# State of California Office of Administrative Law

In re: Office of the State Fire Marshal

**Regulatory Action:** 

Title 19, California Code of Regulations

Adopt sections: 1179.1, 1179.2, 1179.3 Amend sections: 1179 NOTICE OF APPROVAL OF REGULATORY ACTION

**Government Code Section 11349.3** 

OAL Matter Number: 2022-0927-01

OAL Matter Type: Regular Resubmittal (SR)

This action amends fees and the application process for the Flame Retardant Chemicals and Fabrics Program.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 11/8/2022.

Date: November 8, 2022

Anna Thomas Attorney

For:

Kenneth J. Pogue Director

Original: Michael J. Richwine, State Fire Marshal Copy: Eireann Flannery

| OAL FILE<br>NUMBERS       NOTICE FILE NUMBER<br>Z.2022-0118-04       REGULATORY ACTION NUMBER<br>2 0 2 2 - 0 9 2 7 - 0<br>1 5       EMBORGY VIMMER         For use by Office of Administrative Law (OAL) only       For use by Office of Administrative Law (OAL) only       ENDORSED - FILEO<br>In the office of the Sacratary of State<br>of the Sacratary of Sate<br>of the   | STATE OF CALIFORNIAOFFICE OF ADMINIST<br>NOTICE PUBLICATION<br>STD. 400 (REV. 10/2019) |   |  | TTAL   | For use by Secretary of State only  |
|---|--|---|--|--|---|
| Child Control Con   | OAL FILE NOTICE FILE NUMBE   | 3-04 <b>202</b>   | 2-0927-0   | EMERGENCY NUMBER   |   |
| Control of the standard of the second o   |  | For use by Office of Admin  | istrative Law (OAL) only   |  | ENDORSED - FILED<br>in the office of the Secretary of State<br>of the State of California |
| Control of the standard of the second o   |  |   |  |  | NOV 08 2022   |
| ACENCY THE INLEMENT OF THE MARSHAL         ACENCY FALE NUMBER (# any)           Office of the STATE FIRE MARSHAL         ALENCY FALE NUMBER (# any)           A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)         I salact of whote           I salact of whote         I III File           I III File         I III File           I Notice Proposed         Other           I Notice Proposed         Description           I Notice Proposed         Other           <   |  |   |  |  | 3:13 PM   |
| Office of the STATE FIRE MARSHAL         A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)         I subject of Notice         I regulation of Notice   |  |   | R  | EGULATIONS   | AGENCY FILE NUMBER (If any)   |
| 1 SUBJECT OF MORES       Intelline       Intell   |  |   |  |  |   |
| Flame Retardant - Fee Increase       19       1179       Upon Filing         IN NOTCH THE<br>Regulatory backed<br>Regulatory backed<br>Negulatory backed |  | OTICE (Complete for p   |  |  |   |
| Notice re Proposed         Other         Eireann Flannery         916-531-7650           OAL USE         ACTION KINPROPOSED NOTICE         Owners         Diamonder         Diamonder         PublicAtion NATE           ONLY         Action KinProcesse NOTICE         More reasonable         Diamonder         Diamonder         PublicAtion NATE           Status         Action KinProcesse NOTICE         More reasonable         Diamonder         PublicAtion NATE           Status         Diamonder         Diamonder         Diamonder         PublicAtion NATE         PublicAtion NATE           Status         Other Resultations         Interview         Diamonder         PublicAtion NATE         PublicAtion NATE           Status         Other Resultations         Interview         Diamonder         PublicAtion NATE         PublicAtion NATE           Status         Diamonder         Diamonder         Diamonder         PublicAtion NATE         PublicAtion NATE           Status         Diamonder         Diamonder         Diamonder         Diamonder         PublicAtion NATE           Status         Diamonder         Diamonder         Diamonder         Diamonder         Diamonder         Diamonder           Status         Diamonder         Diamonder         Diamonder <thdiamonder< th=""></thdiamonder<>  |  | icrease   |  |  |   |
| ONLY  | Regulatory Action  | ther Eireann Fla  |  |  |   |
| B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)         1a. SUBJECT OF REGULATIONS)         1a. SUBJECT OF REGULATIONS)         1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)         2022-0502-02         2. SPECIFY CALFORMA CODE OF REGULATIONS TILE(S) AND SECTION(S) (including title 24, if toxics related)         2022-0502-02         2. SPECIFY CALFORMA CODE OF REGULATIONS TILE(S) AND SECTION(S) (including title 24, if toxics related)         2. SPECIFY CALFORMA CODE OF REGULATIONS TILE(S) AND SECTION(S) (including title 24, if toxics related)         2. SPECIFY CALFORMA CODE OF REGULATIONS TILE(S) AND SECTION(S) (including title 24, if toxics related)         2. SPECIFY CALFORMA CODE OF REGULATIONS TILE(S) AND SECTION(S) (including title 24, if toxics related)         2. SPECIFY CALFORMA CODE OF REGULATIONS AND SECTION(S) (including title 24, if toxics related)         2. SPECIFY CALFORMA CODE OF REGULATIONS AND COMMENTERIAL PROFENSION CODE (SPECIFIC CODE REGULATIONS AND COMMENTERIAL PROFENSION CODE (SPECIFIC CODE REGULATIONS AND COMMENTERIAL ADDED TO THE RULEARDING REGULATIONS AND AND COMMENTERIAL ADDED TO THE RULEARDING REGULATIONS AND AND AND AND COMMENTERIAL ADDED TO THE RULEARDING REGULATIONS AND   | Approved as  | Approved as   |  | <ul> <li>A statistical solution selection approximation and the selection of the select</li></ul> |   |
| Flame Retardant Fee Increase       2022-0502-02         2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 28, if toxics related)         SECTION(S) AFFECTED<br>(List all section number(s)<br>individually. Attach       1179.1.1179.2.1179.3         Additional sheet if needed.)       1179.1.1179.2.1179.3         additional sheet if needed.)       1179.1.1179.2.1179.3         3 TYPE OF FLING       Certificate of Compliance: The agency officer named<br>or Windraw nonemergency<br>filing (Gov. Code §11346.1)       Centers of Compliance: The agency officer named<br>provisions of Gov. Code §11347.3 either<br>before the emergency regulation was adopted or<br>within the time period required by statute.       File & Print       Code Regs. title 1, §100)         Image (Gov. Code, §11346.1)       Other (Specify)       Code Regs. title 1, §44 and Gov. Code §11347.1)         A ALL BEOINNIK AND ENDING DATES OF AVAILABULTY OF MODIFIED RECULTIONS AND/OR MATERIAL ADDED TO THE RULEMAMORGING (GUE) (Gov. Code §11347.1)       Print Only         A ALL BEOINNIK AND ENDING DATES OF AVAILABULTY OF MODIFIED RECULTIONS AND/OR MATERIAL ADDED TO THE RULEMAMORGING (GUE) (Gov. Code §11347.1)       Print (Specify)       Secretary of State         S EFFECTIVE DATE OF CHANCES (Gov. Code, §11346.1)       Code Regs. Hite 1, §44 and Gov. Code §11347.1)       AVAILABULTY OF MODIFIED RECULTIONS AND/OR MATERIAL ADDED TO THE RULEMAMORGING (GUE) (Gov. Code §11347.1)         A State Fried Marshal       Secretary of State       Provide Cade Cade Cade State Frie Marshal       (Y) <td< td=""><td>B. SUBMISSION OF RE</td><td>GULATIONS (Complet</td><td>and a second second</td><td>regulations)</td><td></td></td<>   | B. SUBMISSION OF RE  | GULATIONS (Complet  | and a second | regulations)   |   |
