

Industrialized Buildings Commission

◆ An Interstate Compact ◆

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MINUTES

Rules Development Committee
Wednesday, July 17, 2013
Herndon, Virginia

Chairman Rothman convened a meeting of the Rules Development Committee on Wednesday, July 17, 2013, at 9:05 a.m. at the Washington Dulles Marriott Suites, 13101 Worldgate Drive in Herndon, Virginia. Attendance was taken as noted below:

Members Present: Barbara Bieganski, Vanguard Modular Building Systems
Denise Beer, Williams Scotsman
Ujjval K. Dave, State of Maryland
Donald F. Engle, NRB (USA), Inc.
Christine Kline, Mark Line Industries of Pennsylvania
Eric Leatherby, Commonwealth of Virginia
James Rothman, PFS Corporation

Others Present: Michael Baier, State of New Jersey
Debbie Becker, Industrialized Buildings Commission
William F. Begley, Sea Box, Inc.
Andrew Carlson, Pyramid1, Inc.
Warren Ducharme, State of Rhode Island
N. Kevin Egilmez, Industrialized Buildings Commission
Robert Gorleski, PFS Corporation
Michael Grothe, Industrialized Buildings Commission
Bruce Hagen, State of North Dakota
Tom Hardiman, Modular Building Institute
Carl Kulesa, Modspace
Chuck Osterday, NTA
Ransom Soper, Sea Box, Inc.
Robert Tanger, TRA
Randy Vogt, State of Minnesota

Approval of Minutes

On a motion by Barbara Bieganski, seconded by Don Engle, the Committee approved the minutes of the July 18, 2012, meeting as submitted.

Correspondence

The Secretariat noted that a list of correspondence was available.

Old Business

There were no advisory reports given.

New Business

Chairman Rothman noted that there were still one state and two industry member vacancies to the RDC. Kevin Egilmez reported that Mike Regan with the State of Ohio and Allen Greene with the State of North Carolina were contacted but did not respond. Tom Hardiman with MBI offered to provide a list of residential candidates.

Chairman Rothman noted that there were currently four RDC representatives whose terms are up for renewal. Denise Beer moved to renew the three-year terms for Mark Blanke, Donald Engle, Christine Kline, and Barbara Bieganski. The motion, seconded by Don Engle, was approved unanimously.

Chairman Rothman asked about the status of the FTP site for electronic submittals. Kevin Egilmez reported that there were still some concerns with electronic signatures. Bob Gorleski asked if the old documents will be archived and if audit responses could also be sent to the FTP site. Kevin advised that the documents will be archived weekly and that a special folder could be set up for submitting documents other than plans.

The Committee discussed IBC bulletins dated November 14, 1995 and September 23, 2009, regarding the application of building system documents. The Committee was briefed previously about building systems with complex structural member tables and provisions that permit manufacturers to perform engineering calculations without review or approval by evaluation agencies. A new guideline for evaluation agencies (attachment A) was proposed to prohibit or limit such practices. A motion was made by Chairman Rothman, seconded by Don Engle, and approved unanimously, to issue the guideline. Kevin Egilmez recommended that the original November 14, 1995, bulletin be redrafted and reissued to reflect recent actions.

The Committee reviewed a proposed criteria for CEUs awarded through correspondence courses (attachment B). Under item 1, "DVD or internet" was deleted since it was not relevant to correspondence courses. Under item 2, "by a group recognized by the IBC" was inserted after "approved" to clarify that the Commission could recognize courses already approved by another state, such as Wisconsin. A motion to adopt the criteria was made by Christine Kline, seconded by Don Engle, and passed unanimously.

At last year's meeting, the Secretariat was asked to clarify Formal Interpretation 95-04, Sealing of C.A. documents by a P.E. or an R.A. The wording ". . . type of building being produced . . ." seemed to imply that sealing requirements applied to certain buildings, such as residential or commercial use groups. The revised document (attachment C) makes it clear that

the documents must be sealed as required by the laws of the state in which they are prepared. The final paragraph clarifies that the interpretation applies to compliance assurance documents and not to construction documents submitted to local agencies for permitting purposes. A motion to approve Formal Interpretation 95-04 as amended – replacing “if” with “when” in the second sentence – was made by Don Engle, seconded by Christine Kline, and passed unanimously.

