary Gas Turbines: 40 CFR Part 60 subpart GG, as amended June 30, 2016, is hereby incorporated and adopted by reference.
39. Standards of Performance for Lime Manufacturing Plants: 40 CFR Part 60 subpart HH, as amended October 17, 2000, is hereby incorporated and adopted by reference.
40. Standards of Performance for Lead-Acid Battery Manufacturing Plants: 40 CFR Part 60 subpart KK, as amended October 17, 2000, is hereby incorporated and adopted by reference.
41. Standards of Performance for Metallic Mineral Processing Plants: 40 CFR Part 60 Subpart LL, as amended October 17, 2000, is hereby incorporated and adopted by reference.
42. Standards of Performance for Automobile and Light-Duty Truck Coating Operations: 40 CFR Part 60 Subpart MM, as amended October 17, 2000, is hereby incorporated and adopted by reference.
43. Standards of Performance for Phosphate Rock Plants: 40 CFR Part 60 Subpart NN, as amended October 17, 2000, is hereby incorporated and adopted by reference.
44. Standards of Performance for Ammonium Sulfate Manufacture: 40 CFR Part 60 Subpart PP, as amended October 17, 2000, is hereby incorporated and adopted by reference.

45. Standards of Performance for Graphic Arts Industry: Publication Rotogravure Printing: 40 CFR Part 60 Subpart QQ, as amended April 9, 2004, is hereby incorporated and adopted by reference.
46. Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations: 40 CFR Part 60 Subpart RR, as amended October 17, 2000, is hereby incorporated and adopted by reference.
47. Standards of Performance for Industrial Surface Coating: Large Appliances: 40 CFR Part 60 Subpart SS, as amended October 17, 2000, is hereby incorporated and adopted by reference.
48. Standards of Performance for Metal Coil Surface Coating: 40 CFR Part 60 Subpart TT, as amended October 17, 2000, is hereby incorporated and adopted by reference.
49. Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture: 40 CFR Part 60 Subpart UU, as amended October 17, 2000, is hereby incorporated and adopted by reference.
50. Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and On or Before November 7, 2006: 40 CFR Part 60 Subpart VV, as amended June 2, 2008, is hereby incorporated and adopted by reference.
51. Standards of Performance for Beverage Can Surface Coating Industry: 40 CFR Part 60 Subpart WW, as amended October 17, 2000, is hereby incorporated and adopted by reference.
52. Standards of Performance for Bulk Gasoline Terminals: 40 CFR Part 60 Subpart XX, as amended December 19, 2003, is hereby incorporated and adopted by reference.
53. Standards of Performance for Rubber Tire Manufacturing Industry: 40 CFR Part 60 Subpart BBB, as amended June 30, 2016, is hereby incorporated and adopted by reference.
54. Standards of Performance for Volatile Organic Compound (VOC) Emission from Polymer Manufacturing Industry: 40 CFR Part 60 Subpart DDD, as amended June 30, 2016, is hereby incorporated and adopted by reference.
55. Standards of Performance for Flexible Vinyl and Urethane Printing and Coating: 40 CFR Part 60 Subpart FFF, as amended October 17, 2000, is hereby incorporated and adopted by reference.
56. Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and On or Before November 7, 2006: 40 CFR Part 60 Subpart GGG, as amended June 2, 2008, is hereby incorporated and adopted by reference.
57. Standards of Performance for Synthetic Fiber Production Facilities: 40 CFR Part 60 Subpart HHH, as amended October 17, 2000, is hereby incorporated and adopted by reference.
58. Standards of Performance for Volatile Organic Compounds (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes: 40 CFR Part 60 Subpart III, as amended June 30, 2016, is hereby incorporated and adopted by reference.
59. Standards of Performance for Petroleum Dry Cleaners: 40 CFR Part 60 Subpart JJJ, as amended October 17, 2000, is hereby incorporated and adopted by reference.
60. Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants: 40 CFR Part 60 Subpart KKK, as amended August 16, 2012, is hereby incorporated and adopted by reference.
61. Standards of Performance for Onshore Natural Gas Processing: 40 CFR Part 60 Subpart LLL, as amended June 30, 2016, is hereby incorporated and adopted by reference.

62. Standards of Performance for Volatile Organic Compounds (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operation: 40 CFR Part 60 Subpart NNN, as amended June 30, 2016, is hereby incorporated and adopted by reference.
63. Standards of Performance for Nonmetallic Mineral Processing Plants: 40 CFR Part 60 Subpart OOO, as promulgated April 28, 2009, is hereby incorporated and adopted by reference.
64. Standards of Performance for Wool Fiberglass Insulation Manufacturing Plants: 40 CFR Part 60 Subpart PPP, as amended October 17, 2000, is hereby incorporated and adopted by reference.
65. Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems: 40 CFR Part 60 Subpart QQQ, as amended October 17, 2000, is hereby incorporated and adopted by reference.
66. Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Process: 40 CFR Part 60 Subpart RRR, as amended December 14, 2000, is hereby incorporated and adopted by reference.
67. Standards of Performance for Magnetic Tape Coating: 40 CFR Part 60 Subpart SSS, as amended February 12, 1999, is hereby incorporated and adopted by reference.
68. Standards of Performance for Plastic Parts for Business Machine Coatings: 40 CFR Part 60 Subpart TTT, as amended October 17, 2000, is hereby incorporated and adopted by reference.
69. Standards of Performance for Calciners and Dryers in Mineral Industries: 40 CFR Part 60 Subpart UUU, as amended October 17, 2000, is hereby incorporated and adopted by reference.
70. Standards of Performance for Polymeric Coating of Supporting Substrates Facilities: 40 CFR Part 60 Subpart VVV, as promulgated September 11, 1989, is hereby incorporated and adopted by reference.
71. Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced after September 20, 1994: 40 CFR Part 60 Subpart Eb, as amended May 10, 2006, is hereby incorporated and adopted by reference.
72. Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification on or After May 30, 1991, but Before July 18, 2014: 40 CFR Part 60 Subpart WWW, as amended October 13, 2020, is hereby incorporated and adopted by reference.
73. Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators: 40 CFR Part 60 Subpart Ec, as amended September 6, 2013, is hereby incorporated and adopted by reference.
74. Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001: 40 CFR Part 60 Subpart AAAA, as promulgated December 6, 2000, is hereby incorporated and adopted by reference.
75. Standards of Performance for Commercial and Industrial Solid Waste Incineration Units: 40 CFR Part 60 Subpart CCCC, as amended October 7, 2020, is hereby incorporated and adopted by reference.
76. Standards of Performance for Other Solid Waste Incinerator Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced On or After June 16, 2006: 40 CFR Part 60 Subpart EEEE, as amended November 24, 2006, is hereby incorporated and adopted by reference.
77. Standards of Performance for Stationary Compression Ignition Internal Combustion Engines: 40 CFR Part 60 Subpart IIII, as amended June 29, 2021, is hereby incorporated and adopted by reference.
78. Standards of Performance for Stationary Combustion Turbines: 40 CFR Part 60 Subpart KKKK, as amended October 7, 2020, is hereby incorporated and adopted by reference.

79. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines: 40 CFR Part 60 Subpart JJJJ, as amended June 29, 2021, is hereby incorporated and adopted by reference.

80. Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006: 40 CFR Part 60 Subpart VVa, as amended August 16, 2012, is hereby incorporated and adopted by reference.

81. Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006: 40 CFR Part 60 Subpart GGGa, as amended June 2, 2008, is hereby incorporated and adopted by reference.

82. Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007: 40 CFR Part 60 Subpart Ja, as amended November 26, 2018, is hereby incorporated and adopted by reference.

83. Standards of Performance for New Sewage Sludge Incineration Units: 40 CFR Part 60 Subpart LLLL, as promulgated March 21, 2011, is hereby incorporated and adopted by reference.

84. Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or Before September 18, 2015: 40 CFR Part 60 Subpart OOOO, as amended September 14, 2020, is hereby incorporated and adopted by reference.

85. Standard of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013: 40 CFR Part 60 Subpart BBa, as amended November 5, 2020, is hereby incorporated and adopted by reference.

86. Standards of Performance for New Residential Wood Heaters: 40 CFR Part 60 Subpart AAA, as amended October 7, 2020, is hereby incorporated and adopted by reference.

87. Subpart PPPP - [reserved]

88. Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces: 40 CFR Part 60 Subpart QQQQ, as amended October 7, 2020, is hereby incorporated and adopted by reference.

89. Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014: 40 CFR Part 60 Subpart XXX, as amended October 7, 2020, is hereby incorporated and adopted by reference.

90. Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015: 40 CFR Part 60 Subpart OOOOa, as amended September 15, 2020, is hereby incorporated and adopted by reference.

(9) Emission Standards for Hazardous Air Pollutants.

(a) **General Requirements.** The provisions of this section shall apply to any stationary source and to the owner or operator of any stationary source for which a standard is prescribed under 40 Code of Federal Regulations (hereinafter CFR), Parts 61 and 63, including, but not limited to (unless specifically excluded below) the subparts hereby adopted through incorporation by reference in subsection (b) of this section. For purposes of applying emission standards for hazardous air pollutants, 40 CFR, Parts 61 and 63 (excluding 61.04 and 61.16), as amended, are hereby incorporated by reference. The word "Administrator" as used in regulations adopted in this section shall mean the Director of EPD.

(b) Emission Standards for Hazardous Air Pollutants.

1. Emission Standard for Beryllium: 40 CFR Part 61 Subpart C, as amended October 17, 2000, is hereby incorporated and adopted by reference.
2. Emission Standard for Beryllium Rocket Motor Firing: 40 CFR Part 61 Subpart D, as amended October 17, 2000, is hereby incorporated and adopted by reference.
3. Emission Standard for Mercury: 40 CFR Part 61 Subpart E, as amended October 17, 2000, is hereby incorporated and adopted by reference.
4. Emission Standard for Vinyl Chloride: 40 CFR Part 61 Subpart F, as amended October 17, 2000, is hereby incorporated and adopted by reference.
5. Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene: 40 CFR Part 61 Subpart J, as amended December 14, 2000, is hereby incorporated and adopted by reference.
6. Emission Standard for Benzene Emissions from Coke Byproduct Recovery Plants: 40 CFR Part 61 Subpart L, as amended October 17, 2000, is hereby incorporated and adopted by reference.
7. Emission Standard for Asbestos (Including Work Practices): 40 CFR Part 61 Subpart M, as amended June 10, 2019, is hereby incorporated and adopted by reference.
8. Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants: 40 CFR Part 61 Subpart N, as amended October 17, 2000, is hereby incorporated and adopted by reference.
9. Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters: 40 CFR Part 61 Subpart O, as amended October 17, 2000, is hereby incorporated and adopted by reference.
10. Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities: 40 CFR Part 61 Subpart P, as amended October 3, 1986, is hereby incorporated and adopted by reference.
11. Emission Standard for Equipment Leaks (Fugitive Emission Sources) [of VHAP]: 40 CFR Part 61 Subpart V, as amended December 14, 2000, is hereby incorporated and adopted by reference.
12. Emission Standard for Benzene Emissions from Benzene Storage Vessels: 40 CFR Part 61 Subpart Y, as amended December 14, 2000, is hereby incorporated and adopted by reference.
13. Emission Standard for Benzene Emissions from Benzene Transfer Operations: 40 CFR Part 61 Subpart BB, as amended December 14, 2000, is hereby incorporated and adopted by reference.
14. Emission Standard for Benzene Waste Operations: 40 CFR Part 61 Subpart FF, as amended December 4, 2003, is hereby incorporated and adopted by reference.
15. General Provisions. For purposes of applying Emission Standards for Hazardous Air Pollutants, 40 CFR Part 63 Subpart A, as amended November 19, 2021, [excluding 63.13, and 63.15(a)(2)] is hereby incorporated and adopted by reference, subject to the following provisions:
 - (i) The definition of "Potential to Emit" in 40 CFR Part 63.2 shall be modified as follows:
 - (I) The phrase "is federally enforceable" shall read "is federally enforceable or enforceable as a practical matter."
16. Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Paragraph 112(g): 40 CFR Parts 63.40 through 63.44, as amended June 30, 1999, is hereby incorporated and adopted by reference, subject to the following provisions:
 - (i) Terms used in this paragraph shall have the meaning given to them in the Clean Air Act, 40 CFR Part 63 Subparts A and B, and the Georgia Air Quality Act.

(ii) The "Effective Date of Paragraph 112(g)(2)(B)," as defined in 40 CFR Part 63.41, shall be June 29, 1998.

(iii) The "Notice of MACT Approval," as defined in 40 CFR Part 63.41, shall be the air construction permit issued by the Division.

(iv) The "Permitting Authority," as defined in 40 CFR Part 63.41, shall be the Division.

(v) In lieu of the administrative procedures for review of the Notice of MACT Approval, as set forth in 40 CFR Parts 63.43(f)(1) through (5), the Division will act in accordance with the permitting requirements as set forth in Chapter [391-3-1-.03](#) Permits, as amended, and administrative procedures for preconstruction review and approval established by the Division.

(vi) In lieu of the opportunity for public comment on the Notice of MACT Approval, as set forth in 40 CFR Part 63.43(h), the Division will provide opportunity for public comment on the Notice of MACT Approval pursuant to Chapter [391-3-1-.03\(2\)\(i\)](#).

(vii) The Notice of MACT Approval shall become effective upon issuance of the air construction permit by the Division.

17. Requirements for Control Technology Determinations for Major Sources in Accordance with the Clean Air Act sections 112(j): 40 CFR Part 63 Subpart B, Sections 63.50 through 63.56, as amended July 11, 2005, is hereby incorporated and adopted by reference.

18. [reserved]

19. Compliance Extensions for Early Reductions: 40 CFR Part 63 Subpart D, as amended November 21, 1994, is hereby incorporated and adopted by reference.

20. Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry: 40 CFR Part 63 Subpart F, as amended November 19, 2020, is hereby incorporated and adopted by reference.

21. Emission Standards for Organic Hazardous Air Pollutants from Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater: 40 CFR Part 63 Subpart G, as amended November 19, 2020, is hereby incorporated and adopted by reference. Only procedures listed in 63.112(e) of 40 CFR Part 63 Subpart G, shall be used to comply with the emission standard in 63.112(a) unless otherwise specifically approved by the Director.

22. Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks: 40 CFR Part 63 Subpart H, as amended November 19, 2020, is hereby incorporated and adopted by reference.

23. Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks: 40 CFR Part 63 Subpart I, as amended June 23, 2003, is hereby incorporated and adopted by reference.

24. Emission Standards for Polyvinyl Chloride and Copolymers Production: 40 CFR Part 63 Subpart J, as amended November 19, 2020, is hereby incorporated and adopted by reference.

25. [reserved]

26. Emission Standards for Coke Oven Batteries: 40 CFR Part 63 Subpart L, as amended November 19, 2020, is hereby incorporated and adopted by reference.

27. Perchloroethylene Air Emission Standards for Dry Cleaning Facilities: 40 CFR Part 63 Subpart M, as amended November 19, 2020, is hereby incorporated and adopted by reference.

28. Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks: 40 CFR Part 63 Subpart N, as amended November 19, 2020, is hereby incorporated and adopted by reference.
29. Ethylene Oxide Emissions Standards for Sterilization Facilities: 40 CFR Part 63 Subpart O, as amended November 19, 2020, is hereby incorporated and adopted by reference.
30. [reserved]
31. Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers: 40 CFR Part 63 Subpart Q, as amended November 19, 2020, is hereby incorporated and adopted by reference.
32. Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations): 40 CFR Part 63 Subpart R, as amended December 4, 2020, is hereby incorporated and adopted by reference.
33. Emission Standards for Pulp & Paper Industries: 40 CFR Part 63 Subpart S, as amended November 19, 2020, is hereby incorporated and adopted by reference.
34. Emission Standards for Halogenated Solvent Cleaning: 40 CFR Part 63 Subpart T, as amended November 19, 2020, is hereby incorporated and adopted by reference.
35. Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins: 40 CFR Part 63 Subpart U, as amended November 19, 2020, is hereby incorporated and adopted by reference.
36. [reserved]
37. Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production: 40 CFR Part 63 Subpart W, as amended November 19, 2020, is hereby incorporated and adopted by reference.
38. Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting: 40 CFR Part 63 Subpart X, as amended November 19, 2020, is hereby incorporated and adopted by reference.
39. Emission Standards for Marine Tank Vessel Loading Operations: 40 CFR Part 63 Subpart Y, as amended November 19, 2020, is hereby incorporated and adopted by reference.
40. [reserved]
41. Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants: 40 CFR Part 63 Subpart AA, as amended November 19, 2020, is hereby incorporated and adopted by reference.
42. Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants: 40 CFR Part 63 Subpart BB, as amended November 19, 2020, is hereby incorporated and adopted by reference.
43. Emission Standards for Hazardous Air Pollutants from Petroleum Refineries: 40 CFR Part 63 Subpart CC, as amended November 19, 2020, is hereby incorporated and adopted by reference. Only procedures listed in 63.642(k) of 40 CFR Part 63 Subpart CC shall be used to comply with the emission standard in 63.642(g).
44. Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations: 40 CFR Part 63 Subpart DD, as amended November 19, 2020, is hereby incorporated and adopted by reference.
45. Emission Standards for Magnetic Tape Manufacturing Operations: 40 CFR Part 63 Subpart EE, as amended December 28, 2020, is hereby incorporated and adopted by reference.

46. [reserved]

47. Emission Standards for Aerospace Manufacturing and Rework Facilities: 40 CFR Part 63 Subpart GG, as amended November 19, 2020, is hereby incorporated and adopted by reference.

48. Emission Standards for Hazardous Air Pollutants for Source Categories: Oil & Natural Gas Production Facilities: 40 CFR Part 63 Subpart HH, as amended November 19, 2020, is hereby incorporated and adopted by reference.

49. Emission Standards for Shipbuilding and Ship Repair (Surface Coating): 40 CFR Part 63 Subpart II, as amended November 19, 2020, is hereby incorporated and adopted by reference.

50. Emission Standards for Wood Furniture Manufacturing Operations: 40 CFR Part 63 Subpart JJ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

51. Emission Standards for the Printing and Publishing Industry: 40 CFR Part 63 Subpart KK, as amended November 19, 2020, is hereby incorporated and adopted by reference.

52. Emission Standards for Hazardous Air Pollutants for Source Categories: Primary Aluminum Reduction Plants: 40 CFR Part 63 Subpart LL, as amended November 19, 2020, is hereby incorporated and adopted by reference.

53. Emission Standards for Hazardous Air Pollutants for Source Categories: Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills: 40 CFR Part 63 Subpart MM, as amended November 19, 2020, is hereby incorporated and adopted by reference.

54. Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources: 40 CFR Part 63 Subpart NN, as amended July 29, 2015, is hereby incorporated and adopted by reference.

55. Emission Standards for Tanks-Level 1: 40 CFR Part 63 Subpart OO, as amended June 23, 2003, is hereby incorporated and adopted by reference.

56. Emission Standards for Containers: 40 CFR Part 63 Subpart PP, as amended June 23, 2003, is hereby incorporated and adopted by reference.

57. Emission Standards for Surface Impoundments: 40 CFR Part 63 Subpart QQ, as amended June 23, 2003, is hereby incorporated and adopted by reference.

58. Emission Standards for Individual Drain Systems: 40 CFR Part 63 Subpart RR, as amended June 23, 2003, is hereby incorporated and adopted by reference.

59. Emission Standards for Hazardous Air Pollutants from: Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process: 40 CFR Part 63 Subpart SS, as amended July 6, 2020, is hereby incorporated and adopted by reference.

60. Emission Standards for Hazardous Air Pollutants from Equipment Leaks-Control Level 1: 40 CFR Part 63 Subpart TT, as amended July 12, 2002, is hereby incorporated and adopted by reference.

61. Emission Standards for Hazardous Air Pollutants from Equipment Leaks-Control Level 2 Standards: 40 CFR Part 63 Subpart UU, as amended July 12, 2002, is hereby incorporated and adopted by reference.

62. Emission Standards for Oil-Water Separators and Organic-Water Separators: 40 CFR Part 63 Subpart VV, as amended June 23, 2003, is hereby incorporated and adopted by reference.

63. Emission Standards for Hazardous Air Pollutants from Storage Vessels (Tanks)-Control Level 2: 40 CFR Part 63 Subpart WW, as amended July 12, 2002, is hereby incorporated and adopted by reference.

64. Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations: 40 CFR Part 63 Subpart XX, as amended July 6, 2020, is hereby incorporated and adopted by reference.

65. Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards: 40 CFR Part 63 Subpart YY, as amended November 19, 2021, is hereby incorporated and adopted by reference.

66. [reserved]

67. [reserved]

68. [reserved]

69. Emission standards for Hazardous Air Pollutants for Source Categories: Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants: 40 CFR Part 63 Subpart CCC, as amended November 19, 2020, is hereby incorporated and adopted by reference.

70. Emission Standards for Hazardous Air Pollutants for Source Categories: Mineral Wool Production: 40 CFR Part 63 Subpart DDD, as amended December 28, 2020, is hereby incorporated and adopted by reference.

71. Emission Standards for Hazardous Air Pollutants for Source Categories: Hazardous Waste Combustors: 40 CFR Part 63 Subpart EEE, as amended November 19, 2020, is hereby incorporated and adopted by reference.

72. [reserved]

73. Emission Standards for Hazardous Air Pollutants for Source Categories: Pharmaceuticals Production: 40 CFR Part 63 Subpart GGG, as amended November 19, 2020, is hereby incorporated and adopted by reference.

74. Emission Standards for Hazardous Air Pollutants for Source Categories: Natural Gas Transmission and Storage Facilities: 40 CFR Part 63 Subpart HHH, as amended November 19, 2020, is hereby incorporated and adopted by reference.

75. Emission Standards for Hazardous Air Pollutants for Source Categories: Flexible Polyurethane Foam Production: 40 CFR Part 63 Subpart III, as amended November 19, 2020, is hereby incorporated and adopted by reference.

76. Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins: 40 CFR Part 63 Subpart JJJ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

77. [reserved]

78. Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry: 40 CFR Part 63 Subpart LLL, as amended November 19, 2020, is hereby incorporated and adopted by reference.

79. Emission Standards for Hazardous Air Pollutants for Source Categories: Pesticide Active Ingredient Production: 40 CFR Part 63 Subpart MMM, as amended November 19, 2020, is hereby incorporated and adopted by reference.

80. Emission Standards for Hazardous Air Pollutants for Source Categories: Wool Fiberglass Manufacturing: 40 CFR Part 63 Subpart NNN, as amended December 28, 2020, is hereby incorporated and adopted by reference.

81. Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins: 40 CFR Part 63 Subpart OOO, as amended November 19, 2020, is hereby incorporated and adopted by reference.

82. Emission Standards for Hazardous Air Pollutants for Source Categories: Polyether Polyols Production: 40 CFR Part 63 Subpart PPP, as amended November 19, 2020, is hereby incorporated and adopted by reference.

83. Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting: 40 CFR Part 63 Subpart QQQ, as amended November 19, 2020, is hereby incorporated and adopted by reference.
84. Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production: 40 CFR Part 63 Subpart RRR, as amended November 19, 2020, is hereby incorporated and adopted by reference.
85. [reserved]
86. Emission Standards for Hazardous Air Pollutants for Source Categories: Primary Lead Smelting: 40 CFR Part 63 Subpart TTT, as amended November 19, 2020, is hereby incorporated and adopted by reference.
87. Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units: 40 CFR Part 63 Subpart UUU, as amended November 19, 2020, is hereby incorporated and adopted by reference.
88. Emission Standards for Hazardous Air Pollutants for Source Categories: Publicly Owned Treatment Works: 40 CFR Part 63 Subpart VVV, as amended November 19, 2020, is hereby incorporated and adopted by reference.
89. [reserved]
90. Emission Standards for Hazardous Air Pollutants for Source Categories: Ferroalloys Production: Ferromanganese and Silicomanganese: 40 CFR Part 63 Subpart XXX, as amended November 19, 2020, is hereby incorporated and adopted by reference.
91. [reserved]
92. [reserved]
93. Emission Standards for Hazardous Air Pollutants for Source Categories: Municipal Solid Waste Landfills: 40 CFR Part 63 Subpart AAAA, as amended October 13, 2020, is hereby incorporated and adopted by reference.
94. [reserved]
95. Emission Standards for Hazardous Air Pollutants for Source Categories: Manufacturing of Nutritional Yeast: 40 CFR Part 63 Subpart CCCC, as amended October 16, 2017, is hereby incorporated and adopted by reference.
96. Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products: 40 CFR Part 63 Subpart DDDD, as amended November 19, 2020, is hereby incorporated and adopted for reference.
97. Emission Standards for Hazardous Air Pollutants: Organic Liquid Distribution (non-gasoline): 40 CFR Part 63 Subpart EEEE, as amended November 19, 2020, is hereby incorporated and adopted for reference.
98. Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing: 40 CFR Part 63 Subpart FFFF, as amended November 19, 2020, is hereby incorporated and adopted by reference.
99. Emission Standards for Hazardous Air Pollutants for Source Categories: Vegetable Oil Production: 40 CFR Part 63 Subpart GGGG, as amended November 19, 2020, is hereby incorporated and adopted by reference.
100. Emission Standards for Hazardous Air Pollutants for Wet Formed Fiberglass Mat Production: 40 CFR Part 63 Subpart HHHH, as amended November 19, 2020, is hereby incorporated and adopted by reference.
101. Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks: 40 CFR Part 63 Subpart IIII, as amended November 19, 2021, is hereby incorporated and adopted by reference.
102. Emission Standards for Hazardous Air Pollutants for Paper and Other Web Coatings: 40 CFR Part 63 Subpart JJJJ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

103. Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans: 40 CFR Part 63 Subpart KKKK, as amended November 19, 2021, is hereby incorporated and adopted by reference.

104. [reserved]

105. Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products: 40 CFR Part 63 Subpart MMMM, as amended November 19, 2020, is hereby incorporated and adopted by reference.

106. Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances: 40 CFR Part 63 Subpart NNNN, as amended November 19, 2020, is hereby incorporated and adopted by reference.

107. Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles: 40 CFR Part 63 Subpart OOOO, as amended November 19, 2020, is hereby incorporated and adopted by reference.

108. Emission Standards for Hazardous Air Pollutants: Surface Coating of Plastic Parts and Products: 40 CFR Part 63 Subpart PPPP, as amended November 19, 2020, is hereby incorporated and adopted by reference.

109. Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products: 40 CFR Part 63 Subpart QQQQ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

110. Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture: 40 CFR Part 63, Subpart RRRR, as amended November 19, 2020, is hereby incorporated and adopted by reference.

111. Emission Standards for Hazardous Air Pollutants for Metal Coil Surface Coating Operations: 40 CFR Part 63 Subpart SSSS, as amended November 19, 2020, is hereby incorporated and adopted by reference.

112. Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations: 40 CFR Part 63 Subpart TTTT, as amended November 19, 2020, is hereby incorporated and adopted by reference.

113. Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing: 40 CFR Part 63 Subpart UUUU, as amended November 19, 2020, is hereby incorporated and adopted by reference.

114. Emission Standards for Hazardous Air Pollutants for Source Categories: Boat Manufacturing: 40 CFR Part 63 Subpart VVVV, as amended November 19, 2021, is hereby incorporated and adopted by reference.

115. Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production: 40 CFR Part 63 Subpart WWWW, as amended November 19, 2020, is hereby incorporated and adopted by reference.

116. Emission Standards for Hazardous Air Pollutants for Tire Manufacturing: 40 CFR Part 63 Subpart XXXX, as amended November 19, 2020, is hereby incorporated and adopted by reference.

117. Emission Standards for Hazardous Air Pollutants for Stationary Combustion Engines: 40 CFR Part 63 Subpart YYYY, as amended November 19, 2020, is hereby incorporated and adopted by reference.

118. Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines: 40 CFR Part 63 Subpart ZZZZ, as amended December 4, 2020, is hereby incorporated and adopted by reference.

119. Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants: 40 CFR Part 63 Subpart AAAAA, as amended December 28, 2020, is hereby incorporated and adopted by reference.

120. Emission Standards for Hazardous Air Pollutants: Semiconductor Manufacturing: 40 CFR Part 63 Subpart BBBB, as amended November 19, 2020, is hereby incorporated and adopted by reference.

121. Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks: 40 CFR Part 63 Subpart CCCCC, as amended November 19, 2020, is hereby incorporated and adopted by reference.

122. Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters: 40 CFR Part 63 Subpart DDDDD, as amended December 28, 2020, is hereby incorporated and adopted by reference.

123. Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries: 40 CFR Part 63 Subpart EEEEE, as amended November 19, 2020, is hereby incorporated and adopted by reference.

124. Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing: 40 CFR Part 63 Subpart FFFFF, as amended November 19, 2020, is hereby incorporated and adopted by reference.

125. Emission Standards for Hazardous Air Pollutants: Site Remediation, 40 CFR Part 63 Subpart GGGGG: as amended November 19, 2020, is hereby incorporated and adopted by reference.

126. Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing: 40 CFR Part 63 Subpart HHHHH, as amended November 25, 2020, is hereby incorporated and adopted by reference.

127. Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants: 40 CFR Part 63 Subpart IIIII, as amended December 28, 2020, is hereby incorporated and adopted by reference.

128. Emission Standards for Hazardous Air Pollutants: Brick and Structural Clay Products Manufacturing: 40 CFR Part 63 Subpart JJJJJ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

129. Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing: 40 CFR Part 63 Subpart KKKKK, as amended November 19, 2021, is hereby incorporated and adopted by reference.

130. Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing: 40 CFR Part 63 Subpart LLLLL, as amended November 19, 2020, is hereby incorporated and adopted by reference.

131. Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations: 40 CFR Part 63 Subpart MMMMM, as amended November 18, 2021, is hereby incorporated and adopted by reference.

132. Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production: 40 CFR Part 63 Subpart NNNNN, as amended November 19, 2020, is hereby incorporated and adopted by reference.

133. [reserved]

134. Emission Standards for Hazardous Air Pollutants: Engine Test Cells/Stands: 40 CFR Part 63 Subpart PTTTT, as amended November 19, 2020, is hereby incorporated and adopted by reference.

135. Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities: 40 CFR Part 63 Subpart QQQQQ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

136. Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing: 40 CFR Part 63 Subpart RRRRR, as amended November 19, 2020, is hereby incorporated and adopted by reference.

137. Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing: 40 CFR Part 63 Subpart SSSSS, as amended November 19, 2021, is hereby incorporated and adopted by reference.

138. Emission Standards for Hazardous Air Pollutants for Primary Magnesium Manufacturing: 40 CFR Part 63 Subpart TTTTT, as amended November 19, 2020, is hereby incorporated and adopted by reference.

139. Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units: 40 CFR Part 63 Subpart UUUUU, as amended September 9, 2020, is hereby incorporated and adopted by reference.

140. [reserved]

141. Emission Standards for Hospital Ethylene Oxide Sterilizers: 40 CFR Part 63 Subpart WWWW, as amended November 19, 2020, is hereby incorporated and adopted by reference.

142. [reserved]

143. Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities: 40 CFR Part 63 Subpart YYYY, as amended June 24, 2015, is hereby incorporated and adopted by reference.

144. Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources: 40 CFR Part 63 Subpart ZZZZ, as amended September 10, 2020, is hereby incorporated and adopted by reference.

145. [reserved]

146. Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Bulk Terminals, Bulk Plants, and Pipeline Facilities: 40 CFR Part 63 Subpart BBBB, as amended November 19, 2020, is hereby incorporated and adopted by reference.

147. Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities: 40 CFR Part 63 Subpart CCCC, as amended November 19, 2020, is hereby incorporated and adopted by reference.

148. Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources: 40 CFR Part 63 Subpart DDDDD, as amended February 4, 2015, is hereby incorporated and adopted by reference.

149. Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources: 40 CFR Part 63 Subpart EEEEE, as amended July 3, 2007, is hereby incorporated and adopted by reference.

150. Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources: 40 CFR Part 63 Subpart FFFFF, as amended July 3, 2007, is hereby incorporated and adopted by reference.

151. Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium: 40 CFR Part 63 Subpart GGGGG, as promulgated January 23, 2007, is hereby incorporated and adopted by reference.

152. Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources: 40 CFR Part 63 Subpart HHHHH, as amended November 19, 2020, is hereby incorporated and adopted by reference.

153. [reserved]

154. Emission Standards for Hazardous Air Pollutants: Industrial, Commercial, and Institutional Boilers, Area Sources: 40 CFR Part 63 Subpart JJJJJ, as amended September 14, 2016, is hereby incorporated and adopted by reference.

155. [reserved]

156. Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources: 40 CFR Part 63 Subpart LLLLL, as amended March 26, 2008, is hereby incorporated and adopted by reference.

157. Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources: 40 CFR Part 63 Subpart MMMMM, as amended March 26, 2008, is hereby incorporated and adopted by reference.

158. Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds: 40 CFR Part 63 Subpart NNNNNN, as amended March 26, 2008, is hereby incorporated and adopted by reference.

159. Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources: 40 CFR Part 63 Subpart OOOOOO, as amended November 18, 2021, is hereby incorporated and adopted by reference.

160. Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources: 40 CFR Part 63 Subpart PPPPPP, as amended November 19, 2020, is hereby incorporated and adopted by reference.

161. Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources: 40 CFR Part 63 Subpart QQQQQQ, as amended November 19, 2020, is hereby incorporated and adopted by reference.

162. Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources: 40 CFR Part 63 Subpart RRRRRR, as amended November 19, 2020, is hereby incorporated and adopted by reference.

163. Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources: 40 CFR Part 63 Subpart SSSSSS, as promulgated December 26, 2007, is hereby incorporated and adopted by reference.

164. Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources: 40 CFR Part 63 Subpart TTTTTT, as amended November 19, 2020, is hereby incorporated and adopted by reference.

165. [reserved]

166. Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: 40 CFR Part 63 Subpart VVVVVV, as amended December 21, 2012, is hereby incorporated and adopted by reference.

167. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations: 40 CFR Part 63 Subpart WWWWWW, as amended November 19, 2020, is hereby incorporated and adopted by reference.

168. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Source Categories: 40 CFR Part 63 Subpart XXXXXX, as amended November 19, 2020, is hereby incorporated and adopted by reference.

169. Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities: 40 CFR Part 63 Subpart YYYYYY, as amended November 19, 2020, is hereby incorporated and adopted by reference.

170. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries: 40 CFR Part 63 Subpart ZZZZZZ, as amended September 10, 2009, is hereby incorporated and adopted by reference.

171. Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing: 40 CFR Part 63 Subpart AAAAAA, as amended November 19, 2020, is hereby incorporated and adopted by reference.

172. Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry: 40 CFR Part 63 Subpart BBBBBB, as amended November 19, 2020, is hereby incorporated and adopted by reference.

173. Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing: 40 CFR Part 63 Subpart CCCCCC, as amended November 19, 2020, is hereby incorporated and adopted by reference.

174. Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing: 40 CFR Part 63 Subpart DDDDDDD, as amended December 23, 2011, is hereby incorporated and adopted by reference.

175. Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category: 40 CFR Part 63 Subpart EEEEEEE, as promulgated February 17, 2011, is hereby incorporated and adopted by reference.

176. [reserved]

177. [reserved]

178. Emission Standards for Hazardous Air Pollutants: Polyvinyl Chloride and Copolymers Production: 40 CFR Part 63 Subpart HHHHHHH, as amended November 19, 2020, is hereby incorporated and adopted by reference.

(10) Chemical Accident Prevention Provisions.

(a) General Requirements.

1. The provisions of this section (10) shall apply to any stationary source and to the owner or operator of any stationary source subject to any requirement under 40 Code of Federal Regulations (hereinafter CFR), Parts 68, as amended. The word "Administrator" as used in regulations adopted in this section shall mean the Director of EPD.

2. Definitions: For the purpose of this section, 40 CFR, Section 68.3, as amended, is hereby incorporated and adopted by reference.

(b) Chemical Accident Prevention Standards.

1. General: 40 CFR 68, Subpart A, as amended, is hereby incorporated and adopted by reference.

2. Hazard Assessment, 40 CFR 68, Subpart B, as amended, is hereby incorporated and adopted by reference.

3. Program 2 Prevention Program, 40 CFR 68, Subpart C, as amended, is hereby incorporated and adopted by reference.

4. Program 3 Prevention Program, 40 CFR 68, Subpart D, as amended, is hereby incorporated and adopted by reference.

5. Emergency Response, 40 CFR 68, Subpart E, as amended, is hereby incorporated and adopted by reference.

6. Regulated Substances for Accidental Release Prevention, 40 CFR 68, Subpart F, as amended, is hereby incorporated and adopted by reference.

7. Risk Management Plan, 40 CFR 68, Subpart G, as amended, is hereby incorporated and adopted by reference.

8. Other Requirements, 40 CFR 68, Subpart H, as amended, is hereby incorporated and adopted by reference.

(11) Compliance Assurance Monitoring

(a) **General Requirements.** The provisions of this section (11) shall apply to any stationary source and to the owner or operator of any stationary source subject to any requirement under 40 CFR Part 64 as amended, which is incorporated and adopted herein by reference.

(b) **The word "Administrator"** as used in regulations adopted in this section shall mean the Director of EPD.

(12) Cross State Air Pollution Rule NOx Annual Trading Program

(a) **General Requirements.** The provisions of this paragraph (12) except as provided in sub-paragraphs (f) and (g) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations (hereinafter, 40 CFR), Part 97 Subpart AAAAAA, as amended (at 81 FR 74604-07, October 26, 2016). The term "Permitting Authority" as used in regulations adopted in this paragraph shall mean, for a unit located in Georgia, the Environmental Protection Division of the Georgia Department of Natural Resources. For a unit located outside the State of Georgia participating in the trading program, the "Permitting Authority" is as defined in 40 CFR Part 97.402.

(b) **General Provisions.** 40 CFR Part 97.401 through 40 CFR Part 97.408, as amended is hereby incorporated and adopted by reference.

(c) **Designated Representative.** 40 CFR Part 97.413 through 40 CFR Part 97.418, as amended is hereby incorporated and adopted by reference.

(d) [reserved]

(e) [reserved]

(f) **Allowance Allocations.** 40 CFR Part 97.411 through 40 CFR Part 97.412, as amended is hereby incorporated and adopted by reference with the following exceptions: 40 CFR 97.411(b)(2), 40 CFR 97.411(c)(5)(iii) and 97.412(b).

For purposes of this paragraph (12), the Georgia NOx Annual trading budget and new unit set-aside for allocations of CSAPR NOx Annual allowances, and the variability limit for the Georgia NOx Annual trading budget, for the control periods in 2017 and thereafter are as follows:

1. The NOx Annual trading budget is 53,738 tons.
2. The new unit set-aside is 1,075 tons.
3. The variability limit is 9,673 tons.
4. The Georgia NOx Annual trading budget in this subparagraph includes any tons in the new unit set-aside but does not include any tons in the variability limit.

(g) **Allowance Tracking System.** 40 CFR Part 97.420 through 40 CFR Part 97.421 and 40 CFR Part 97.424 through 40 CFR Part 97.428, as amended is hereby incorporated and adopted by reference with the following exceptions: 40 CFR 97.421(h) and 40 CFR 97.421(j).

(h) **Allowance Transfers.** 40 CFR Part 97.422 through 40 CFR Part 97.423, as amended is hereby incorporated and adopted by reference.

(i) **Monitoring and Reporting.** 40 CFR Part 97.430 through 40 CFR Part 97.435, as amended is hereby incorporated and adopted by reference.

(13) Cross State Air Pollution Rule SO₂ Annual Trading Program

(a) **General Requirements.** The provisions of this paragraph (13) except as provided in sub-paragraphs (f) and (g) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations (hereinafter, 40 CFR), Part 97 Subpart DDDDD, as amended (at 81 FR 74618-21, October 26, 2016). The term "Permitting Authority" as used in regulations adopted in this paragraph shall mean, for a unit located in Georgia, the Environmental Protection Division of the Georgia Department of Natural Resources. For a unit located outside the State of Georgia participating in the trading program, the "Permitting Authority" is as defined in 40 CFR Part 97.702.

(b) **General Provisions.** 40 CFR Part 97.701 through 40 CFR Part 97.708, as amended is hereby incorporated and adopted by reference.

(c) **Designated Representative.** 40 CFR Part 97.713 through 40 CFR Part 97.718, as amended is hereby incorporated and adopted by reference.

(d) [reserved]

(e) [reserved]

(f) **Allowance Allocations.** 40 CFR Part 97.711 through 40 CFR Part 97.712, as amended is hereby incorporated and adopted by reference with the following exceptions: 40 CFR 97.711(b)(2), 40 CFR 97.711(c)(5)(iii) and 97.712(b).

For purposes of this paragraph (13), the Georgia SO₂ Group 2 trading budget and new unit set-aside for allocations of CSAPR SO₂ Group 2 allowances, and the variability limit for the Georgia SO₂ Group 2 trading budget, for the control periods in 2017 and thereafter are as follows:

1. The SO₂ Group 2 trading budget is 135,565 tons.

2. The new unit set-aside is 2,711 tons.

3. The variability limit is 24,402 tons.

4. The Georgia SO₂ Group 2 trading budget in this subparagraph includes any tons in the new unit set-aside but does not include any tons in the variability limit.

(g) **Allowance Tracking System.** 40 CFR Part 97.720 through 40 CFR Part 97.721 and 40 CFR Part 97.724 through 40 CFR Part 97.728, as amended is hereby incorporated and adopted by reference with the following exceptions: 40 CFR 97.721(h) and 40 CFR 97.721(j).

(h) **Allowance Transfers.** 40 CFR Part 97.722 through 40 CFR Part 97.723, as amended is hereby incorporated and adopted by reference.

(i) **Monitoring and Reporting.** 40 CFR Part 97.730 through 40 CFR Part 97.735, as amended is hereby incorporated and adopted by reference.

(14) **Cross State Air Pollution Rule NO_x Ozone Season Trading Program**

(a) **General Requirements.** The provisions of this paragraph (14) except as provided in sub-paragraphs (f) and (g) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations (hereinafter, 40 CFR), Part 97 Subpart BBBBB as amended (at 81 FR 74607-14, October 26, 2016). The term "Permitting Authority" as used in regulations adopted in this paragraph shall mean, for a unit located in Georgia, the Environmental Protection Division of the Georgia Department of Natural Resources. For a unit located outside the State of Georgia participating in the trading program, the "Permitting Authority" is as defined in 40 CFR Part 97.502.

(b) **General Provisions.** 40 CFR Part 97.501 through 40 CFR Part 97.508, as amended is hereby incorporated and adopted by reference.

(c) **Designated Representative.** 40 CFR Part 97.513 through 40 CFR Part 97.518, as amended is hereby incorporated and adopted by reference.

