

**PUBLIC COMMENT on PROPOSED BUILDING STANDARDS**

For Publication in Title 24, California Code of Regulations

See instructions for completing this form on Page 2.

**Commenter Contact Information**

Name: Dan A. Emmett Date: 10/9/18  
Representing: myself  
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**Proposed Building Standard**

Title 24 Part #: (select one) Part 2.5 Section #: \_\_\_\_\_

Proposing State Agency Office of the State Fire Marshal

This comment is intended for review during: (select one)  
☐ Code Advisory Committee  
☒ 45-Day Comment Period  
☐ 15-Day Comment Period  
☐ Commission Meeting

Your recommendation based on the criteria of Health and Safety Code Section 18930(a) printed on the back of this form is: (select one)

☒ Approve ☐ Disapprove  
☐ Further Study Required ☐ Approve as Amended

**In support of your recommendation above, provide the rationale based on the criteria of Health and Safety Code Section 18930(a) printed on the back of this form. If you recommend anything other than approve, cite the criteria in your comment. If you oppose a proposed building standard, offer a solution or alternative for the state agency to consider. Please use separate pages if your comment does not fit in this space.**

**Attachments?**

☐ Check if you have attached additional pages. The number of pages attached is: \_\_\_\_\_

**For CBSC Office Use Only** Date Received: \_\_\_\_\_ Rulemaking Item #: \_\_\_\_\_

**DAN A. EMMETT**  
**c/o DOUGLAS EMMETT, INC.**  
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**Tel: 310-255-7725**

October 9, 2018

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833-2936

**RE: Support for Office of the State Fire Marshal's Proposed Changes**  
**CRC-Item 4, CBC-Item 17 & CCR: Flammability Standards for Building**  
**Insulation Materials**

Dear Members of the California Building Standards Commission:

As someone in the real estate business for over forty-five years I want to lend my support for the California State Fire Marshal's proposed "Flammability Standards for Building Insulation Materials" which would change the California law to allow the use of polystyrene building insulation without added flame retardants for below-grade applications.

My company and I have a long history in energy conservation and green buildings, beginning in 1991 with a pilot project to retrofit a large office building in Los Angeles, working with the Los Angeles DWP, the NRDC, the Rocky Mountain Institute and others to determine the possible cost effective energy savings in the building. The results were astounding and we have been active in pursuing changes and upgrades in our buildings in the following years as technology and science offer new opportunities.

These proposed flame retardant standards would appear to provide such an opportunity. Many of our tenants, lenders and investors are very interested in improving the environmental footprint in buildings in which they have a stake, which would certainly include avoiding the use of hazardous chemicals.

My understanding from the study released by the California State Fire Marshal is that the fire safety performance of below-grade polystyrene insulation is comparable whether or not flame retardants are present. This means that the addition of these harmful chemicals to below-grade insulation materials does not make worksites or buildings significantly safer from fire, but provides exposure to harmful chemicals for our workers and occupants.

We urge you to approve the OSFM's proposed changes to Flammability Standards in Building Insulation Materials. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan A. Emmett', with a long horizontal flourish extending to the right.

Dan A. Emmett