The Committee discussed a recent provision in the North Dakota State Building Code that allows state or local government code enforcement agencies acting within their jurisdictions to waive certain code requirements. The provision was intended to alleviate a severe shortage of temporary work camp housing by exempting existing buildings from meeting all provisions of the State Building Code. However, the Commission has been made aware that local jurisdictions are waiving code requirements for newly manufactured industrialized buildings. The Commission intends to issue a bulletin to inform designated agencies that new industrialized buildings must comply with all provisions of the North Dakota State Building Code and, where applicable, local amendments in order to receive an IBC label.

The Committee also discussed manufacturers that submit plans specifying site-installed fire sprinklers. Without proper safeguards, sprinklers may not be installed especially if the building is placed in a jurisdiction that does not have a building department. Randy Vogt was concerned that some of these buildings could eventually be moved to Minnesota. He recommended that the Commission develop a system, such as requiring a signed letter from the owner, to ensure the buildings are fitted with sprinklers on site. The Secretariat was asked to seek comments and draft a standard for the next meeting of the RDC.

Andrew Carlson asked for clarification from the RDC regarding the use of non-ASTM steel. Kevin Egilmez stated that the process for code interpretations is addressed under the *Formal Technical Opinions* section of the Uniform Administrative Procedures. The purpose of the section is to ensure identical code provisions are interpreted and enforced uniformly by all participating states. Don Engle mentioned that the first step should be to get an interpretation from ICC. Kevin Egilmez said that ICC interpretations are generally advisory and that most states have Code Appeals Boards or similar committees that render formal code interpretations. The Committee agreed to postpone further discussion until next year's meeting.

Kevin Egilmez briefed the Committee on the process used to assess and label existing industrialized buildings. As the minutes of the April 28-29, 1993 RDC meeting show, the original intent of the amendment to the UAP was to grandfather industrialized buildings with member state labels issued prior to the Commission's program. It also contained a provision for approving existing buildings that did not have member state labels. Since 1996, the number of labels being attached to existing buildings has grown from less than one-half to four percent with nearly all of the labels being used for purposes other than grandfathering. The current procedure, which was developed following a brief RDC discussion on the topic on November 3, 1994, has proven to be inadequate. The proposed procedure (attachment D) specifies the documents and inspections that are required to assess a building. It also requires labels to be assigned using the Commission's standard procedure.

Meeting adjourned for lunch at 12:30 p.m. and reconvened at 1:30 p.m.

The Committee approved the label assignment procedure and the requirement to have approved plans. Discussion on applicable codes and eligibility requirements was postponed until next year's meeting.

The Committee discussed a proposal to have manufacturing facilities register with the Commission (Attachment E). Kevin Egilmez reported that 57 of the 263 manufacturing facilities currently on the Commission's list have not manufactured an IBC unit since 2010. Their information is often outdated and the building systems documents have not been updated to the new codes. Requiring manufacturers to register on a regular basis (every two years) will ensure that the information on file is current and that all obsolete documents are removed from the Commission's library.

Recommendations to the Commission

Chairman Rothman communicated the following RDC recommendations and actions to the Commission:

1. Reappoint Mark Blanke, Donald Engle, Christine Kline, and Barbara Bieganski.
2. Issue the additional guidelines regarding application of building systems.
3. Amend FI 95-04 to further clarify sealing requirements.
4. Issue new label release and approved plan requirements for existing buildings.
5. Issue criteria for approving correspondence courses.
6. Issue bulletin regarding applicability of ND code waivers.
7. Implement manufacturer registration requirements as an internal procedure.

Date and Location of Next Meeting

The next RDC meeting was tentatively scheduled for July 16, 2014, the third Wednesday in July. The secretariat stated that notice would be sent out regarding the meeting's location.

The motion to adjourn, made by Denise Beer and seconded by Eric Leatherby, was approved and the meeting adjourned at 2:00 p.m.

Respectfully submitted,

N. Kevin Egilmez
Secretariat Staff

Attachments

ATTACHMENT A

APPLICATION OF BUILDING SYSTEMS DOCUMENTS

GUIDELINES TO EVALUATION AGENCIES

The following limitations shall apply to building systems documents. The conditions described below are meant to be illustrative and apply equally to all disciplines (electrical, plumbing, mechanical, energy conservation, etc.)

1. Any document that permits manufacturers to perform calculations or design building elements independently without being subjected to review and approval by the evaluation agency is prohibited.
2. Manufacturers may obtain approvals for substantiated custom header, beam, column and similar member tables. If a table requires calculations (e.g., converting a given load to PLF) or an engineering judgment (e.g., applying a load duration factor or a deflection limit) when making a selection, then such calculations and engineering judgments shall be submitted to the evaluation agency for review and approval and shall include a cross-reference to or a copy of the specific table.
3. Inspection agencies are responsible for ensuring manufacturers follow their building systems requirements. Evaluation agencies must take into account the demands on an inspection agency inspector when approving overly complex or cumbersome provisions of building systems documents.