(d) [reserved]

(e) [reserved]

(f) **Allowance Allocations.** 40 CFR Part 97.511 through 40 CFR Part 97.512, as amended is hereby incorporated and adopted by reference with the following exceptions: 40 CFR 97.511(b)(2), 40 CFR 97.511(c)(5)(iii) and 97.512(b).

For purposes of this paragraph (14), the Georgia NOx Ozone Season Group 1 trading budget and new unit set-aside for allocations of CSAPR NOx Ozone Season Group 1 allowances, and the variability limit for the Georgia NOx Ozone Season Group 1 trading budget, for the control periods in 2017 and thereafter are as follows:

1. The NOx Ozone Season Group 1 trading budget is 24,041 tons.
2. The new unit set-aside is 481 tons.
3. The variability limit is 5,049 tons.
4. The Georgia NOx Ozone Season Group 1 trading budget in this subparagraph includes any tons in the new unit set-aside but does not include any tons in the variability limit.

(g) **Allowance Tracking System.** 40 CFR Part 97.520 through 40 CFR Part 97.521 and 40 CFR Part 97.524 through 40 CFR Part 97.528, as amended is hereby incorporated and adopted by reference with the following exceptions: 40 CFR 97.521(h) and 40 CFR 97.521(j).

(h) **Allowance Transfers.** 40 CFR Part 97.522 through 40 CFR Part 97.523, as amended is hereby incorporated and adopted by reference.

(i) **Monitoring and Reporting.** 40 CFR Part 97.530 through 40 CFR Part 97.535, as amended is hereby incorporated and adopted by reference.

Cite as Ga. Comp. R. & Regs. R. 391-3-1-.02

AUTHORITY: O.C.G.A. § [12-9-1](#) et seq., as amended.

HISTORY: Original Rule entitled "Provisions" adopted. F. Sept. 6, 1973; eff. Sept. 26, 1973.

Amended: F. July 16, 1974; eff. August 5, 1974.

Amended: F. June 30, 1975; eff. July 20, 1975.

Amended: F. Oct. 31, 1975; eff. Nov. 20, 1975.

Amended: F. Mar. 20, 1979; eff. Apr. 9, 1979.

Amended: F. Mar. 7, 1980; eff. Mar. 27, 1980.

Amended: F. Oct. 27, 1980; eff. Nov. 16, 1980.

Amended: F. Dec. 3, 1981; eff. Dec. 23, 1981.

Amended: F. Aug. 27, 1982; eff. Sept. 16, 1982.

Amended: F. May 6, 1985; eff. May 26, 1985.

Amended: F. Dec. 9, 1986; eff. Dec. 29, 1986.

Amended: F. Sept. 25, 1987; eff. Oct. 15, 1987.

Amended: F. Mar. 25, 1988; eff. Apr. 14, 1988.

Amended: F. May 3, 1988; eff. May 23, 1988.

Amended: F. Dec. 20, 1990; eff. Jan. 9, 1991.

Amended: F. Sept. 27, 1991; eff. Oct. 17, 1991.

Amended: F. Aug. 27, 1992; eff. Sept. 16, 1992.

Amended: F. Nov. 2, 1992; eff. Nov. 22, 1992.

Amended: F. July 1, 1993; eff. July 21, 1993.

Amended: F. Oct. 28, 1993; eff. Nov. 17, 1993.

Amended: F. May 24, 1994; eff. June 13, 1994.

Amended: F. July 28, 1994; eff. August 17, 1994.

Amended: F. Aug. 31, 1994; eff. Sept. 20, 1994.

Amended: F. Oct. 31, 1994; eff. Nov. 20, 1994.

Amended: F. June 30, 1995; eff. July 20, 1995.

Amended: F. Aug. 28, 1995; eff. Sept. 17, 1995.

Amended: F. June 3, 1996; eff. June 23, 1996.

Amended: F. Aug. 26, 1996; eff. Sept. 15, 1996.

Amended: F. June 3, 1997; eff. June 23, 1997.

Amended: F. Dec. 5, 1997; eff. Dec. 25, 1997.

Amended: F. May 26, 1998; eff. June 15, 1998.

Amended: F. June 18, 1999; eff. July 8, 1999.

Amended: F. Sept. 17, 1999; eff. Oct. 7, 1999.

Amended: F. Jan. 27, 2000; eff. Feb. 16, 2000.

Amended: F. July 27, 2000; eff. August 16, 2000.

Amended: F. Dec. 8, 2000; eff. Dec. 28, 2000.

Amended: F. June 28, 2001; eff. July 18, 2001.

Amended: F. Dec. 6, 2001; eff. Dec. 26, 2001.

Amended: F. June 27, 2002; eff. July 17, 2002.

Amended: F. Dec. 10, 2002; eff. Dec. 30, 2002.

Amended: F. Jan. 31, 2003; eff. Feb. 20, 2003.

Amended: F. Mar. 31, 2003; eff. Apr. 20, 2003.

Amended: ER. 391-3-1-0.41-.02 adopted. F. Apr. 25, 2003; eff. Apr. 23, 2003, the date of adoption.

Amended: F. June 4, 2003; eff. June 24, 2003.

Amended: F. July 8, 2004; eff. July 28, 2004.

Amended: F. Dec. 20, 2004; eff. Jan. 9, 2005.

Amended: F. June 30, 2005; eff. July 20, 2005.

Amended: F. Mar. 7, 2006; eff. Mar. 27, 2006.

Amended: F. Mar. 30, 2006; eff. Apr. 19, 2006.

Amended: F. June 23, 2006; eff. July 13, 2006.

Amended: F. Feb. 20, 2007; eff. Mar. 12, 2007.

Amended: F. Mar. 14, 2007; eff. Apr. 3, 2007.

Amended: F. July 5, 2007; eff. July 25, 2007.

Amended: F. Feb. 7, 2008; eff. Feb. 27, 2008.

Amended: F. May 19, 2008; eff. June 8, 2008.

Amended: F. Aug. 22, 2008; eff. Sept. 11, 2008.

Amended: F. Mar. 23, 2009; eff. Apr. 12, 2009.

Amended: F. June 30, 2009; eff. July 20, 2009.

Amended: F. Nov. 30, 2009; eff. Dec. 20, 2009.

Amended: F. Sept. 16, 2010; eff. Oct. 6, 2010

Amended: F. Dec. 9, 2010; eff. Dec. 29, 2010.

Amended: F. Aug. 24, 2011; eff. Sept. 13, 2011.

Amended: F. Feb. 16, 2012; eff. Mar. 7, 2012.

Amended: F. Jul. 20, 2012; eff. Aug. 9, 2012.

Amended: F. Aug. 31, 2012; eff. Sept. 20, 2012.

Amended: F. May 2, 2013; eff. May 22, 2013.

Amended: F. May 24, 2013; eff. June 13, 2013.

Amended: F. Jul. 12, 2013; eff. Aug. 1, 2013.

Amended: F. Apr. 14, 2014; eff. May 4, 2014.

Amended: F. Sep. 24, 2014; eff. Oct. 14, 2014.

Amended: F. July 14, 2015; eff. August 3, 2015.

Amended: F. Nov. 18, 2015; eff. Dec. 8, 2015.

Note: Correction of non-substantive typographical errors, duplicate "ii" in subparagraphs (w) 3., 4. and (y) 4. changed to "iii", duplicate subparagraph "(aaaa)(3)(c)" deleted. Eff. Dec. 16, 2015.

Amended: F. July 25, 2016; eff. August 14, 2016.

Amended: F. Nov. 2, 2016; eff. Nov. 22, 2016.

Amended: F. June 30, 2017; eff. July 20, 2017.

Amended: F. Mar. 8, 2018; eff. Mar. 28, 2018.

Amended: F. July 3, 2018; eff. July 23, 2018.

Amended: F. Oct. 9, 2018; eff. Oct. 29, 2018.

Amended: F. Jan. 28, 2019; eff. Feb. 17, 2019.

Amended: F. Sep. 6, 2019; eff. Sep. 26, 2019.

Note: Correction of non-substantive typographical errors in subparagraphs (2)(d), (2)(ii), (2)(rr) as requested by the Agency. Effective Nov. 1, 2019.

Amended: F. July 9, 2020; eff. July 29, 2020.

Amended: (i.e., paragraphs (2)(rr), (6), (8), and (9); paragraph (2)(ggg), as specified by the Agency.) F. Oct. 5, 2021; eff. Oct. 25, 2021.

Amended: (i.e., paragraphs (4), (5), (8), and (9), as specified by the Agency.) F. Aug. 30, 2022; eff. Sep. 19, 2022.

Department 511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH

Chapter 511-2. DISEASE SURVEILLANCE AND CONTROL

Subject 511-2-8. EXPEDITED PARTNER THERAPY (EPT)

511-2-8-.01 Definitions

(1) "Expedited partner therapy" or EPT means the practice of prescribing, ordering, or dispensing antibiotic drugs to the sexual partner or partners of an index patient diagnosed with chlamydia and/or gonorrhea, without a physical examination of such partner or partners.

(2) "Index patient" means a person who has been diagnosed as infected with chlamydia and/or gonorrhea, and who is not concurrently infected with syphilis or HIV.

(3) "Licensed practitioner" means any of the following persons:

(a) A physician licensed to practice medicine in this state;

(b) An advanced practice nurse or physician assistant acting pursuant to authority delegated by a licensed physician in accordance with Code Section 43-34-23 or 43-34-25 or 43-34-103(e.1); or

(c) A registered professional nurse employed by the Department, or by a county board of health.

(4) "Partner" means a person who was or may have been exposed to chlamydia and/or gonorrhea by the index patient.

Cite as Ga. Comp. R. & Regs. R. 511-2-8-.01

AUTHORITY: O.C.G.A. §§ 31-2A-6, 31-17-7.1.

HISTORY: Original Rule entitled "Definitions" adopted. F. Apr. 18, 2018; eff. May 8, 2018.

Amended: F. Aug. 22, 2022; eff. Sep. 21, 2022, as specified by the Agency.

511-2-8-.02 Expedited partner therapy authorized

(1) A licensed practitioner with prescriptive authority may write an EPT prescription for a drug that has been determined by the Department to be appropriate for EPT treatment of chlamydia and/or gonorrhea.

(2) The current roster of drugs appropriate for EPT treatment of chlamydia and gonorrhea shall be listed in the Department's current "Expedited Partner Therapy Guidance for Healthcare Professionals" and shall also be posted on the Department's website.

Cite as Ga. Comp. R. & Regs. R. 511-2-8-.02

AUTHORITY: O.C.G.A. §§ 31-2A-6, 31-17-7.1.

HISTORY: Original Rule entitled "Expedited partner therapy authorized" adopted. F. Apr. 18, 2018; eff. May 8, 2018.

Amended: F. Aug. 22, 2022; eff. Sep. 21, 2022, as specified by the Agency.

Department 511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH

Chapter 511-5. HEALTH PROMOTION

Subject 511-5-4. SEROLOGIC TESTS FOR PREGNANT WOMEN

511-5-4-.01 Purpose

The purpose of this Rule is to detect the presence of certain infectious diseases in a pregnant or postpartum woman and provide appropriate treatment for the woman and baby.

Cite as Ga. Comp. R. & Regs. R. 511-5-4-.01

AUTHORITY: O.C.G.A. §§ 31-2A-6, 31-12-3, 31-17-4.

HISTORY: Original Rule entitled "Purpose" adopted. F. Sep. 20, 2013; eff. Oct. 10, 2013.

Amended: F. Aug. 1, 2022; eff. Aug. 31, 2022, as specified by the Agency.

511-5-4-.02 Definitions

Unless a different meaning is required by the context, the following terms as used in these Rules shall have the meaning hereinafter respectively ascribed to same:

- (a) "Standard serologic test for syphilis" means a test designed to detect evidence of syphilis.
- (b) "Standard serologic test for hepatitis B" means a test designed to detect evidence of hepatitis B surface antigen (HBsAg).
- (c) "Standard serologic test for hepatitis C" means a test designed to detect evidence of hepatitis C. This definition includes an HCV-antibody test with reflect HCV RNA polymerase chain reaction (PCR) test.
- (d) "Standard serologic test for HIV" means a test designed to detect evidence of HIV.
- (e) "Department" means the Georgia Department of Public Health.

Cite as Ga. Comp. R. & Regs. R. 511-5-4-.02

AUTHORITY: O.C.G.A. §§ 31-2A-6, 31-12-3, 31-17-4.

HISTORY: Original Rule entitled "Definitions" adopted. F. Sep. 20, 2013; eff. Oct. 10, 2013.

Amended: F. Aug. 1, 2022; eff. Aug. 31, 2022, as specified by the Agency.

511-5-4-.03 Provisions

(1) Unless the patient declines screening, every pregnant woman shall have a blood specimen taken as prescribed herein for a standard serologic test for syphilis, a standard serologic test for HIV, a standard serologic test for hepatitis B and a standard serologic test for hepatitis C.

(2) Every health care provider in this state providing prenatal care to a pregnant woman, or delivering or attending a woman just delivered, shall take or cause to be taken a venous blood specimen for submission to a clinical laboratory for a standard serologic test for syphilis, a standard serologic test for HIV, a standard serologic test for hepatitis B and a standard serologic test for hepatitis C, as follows:

(a) At the initial visit to the health care provider for prenatal care, a standard serologic test for:

1. Syphilis;
2. HIV;
3. Hepatitis B; and
4. Hepatitis C.

(b) In the third trimester in the following circumstances:

1. A standard serologic test for syphilis, as required in O.C.G.A. Section 31-17-4.2. The specimen shall be taken early during the third trimester, ideally at 28-32 weeks of gestation;
2. A standard serologic test for HIV, as required in O.C.G.A. Section 31-17-4.2; and
3. A standard serologic test for hepatitis C if the woman has known or potential exposures to hepatitis C.

(c) As soon as possible upon admission to the hospital or birth facility for delivery:

1. A standard serologic test for syphilis, for women not tested prenatally, who deliver a stillborn infant, are at high risk for syphilis, or as long as Georgia is classified by the Centers for Disease Control and Prevention as a state with high syphilis morbidity. In accordance with O.C.G.A. Section 31-17-4.2, if a syphilis test was conducted in the third trimester, and the woman does not disclose activities posing a risk for syphilis infection more recently, this test is not required;
2. A standard serologic test for HIV, for women not tested prenatally and for women at increased risk for HIV infection who were not tested in the third trimester. In accordance with O.C.G.A. Section 31-17-4.2, if an HIV test was conducted in the third trimester, and the woman does not disclose activities posing a risk for HIV infection more recently, this test is not required;
3. A standard serologic test for Hepatitis B, for women not tested prenatally, with signs or symptoms of hepatitis, or at high risk for hepatitis B; and
4. A standard serologic test for Hepatitis C, for women not tested prenatally.