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)         SECTION(S) AFFECTED<br>(List all section number(s)<br>individually. Attach<br>additional sheet if needed.)         1179.1.1179.2.1179.3         AMEND         1179.1.1179.2.1179.3         MARID         1179         Individually. Attach         19         3 TYPE OF FILING         Degular Rulemaking (Gov.<br>Code §11346.211247.3 either<br>before the emergency regulation was adopted or<br>withink nonemergency<br>filing (Gov. Code, §11346.211247.3 either<br>before the emergency regulation was adopted or<br>withink nonemergency<br>filing (Gov. Code, §11346.211247.3 either<br>before the emergency regulation was adopted or<br>withink nonemergency<br>filing (Gov. Code, §11346.211247.3 either<br>\$11346.10)         Code regs.11249.3.         EFFECTIVE DATE OF CHANGE (Cov. Code,<br>§11346.11)         Code Regs. title 1, §100)         EFFECTIVE DATE OF CHANGES (Cov. Code,<br>§11346.10)         Code Regs. title 1, §44 and Cov. Code §11347.11         ALL BEGINNING AND EDNIND DATES OF ANULABLITY OF MODIFIED REGULATIONS ANDOR MATERIAL ADDED TO THE RULEM@MODEFIEF(EQL) Code Regs. title 1, §44 and Cov. Code §11347.11         A.Y. J.Y. I (A, 2 0.22 - Septence Set (Gov. Code, §11346.11         SEFERETIVE DATE OF CHANGES (Cov. Code, §11347.11         SEFERETIVE DATE OF CHANGES (Cov. Code, §11343.11346.10)         Colocy Code S11343.4(a)         SEFERETIVE DATE OF CHANGES (Cov. Code, §11347.1  | a. SUBJECT OF REGULATION(S)  |   |  | 1b. ALL PREVIOUS RELAT   | ED OAL REGULATORY ACTION NUMBER(S)  |
| SECTION(S) AFFECTED<br>(List all section number(s)<br>individually. Attach<br>dditional sheet if needed.)       1179.1,1179.2,1179.3         Interview       MENO<br>Merediational sheet if needed.)       Interview         9       Interview       Emergency Readopt<br>(Gov. Code, §11346.1(n))       Changes Without<br>Regulatory Readopt<br>(Gov. Code, §11346.1(n))         Resubmittal of disapproved<br>or within the time period required by statule.       File & Print       Print Only         Emergency (Gov. Code,<br>§11346.1(n))       Resubmittal of disapproved or withdrawn<br>emergency (fing (Gov. Code, §11346.1)       Other (Specify)         11349.4)       Resubmittal of disapproved or withdrawn<br>emergency (Gov. Code, §11346.1)       Other (Specify)         2. ALL BEGINNING AND ENDING DATES OF AVALUABLITY OF MODIFIED REGULATIONS RANDOR MATERIAL ADDED TO THE RULEM/MORGELERIQAL Code Regs. Itile 1, §44 and Gov. Code §11347.1)         A   | Flame Retardant Fee Inc  | rease   |  | 2022-0502-02   |   |
| SECTION(S) AFFECTED<br>(List all section numbers)       1179.1,1179.2,1179.3<br>AMENO<br>1179         Additional sheet if needed.)       Intervention         Intervention       Repeat         19       Repeat         1179       Repeat         1179       Repeat         19       Repeat         111       Repeat         1111       Repeat         11111       Repeat <t< td=""><td>2. SPECIFY CALIFORNIA CODE OF RE</td><td></td><td>(S) (Including title 26, if toxics r</td><td>related)</td><td></td></t<>   | 2. SPECIFY CALIFORNIA CODE OF RE   |   | (S) (Including title 26, if toxics r   | related)   |   |
| individually. Attach<br>additional sheet if needed.)       AMEND<br>1179         individually. Attach<br>additional sheet if needed.)       Introductional sheet if needed.)       Introductional sheet if needed.)         individually. Attach<br>additional sheet if needed.)       REPEAL         individually. Attach<br>additional sheet if needed.)       Replant         individually. Attach<br>additional sheet if needed.)       Replant         individually. Attach<br>additional sheet if needed.)       Replant         individually. Attach<br>attach       Code stills         individually. Attach<br>attach       Code stills         individually. Attach       Mobile Endets         individually. Attach       Code stills         inditatid (idisaproved or withdrwn<br>stills (idisapro  |  | 4470 4 4470 0 4470  | 3  |  |   |
| TITLE(S)       REPEAL         19       3. TYPE OF FILING         Regular Rulemaking (Gov.       Certificate of Compliance: The agency officer named below certifies that this agency compled with the provisions of Gov. Code §11346.1(h)       Changes Without Regulatory Effect (Cal. Code \$11346.1(h))         Resubmittal of disapproved or withdrawn nonemergency regulation was adopted or withdrawn nonemergency (Gov. Code, §11349.2, 11347.3(h)       Print Only         Image: Status of the emergency (Gov. Code, §11349.2, 11347.3(h)       Resubmittal of disapproved or withdrawn emergency (Fing (Gov. Code, §11346.1))       Print Only         4. ALL BEGINNING AND ENDING DATES OF AVALABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEM\$  | individually. Attach   | AMEND   |  |  |   |
| 19         3. TYPE OF FILING         □ Regular Rulemaking (Gov.<br>Code §11346)       □ Certificate of Compliance: The agency officer named<br>below certifies that this agency complied with the<br>provisions of Gov. Code §11346.2:11347.3 either<br>before the emergency regulation was adopted or<br>within the time period required by statute.       □ Grey Grey Grey Grey Grey Grey Grey Grey   |  | ·/  |  |  |   |
| Regular Rulemaking (Gov.       Certificate of Compliance: The agency officer named below certifies that this agency completed with the below certifies that this agency completed with the gaulatory Effect (Cal. Code, \$11346, 1147, 2 either before the emergency regulation was adopted or withdrawn nomemergency thing (Gov. Code, \$11346, 21147, 2 either before the emergency regulation was adopted or within the time period required by statute.       File & Print       Print Only         4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKMRGIGUER(Gol. Code Regs. title 1, \$44 and Gov. Code \$11347, 1)       Code \$11346, 11347, 2022       File & Print       Print Only         4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKMRGIGUER(Gol. Code Regs. title 1, \$44 and Gov. Code \$11347, 1)       File & Print       Print Only         5. EFFECTIVE DATE OF CHANGES (Gov. Code, \$11346, 11364, 10; Col. Code Regs. title 1, \$100)       Effective on filing with \$100 Changes Without Regulatory Effect       Effective other State 1 (V \$55000)       Fair Political Practices Commission       State Fire Marshal         Model of Fire Rogulation(\$)       Scretary of State       Print Only       Print Only       Print Only         Model of Fire Rogulation of the regulation of bis form       State Fire Marshal       Model Reg. title 1, \$100)       Effective other State State       Print Only         Model of Fire Rogulation(\$1, State Fire Marshal       Model Regulatory Effect       State Fire Marshal       Model Regulatory Effect Cole (Sop  |  |   |  |  |   |
