



Board of Building Regulations and Standards
Office of Public Safety and Inspections
50 Maple Street
Milford, MA 01757

March 1, 2021

Dear Chief of Inspections Walsh, Chair Crowley, Vice Chair Davey, and Second Vice Chair Couture:

As a group of stakeholders including designers, code consultants, general contractors, sub-contractors, manufacturers, owners and suppliers involved with constructing buildings, we wish to follow up on the Sept 8, 2020 BBRS meeting. At this meeting the Board voted to distribute the proposed memo "Fire Rated Duct Assembly Product Alternatives" to building officials throughout the commonwealth and left open the opportunity for further communication around the topic to be discussed.

We sincerely appreciate the effort in drafting and distributing the memo quickly and would love to use this effort as a starting point to help resolve the current unintended hurdles that exist to build with new, safe and, in some cases, better products. The memo served the purpose of clarifying the procedure for Building Officials to accept an AMMR and resolved the issue of a non-BBRS memo that was misleading some jurisdictions. However, there continues to be certain issues not addressed that are evident by the confusion and/or refusals we have experienced with building officials.

As potential solutions for your consideration we offer the following two (2) options. Please note that there are many options that the Board may choose and these are just two (2) that we have chosen to present as part of this letter for your consideration.

For example, the City of New York issued Bulletin 2018-003 on April 30, 2018 regarding fire-resistive duct assemblies. The State of Massachusetts could choose to issue a bulletin similar to this. Since the City of New York has explicit requirements for fire-resistive duct assemblies that all manufacturers, contractors, consultants, and engineers have to abide by, the issues described above are not an issue.

A second option would be to adopt ICC ES - AC 179. Please note that the International Code Council (ICC) has a subsidiary group called ICC-Evaluation Service (ICC-ES). ICC-ES develops acceptance criteria for products not adequately covered within the codes. ICC-ES has published Acceptance Criteria for Metallic HVAC Duct Enclosure Assemblies (AC 179). This document was originally published in February of 2005 and has been revised several times since. The ICC-ES Committee is made up of code officials from across the country and holds public

hearings to approve the Acceptance Criteria documents. AC 179 requires testing of fire rated duct systems in accordance with ASTM E 2816, Standard Test Methods for Fire Resistive Metallic HVAC Duct Systems.

It is important to note that a similar process occurred as part of the evolution of grease duct enclosures. In the 2006 Edition of the International Mechanical Code ASTM E2336 was first referenced. Prior to this specific reference, ICC-ES AC 101, Acceptance Criteria for Grease Duct Enclosure Assemblies was used to document the acceptable performance of grease duct enclosure assemblies.

In closing, as stakeholders involved with the design and construction of buildings in the State of Massachusetts, we request the BBRS to establish clear criteria for fire resistive duct assemblies and would be happy to discuss further or assist in any way you see fit.

Sincerely,

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