(3) Patients shall be notified of all tests to be conducted and shall have the opportunity to refuse the test.

Cite as Ga. Comp. R. & Regs. R. 511-5-4-.03

AUTHORITY: O.C.G.A. §§ 31-2A-6, 31-12-3, 31-17-4.

HISTORY: Original Rule entitled "Provisions" adopted. F. Sep. 20, 2013; eff. Oct. 10, 2013.

Amended: F. Aug. 1, 2022; eff. Aug. 31, 2022, as specified by the Agency.

Department 513. RULES OF PUBLIC RETIREMENT SYSTEMS

Chapter 513-7. GEORGIA FIREMAN'S PENSION FUND

Subject 513-7-1. ADMINISTRATIVE RULES

513-7-1-.04 Qualification for Membership and Creditable Service

(1) To qualify for initial membership in the Pension Fund, an individual shall meet one of the following,

(a) Be a firefighter who,

(1) Is a permanent compensated employee of a compliant fire department;

(2) Works at least 20 hours per week on average (1040 hours annually); and,

(3) Is state certified or is a candidate for state certification by the Georgia Firefighter Standards and Training Council,

(b) Be a Volunteer firefighter who,

(1) Is enrolled as a firefighter with a compliant volunteer fire department; and,

(2) Has the principal responsibility of preventing or suppressing fires,

(c) Be a full-time employee of the Pension Fund working an average of 30.5 hours per week.

(2) Employees who are not state certified through the Georgia Firefighter Standards and Training Council and whose only function is the performance of emergency medical services are not eligible for membership.

(3) No person under a sentence of confinement shall be eligible for active membership in the Fund, nor shall any member of the Fund earn creditable service during a time period in which the member is incarcerated under a sentence of confinement.

(4) Any individual who does not qualify for membership under (1) above, or who does not have and principally perform the duties of a firefighter shall not be eligible for initial or continued membership in the Georgia Firefighters' Pension Fund, even though the individual is employed by a fire department in some other capacity, unless prior to July 1, 2006 as an employee of a full-time fire department, the individual principally performed within that fire department a support function set forth in subpart (5) (a, b and c).

(5) Current members of the Pension Fund who do not meet the initial membership requirements specified in paragraph (1) above, and who were admitted to the Fund prior to July 1, 2006 may remain in the Fund and continue to earn creditable service so long as there is no break in eligibility based on qualifying employment listed below,

(a) Clerical services for administration of the department performed by personnel within the fire department;

(b) Communication services for fire suppression and fire prevention activities performed by personnel within the fire department; and,

(c) The maintenance and repair of fire fighting equipment and apparatus performed by personnel within the fire department.

In the event of a transfer from one department to another, no more than 30 calendar days may lapse where the member is not eligibly employed by a department.

(6) The Board may require evidence of qualification for initial or continued membership in the Georgia Firefighters' Pension Fund and of the performance of creditable service certification by the applicant or member and by the Chief of the department as to the roster of the department, showing the position held and the duties of the position held.

(a) For membership which requires state certification the Board shall verify through the Georgia Firefighter Standards and Training Council, department records, and other means, that qualifications are met.

(b) For volunteer firefighters, the Board shall require annual affidavits from department chiefs that training and attendance requirements set forth in [513-7-1-.08](#) are met.

(c) For part-time firefighters, the Board shall require annual affidavits from the department chiefs that requirements in [513-7-1-.08](#) are met.

(d) For all others, the Board shall require an initial job description and periodically, on request, reaffirmation of fire support duties through inquiries of the employing fire department.

(7) Creditable service may be earned by qualifying firefighters serving in a public fire department that serves a designated district provided all of the following are met;

(a) The fire department is financed by public appropriation or subscription and is not privately owned; and,

(b) The fire department has a current certificate of compliance issued by the Georgia Firefighter Standards and Training council; and,

(c) The fire department has been issued an ISO rating as a Class 9 or better under the current approved ISO rating schedule

(d) A volunteer fire department shall hold no less than 8 (eight) hours training/fire department activity in at least 10 (ten) months of a calendar year for any member of the department to earn creditable service for that year.

(8) Credit for prior eligible service may be granted if the member satisfied the requirements for membership and creditable service in 513-7-1-.04 at the time such service was rendered. For the member to be eligible for the purchase of prior eligible service the department with which credit is being claimed shall have met the requirements set forth above in 513-7-1-.04(7).

A member shall be entitled to credit for up to ten years of prior eligible service, provided that such person satisfies the following requirements;

(a) The member shall file with the Board an application for such credit on forms prescribed by the Board,

(b) Submit required documentation verifying that creditable service was earned; and,

(c) Pay to the fund an amount sufficient to grant requested creditable service without creating any actuarially determined accrued liability against The Fund. This amount will be determined and provided by Fund Staff, based on the most recent tables provided by the actuary retained by the Board.

Cite as Ga. Comp. R. & Regs. R. 513-7-1-.04

AUTHORITY: O.C.G.A. § 47-7-23.

HISTORY: Original Rule entitled "Qualification for Membership and Creditable Service" adopted. F. Dec. 23, 1985; eff. July 30, 1981, as specified by the Agency.

Amended: F. Nov. 20, 1990; eff. Dec. 10, 1990.

Amended: F. Aug. 22, 1994; eff. Sept. 11, 1994.

Amended: F. Dec. 29, 1999; eff. Jan. 18, 2000.

Amended: F. Feb. 5, 2001; eff. Feb. 25, 2001.

Amended: F. Aug. 20, 2009; eff. Sept. 9, 2009.

Amended: F. Oct. 29, 2013; eff. Nov. 18, 2013.

Amended: F. Aug. 10, 2015; eff. Aug. 30, 2015.

Note: Correction of non-substantive typographical error by addition of "**Amended:** F. Aug. 10, 2015; eff. Aug. 30, 2015." to Rule History. Effective August 30, 2015.

Amended: F. July 12, 2018; eff. August 1, 2018.

Amended: F. Aug. 17, 2022; eff. Sep. 6, 2022.

513-7-1-.08 Volunteer and Part-Time Firefighter Requirements and Affidavits

(1) A volunteer fire department shall have an active volunteer program as outlined in (a), (b) and (c) below in order for its members to be eligible to earn pension credit. Volunteer firefighters shall meet a minimum standard of 50% of the aggregate of creditable department drills or meetings and creditable calls for the calendar year using a point based system. One point shall be earned for each eligible call, and one point for each completed hour of designated department drills or meetings held as a group.

(a) A volunteer fire department shall hold at least 8 hours of drills or meetings per month for 10 months (or more) in a calendar year. If the department fails to hold the required hours of drills and meetings, no member of the department shall be able to earn creditable service for that year.

(b) Creditable department drills or meetings shall take place as a group, at the department level. If a department has multiple stations, drills and meetings as a group at the station level may count as department drills and meetings. There shall be no subgroups within a station for the purpose of calculating annual department drills and meetings for Pension Fund credit. Of regular department drills, and meetings offered annually, each member of the department shall attend a minimum of 25%. In addition, creditable service shall not be earned if the member attended less than 24 hours of department drills and meetings for the year. Drills and meetings must be documented on forms that contain the following;

(i) Date of training/event

(ii) Actual beginning and actual end times

(iii) Location

(iv) Brief description of training/activity

(c) Creditable calls are calls specific to the department being called. If a department has multiple stations, the calls may be specific to the station. Fire calls shall be counted towards pension credit. A fire call is defined as fires on property subject to insurance coverage under O.C.G.A. 47-7-61, including, but not limited to structures, vehicles, boats, planes and motorcycles. Structures include commercial and residential properties, whether occupied or not. In addition to fire calls, it shall be predetermined annually by the chief, if, and what other types of calls are also counted as creditable. This may include but is not limited to motor vehicle accidents, and vegetation, crop, and open land fires. Awarding of, or denying of credit for a particular type call shall be consistent throughout the year.

Members shall meet a minimum of 25% of creditable calls annually. In the event the 25% calculation does not result in a whole number, the calculation may be rounded down to the nearest whole number. Firefighters from departments with one or more creditable calls, cannot earn creditable service if no calls were attended.

(2) Additional pension eligible points may be earned for Additional Training and Station Duty.

(a) One point may be earned for each hour of organized training attended which shall take place outside the department's regularly scheduled station activity. Additional training points are not required to be earned within the member's department, but shall require the approval of the member's chief. Additional training credit shall not account for more than 25% of the members total annual pension eligible points.

(b) Additional points may also be earned by performing pre-scheduled, pre-approved Station Duty. Station Duty, performed in two hour blocks, shall earn one point of additional credit per completed two hour block. Work shall take place during the time in which credit is being earned. Station Duty Credit shall not account for more than 25% of the members total annual pension eligible points.

(c) Station duty credit and additional member training credit shall not be earned concurrently. The department shall maintain documentation of station duty, and additional training where credit is being applied towards annual pension credit. Documentation shall be on forms provided, and prescribed by, the Board of Trustees.

(3) The Chief or Chief's designee shall determine if a Volunteer has earned pension creditable service for the period under report by summarizing the points earned relative to points available to determine if the "50%" standard has been met in accordance with O.C.G.A. 47-7-81.

(a) The Chief or Chief's designee shall add all points earned by a Volunteer for Station Activity and Fire Calls, plus any approved points earned for Station Duty and/or Additional Training (under 513-7-1-.08(1) and (2) above) to determine Total Points Earned.

(b) The Chief or Chief's designee shall add all points offered by the station or department for Station Activity and those Fire Calls for which the Volunteer and his/her volunteer unit is responsible to determine Total Points Available.

(c) For each Volunteer unit, the total of points offered and responsible, i.e. the Total Points Available should be the same for all Volunteers.

(d) The Chief or Chief's designee shall divide Total Points Earned by Total Points Available for each pension participating Volunteer to determine if pension creditable service has been earned.

(4) Volunteer Service Affidavits for each active volunteer shall be filed promptly after the end of each calendar year by the chief of each department with which volunteer firefighters are enrolled attesting to the attendance of the volunteer firefighters for the prior calendar year.

(a) The Required Annual Affidavit Packet shall be provided by the Fund, and is to be completed and returned in its entirety by the chief of their respective fire department.

(b) A list of active members will be provided to the department. Individual Volunteer Service Affidavits shall be completed for each person listed. Each Volunteer Service Affidavit must be signed by the member and the chief.

(c) The annual Volunteer Service Affidavits, along with any requested or specified backup documentation for each member listed, shall be properly addressed and mailed in its entirety to the Pension Fund office, by first class mail, postage prepaid, and bear a postmark not later than February 15th of each year.

(d) Volunteer Service Affidavits received without required backup documentation, for each member listed, will be considered incomplete and shall be returned to the department for completion. Required Reporting Documentation received after February 15th shall not be accepted without the approval of the Board of Trustees. In addition, each member listed will be assessed a \$25 late fee if their Volunteer Service Affidavit is received after February 15th.

(e) Creditable service extended to volunteer firefighters based on the Chief's Affidavit is provisional, and subject to audit and verification by the Fund.

(f) Records of calls, training, drills, meetings and station duty shall be maintained by the Department for a minimum of 10 years. Such records shall be made available for inspection by the Fund, upon request.

(5) Part-Time Firefighters are state certified firefighters, employed in a permanent compensated position, working at least 20 hours per week on average, (1040 hours annually).

(a) The annual Part-Time Affidavit, prepared by the Fund and completed by the chief, attesting that the requirements in 513-7-1-.08(5) above have been met, shall be filed promptly after the end of each calendar year. The completed affidavit shall contain the number of hours worked for each member listed, and be signed by the chief for the member to receive credit.

(b) The annual Part-Time Affidavit shall be properly addressed and mailed to the Pension Fund office, by first class mail; postage prepaid, and be postmarked no later than February 15th of each year.

(c) Any Part-Time Affidavit received after February 15th shall not be accepted without the approval of the Board of Trustees. In addition, each member listed on the affidavit will be assessed a \$25 late fee if the "Part-Time Affidavit" is received after February 15th.

(d) Creditable service extended to part-time firefighters based on the Chief's Affidavit is provisional, and subject to audit and verification by the Fund.

Cite as Ga. Comp. R. & Regs. R. 513-7-1-.08

AUTHORITY: O.C.G.A. § 47-7-23.

HISTORY: Original Rule entitled "Volunteer Reports" adopted. F. Dec. 23, 1985; eff. Apr. 19, 1984, as specified by the Agency.

Amended: F. Nov. 20, 1990; eff. Dec. 10, 1990.

Amended: F. Aug. 22, 1994; eff. Sept. 11, 1994.

Amended: Rule retitled "Volunteer Affidavits." F. Dec. 29, 1999; eff. Jan. 18, 2000.

Amended: F. Feb. 5, 2001; eff. Feb. 25, 2001.

Repealed: New Rule entitled "Part-Time Firefighter and Volunteer Firefighter Affidavits" F. Aug. 20, 2009; eff. Sept. 9, 2009.

Amended: New title "Volunteer Firefighter Requirements and Affidavits." F. Oct. 29, 2013; eff. Nov. 18, 2013.

Amended: New title "Volunteer and Part-Time Firefighter Requirements and Affidavits." F. Aug. 10, 2015; eff. Aug. 30, 2015.

Amended: F. July 12, 2018; eff. August 1, 2018.

Note: Correction of non-substantive typographical error, as submitted by the Agency on Oct. 12, 2018. Subparagraph (1)(c), "O.C.G.A. 47-7-6" corrected to "O.C.G.A. 47-7-61." Effective October 12, 2018.

Amended: F. Aug. 17, 2022; eff. Sep. 6, 2022.