| 11349.4)          Emergency (Gov. Code, emergency filing (Gov. Code, §11346.1)           Other (Specify)           4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEM/KING/EFJE#(Code: Code Regs. title 1, §44 and Gov. Code §11347.1)         A \sqrt{3/3/3} + 114, 2 \sqrt{2/2} - Septem Sov 4, 2 \sqrt{2/2} - request 6 \sqrt{3/1} / y         Secretary of State          5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs, title 1, §100)          Effective of any of State           Effective other         (Specify)          6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY           Por agenta          M Department of Finance (Form STD. 399) (SAM §6660)          Fair Political Practices Commission           State Fire Marshal         (J * Stat  | Code §11346)<br>Resubmittal of disapproved<br>or withdrawn nonemergency                | below certifies that this a provisions of Gov. Code before the emergency re | gency complied with the<br>§§11346.2-11347.3 either<br>gulation was adopted or                                 | (Gov. Code, §11346.1(h))   | Regulatory Effect (Cal.<br>Code Regs., title 1, §100)                                     |
| 4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMANNG(FUE)(Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)         4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMANNG(FUE)(Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)         4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMANNG(FUE)(Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)         A 'J 'J 'L'         5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs. title 1, §100 Changes Without October 1 (Gov. Code §11343.4(a))         Cottober 1 (Gov. Code §11343.4(a))         Check IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY         Department of Finance (Form STD. 399) (SAM §6660)         Gother (Specify)         State Fire Marshal         Other (Specify)         State Fire Addisorm Boand, A.K.S. State Boand of Fire Servicus         1/8         Contract PERSON         Eireann Flannery         916-531-7650         For use by Office of Administrative Law (OAL) only of the regulation(s) is a true and correct copy of the regulation(s) is a true and correct copy of the regulation(s) is a true and correct copy of the regulation(s) is a true and correct copy of the regulation(s) is a true and correct copy of the regulation(s) is a true and correct or doministrative Law (OAL) only of the regulation the agency, and am authorized to make this   | 11349.4)<br>Emergency (Gov. Code,  |   |  | Other (Specify)  |   |
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)       Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))       Effective on filing with Secretary of State Regulatory Effect (Specify)       Effective of filing with Secretary of State Regulatory Effect (Specify)       Port agent/<br>(Specify)         6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY       Port agent/<br>(Specify)       Port agent/<br>(Specify)         (Control (Specify)       State       Fire Advisorn Board, a.K.A. State Board of Fire Servicus       1/8         (Nother (Specify)       State Fire Marshal       (Nother Specify)       E-MAIL ADDRESS (Optional)       E-MAIL ADDRESS (Optional)         7. CONTACT PERSON       TELEPHONE NUMBER       FAX NUMBER (Optional)       E-MAIL ADDRESS (Optional)       eireann.flannery@fire.ca.gov         8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.       For use by Office of Administrative Law (OAL) only ON 08 2022         SIGNATURE OF AGENCY HEAD OR DESIGNEE       DATE       MAXALAZA       NOV 08 2022   | 4. ALL BEGINNING AND ENDING DATE   | ES OF AVAILABILITY OF MODIFIED R  | EGULATIONS AND/OR MATERIA  | AL ADDED TO THE RULEMAKINGER   | FI(Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)                                   |
| October 1 (Gov. Code §11343.4(a)) Secretary of State Regulatory Effect (Specify)    6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY     8. Other (Specify)   5. State Fire Marshal       7. CONTACT PERSON    8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification. SIGNATURED OF AGENCY HEAD OR DESIGNEE  A contact of Agency HEAD OR DESIGNEE  DATE DA   | 5. EFFECTIVE DATE OF CHANGES (G  | ov. Code, §§ 11343.4, 11346.1(d); Cal.                                      | Code Regs., title 1, §100)   |  | st 627 148  |
| X       Department of Finance (Form STD. 399) (SAM §6660)       Fair Political Practices Commission       State Fire Marshal       Aviit West         X       Other (Specify)       State Fire Advisors Bound, a.K.s. State       Bound of Fire       Servicus       IV8         7. CONTACT PERSON       TELEPHONE NUMBER       FAX NUMBER (Optional)       E-MAIL ADDRESS (Optional)       E-MAIL ADDRESS (Optional)         Eireann Flannery       916-531-7650       PAX NUMBER (Optional)       E-MAIL ADDRESS (Optional)       eireann.flannery@fire.ca.gov         8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.       For use by Office of Administrative Law (OAL) only         SIGNATURE OF AGENCY HEAD OR DESIGNEE       DATE       NOV 08 2022  |  |   |  |  | The second  |
| TELEPHONE NUMBER       FAX NUMBER (Optional)       E-MAIL ADDRESS (Optional)         Eireann Flannery       916-531-7650       eireann.flannery@fire.ca.gov         6. I certify that the attached copy of the regulation(s) is a true and correct copy<br>of the regulation(s) identified on this form, that the information specified on this form<br>is true and correct, and that I am the head of the agency taking this action,<br>or a designee of the head of the agency, and am authorized to make this certification.       For use by Office of Administrative Law (OAL) only<br>ENDORSED APPROVED         SIGNATURE OF AGENCY HEAD OR DESIGNEE       DATE       NOV 08 2022   | X Department of Finance (Form  | STD. 399) (SAM §6660)   | Fair Political Pr  | ractices Commission  | State Fire Marshal  |
| Eireann Flannery       916-531-7650       eireann.flannery@fire.ca.gov         I certify that the attached copy of the regulation(s) is a true and correct copy<br>of the regulation(s) identified on this form, that the information specified on this form<br>is true and correct, and that I am the head of the agency taking this action,<br>or a designee of the head of the agency, and am authorized to make this certification.       For use by Office of Administrative Law (OAL) only<br>ENDORSED APPROVED         SIGNATURE OF AGENCY HEAD OR DESIGNEE       DATE       NOV 08 2022   | K Other (Specify) Style  | Fire Advisory Bon   |  |  | 12  |
| of the regulation(s) identified on this form, that the information specified on this form<br>is true and correct, and that I am the head of the agency taking this action,<br>or a designee of the head of the agency, and am authorized to make this certification.<br>SIGNATURE OF AGENCY HEAD OR DESIGNEE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE<br>DATE  |  |   |  | FAX NUMBER (Optional)  |   |
| VVLVL K ) 9/26/24   | of the regulation(s) identi<br>is true and correct, and th                             | fied on this form, that the ir<br>nat I am the head of the ag               | formation specified on<br>ency taking this action,   | this form  |   |
| TYPED NAME AND TITLE OF SIGNATORY<br>Michael J. Richwine, State Fire Marshal<br>Office of Administrative Law  | WENK   | -1->  | DATE   | 26/22  |   |
|   |  |   | 1  | ,<br>(   | Office of Administrative Law  |