ATTACHMENT B

CORRESPONDENCE COURSE APPROVAL CRITERIA

Correspondence courses meeting the following minimum guidelines shall be considered a qualified continuing education activity under Uniform Administrative Procedures, Part VI, Section 4(G)(2).

1. Correspondence, DVD or internet courses must have not less than 10 review questions for each credit hour. Question and answer based courses using readily available public materials, such as codebooks, must have not less than 30 questions for each credit hour. A student must be required to answer at least 70 percent of the questions correctly to receive credit.
2. Correspondence courses must be approved prior to awarding credits and must be reapproved at least once every five years.
3. Course providers must be required to submit an application for review and approval including handouts and/or videos and a complete course outline. Course outline should describe in detail the subject matter to be taught and total length of the course.
4. Course providers must be required to report and maintain attendance records.
 - a. An attendance record of all students who have successfully completed the course must be maintained for at least five years from the course completion date.
 - b. An attendance record must be provided to each student including course identification number, course completion date and name of student.
 - c. Attendance information must be reported to approving agency following course completion date.



STATE OF WISCONSIN
Department of Safety and
Professional Services

Educational Course Application

Safety and Buildings Division
201 West Washington Ave.
P.O. Box 2658
Madison, WI 53701
Phone: (608) 267-7113
FAX : (608)-267-0592
Email: sbcourseapproval@wisconsin.gov
TTY through Relay

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

***** If you obtain approval for this course and it is other than a face-to-face training session, you must inform students that they may not retake the same course for credit more than once during the 1-, 2- or 4-year term of their specific credential *****

Course Provider Name (Business, School, Institute, Individual, etc)	Contact Person (If different from provider)
S&B Customer Id number (If already provided)	Address No. & Street, or P.O. Box:
Address No. & Street, or P.O. Box:	City, Town or Village, State, Zip + 4 Code:
City, Town or Village, State, Zip + 4 Code:	Telephone No. (include area code):
Telephone No. (include area code):	If Available, E-mail Address:

Fill in the Course Name/Title:

Type of course: ☐ Instructor-led, Face-to-Face Training

☐ Student-paced Training (Internet, DVD, Broadcast, Correspondence): ☐ Number of review questions _____

Total Course Hours:

PLUMBING	<input type="checkbox"/> Master Plumber	<input type="checkbox"/> Journeyman Plumber
	<input type="checkbox"/> Master Plumber Restricted Appliance	<input type="checkbox"/> Journeyman Plumber Restricted Appliance
	<input type="checkbox"/> Commercial Plumbing Inspector	<input type="checkbox"/> UDC-Plumbing Inspector
	<input type="checkbox"/> Utility Contractor	<input type="checkbox"/> Cross Connection Control Tester
POWTS	<input type="checkbox"/> Master Plumber Restricted Service	<input type="checkbox"/> Journeyman Plumber Restricted Service
	<input type="checkbox"/> POWTS Maintainer	<input type="checkbox"/> Soil Tester Certification (ST)
	<input type="checkbox"/> POWTS Inspector	
BUILDING	<input type="checkbox"/> Commercial Building Inspector	<input type="checkbox"/> UDC-Construction Inspector
	<input type="checkbox"/> UDC-HVAC Inspector	<input type="checkbox"/> Manufactured Home Installer
	<input type="checkbox"/> Dwelling Contractor Qualifier	
ELECTRICAL	<input type="checkbox"/> Master Electrician	<input type="checkbox"/> Journeyman Electrician
	<input type="checkbox"/> Beginning Electrician	<input type="checkbox"/> Industrial Journeyman Electrician
	<input type="checkbox"/> Residential Master Electrician	<input type="checkbox"/> Residential Journeyman Electrician
	<input type="checkbox"/> Commercial Electrical Inspector	<input type="checkbox"/> UDC-Electrical Inspector
ELEVATOR	<input type="checkbox"/> Elevator Mechanic	<input type="checkbox"/> Elevator Mechanic- Restricted
	<input type="checkbox"/> Lift Mechanic	<input type="checkbox"/> Elevator Inspector
SPRINKLERS	<input type="checkbox"/> Automatic Fire Sprinkler Contractor	<input type="checkbox"/> Journeyman Automatic Fire Sprinkler Fitter
	<input type="checkbox"/> Automatic Fire Sprinkler Contractor-Maintenance	
BOILERS	<input type="checkbox"/> Boiler Inspector	
INITIAL QUALIFIER	<input type="checkbox"/> Multi-Purpose Piping Initial Qualifier	<input type="checkbox"/> Cross Connection Control Tester Initial Qualifier
	<input type="checkbox"/> POWTS Maintainer Initial Qualifier	<input type="checkbox"/> Soil Erosion Inspection Initial Qualifier
	<input type="checkbox"/> Dwelling Contractor Qualifier Initial Qualifier	<input type="checkbox"/> Manufactured Home Installer Initial Qualifier
	<input type="checkbox"/> POWTS Restricted Tech Installer Qualifier	