Department 515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION

Chapter 515-3. GENERAL RULES

Subject 515-3-1. GENERAL RULES

515-3-1-.04 Annual and Monthly Reports and Other Filings

(1) **Annual Reports.** Each gas, electric light and power company, and local exchange carrier that is subject to rate of return regulation pursuant to O.C.G.A. § [46-5-165](#) shall keep and maintain the Uniform System of Accounts prescribed by the Commission for such companies, and file with the Commission on or before the last day of April of each year, a report of operations prepared in accordance therewith, and for the fiscal year immediately preceding. The report shall be sworn to by an officer of the company as a true and correct statement of the business and affairs of the company. Further, each such company having annual revenues over \$1,000,000 from utility operations regulated by the Commission shall file annual financial schedules certified by a certified public accountant (CPA) that the schedules were examined in accordance with generally accepted auditing standards and that the schedules are presented in accordance with generally accepted accounting principles. The financial schedules to be so filed with the Commission as a minimum are: Balance Sheet; Income Statement; Retained Earnings Statement; and Statement of Changes in Financial Position. The companies may substitute to the Commission their annual certified report to their stockholders, if any is so issued, for the financial schedules specified in this rule.

(2) **Monthly Reports.** Each gas company and electric light and power company shall file in the office of the Commission within thirty days after the last day of each month, a report, duly sworn to, showing the earnings and expenses of such company during such month.

(3) **Other Information to be Furnished When Required.** In addition to the foregoing, each of said companies shall furnish such other reports and information as the Commission may require from time to time.

(4) **Books, Etc., to be Produced.** Furthermore, it shall be the duty of each of said companies to produce for the inspection of the Commission any and all books, papers, contracts, agreements and other original records, of any character whatsoever, that may be in possession of said company, or within its power, custody or control, or copies thereof, as may be demanded and designated by the Commission.

Exhibit A

Each operator of a Transmission or distribution pipeline system shall submit an annual report electronically by March 15 of each year. This includes private, municipals and master meter operators.

NOTE: Failure to file this Report annually on or before March 15 of each year constitutes a violation of GPSC Utility Rule [515-3-1-.04](#); and violators will be subject to Commission assessment of civil penalties of up to \$15,000.00 for such violation, plus up to \$10,000.00 per day for each day after March 15th such form is not filed with the Commission.

The information below shall be included on the 7100 annual reports filed for Transmission and Distribution gas systems.

GPSC ANNUAL PIPELINE SAFETY REPORT

Operators Name: _____

Mailing address: _____

Phone number:

During Business Hours: _____

After Business Hours: _____

Fax number: _____

Email address: _____

(If possible please do not provide individual email addresses)

Contact person: _____

(Gas Superintendent, City Manager, etc)

Leak Survey Information

Miles of main surveyed: _____

(January 1 through December 31)

Number of services surveyed: _____

(January 1 through December 31)

Company/Individual performing survey: _____

	Grade 1	Grade 2	Grade 3
Above Ground Leaks			
Below Ground Leaks			

Please list names/titles & after hours numbers of key personnel who might respond to an emergency incident: _____

Cite as Ga. Comp. R. & Regs. R. 515-3-1-.04

AUTHORITY: O.C.G.A. §§ [46-2-20](#), [46-2-30](#).

HISTORY: Original Rule entitled "Annual and Monthly Reports" adopted. F. Dec. 29, 1975; eff. Jan. 1, 1976, as specified by Ga. L. 1975, p. 411.

Amended: Rule retitled "Annual and Monthly Reports and Other Filings." F. June 17, 1981; eff. July 7, 1981.

Amended: F. May 5, 1989; eff. May 25, 1989.

Amended: F. Oct. 3, 2007; eff. Oct. 23, 2007.

Amended: F. Aug. 30, 2022; eff. Sep. 19, 2022.

Department 515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION

Chapter 515-12. TELEPHONE SERVICE

Subject 515-12-1. TELEPHONE SERVICE

515-12-1-.23 Customer Trouble Reports

(1) Local Exchange Carriers that are not subject to rate of return regulation pursuant to O.C.G.A. § [46-5-165](#) are exempt from the provisions of this rule.

(2) Each utility shall provide for the receipt of customer trouble reports at all hours and make a full and prompt investigation of all complaints. The utility shall maintain an accurate record of trouble reports made by its customers. This record shall include appropriate identification of the customer or service affected; the time, date and nature of the report; the action taken to clear trouble or satisfy the complaint; and the date and time of trouble clearance or other disposition.

(3) Each utility shall send, via electronic mail, the Commission Staff a trouble report summary on a quarterly basis which shall be sent on or before the end of the month following the reporting period. This report shall include 1. The name of each exchange; 2. The number of exchange lines for each exchange; 3. The number of troubles filed that month for each exchange; 4. The Trouble Index (number of reported troubles per 100 lines) for each exchange; and 5. A detailed explanation if the Trouble Index is above the allowable 4% maximum.

(4) Provisions shall be made to clear troubles of an emergency nature at all hours, consistent with the needs of customers and the personal safety of utility personnel.

(5) Provisions shall be made to normally clear all out-of-service trouble not requiring unusual repair, such as cable failure, within 24 hours (Sundays excepted) of the report received by the utility unless the customer agrees to another arrangement.

(6) All commitments to customers shall be kept, unless customers are timely notified of unavoidable changes. If unusual repairs are required, or other factors preclude clearing of reported trouble promptly, reasonable efforts shall be made to notify affected customers.

(7) Service shall be maintained in such a manner that trouble reports by central office do not exceed four trouble reports per one hundred access lines per month for two consecutive months, or per month for four months in any one twelve-month period. This standard does not apply to trouble reports related to customer premise equipment, inside wiring, force majeure, or outages of service caused by persons or entities other than the telephone utility.

(8) **Transmission Requirements.** Telephone utilities shall furnish and maintain adequate plant, equipment and facilities to provide satisfactory transmission of communications between customers in their service areas. Transmission shall be at adequate volume levels and free of excessive distortion. Levels of noise and cross-talk shall be such as not to impair communications.

Cite as Ga. Comp. R. & Regs. R. 515-12-1-.23

AUTHORITY: O.C.G.A. §§ [46-2-20](#), [46-2-30](#).

HISTORY: Original Rule entitled "Customer Trouble Reports" adopted. F. Dec. 29, 1975; eff. Jan. 1, 1976, as specified by Ga. L. 1975, p. 411.

Amended: F. Nov. 26, 2002; eff. Dec. 16, 2002.

Amended: F. Feb. 7, 2003; eff. Feb. 27, 2003.

Amended: F. Aug. 24, 2022; eff. Sep. 13, 2022.

Department 591. RULES OF BRIGHT FROM THE START GEORGIA DEPARTMENT OF EARLY CARE AND LEARNING

Chapter 591-1.

Subject 591-1-1. CHILD CARE LEARNING CENTERS

591-1-1-.02 Definitions

In these rules, unless the context requires otherwise, the capitalized symbols, words and phrases set forth herein shall mean the following:

- (a) "Adult" means any competent individual eighteen (18) years of age or older.
- (b) "Adverse Action" means any Intermediate or Closure Action issued as a result of one or more rule violations.
- (c) "Child Care Learning Center" or "Center" means any place operated by an individual or any business entity recognized under Georgia law wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, seven or more children under 18 years of age and which is required to be licensed. Child Care Learning Center also includes any day care center previously licensed by the Department of Human Resources and transferred pursuant to Code Section [20-1A-1](#) *et seq.*
- (d) "Child with Special Needs" means a child enrolled in a Center who, due to a physical problem, mental health disorder, behavioral disorder, or developmental disability, which is either permanent or temporary, requires some adaptation of the Center's standard program of care or activities to accommodate the child's special needs.
- (e) "Closure Action" means the most restrictive category of Enforcement Actions including emergency closure, long-term suspension and revocation.
- (f) "Comprehensive Records Check Determination" means a satisfactory or unsatisfactory determination by the Department, based upon a Federal Bureau of Investigation fingerprint check, a search of the National Crime Information Centers National Sex Offender Registry, compliance with relevant state and federal law, and a search of the following registries, repositories or databases in the state where the actual or potential employee or director resides and in each state where such individual resided during the preceding five years: criminal registry or repository; state sex offender registry or repository; and state based child abuse and neglect registry and database.
- (g) "Correctable Abuse Dereliction or Deficiency" means any conduct of a License or Permit Holder which violates any of these rules wherein the Department determines that the rule violation is not the result of any Non-Correctable Abuse, Dereliction or Deficiency.
- (h) "Crime" means
 - 1. Any felony pursuant to O.C.G.A. § [20-1A-30](#) and in accordance with 42 U.S.C. § 9858f(c)(1)(E);
 - 2. A violation of O.C.G.A. § [16-5-23](#), relating to simple battery, where the victim is a minor;
 - 3. A violation of O.C.G.A. § [16-5-23.1](#), relating to battery, where the victim is a minor;
 - 4. A violation of O.C.G.A. § 16-21-1, relating to contributing to the delinquency of a minor;
 - 5. A violation of O.C.G.A. § [16-6-1](#) *et seq.* relating to sexual offenses;

6. A violation of O.C.G.A. § [16-5-29](#), relating to battery of an unborn child;
7. A violation of O.C.G.A. § [16-5-60](#), relating to reckless conduct causing harm when the victim is a minor;
8. A violation of O.C.G.A. § [16-5-70](#), relating to cruelty to children;
9. A violation of O.C.G.A. § [16-12-1.1](#), relating to child care facility operators being prohibited from employing or allowing to reside or be domiciled persons with certain past criminal violations;
10. A violation of O.C.G.A. §§ [16-12-100](#), [16-12-100.1](#), [16-12-100.2](#), [16-12-100.3](#), relating to obscenity and related offenses where the victim is a minor;
11. A violation of O.C.G.A. § [40-6-391](#), relating to endangering a child while driving under the influence of alcohol or drugs;
12. A violation of O.C.G.A. § [19-7-5](#), relating to a failing to report if mandated to do so by law;
13. Child pornography, in accordance with 42 U.S.C. § 9858f(c)(1)(E);
14. Abuse of, endangerment of, or sexual assault against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);
15. Any other violent misdemeanor against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);
16. A violation of O.C.G.A. § [16-4-1](#), relating to criminal attempt when the crime attempted is any of the crimes specified by this paragraph; or
17. Any other offenses committed in another jurisdiction which, if committed in this state, would be one of the enumerated crimes listed in this paragraph.

(i) "Criminal Record" means:

1. Conviction of a crime; or
2. Arrest, charge, and sentencing for a crime where:
 - i. A plea of nolo contendere was entered to the charge; or
 - ii. First offender treatment without adjudication of guilt pursuant to the charge was granted; provided, however, that this division shall not apply to a violation of O.C.G.A. § [16-13-1](#) *et seq.*, relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of O.C.G.A. § [16-13-1](#) *et seq.* if such violation or offense constituted only simple possession; or
 - iii. Adjudication or sentence was otherwise withheld or not entered on the charge; provided, however, that this division shall not apply to a violation of O.C.G.A. § [16-13-1](#) *et seq.* relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of Chapter 13 of Title 16 if such violation or offense constituted only simple possession; or
3. Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to O.C.G.A. § [17-3-1](#) *et. seq.*

(j) "Department" means Bright from the Start: Georgia Department of Early Care and Learning.

(k) "Director" means the on-site manager of a Child Care Learning Center designated by the legal owner who has submitted a Records Check Application and has received a satisfactory Comprehensive Records Check

Determination and who is responsible for the supervision, operation and maintenance of the Center and meets the minimum qualifications as determined by the Department.

(l) "Employee" means any person, other than a Director or Provisional Employee, who has submitted a Records Check Application and has received a satisfactory Comprehensive Records Check Determination and who:

1. Regardless of age, is compensated by a Center for the care of children; or

2. Regardless of age, cares for, supervises or has unsupervised access to children at the Center; or

(3) Is 17 years of age or older and resides at the facility; or

(4) Regardless of age, performs duties for or services that benefit the Center, with or without compensation, which involve personal contact between that person and any child being cared for by the Center, including but not limited to volunteers that perform consistent services for the Center, where services are considered consistent when provided more than once in a ninety calendar day period; or

(5) Regardless of age, is a parent or legal guardian of a child in care who is deemed an employee by the Center or either resides at the Center and is age 17 or older, or is compensated in any fashion by the Center except through appropriate state or federal funds; or

(6) Regardless of age, is an independent contractor hired by the Center to offer supplemental educational or physical activities for children in care; or

(7) Regardless of age, is a Student-in-Training.

(m) "Enforcement Action" means any action issued as a result of one or more rule violations ranging from technical assistance to a Closure Action.

(n) "Evening Care" means care provided to any child at a Center between the hours of 7:00 p.m. and 12:00 midnight.

(o) "Field Trip" means an excursion or program activity with a specific destination away from the Center. It does not include routine school or home pick-up and deliveries or transporting children to and from activities or events where the provider of the activities or the events assume responsibility for the children during the entirety of the event or activity, such as in dance classes or art lessons or regularly scheduled trips to the local public libraries.

(p) "Fingerprint" means an inked fingerprint card or an electronic image of a person's fingerprint.

(q) "Fingerprint Records Check Determination" means a satisfactory or unsatisfactory determination made by the Department that is based upon national criminal history record information obtained by the use of Fingerprints.

(r) "Group" means a specific number of children assigned to specific Staff throughout the day. More than one Group may occupy the same physical space.

(s) "Infant" means any child who is under twelve (12) months of age or any child who is under eighteen (18) months of age and who is not yet walking.

(t) "Intermediate Action" means a moderately restrictive category of Enforcement Actions including public reprimands, fines, per rule fines, per day fines, restrictions, emergency monitoring and short-term suspension.

(u) "License" means the document issued by the Department to authorize the License Holder to whom it is issued to operate a Center in accordance with these rules. (In lieu of a License, a commission may be issued to a local church ministry, religious nonprofit school or nonprofit religious charitable organization. The requirements to obtain a commission under these rules shall be identical to those for a License.)

(v) "License Holder" means the individual or business entity holding a License issued by the Department to operate a Center at a particular location and having responsibility for the operation and maintenance of the Center in accordance with these rules.

(w) "Night-time Care" means care provided to children at the Center between the hours of 12:00 midnight and 6:00 a.m.

(x) "Non-Correctable Abuse, Dereliction or Deficiency" means an abuse, dereliction or violation of these rules which demonstrates any of the following:

1. Flagrant and shocking intentional misconduct by the Center or Center Staff where those responsible for the operation of the Center knew or should have known of the likelihood of Staff to commit such acts;
2. An intentional or reckless disregard for the physical health, mental health or safety of a child in care which may or may not result in physical injury to the child by the Center or the Center Staff where those responsible for the operation of the Center knew or should have known of the likelihood of Staff to disregard; or
3. Some causal connection between the intentional violation of a rule and the death or major injury of a child in care.