# **TEXT OF PROPOSED REGULATIONS (Final)**

# California Code of Regulations Title 19. Public Safety Division 1. State Fire Marshal Chapter 8. Regulations Relating to Flame-Retardant Flame Retardant Chemicals, Fabrics and Application Concerns

Added text is shown in underline and deleted text is shown in strikethrough.

### § 1179. Fees.

| (a)  | Original or Annual Renewal Registration of any Single Flame Retardant Fabric or Material                        |   |
|--|---|---|
|  |   | \$200.00 <u>\$575.00</u>  |
| <u>(b)</u>                                 | Add Fabric to existing registration   | <u>\$250.00</u>   |
| <del>(b)(c)</del>                          | Original or Annual Renewal Registration of a Flame<br>Retardant Chemical  | <del>\$200.00</del> \$575.00  |
| <del>(c)</del> (d)                         | Original or Annual Renewal of a Flame Retardant<br>Application Concern <del>,</del> (General <u>Applicator)</u> |   |
| n hann an |   | <u>\$175.00\$450.00</u>   |
| <del>(d)(e)</del>                          | Original or Annual Renewal of a Flame Retardant<br>Application Concern <del>,</del> (Limited <u>Applicator)</u> |   |
| ana toka orian                             |   | \$85.00 <u>\$230.00</u>   |
| <del>(e)</del> (f)                         | Laboratory Fees:  |   |
|  | Fabrics   | an an an gun a' ann an an air an ann an air an ghraight a'r an ar |
|  |   | \$50.00   |
|  | Chemicals   |   |
|  |   | \$50.00   |
|  | General Applicator Flame Retardant Certificates   | <del>\$9.00</del> <u>\$20.00</u>  |
| <u>(a)</u>                                 | Service fee for a returned or dishonored check pursuant to<br>Government Code, Section 6157(b)                  | <u>\$30</u>   |

# Credits

NOTE: Authority cited: Sections <u>13120 and</u> 13127, Health and Safety Code, <u>Section</u> <u>6157(b)</u>, <u>Government Code</u>. Reference: Sections 13125, 13127, 13128, 13129 and 13130, Health and Safety Code; <u>Section 6157(b)</u>, <u>Government Code</u>.

### § 1179.1. Forms.

(a) The following forms, developed by the Office of the State Fire Marshal, which are hereby incorporated by reference, shall be used when applying for a Flame Retardant Registration or General and Limited Concern License.

(1) Application for Decorative Materials Registration - Fabric FR-1 (REV. 5/2021)
 (2) Application for Decorative Materials Registration - Chemical FR-2 (REV. 5/2021)
 (3) Application for General Applicator FR-3 (REV. 5/2021)
 (4) Application for Limited Applicator FR-4 (REV. 5/2021)

NOTE: Authority cited: Section 13120, Health and Safety Code. Reference: Sections 13125,13127,13128, and 13130 Health and Safety Code.

## § 1179.2 Application Submittal.

(a) Applications shall be made in writing on forms developed by the Office of the State Fire Marshal, or through the electronic application and payment process "GOVmotus Fire", located on the Office of the State Fire Marshal website: https://osfm.fire.ca.gov. Every registration and license fee required in accordance with the provisions of Section 13127 of the Health and Safety Code shall be paid in legal tender, or credit card, or electronic fund transfer, or by money order, or postal note, or valid check made payable to the "CAL FIRE – OSFM". Fee shall accompany each application for registration and license as prescribed in Section 1179.

(b) Application, fee, with or without sample, shall be mailed as follows:

(1) For regular mail (application package) send to: <u>CAL FIRE - Office of the State Fire Marshal</u> <u>Cashiers Unit – Flame Retardant Program</u> <u>P.O. Box 997446</u> Sacramento, CA 95899-7446

(2) For shipping address, FED EX, UPS, etc., send to: <u>ATTN: Cashier's Unit – Flame Retardant Program</u> <u>CAL FIRE - Office of the State Fire Marshal</u> <u>710 Riverpoint Court</u> West Sacramento, CA 95605

(c) For submittal through the Office of the State Fire Marshal electronic application process "GOVMotus Fire", the required sample shall be mailed to the address prescribed under (b)(2).

Authority and Reference Notes

Authority cited: Section 13120, Health and Safety Code. Reference: Sections 13125,13127,13128, and 13130 Health and Safety Code.

## <u>1179.3 Registration Renewal Period and Registration Fee.</u> <u>The Registration Renewal Period and the Registration Fee set forth in Health and</u> <u>Safety Code Sections 13127(c)(1) through 13128 are provided below.</u>

#### <u>13127.</u>

(c) (1) The annual registration fee renewal period for chemical manufacturing concerns, concerns marketing a flame-retardant fabric or material, and general applicators shall begin on January 1 and end on May 1 preceding the registration year for which the renewal is requested. A penalty of 50 percent of the listing fee shall be assessed in all cases where the renewal fees are not paid on or before May 1, preceding the registration year for which renewal is requested.

(2) The annual registration fee renewal period for limited applicators shall begin September 15 and end on October 31 preceding the registration year for which the renewal is requested. A penalty of 50 percent of the listing fee shall be assessed in all cases where the fees are not paid on or before October 31, preceding the registration year for which renewal is requested.

(d) All applications shall be accompanied by a registration fee established by the State Fire Marshal. The registration fee shall not exceed the amount necessary to cover the costs incurred by the State Fire Marshal in carrying out Sections 13120 to 13126, inclusive.

### <u>13128.</u>

(a) The annual and renewal registration fee period for chemical manufacturing concerns, concerns marketing a flame-retardant fabric or material, and general applicators shall be for the fiscal year period from July 1 to June 30 or for the remaining portion thereof.

(b) The annual and renewal registration fee period for limited applicators shall be for the fiscal year period from November 1 to October 31 or for the remaining portion thereof.

NOTE: Authority cited: Section 13120, 13128, Health and Safety Code. Reference: Sections 13125, 13127, 13128, and 13130 Health and Safety Code.