SBD-9156 (R03/12)

Instructions: Use this form to apply for approval to offer your course for continuing education credit.

Step 1: Complete the first page of this form. Note:

- Some credential types require an initial 'Qualifier' course be completed before an applicant can apply for their credential. If your course is designed to be offered as a 'Qualifier' training course, be sure to check the proper box, and include the term "Qualifier" as the first word in the course title.
- Express course length in 1/2-hour increments. If the course is divided into short, independent courses, then submit a separate course application for each part. If this is to be a correspondence, DVD or Internet course, then please also submit at least 10 review questions for each credit hour you are requesting. Any course that is only question and answer based, using readily-available public materials such as the codebook, requires least 30 questions per hour to be submitted. Students must correctly answer at least 70% of the questions in order to receive credit.

Step 2: Enclose a detailed explanation of how this course relates to the job activities and responsibilities of the credential categories you have indicated on page 1. Include a complete course outline. The outline must describe in detail the subject matter to be taught, the total length of the course, and the length of time on each subject. If submitting a correspondence course, also submit the handout(s) and/or video(s). Send a copy of the completed application form and attachments to the address above at least 30 days prior to the date the course will be offered. You may also email this application and course materials to sbcourseapproval@wisconsin.gov.

Step 3: Courses will be approved or denied within 21 calendar days of receiving this application. Do not offer your course for credit before you have received approval. Students who complete your course before it is approved will not receive credit. When your course is approved, a letter will be sent showing the hours of approved credit, the credentials to which the hours of approved credit apply, the expiration date of the course, and the course identification number.

Step 4: After you have received approval, you may offer your course for credit. You **must**:

- Maintain an attendance record of all students who have successfully completed the course for at least five years from the course completion date. The record **must** include the course identification number, the course completion date, the name of each student, and the student's credential identification number. Be sure to obtain the credential identification number of the **student**, and not of the student's **business**. This is a common mistake.
- Provide a written, printed, or e-mailed attendance record to **each student**. At a minimum, this record must include the course identification number, the course completion date, the name of the student, and the student's credential identification number. Instruct your students to retain this document for their records.
- Report all course attendance information to the Department of Safety and Professional Services within 14 calendar days of the course completion date. Use the information on your course approval letter to report this information electronically.

Step 5: Course approvals have a five-year term. A renewal notice will be sent at least 30 days before the expiration date. If a course is not renewed, students attending the course after the expiration date will not receive credit.

☐ Industrialized Buildings Commission ☐

Number
95-04

Effective Date: October 13, 1995

Subject: Sealing of compliance assurance documents by a P.E. or an R.A.

Reference: MRR - Part V, Section 1(A)

ISSUE: Which compliance assurance documents submitted by a manufacturer are required to be sealed by a Professional Engineer or a Registered Architect?

INTERP: Neither the MRR nor the UAP require a manufacturer to submit documents sealed by a P.E. or an R.A. The documents must be sealed if required by the laws of the state in which the documents are prepared. ~~Whether a document is required to be sealed by a P.E. or an R.A. is governed by the laws of the state in which the documents are prepared. If the state of manufacture, by state law, requires the design documents for the type of building being produced to be sealed, then the documents must be sealed.~~ The manufacturer, under Part V, Section 1(A)(7) of the MRR, must submit the required documents including design calculations and/or test reports to its evaluation agency for review. The evaluation agency is responsible for reviewing these documents using qualified staff as described under Part VI, Section 4 of the UAP, including but not limited to Subsection (F), structural calculation reviewers.

~~Additionally, some~~ IBC states that reserve the right to perform plan reviews for particular use groups may require certain documents to be sealed.