(y) "Parent" means a person related within the second degree of consanguinity by either blood or marriage, or a person with lawful custody, or a state-regulated foster parent, or a legal guardian of a child in care. For purposes of these rules, a Parent shall not be considered an Employee unless such Parent is deemed an Employee by the Center or either resides in the Center or is compensated in any way by the Center other than through appropriate state or federal funds.

(z) "Permit" means the temporary document issued by the Department authorizing a Child Care Learning Center to operate without a License for a limited term and in accordance with these rules.

(aa) "Permit Applicant" means an individual or any business entity recognized under Georgia law applying for a Permit from the Department as defined in these rules.

(bb) "Permit Holder" means the individual or business entity issued a Permit by the Department to operate a Center at a particular location that is responsible for the operation and maintenance of the Center in accordance with these rules.

(cc) "Personnel" or "Staff" means all persons including the Director, Employees and Provisional Employees.

(dd) "Plan of Correction" means a written plan prepared by the authorized agent of the Center submitted to and approved by the Department which states the procedure(s), method(s) and time frame(s) that will be used to correct the area(s) of non-compliance with these rules.

(ee) "Prevention Action" means the least restrictive category of Enforcement Actions including technical assistance, citation, formal notice letter and office conference.

(ff) "Provisional Employee" means a person other than a Director or Employee, who has submitted a Records Check Application to become an Employee and has not received a Comprehensive Records Check Determination but who has received a satisfactory Fingerprint Records Check Determination and who must be supervised at all times by another Staff member who has a current and valid satisfactory Comprehensive Records Check Determination on file.

(gg) "Qualified" or "Qualifications" means that a person possesses, in addition to the other requirements set forth in these rules, certain minimum personal and health requirements necessary to administer or be employed in a Center. A person may be considered by the Department to be qualified with respect to the minimum personal and health criteria when he or she has a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination; is able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules; has not made any material false statements

relating to any licensure requirement to the Department, the Permit Holder or the License Holder; and has not been shown by credible evidence, e.g., a finding of fact made by a court, jury or department investigation or other reliable evidence, to have abused, neglected, or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct.

(hh) "Qualifying Work Experience" means verifiable experience working directly with children.

(ii) "Records Check Application" means a document created by the Department to be completed and submitted to the Department by every actual and potential Director, Employee and Provisional Employee of the Center that indicates such information as the Department deems appropriate and which authorizes the Department to receive any sex offender registry, child abuse and neglect registry and criminal history record information pertaining to the individual from any local, state or national agency of appropriate jurisdiction and render a Fingerprint or Comprehensive Records Check Determination.

(jj) "Records Check Clearance Date" means the date upon which an individual's fingerprint report was generated.

(kk) "School-age Children" means children who are at least five (5) years old by the first of September of the current school year and who are eligible to attend public school.

(ll) "School-age Center" means a Child Care Learning Center, or part thereof with separate physical facilities and a separate License, which provides day-time care exclusively to School-age Children before and/or after the normal school day. Such programs may operate a full-day program solely for the School-age Children enrolled in the program during the regular school year during those periods when school is not in session.

(mm) "Student-in-Training" means a student currently enrolled in either a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education which requires or permits the student to observe and participate in the care of children at a Center during a limited period of time, i.e., one quarter, one trimester or one semester, provided that they are under the direct supervision of Center Personnel at all times.

(nn) "Valid Evidence" means electronic proof of a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination as follows:

1. Directors - a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department; provided that the letter for a newly hired Director must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Director's date of hire, and the Director has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer.

2. Provisional Employees - a valid and current satisfactory Fingerprint Records Check Determination issued by the Department; provided that the letter for a newly hired Provisional Employee must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Provisional Employee's date of hire, and the Provisional Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer;

3. Employees - a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department; provided that the letter for a newly hired Employee must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Employee's date of hire, and the Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer;

(oo) "Violation Class" means the category on the compliance and enforcement chart that corresponds with the level of risk of harm or actual harm as a result of one or more rule violation.

(pp) "Violation History Level" means the category on the compliance and enforcement chart that corresponds with the prior history of continued rule violations.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.02

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq., 42 U.S.C. § 9857 et seq.

HISTORY: Original Rule entitled "Definitions" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: ER. 591-1-1-0.1-.02 adopted. F. Sep. 1, 2004; eff. Oct. 1, 2004, as specified by the Agency.

Amended: Permanent Rule adopted. F. Jan. 12, 2005; eff. Feb. 1, 2005.

Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. June 2, 2016; eff. June 22, 2016.

Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

591-1-1-.07 Children's Health

(1) Exclusion of Sick Children. A child shall not be accepted nor allowed to remain at the Center if the child has the equivalent of a one hundred one (101) degrees Fahrenheit or higher oral temperature and another contagious symptom, such as but not limited to, a rash, diarrhea or a sore throat. When a child shows symptoms of illness during the day, the child shall be moved to a quiet area away from other children where the child shall be supervised and provided the necessary attention until such time as the child leaves the Center or is able to return to the child's group.

(2) Parental Notification. Parents must be notified of a child's illness or injury as follows:

Notification	When
Immediately notify Parent(s) and obtain specific instructions until child can be picked up or returned to group.	When professional medical attention is required, or When child experiences symptoms of moderate discomfort such as elevated temperature, vomiting or diarrhea.
Notify Parent(s) by the end of the day.	When professional medical attention is not required, or When child experiences symptoms of less than moderate discomfort, or When child experiences an adverse reaction to prescribed medication which does not constitute moderate discomfort.

(3) Communicable Diseases. The Department's current communicable disease chart of recommendations for exclusion of sick children from the Center and their readmission shall be followed. Parents of all children enrolled shall be notified in writing of the occurrence of any of the illnesses on the most current version of the communicable disease chart, as found on the Department's website, or any cases or suspected cases of viruses or illnesses (COVID-19, etc.) identified during a public health emergency, within twenty-four (24) hours after the Center becomes aware of the illness or the next working day.

(4) Medical Emergencies. A Center shall have a written plan which outlines how emergency medical services will be obtained, including place(s) the child will be taken for emergency care. When a medical emergency arises involving a child, the Center Staff shall seek prompt emergency medical treatment and provide any certified or licensed emergency medical persons with immediate access to the child.

(5) Hazardous Items. Children shall not be permitted to wear around their necks or attach to their clothing pacifiers or other hazardous items.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.07

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq.

HISTORY: Original Rule entitled "Children's Health" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

591-1-1-.08 Children's Records

(1) A Center must maintain a file for each child while such child is in care at the Center and for a period of one (1) year after such child is no longer in care at the Center. In order for the file to be complete, the file shall contain the following: identifying information about the child to include: name, date of birth, sex, address, living arrangement if not with both Parents, name of school, if applicable; identifying information about the Parent(s) to include: names of both Parents, if applicable, home and work addresses, and home and work telephone numbers; name(s) and addresses of the person(s) to whom the child may be released. Such information shall contain the authorized person's address, telephone numbers, relationship to child and to Parent(s) and other identifying information; identifying information about the person(s) to contact in emergencies when the Parent cannot be reached to include name(s) and telephone number(s); identifying information about the child's primary source of health care to include physician's or clinic's name and telephone number; and a statement regarding known allergies or other physical problems, mental health disorders, intellectual disabilities or developmental disabilities which would limit the child's participation in the Center's program and activities.

(a) The file shall contain a description of any special procedures to be followed in caring for the child, including any special services which the Center agrees to provide to a Child with Special Needs.

(b) The file shall contain parental authorizations, including, but not limited to, written authorization for the Center to obtain emergency medical care for the child when the Parent is not available.

(c) The file shall contain parental acknowledgment of their responsibility for keeping the Center advised of any significant changes in enrollment information concerning phone numbers, work locations, emergency contact, family physicians, etc.

(d) The file shall contain parental acknowledgment that when the Parent(s) or persons authorized by the Parent(s) pick up or drop off their child at the Center, they will not allow their child to enter or leave the Center without being escorted and that the Center will not permit the child to enter or exit the Center without an escort.

(2) The file shall also contain evidence of age-appropriate immunizations or a signed affidavit against such immunizations. The items shall be maintained for each child enrolled in the Center on a form approved by the Department, and no child shall continue enrollment in the Center for more than thirty (30) days without such evidence.

(3) The file shall also contain documentation of incidents requiring professional medical attention, other than simple first aid performed by Center Staff, to include: child's name, type of illness or injury, date of illness or injury, how injury or illness occurred, Staff present, method of notifying Parent(s) and services provided to the child.

(4) Confidentiality. Information pertaining to the children enrolled at a Center is considered confidential and may not be released by Center Staff without first obtaining written permission signed by the Parent(s). However, relevant

information relating to the children's family situations, medical status and behavioral characteristics on the children enrolled at the Center at any time shall be shared among Center Staff, with members of the Department or with other persons authorized by these rules or the law to receive such information, or with other persons in an emergency situation involving the child.

(5) Attendance Records. A child's daily attendance records for the twelve (12) preceding months must be maintained but need not be filed in each child's record. These records shall be made available to the Department in printed or written form upon request.

(6) Arrival and Departure Records. Records of a child's daily arrival and departure for the twelve (12) preceding months shall be maintained but need not be filed in each child's record. The Parent or person(s) authorized by the Parent to drop off and pick up the child will document, in written or electronic format, each time the Parent or authorized person drops off and picks up the child. The documentation shall include at least the following information: the date, the child's name, the arrival and departure times, and the signature or initials of the Parent or authorized person at the time of arrival and departure. These records shall be made available to the Department in printed or written form upon request.

(7) The Center shall ensure that children are only released to authorized person(s), and Center Staff shall take necessary steps to determine that any such person(s) presenting to pick up a child in care is authorized by the Parent(s) of the child and that person matches the identifying information provided by the Parent.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.08

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq.

HISTORY: Original Rule entitled "Children Records" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.

Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

591-1-1-.09 Criminal Records and Comprehensive Background Checks

1. Satisfactory Fingerprint Records Check Determination or Satisfactory Comprehensive Records Check Determination Required

(a) A Center must ensure that every actual and potential Director, Employee and Provisional Employee of a Child Care Learning Center submit both a Records Check Application to the Department and Fingerprints to an authorized fingerprinting site.

(b) A Center must ensure that every Director has a valid and current satisfactory Comprehensive Records Check Determination on file prior to being present at the Center while any child is present for care or before an individual age 17 or older resides in the Center. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Director has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Comprehensive Records Check Determination is required.

(c) A Center must ensure that every Employee has a valid and current satisfactory Comprehensive Records Check Determination on file prior to being present at the Center while any child is present for care or before an individual

age 17 or older resides in the Center. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Comprehensive Records Check Determination is required.

(d) The Center must ensure that every Provisional Employee has a valid and current satisfactory Fingerprint Records Check Determination on file prior to being present at the Center while any child is present for care or before an individual age 17 or older resides in the Center and must be supervised at all times by a Director or Employee with a valid and current satisfactory Comprehensive Records Check Determination. The Fingerprint Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Provisional Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Fingerprint Records Check Determination is required.

(e) No actual or potential Director, Employee or Provisional Employee of a Child Care Learning Center with an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination may be present at a Center when any child is present for care or reside at a Center.

(f) Valid Evidence of a satisfactory Fingerprint Records Check Determination must be maintained at the Child Care Learning Center for each Provisional Employee for the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.

(g) Valid Evidence of a satisfactory Comprehensive Records Check Determination must be maintained at the Child Care Learning Center for the Director and each Employee (including Students-in-Training, Volunteers, independent contractors and residents age 17 and older) for the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.

(h) The Center must ensure that every Provisional Employee requests child abuse and neglect registry information and criminal history documents from any U.S. state, territory or tribal land other than Georgia in which they have resided in the preceding five years and submit such documents to the Department in a timely manner. Failure to request out-of-state information will result in the issuance of an unsatisfactory Comprehensive Records Check Determination.

(i) For a Provisional Employee to become a permanent Employee, the individual must have a satisfactory Comprehensive Records Check Determination.

(j) Portability for Directors, Employees and Provisional Employees, excluding Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center may accept a satisfactory Fingerprint Records Check Determination letter or a satisfactory Comprehensive Records Check Determination letter issued by the Department if the Records Check Clearance Date is within the preceding 12 months from the hire date, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Center does not know or reasonably should not know that the individual's satisfactory status has changed.

(k) Portability for Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center may accept a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination letter issued by the Department for a Student-in-Training if the individual's Records Check Clearance Date is within the preceding 24 months from the hire date, the Center has verified and maintains evidence on file at the Center that the Student-in-Training is currently enrolled in a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Center does not know or reasonably should not know that the individual's satisfactory status has changed.

(l) Recheck Required. The Center must immediately require that every Director, Employee and Provisional Employee submit to the Comprehensive Records Check Determination process at the following times:

1. When the Center knows or reasonably should know that a Director, Employee or Provisional Employee has been arrested or charged for any covered Crime;
2. When there is a lapse of employment from the child care industry that lasted for 180 calendar days (6 months) or longer;
3. At least once every five years; and
4. When the Department so requests.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.09

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq., 42 U.S.C. § 9857 et seq.

HISTORY: Original Rule entitled "Criminal Records Check" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: New title "Criminal Records and Comprehensive Background Checks." F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 28, 2019; eff. Sep. 17, 2019.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

591-1-1-.29 Required Reporting

(1) Child Abuse, Neglect or Deprivation. Within twenty-four (24) hours or the next work day, the Director or designated person-in-charge shall report or cause to be reported any suspected incidents of child abuse, neglect or deprivation to the local County Division of Family and Children Services in accordance with state law and to the Department, notifying that such a report was made.

(2) Communicable Diseases. The Director or designated person-in-charge shall report or cause to be reported any cases or suspected cases of notifiable communicable diseases (COVID-19, Tuberculosis, Measles, etc.) or any viruses or illnesses identified during a public health emergency, immediately to the Department and to the local County Health Department as required by the rules of the Georgia Department of Public Health, Rule 511-2-1, Notification of Disease.

(3) Required Reports. The Director or designated person-in-charge shall report or cause to be reported to the Department within twenty-four (24) hours or the next work day: any death of a child while in the care of the Center; any serious illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the Center; any situation when a child in care becomes missing, such as, but not limited to, a child who is left on a vehicle, a child who leaves the building, playground, or property, or a child who is left behind on any trip; any fire; any structural disaster; any emergency situation that requires temporarily relocating children; and any time the program's operating status changes (i.e., open to closed or temporarily closed and temporarily closed to open).