| FIF<br>FL<br>AF | FICE OF THE STATE FIRE<br>RE ENGINEERING & INVES<br>AME RETARDANT PROGR  | TIGATIONS DIVISION  | REGISTRATION - FABRIC   | Page 1  |
|-----------------|--|---|---|---|
|                 |  | *ado  | pt*   |   |
| AP              | PLICATION FOR D  | ECORATIVE MATER   | IALS REGISTRATION   | FARRIC  |
|                 | any Name:  |   |   |   |
|                 | t Trade Name:  |   | ан на н  | NA AMARANA MANANA MA                               |
|                 | al Address:  |   |   | ·   |
|                 | Address:   |   |   |   |
|                 | t Person:  | <u> </u>  | Email:  |   |
| Phone           | Number:  |   | Fax:  | an a  |
| *0              | nlv one mailing a  | ddress and contact i  | person is permitted per   | Company   |
|                 |  |   | por   |   |
|                 | registration), com   | plete test report from<br>3 <sup>1</sup> ⁄ <sub>2</sub> " x 10" (1 cut on v   | oney order for \$575.00 (<br>OSFM approved laborat<br>varp and 1 cut on fill), ar   | ory, 2 test   |
|                 | \$250.00 per prod  | uct, complete test rep<br>fabric 3 ½" x 10" (1 ci   | Provide check/money or<br>ort from OSFM approved<br>ut on warp and 1 cut on   | d laboratory,   |
| <b>165</b>      |  |   | rovide description of rec<br>e completed application  |   |
|                 | ownership must b<br>new and existing   | e a notarized docume  | ent on company letterhea  | ad signed by the  |
|                 | ownership must b<br>new and existing<br>Secondary Regis<br>application, and th<br>material shall cert<br>material to said co<br>Concern shall cert   | be a notarized docume<br>owners.<br>stration: Provide check<br>he following information<br>tify in a letter to the Os<br>ompany for sale, distri-<br>tify in a notarized letter   | ent on company letterhea<br>ck/money order for \$575<br>on. The manufacturer of<br>SFM that they agree to f<br>ibution, or use under the<br>er to the OSFM that the r<br>ie shall always be identic | ad signed by the<br>5.00, a completed<br>the registered<br>urnish the registered<br>new name. The<br>material sold,                           |
| Dasgeff.        | ownership must b<br>new and existing<br>Secondary Regis<br>application, and th<br>material shall cert<br>material to said co<br>Concern shall cert<br>distributed, or use  | be a notarized docume<br>owners.<br>stration: Provide check<br>he following information<br>tify in a letter to the Os<br>ompany for sale, distri-<br>tify in a notarized letter<br>ed under the new nam                                 | ck/money order for \$575<br>on. The manufacturer of<br>SFM that they agree to f<br>bution, or use under the<br>er to the OSFM that the r  | ad signed by the<br>5.00, a completed<br>the registered<br>urnish the registered<br>new name. The<br>material sold,                           |
| PRR             | ownership must b<br>new and existing<br>Secondary Regis<br>application, and th<br>material shall cert<br>material to said co<br>Concern shall cert<br>distributed, or use<br>the original.   | e a notarized docume<br>owners.<br>stration: Provide cheche<br>he following information<br>tify in a letter to the Os<br>ompany for sale, distri-<br>tify in a notarized lette<br>ed under the new nam                                  | ck/money order for \$575<br>on. The manufacturer of<br>SFM that they agree to f<br>bution, or use under the<br>er to the OSFM that the r<br>e shall always be identic                               | ad signed by the<br>5.00, a completed<br>the registered<br>urnish the registered<br>new name. The<br>material sold,                           |
| PRR             | ownership must b<br>new and existing<br>Secondary Regis<br>application, and th<br>material shall cert<br>material to said co<br>Concern shall cert<br>distributed, or use<br>the original.<br>ODUCT INFORMA<br>Product Description | e a notarized docume<br>owners.<br>stration: Provide chech<br>he following informatic<br>tify in a letter to the Os<br>ompany for sale, distri-<br>tify in a notarized letter<br>ed under the new nam<br>ATION<br>on (100% cotton, lami | ck/money order for \$575<br>on. The manufacturer of<br>SFM that they agree to f<br>bution, or use under the<br>er to the OSFM that the r<br>te shall always be identic                              | ad signed by the<br>5.00, a completed<br>the registered<br>urnish the registered<br>new name. The<br>material sold,<br>cal in all respects to |
| PRR<br>1.<br>2. | ownership must b<br>new and existing<br>Secondary Regis<br>application, and th<br>material shall cert<br>material to said co<br>Concern shall cert<br>distributed, or use<br>the original.<br>ODUCT INFORMA<br>Product Description | e a notarized docume<br>owners.<br>stration: Provide cher<br>he following informatic<br>tify in a letter to the Os<br>ompany for sale, distri<br>tify in a notarized lette<br>ed under the new nam<br>ATION<br>on (100% cotton, lami    | ck/money order for \$575<br>on. The manufacturer of<br>SFM that they agree to f<br>bution, or use under the<br>er to the OSFM that the r<br>e shall always be identic                               | ad signed by the<br>5.00, a completed<br>the registered<br>urnish the registered<br>new name. The<br>material sold,                           |

Sel



| STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY<br>DEPARTMENT OF FORESTRY AND FIRE PROTECTION |             |          |     |
|---|-------------|----------|-----|
| OFFICE OF THE STATE FIRE MARSHAL  |             |          |     |
| FIRE ENGINEERING & INVESTIGATIONS DIVISION<br>FLAME RETARDANT PROGRAM                       |             |          |     |
| APPLICATION FOR DECORATIVE MATERIALS  | REGISTRATIO | ON - FAB | RIC |
| FR-1 (5/2021)   |             |          |     |

| <b>FRATION - FABRIC</b> |  |  |  |
|-------------------------|--|--|--|
| IRATION - FADRIC        |  |  |  |
|                         |  |  |  |
|                         |  |  |  |

| If yes, name of chemical: |       |
|---------------------------|-------|
| OSFM Registration Number: | ***** |

- 6. Method of treatment:\_\_\_\_\_
- 7. For INTERIOR products:

8. For EXTERIOR products:

Expected lifetime of the flame-retardant qualities:

9. Other limitations:

10. For "Add Fabric" Only - Difference from existing textile or material:\_\_\_\_\_

# Please complete the following section:

I hereby certify that the Flame Retardant Chemical used in our manufacturing process does not contain any chemicals banned by the State of California.

I hereby certify that I have read and reviewed the Proposition 65 list posted by the Office of Environmental Health Hazard Assessment (OEHHA) and that our product is in compliance with Proposition 65 in the State of California.

**CERTIFICATION:** As company owner, responsible company officer or authorized agent, I certify that I have read and understand the information on this form and that the facts I present to the Office of the State Fire Marshal for review and evaluation are true and accurate. I also certify that this product complies with all applicable California and Federal laws and regulations.

| Signature:           |            |                    | Date:            | an Ann  |  |
|----------------------|------------|--------------------|------------------|---------|--|
| Printed Name of Sig  | nee:       |                    | Title:           |         |  |
| FOR ACCOUNTING USE O | NLY - 0102 | -4129400-412940001 | 1-35405906-59425 | e.<br>I |  |





STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM APPLICATION FOR DECORATIVE MATERIALS REGISTRATION - FABRIC FR-1 (5/2021)

SUBMISSION: A completed application (on an original application form) and all required supplemental data should be submitted to the address listed below. Checks should be made payable to the CAL FIRE - OSFM. Evaluations will be reviewed in the order in which they are received. Please allow 4-6 weeks processing time. Failure to supply all needed information (including signature or illegible applications) will result in <u>REJECTION</u> of the application package.

For regular mail (application, fee, and sample) send to: CAL FIRE - Office of the State Fire Marshal Cashiers Unit – Flame Retardant Program P.O. Box 997446 Sacramento, CA 95899-7446

For shipping address, FED EX, UPS, etc., send to: ATTN: Cashier's Unit – Flame Retardant Program CAL FIRE - Office of the State Fire Marshal 710 Riverpoint Court West Sacramento, CA 95605



Please send questions to: fr@fire.ca.gov

https://osfm.fire.ca.gov/divisions/fire-engineering-and-investigations/flameretardant-chemicals-and-fabrics

# \*\*\*PLEASE READ THE FOLLOWING INFORMATION CAREFULLY\*\*\*

Wherever the provisions herein refer to the Office of the State Fire Marshal, also referred as OSFM, such reference shall be deemed to include and be a reference to OSFM's directors, officers, employees, agents, contractors, and subcontractors, and to the contractor's and such contractor's subcontractor's directors, officers, employees, and agents.