~~The only time~~ The manufacturer is responsible for submitting sealed documents is if it has elected to implement the design program by the manufacturer (alternate method) under Part IV, Section 3 of the UAP. Under this optional program, all structural calculations must be sealed by a P.E. or an R.A.

This Formal Interpretation is limited to compliance assurance documents submitted to evaluation agencies and do not apply to construction documents submitted to local enforcement agencies for permitting purposes.

FORMAL INTERPRETATION

PROCEDURES FOR LABELING EXISTING BUILDINGS

1. Only industrialized buildings bearing a participating-state label issued prior to the effective date of the UAP are automatically eligible for a Commission certification label.
 - a. Prior to affixing certification labels, the inspection agency is required to ensure the buildings have not been modified, altered or damaged.
 - b. Commission certification labels must be permanently attached next to the existing participating-state labels. Except for certification label numbers, information on the new and existing data plate must be identical.
 - c. Inspection agency is required to submit a completed relabeled module report form along with pictures of the existing labels, data plates, and the exterior and interior of the modules, copies of inspection reports and new data plates to the Commission. The complete report must be submitted no later than 15 days after receiving Commission authorization to release labels.
2. Industrialized buildings bearing a participating state label that are altered or modified are required to comply with additional requirements specified under (a) through (c) of this subsection.
3. Industrialized buildings bearing a non-participating state label must be proven by a designated agency to meet the destination state's current codes before being eligible to have a Commission certification label affixed.
 - a. Evaluation agencies must perform a full and complete review of the documents approved by or on behalf of the non-participating state. A deviation report must identify the differences between the applicable provisions of the non-participating and the destination state's codes. Complete documents of any modification necessary to bring the buildings into compliance with the new codes must be submitted to the evaluation agency for review and approval.
 - b. Inspection agency must perform an initial inspection to ensure the original building has not been altered or damaged. All subsequent modifications must be inspected by an inspection agency to ensure compliance with applicable codes and approved designs.
 - c. The inspection agency must inspect construction elements, methods or materials for compliance, and require removal of permanent construction where necessary, if the non-participating state approved documents do not conclusively demonstrate compliance with a provision of the destination state's code.
 - d. Designated agency shall submit a completed relabeled module report form, along with copies of all relevant documents – such as inspection reports, data plates, and approved designs – and pictures of existing labels to the Commission.
4. The Commission will authorize the release of certification labels to the custody of the inspection agency after receiving proper payment. Certification labels shall only be affixed by the inspection agency to completed, code-compliant industrialized buildings.

MANUFACTURING FACILITY REGISTRATION

Purpose

IBC needs a method to ensure information it has on file regarding manufacturing facilities are current and accurate. Requiring manufacturers to register on a regular basis would confirm that they are still in business and eliminate any confusion regarding their designated agency. It would also assist IBC by eliminating the need to maintain documents for manufacturers that are inactive or no longer interested in participating in the program. Although UAP, Part IV, Section 8 and other provisions require notification, the current process is vague and ambiguous.

Background

There are currently 263 open manufacturing facilities. According to IBC records, 57 of those facilities (nearly 22 percent) have not manufactured an IBC unit since 2010. Since that time, all of the participating states except for Minnesota (who elected to skip the 2009 I-codes) have adopted new editions of the codes that became mandatory on or after January 1, 2011.

Additionally, most contracts between manufacturers and designated agencies are not specific enough to determine which facilities are covered under the contract and for which designated agency services. This has led to confusion and delays when manufacturers wanted to switch agencies.

Manufacturer Information Submittal

Designated evaluation and inspection agencies would be responsible for submitting initial manufacturer registration forms to the Commission when acquiring a new client and prior to commencement of production at a new manufacturing facility. Manufacturers would be responsible for notifying the Commission of any change other than to their designated agencies. At a minimum, manufacturers would reconfirm the information on file by returning prefilled registration cards to the Commission every two years. If a response is not received, IBC will notify the designated agency on record and remove the manufacturer from the list and archive any documents on file. Manufacturers that are removed from the list would be required to re-register and resubmit applicable documents.

Information that would be submitted (*voluntary) on IBC forms

- Corporate/Business/ Trade Name
- Parent Company
- *Web Address
- Federal ID

- Authorized Representative and primary contact (Name, Title, Email, Phone)
- Mailing and Physical Address (Street, City, State, Zip)

List of Manufacturing Facilities

- Name or Designation of Each Facility
- Mailing and Physical Address (Street, City, State, Zip)
- *Description of Product
- Evaluation Agency
- Inspection Agency