(a) Availability of Records. The Center must make available all records related to any required report, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information. The Department shall have the right to a photocopy or reproduction of any record maintained by or on behalf of the Center.

(4) Criminal Record. Within twenty-four (24) hours or on the next work day that the Center knows or reasonably should know that there has been an arrest or change in the Comprehensive Records Check Determination of any Director or Employee or the Fingerprint Records Check Determination for any Provisional Employee, the Director or designated person-in-charge shall report or cause to be reported to the Department the incident and the name of any such Director, Employee or Provisional Employee.

(5) Annual Reports. The Department may request an annual report from an administrator of a Center. If such a request is made, the administrator shall have up to thirty (30) days to submit the annual report to the Department.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.29

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq., 42 U.S.C. § 9857 et seq.

HISTORY: Original Rule entitled "Required Reporting" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.

Repealed: New Rule of same title adopted. F. Aug. 7, 2009; eff. Aug. 27, 2009.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 31, 2020; eff. Sep. 20, 2020.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

591-1-1-.37 Inspections and Investigations

The Department is authorized and empowered to conduct on-site inspections and investigations of Centers.

(a) Inspections and Investigations. The Department may conduct inspections and investigations in the following instances:

1. At regular intervals as the Department may determine or at the expiration of the current License or Permit;
2. Upon receiving a report alleging child abuse, neglect or deprivation which occurred while the child was in the care of the Center Director, Provisional Employees or Employees;
3. Upon receiving a complaint concerning the Center which could endanger the health, safety or welfare of the children in care;
4. Upon receipt and review of a request for an amended License where the Department determines that an on-site inspection is advisable;
5. Upon the Department or its duly authorized representative being made aware of any flagrant abuses, derelictions or deficiencies during the course of the inspection or at any other time. The Department shall immediately investigate such matters and may make an on-site inspection so as to take such actions as conditions may require;
6. Subsequent to the receipt of a Plan of Correction, as determined necessary by the Department to monitor whether the Plan of Correction is being complied with by the Center Personnel.

(b) Consent to Entry. An application for a License or Permit to operate a Center or issuance of a License or Permit by the Department constitutes consent by the applicant, the proposed holder of the License or Permit and the owner of the premises for the Department's representative, after displaying identification to any Center Staff, to enter the premises at any time during operating hours for the purpose of inspecting the facility, including both scheduled and unscheduled inspections and includes consent for meaningful access to all Staff, all parts of the premises, all children present and all records, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information. The Department shall have the right to a photocopy or reproduction of any record maintained by or on behalf of the Center as needed for any inspection or investigation.

(c) Failure to Allow Access. Failure to allow access of the Department's representative to the Center, Center Staff, the children receiving care at the Center or the records, maintained by or on behalf of the Center, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information shall constitute good cause for the denial, restriction, revocation or suspension of a License, Permit or commission.

(d) Failure to Cooperate. The proposed and current License Holder, Permit Holder or commission holder and Staff shall cooperate with any inspection or investigation by responding truthfully to any legitimate departmental inquiry. Failure to cooperate with a Department inspection or investigation shall constitute good cause for the denial, restriction, revocation or suspension of a License, Permit or commission.

(e) False or Misleading Statements. No License Holder, Permit Holder or commission holder shall make or condone any Staff making false or misleading statements to the Department in connection with any authorized investigation or inspection being conducted by the Department.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.37

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq.

HISTORY: Original Rule entitled "Inspections and Investigations" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

591-1-1-.38 Enforcement and Adverse Actions

(1) **Enforcement and Adverse Actions.** Under Georgia law, the Department, after considering the seriousness of the violation(s), including but not limited to the circumstances, extent and gravity of the prohibited act(s), the severity of the rule violation, the duration of non-compliance, the License Holder's prior Licensure or history, the voluntary reporting of the violation(s) for which an Adverse Action is being imposed and the hazard(s) or potential hazard(s) to the health or safety of the public, may take any of the following actions when a Center, Permit Applicant or License Applicant violates any of the rules for Child Care Learning Centers:

(a) Refuse to grant a License or Permit;

(b) Administer a public reprimand;

(c) Suspend any License or Permit;

(d) Prohibit any License Applicant, License Holder, Permit Applicant or Permit Holder from allowing a person who previously was involved in the management or control of any program which has had its License or Permit revoked or denied within the past 12 months to be involved in the management or control of such program;

(e) Revoke any License or Permit;

(f) Impose a fine, not to exceed a total of \$25,000, of up to \$500 per day for each violation of the law, rule, regulation or formal order related to the initial or ongoing licensing requirement of any program. If any violation is a continuing one, each day of such violation will constitute a separate violation for the purpose of computing the applicable enforcement fine;

(g) Impose a late fee of up to \$250 for failure of a program to pay the annual License fee within 30 days of the due date;

(h) Limit or restrict any License or Permit, including but not limited to, restricting some or all services of or admissions, into a Center;

(i) Seek an injunction against an early care and education program operating without a License or Permit or in willful violation of these rules;

(j) Make application for an inspection warrant to a court of competent jurisdiction to gain entry into a Center that is believed to be subject to licensure;

(k) Order the emergency placement of a monitor or monitors in a Center at the expense of the Center; and

(l) Order the emergency closure of a Center.

(2) **Adverse Actions Subject to the Compliance and Enforcement Chart.** In the majority of cases when a rule violation is found, the Department will determine the appropriate action in accordance with the Compliance and Enforcement Chart below. A Center will receive points based on the frequency and severity of citations and will land in the corresponding box. Accordingly, Prevention, Intermediate or Closure Actions will be imposed as outlined in the Enforcement Categories, Levels and Action chart below. The Department will consider mitigating and aggravating factors to determine which action is appropriate and will have sole discretion in making this determination. The guidelines for determining the Violation History Level and Violation Class shall be posted on the Department website and updated as needed. Note that if a rule violation is not found, the chart will not be applied, and no citations will be issued.

COMPLIANCE AND ENFORCEMENT CHART

V I O L A T I O N C L A S S	Incident results in or could result in:	VIOLATION HISTORY LEVEL			
		I 0 Points	II 1-3 Points	III 4-9 Points	IV 10 + Points
	D Extreme Harm or Risk of Harm Imminent Danger	I3-C			
		D			D
	C High Harm or Risk of Harm	I1-I2 CI GS	I1-I3 CII S	I2-C CIII D	I3-C CIV D
	B Medium Harm or Risk of Harm	N/A	P2-P3 BII GS	I1-I2 BIII S	I2-C BIV D
	A Low Harm or Risk of Harm	P1-P2 AI GS	P1-P3 AII GS	P2-P3 AIII GS	I1-I2 AIV S

ENFORCEMENT CATEGORIES, LEVELS AND ACTIONS		
PREVENTION ACTION CATEGORY (P)	INTERMEDIATE ACTION CATEGORY (I) (Includes Citation and Prevention Actions)	CLOSURE ACTION CATEGORY (C) (Includes Citation and Prevention and/or Intermediate Actions)
Prevention 1 (P1)	Intermediate 1 (I1)	Closure (C)
Technical Assistance	Fine	Suspension of License (More than 1 week)
Prevention 2 (P2)	Intermediate 2 (I2)	Revocation of License
Citation	Per Rule Fine	Emergency Closure
Prevention 3 (P3)	Per Day Fine	
Formal Notice Letter	Intermediate 3 (I3)	
Office Conference	Public Reprimand	
	Fine and Restrictions	
	Restricted License	
	Restricted License & Per Rule/Per Day Fine	
	Emergency Monitor & Per Rule/Per Day Fine	
	Short-term Suspension (Less than 1 week)	

(3) Adverse Actions Not Subject to the Compliance and Enforcement Chart. In the event that any of the rule violations described below are identified, the Department will not apply the Compliance and Enforcement Chart, but will take Adverse Action as follows:

(a) The Department shall refuse to issue a License or shall otherwise restrict a License or Permit for any applicant who has had a License denied, suspended or revoked within one year of the date of the application.

- (b) The Department shall refuse to issue a License or shall otherwise restrict a License for any applicant, alter ego or agent of the applicant who has transferred ownership or governing authority of a program when such transfer was made in order to avert payment of an enforcement fine, denial, revocation or suspension of such License.
- (c) The Department shall refuse to issue a License upon a showing of non-compliance with rules and regulations, flagrant and continued operation of an unlicensed facility, or failure to pay the License fee.
- (d) The Department shall refuse to issue a License or Permit if the applicant or the operation or management of a Center knowingly or intentionally makes or causes another to make any false statement of material information in connection with the application for a License or Permit, or in statements made, or on documents submitted to the Department as part of an inspection, survey, or investigation, or in the alteration or falsification of records maintained by the early care and education program.
- (e) The Department shall refuse to issue a License or Permit if the applicant or Center fails to provide the Department with information pertinent to an investigation, or the initial or continued licensing of a program within the time specified by the formal notice provided by the Department.
- (f) The Department shall refuse to issue a License or Permit if a Center repeatedly fails or refuses to allow the Department access to the Center for the purpose of determining whether the Center is in compliance with these rules.
- (g) The Department shall refuse to issue a License or Permit if a Center knows or should reasonably know that any actual or potential Director, Employee (including Independent Contractors, Students-in-Training, and Volunteers) or Provisional Employee has a Criminal Record, an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination and allows such individual to either reside at the Center or be present at the Center while any Child is present for care.
- (h) The Department may revoke a License or Permit if a Center displays a multi-year pattern of failure to correct a Correctable Abuse, Dereliction or Deficiency in the operation or management of a Center within a reasonable time after having received notice from the Department.
- (i) The Department shall revoke a License or Permit if a Non-correctable Abuse, Dereliction or Deficiency exists in the operation or management of the Center.
- (j) The Department shall revoke a License if a Center fails to pay the annual License fee within a reasonable time after the Department provides formal notice of such fee.
- (k) The Department shall revoke a License or Permit if a Center knows or should reasonably know that any actual or potential Director, Employee (including Independent Contractors, Students-in-Training, and Volunteers) or Provisional Employee has a Criminal Record, an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination and allows such individual to either reside at the Center or be present at the Center while any Child is present for care.
- (l) The Department shall revoke a License or Permit if a Center knowingly or intentionally violates other provisions relating to Criminal Records or Comprehensive Background Checks.
- (m) The Department shall revoke a License if a Center fails to pay an enforcement fine within the time specified by the formal notice provided by the Department.
- (n) The Department shall revoke a License or Permit if the operation or management of a Center knowingly or intentionally makes or causes another to make any false statement of material information in connection with the application for a License or Permit, or in statements made, or on documents submitted to the Department as part of an inspection, survey, or investigation, or in the alteration or falsification of records maintained by the early care and education program.

(o) The Department shall revoke a License or Permit if a Center fails to provide the Department with information pertinent to an investigation, or the initial or continued licensing of a program within the time specified by the formal notice provided by the Department.

(p) The Department shall revoke a License or Permit if a Center repeatedly fails or refuses to allow the Department access to the Center for the purpose of determining whether the Center is in compliance with these rules.

(4) Rights and Responsibilities of a License Holder or Permit Holder

(a) A License Holder or Permit Holder has the right to submit a written statement within ten (10) days of the receipt of notice of the Departmental intent to impose an Adverse Action as to why the Department should not take the Adverse Action. If the licensee submits a written statement, it will be placed in the facility's state file.

(b) The imposition of any Enforcement Action by the Department shall not preclude the Department from taking any additional action authorized by law or regulation.

(c) Right to a Hearing. The Department's Enforcement Actions shall be preceded by a notice and opportunity for a hearing and shall constitute a contested case in accordance with the Georgia Administrative Procedure Act, O.C.G.A. § [50-13-1](#) *et seq.*, except that only thirty (30) days' notice in writing from the Commissioner's designee shall be required prior to License or Permit revocation except that the hearing held relating to such action by the Department may be closed to the public if the hearing officer determines that an open hearing would be detrimental to the physical or mental health of any child who will testify at that hearing.

(d) The notice of revocation, suspension or restriction of a License or Permit becomes effective thirty (30) days from the day of notice unless the License Holder or Permit Holder requests a hearing. A request for a hearing must be made in writing within ten (10) days of receipt of the notice of revocation, suspension or restriction.

(e) Payment of an enforcement fine must be made within thirty (30) days of receipt of the notice, unless otherwise specified in writing by the Department.

(f) The notice of the emergency closure of a Center becomes effective upon delivery of the order, unless otherwise provided in the order. A request for a hearing must be made in writing within 48 hours, excluding weekends and holidays, from the receipt of the emergency order.

(g) When the Department issues a revocation or emergency order that is based upon health and safety rule violations, the following actions shall be taken:

1. the Department shall both hand-deliver and send the formal notice to the Center by certified or registered mail;
2. the Center shall post the formal notice in an area that is visible to the Parents and others whose children attend the Center;
3. the Department shall provide a brief notice of revocation or emergency action to the Center; and
4. the Center shall distribute the brief notice to all Parents or persons authorized to pick up children from care for the Parents.

(h) When the Department issues a revocation or emergency order that is not based upon health and safety rule violations, the Department shall either hand-deliver or send the formal notice or both to the Center by certified or registered mail.

(i) The Department may post any notice of any Adverse Action on the Department's website.

(j) The Department may share any notice of any Adverse Action and any information pertaining thereto with any other agencies which may have an interest in the welfare of the children in care at the Center.

(k) When the Department has issued a notice of revocation or emergency order required to be posted in accordance with these rules, the Center shall ensure that the notice continues to be visible to the Parents and others throughout the pendency of the revocation or emergency action, including throughout any appeal period.

(l) When the Center transports children in care to and from the Center and Parents do not come to the Center on a regular basis, the Center shall send home copies of the brief notice of the revocation or emergency action with the children on the day that it is delivered by Department.

(m) When the Department has issued a notice of revocation or emergency order required to be posted in accordance with these rules, the Center shall post any inspection reports that are prepared by the Department during the pendency of any revocation or emergency action in an area that is readily visible to the Parents and others.

(n) A Center shall not permit the removal or obliteration of any notices of revocation, emergency action, resolution, or inspection survey report posted on the premises of the Center during the pendency of any revocation or emergency action.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.38

AUTHORITY: O.C.G.A. § [20-1A-1](#) et seq., 42 U.S.C. § 9857 et seq.

HISTORY: Original Rule entitled "Enforcement and Penalties" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.

Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: New title "Enforcement and Adverse Actions." F. June 2, 2016; eff. June 22, 2016.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.

Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.