The registration by OSFM concerning the items referred to in the Application (OSFM Report does not imply any guarantee or warranty (expressed or implied) and including but not limited to merchantability) by OSFM against defects or failures in service nor any responsibility in regard to patent or trademark infringement, misuse of trade secrets or any other aspect of unfair competition. Affirmative actions of OSFM are based primarily on the data submitted by the applicant and the validity and integrity thereof as impliedly represented by applicant in submitting the same. Applicant agrees that it shall have no cause of action or claim against OSFM from time to time arising out of any registration and/or OSFM report, whether or not such report is subject to conditions, or out of any denial of this application. Applicant agrees to hold OSFM from time to time harmless, and to defend and indemnify them, with respect to any claim, liability, demand, action or judgment arising from the use or operation by any person of the product or service to which the application relates,



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM APPLICATION FOR DECORATIVE MATERIALS REGISTRATION - FABRIC FR-1 (5/2021)

actual or asserted whether related to the matters set forth in the first sentence of this paragraph or otherwise, whether for personal injury, wrongful death, property damage, or any type of injury or damage whatsoever, whether or not of the same kind of nature as any of the foregoing OSFM's rights pursuant to the foregoing sentence, and applicant's obligations there under, shall apply whether or not it is claimed that OSFM was concurrently negligent with others, solely negligent, actively or passively negligent, and whether or not the legal theory of the claimant(s) is on one of the foregoing grounds or some other California law shall apply to the interpretation hereof. If any part of portion of this paragraph, or any application thereof to particular facts, should be determined invalid, the provisions hereof shall be severable so as to achieve for OSFM the maximum legal application. If this application is for a renewal or revision of an existing approval for a registration or OSFM Report, the provisions of this paragraph shall apply from the date of the first approval or OSFM Report regardless of: intervening modifications thereof or modifications pursuant to this application; any prior change in the number assigned to the application or OSFM Report and any prior change in ownership rights in or rights to the OSFM Report whether one or more, since filing of the application resulting in said first approval.

### PERMITTED USES

Applicant agrees not to make advertising use of any OSFM approval, registration and/or OSFM Report. Applicant may make the following uses, which shall not be considered as advertising:

- 1. The entire current OSFM Registration Logo with product number may be reproduced in applicant's literature or furnished to any person.
- 2. No reference to the OSFM approval/registration shall be included in a manner which could be misleading.
- 3. Any use or reference to any OSFM approval, or test report, shall be followed by the following sentence: "It is subject to re-examination, revision and possible cancellation".
  - . The above does not excuse compliance with any OSFM requirement as a condition of approval.

The applicant hereby waives any rights and immunities for confidential information in-so-far as publication by OSFM or qualifying test results are concerned.

In consideration of processing of the application the applicant agrees to abide by any conditions attached to any approval, registration or renewal thereof issued pursuant to the application or any later amendment thereto. The applicant also agrees that the printed provisions set forth herein constitute a part of the applicant's agreement.

| CA         | DEPARTI   | F CALIFORNIA, NATURAL RE<br>MENT OF FORESTRY AND FIR<br>OF THE STATE FIRE MARSHAI                       | E PROTECTION   | Page 1 of 4  |
|------------|---|---|--|--|
|            | THE ENC   | INEERING & INVESTIGATION<br>ETARDANT PROGRAM  | S DIVISION   |  |
|            | APPLIC  | ATION FOR DECORATIV   | /EMATERIALS REGISTRA   | TION - CHEMICAL  |
|            | FR-2 (RE)   | /. 5/2021)  | *adopt*  |  |
|            | APPLICATI   | ON FOR DECORATIN  | E MATERIALS REGIS  | TRATION - CHEMICAL   |
| Comp       | any Name:   |   |  | ighthe transfillada sh   |
| Produ      | ict Trade Nan   | )e:   |  |  |
| Physic     | cal Address:  |   |  |  |
| -          | g Address:  |   |  |  |
|            | ct Person:  |   | Email:   |  |
|            | e Number:   | · · · · · · · · · · · · · · · · · · ·   | Fax:   | and a second |
|            |   |   |  |  |
| *0         | Only one mai  | ling address and co   | ntact person is permit   | ted per company.   |
|            | registration  | ), a complete test rep  | check/money order for<br>ort from OSFM approve<br>et, and a completed app  | d laboratory, a Safety   |
|            | Revisions   | Registration No.  | Provide description  | n of requested minor   |
| 87-24-670. | revisions (a  | ddress change, etc.)  | and a completed applic   | ation. A change of   |
|            | ownership   | must be a notarized d<br>isting owners.   | ocument on company le  | etterhead signed by the  |
|            |   |   |  |  |
|            | application,<br>material sh<br>registered r<br>name. The<br>sold, distrib | and the following info<br>all certify in a letter to<br>naterial to said compa<br>Concern shall certify | ormation. The manufact the OSFM that they ag<br>any for sale, distribution | ree to furnish the<br>, or use under the new<br>he OSFM that the material<br>ays be identical in all           |
| PROD       | <b>DUCT INFOR</b>   | MATION  |  |  |
|            | nemical Form  |   |  |  |
|            | compatibility (   |   |  |  |
|            | avoid):   | materials   |  |  |
|            | •<br>•  |   |  |  |
| 3. Ap      | plication:  | Exterior  | Interior   | 🔲 Both   |
| 4. Nu      | mber of wash  | ings before retreatme   | ent required:  | eriken operationen en   |
| 5. Nui     | mber of dry cl  | eanings before retrea   | tment required:  |  |
|            |   | n chemical is to be list  |  |  |
|            |   |   |  |  |
| i i i      | Fabric:   |   | Fabric:  |  |
| 7. Ad      |   | utions or limitations:  |  |  |
|            |   | -terio er minduello, -  |  |  |
|            |   |   |  |  |



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM APPLICATION FOR DECORATIVE MATERIALS REGISTRATION - CHEMICAL FR-2 (REV. 5/2021)

#### Please complete the following section:

- I hereby certify that the Flame Retardant Chemical used in our manufacturing process does not contain any chemicals banned by the State of California.
- I hereby certify that I have read and reviewed the Proposition 65 list posted by the Office of Environmental Health Hazard Assessment (OEHHA) and that our product is in compliance with Proposition 65 in the State of California.

**CERTIFICATION:** As company owner, responsible company officer or authorized agent, I certify that I have read and understand the information on this form and that the facts I present to the Office of the State Fire Marshal for review and evaluation are true and accurate. I also certify that this product complies with all applicable California and Federal laws and regulations.

| Signature:   | Date:  |  |
|--------------|--------|--|
| Printed Name | Title: |  |
| of Signee:   |        |  |

**SUBMISSION:** A completed application (on an original application form) and all required supplemental data should be submitted to the address listed below. Checks should be made payable to the CAL FIRE - OSFM. Evaluations will be reviewed in the order in which they are received. Please allow 4-6 weeks processing time. Failure to supply all needed information (including signature or illegible applications) will result in <u>REJECTION</u> of the application package.

For regular mail (application, fee, and sample) send to: CAL FIRE - Office of the State Fire Marshal Cashiers Unit – Flame Retardant Program P.O. Box 997446 Sacramento, CA 95899-7446

For shipping address, FED EX, UPS, etc., send to: ATTN: Cashier's Unit – Flame Retardant Program CAL FIRE - Office of the State Fire Marshal 710 Riverpoint Court West Sacramento, CA 95605



Please send questions to: fr@fire.ca.gov

https://osfm.fire.ca.gov/divisions/fire-engineering-and-investigations/flameretardant-chemicals-and-fabrics



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM APPLICATION FOR DECORATIVE MATERIALS REGISTRATION - CHEMICAL FR-2 (REV. 5/2021)

Page 4 of 4

- 1. The entire current OSFM Registration Logo with product number may be reproduced in applicant's literature or furnished to any person.
- 2. No reference to the OSFM approval/registration shall be included in a manner which could be misleading.
- 3. Any use or reference to any OSFM approval, or test report, shall be followed by the following sentence: "It is subject to re-examination, revision and possible cancellation"
  - The above does not excuse compliance with any OSFM requirement as a condition of approval.

The applicant hereby waives any rights and immunities for confidential information in-so-far as publication by OSFM or qualifying test results are concerned.

In consideration of the processing of the application the applicant agrees to abide by any conditions attached to any approval, registration or renewal thereof issued pursuant to the application or any later amendment thereto. The applicant also agrees that the printed provisions set forth herein constitute a part of the applicant's agreement.



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM APPLICATION FOR DECORATIVE MATERIALS REGISTRATION - CHEMICAL FR-2 (REV. 5/2021)

# \*\*\*PLEASE READ THE FOLLOWING INFORMATION CAREFULLY\*\*\*

Wherever the provisions herein refer to the Office of the State Fire Marshal, also referred as OSFM, such reference shall be deemed to include and be a reference to OSFM's directors, officers, employees, agents, contractors, and subcontractors, and to the contractor's and such contractor's subcontractor's directors, officers, employees, and agents.

The registration by OSFM concerning the items referred to in the Application (OSFM Report does not imply any guarantee or warranty (expressed or implied) and including but not limited to merchantability) by OSFM against defects or failures in service nor any responsibility in regard to patent or trademark infringement, misuse of trade secrets or any other aspect of unfair competition. Affirmative actions of OSFM are based primarily on the data submitted by the applicant and the validity and integrity thereof as impliedly represented by applicant in submitting the same. Applicant agrees that it shall have no cause of action or claim against OSFM from time to time arising out of any registration and/or OSFM report, whether or not such report is subject to conditions, or out of any denial of this application. Applicant agrees to hold OSFM from time to time harmless, and to defend and indemnify them, with respect to any claim, liability, demand, action or judgment arising from the use or operation by any person of the product or service to which the application relates, actual or asserted whether related to the matters set forth in the first sentence of this paragraph or otherwise, whether for personal injury, wrongful death, property damage, or any type of injury or damage whatsoever, whether or not of the same kind of nature as any of the foregoing OSFM's rights pursuant to the foregoing sentence, and applicant's obligations there under, shall apply whether or not it is claimed that OSFM was concurrently negligent with others, solely negligent, actively or passively negligent, and whether or not the legal theory of the claimant(s) is on one of the foregoing grounds or some other California law shall apply to the interpretation hereof. If any part of portion of this paragraph, or any application thereof to particular facts, should be determined invalid, the provisions hereof shall be severable so as to achieve for OSFM the maximum legal application. If this application is for a renewal or revision of an existing approval for a registration or OSFM Report, the provisions of this paragraph shall apply from the date of the first approval or OSFM Report regardless of: intervening modifications thereof or modifications pursuant to this application; any prior change in the number assigned to the application or OSFM Report and any prior change in ownership rights in or rights to the OSFM Report whether one or more, since filing of the application resulting in said first approval.

## PERMITTED USES

Applicant agrees not to make advertising use of any OSFM approval, registration and/or OSFM Report. Applicant may make the following uses, which shall not be considered as advertising:



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM **APPLICATION FOR GENERAL APPLICATOR** FR-3 (REV. 5/2021)

\*adopt\*

**APPLICATION FOR GENERAL APPLICATOR** 

Page 1 of 3

| <u>SECTIONI</u>     |  |
|---------------------|--|
| Company Name:       |  |
| Product Trade Name: |  |
| Physical Address:   | an a |
| Mailing Address:    |  |
| Contact Person:     | <b>Email:</b>                            |
| Phone Number:       | Fax:                                     |

\* Only one mailing address and contact person is permitted per company. \*\*Must provide physical address with zip code, NO P.O. Boxes Allowed.

| Printed Name of Sign | ee:Title of Signee:   |
|----------------------|---|
| Signature:           |   |
| CERTIFICATION:       | As company owner, responsible company officer or authorized agent, I certify that I have read and understand the information on the reverse side of this form and that the facts I present to the Office of the State Fire Marshal for review and evaluation are true and accurate. |
| SECTION III          | applicator(s), etc.). A Change of Ownership must be a notarized document on company letterhead signed by the new and existing owners.   |
|                      | and facilities used in performing work.<br>Registration No Complete SECTIONS I, II, III. Provide<br>description of requested minor revision (address change, additional   |
| GENERAL:             | Complete all SECTIONS of application, provide check/money order for \$450.00 payable to CAL FIRE - OSFM, photographs of your equipment  |

**SUBMISSION**: A completed application (on an original application form) and all required supplemental data should be submitted to the address listed below. Evaluations will be



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM **APPLICATION FOR GENERAL APPLICATOR** FR-3 (REV. 5/2021)

reviewed in the order in which they are received at OSFM. *Failure to supply all needed information (including signature or illegible applications) will result in <u>REJECTION</u> of <i>the application package.* After evaluation and processing, if eligible, you will receive a notice to take the examination.

For regular mail (application and fee) send to: CAL FIRE - Office of the State Fire Marshal Cashiers Unit – Flame Retardant Program P.O. Box 997446 Sacramento, CA 95899-7446

For shipping address, FED EX, UPS, etc., send to: ATTN: Cashier's Unit – Flame Retardant Program CAL FIRE - Office of the State Fire Marshal 710 Riverpoint Court West Sacramento, CA 95605



Please send questions to: fr@fire.ca.gov

https://osfm.fire.ca.gov/divisions/fire-engineering-and-investigations/flame-retardant-chemicals-and-fabrics

## **SECTION IV**

**APPLICATORS:** 

**PRINT NAME** 

SIGNATURES

A) Provide a brief description of the method(s) of application to be used:



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM **APPLICATION FOR GENERAL APPLICATOR** FR-3 (REV. 5/2021)

B) Provide a summary of practical (on-the-job) experience in flame resistant chemical application.

C) Photographs:

\*General Applicators: Provide photographs of the equipment and facilities to be used in performing work.

### EMPLOYER RESPONSIBILITY

Every flame-retardant application concern shall be responsible for the acts of its employees or agents, in-so-far as such acts apply to the flame-retardant treatment of any fabric or material and the concern's registration certificate shall be subject to revocation for acts of said employees or agents.

| FLAME RETARDANT PROG                     |  |  |   |
|--|--|--|---|
| APPLICATION FOR LI<br>FR-4 (REV. 5/2021) |  |  |   |
|  | *ad  | opt*   |   |
|  | APPLICATION FOR  | LIMITED APPLICATOR   |   |
| <b>SECTION I</b>                         |  |  |   |
| Company Name:                            | an former ann.<br>Startag  |  |   |
| Mailing Address:                         |  |  |   |
| Contact Person:                          | ······································   | Email:   |   |
| Phone Number:                            |  | Fax:   |   |
| **Must provide ph                        | ysical address with z  | t person is permitted p<br>p code, NO P.O. Boxes<br>WADE FOR THE FOLLC   | Allowed.  |
| LIMITED:                                 | Complete all SECTIO  | NS of application, provid  | le check/money order  |
|  | picture of equipment   | CAL FIRE - OSFM, phot<br>used to chemically treat<br>ere trees will be kept dry  | tographs or catalog<br>trees, and a picture or  |
|  | picture of equipment i<br>diagram of shelter wh<br>treatment.  | CAL FIRE - OSFM, phot<br>used to chemically treat<br>ere trees will be kept dry  | tographs or catalog<br>trees, and a picture or<br>/ before and after  |
|  | <ul> <li>picture of equipment i<br/>diagram of shelter wh<br/>treatment.</li> <li>Registration No<br/>description of request<br/>applicator(s), etc.). A</li> </ul>  | CAL FIRE - OSFM, phot<br>used to chemically treat  | tographs or catalog<br>trees, and a picture or<br>before and after<br>ONS I, II, III. Provide<br>ess change, additional<br>nust be a notarized  |
| <b>ECTION III</b>                        | <ul> <li>picture of equipment i<br/>diagram of shelter wh<br/>treatment.</li> <li>Registration No</li></ul>  | CAL FIRE - OSFM, phot<br>used to chemically treat<br>ere trees will be kept dry<br>Complete SECTIO<br>ed minor revision (addre<br>Change of Ownership n  | tographs or catalog<br>trees, and a picture or<br>before and after<br>ONS I, II, III. Provide<br>ess change, additional<br>nust be a notarized  |
|  | picture of equipment i<br>diagram of shelter wh<br>treatment.<br>: Registration No<br>description of request<br>applicator(s), etc.). A<br>document on compan<br>owners.<br>As company owner, re<br>certify that I have read<br>that the facts I presen<br>and evaluation are true | <ul> <li>CAL FIRE - OSFM, photoused to chemically treat are trees will be kept dry</li> <li> Complete SECTIOned minor revision (addresed minor revision (addr</li></ul> | tographs or catalog<br>trees, and a picture or<br>before and after<br>ONS I, II, III. Provide<br>ess change, additional<br>nust be a notarized  |
| SECTION III<br>CERTIFICATION:            | picture of equipment i<br>diagram of shelter wh<br>treatment.<br>: Registration No<br>description of request<br>applicator(s), etc.). A<br>document on compan<br>owners.<br>As company owner, re<br>certify that I have read<br>that the facts I presen<br>and evaluation are true | <ul> <li>CAL FIRE - OSFM, photoused to chemically treat are trees will be kept dry</li> <li> Complete SECTIOned minor revision (addresed minor revision (addr</li></ul> | tographs or catalog<br>trees, and a picture or<br>/ before and after<br>ONS I, II, III. Provide<br>ess change, additional<br>nust be a notarized<br>ne new and existing<br>cer or authorized agent, I<br>ormation on this form and<br>re Fire Marshal for review  |
| SECTION III<br>CERTIFICATION:            | picture of equipment i<br>diagram of shelter wh<br>treatment.<br>: Registration No<br>description of request<br>applicator(s), etc.). A<br>document on compan<br>owners.<br>As company owner, re<br>certify that I have read<br>that the facts I presen<br>and evaluation are tru  | <ul> <li>CAL FIRE - OSFM, photoused to chemically treat are trees will be kept dry</li> <li> Complete SECTIOned minor revision (addres Change of Ownership not and y letterhead signed by the sponsible company office and understand the information to the Office of the State e and accurate.</li> <li>Date:Date:Date</li> </ul>  | tographs or catalog<br>trees, and a picture or<br>/ before and after<br>ONS I, II, III. Provide<br>ess change, additional<br>nust be a notarized<br>ne new and existing<br>cer or authorized agent, I<br>ormation on this form and<br>the Fire Marshal for review |
| SECTION III<br>CERTIFICATION:            | picture of equipment i<br>diagram of shelter wh<br>treatment.<br>: Registration No<br>description of request<br>applicator(s), etc.). A<br>document on compan<br>owners.<br>As company owner, re<br>certify that I have read<br>that the facts I presen<br>and evaluation are tru  | <ul> <li>CAL FIRE - OSFM, photused to chemically treat are trees will be kept dry</li> <li> Complete SECTION ed minor revision (addres Change of Ownership not y letterhead signed by the sponsible company office and understand the information to the Office of the State e and accurate.</li> <li>Date:Date:</li> </ul>  | tographs or catalog<br>trees, and a picture or<br>/ before and after<br>ONS I, II, III. Provide<br>ess change, additional<br>nust be a notarized<br>ne new and existing<br>cer or authorized agent, I<br>ormation on this form and<br>the Fire Marshal for review |



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM **APPLICATION FOR LIMITED APPLICATOR** FR-4 (REV. 5/2021)

reviewed in the order in which they are received at OSFM. *Failure to supply all needed information (including signature or illegible applications) will result in <u>REJECTION</u> of <i>the application package.* After evaluation and processing, if eligible, you will receive a notice to take the examination.

For regular mail (application and fee) send to: CAL FIRE - Office of the State Fire Marshal Cashiers Unit – Flame Retardant Program P.O. Box 997446 Sacramento, CA 95899-7446

For shipping address, FED EX, UPS, etc., send to: ATTN: Cashier's Unit – Flame Retardant Program CAL FIRE - Office of the State Fire Marshal 710 Riverpoint Court West Sacramento, CA 95605



Please send questions to: fr@fire.ca.gov

https://osfm.fire.ca.gov/divisions/fire-engineering-and-investigations/flame-retardant-chemicals-and-fabrics

## **SECTION IV**

**APPLICATORS:** 

**PRINT NAME** 

SIGNATURES

A) Provide a brief description of the method(s) of application to be used:



STATE OF CALIFORNIA, NATURAL RESOURCES AGENCY DEPARTMENT OF FORESTRY AND FIRE PROTECTION OFFICE OF THE STATE FIRE MARSHAL FIRE ENGINEERING & INVESTIGATIONS DIVISION FLAME RETARDANT PROGRAM **APPLICATION FOR LIMITED APPLICATOR** FR-4 (REV. 5/2021)

B) Provide a summary of practical (on-the-job) experience in flame resistant chemical application.

C) Limited Applicators: Provide photographs or catalog pictures of equipment you will be using to chemically treat trees AND provide photographs or a description of the type of shelter which will be provided to keep the trees dry both before and after applying the chemical treatment.

### EMPLOYER RESPONSIBILITY

Every flame-retardant application concern shall be responsible for the acts of its employees or agents, in-so-far as such acts apply to the flame-retardant treatment of any fabric or material and the concern's registration certificate shall be subject to revocation for acts of said employees or agents.