



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: May 29, 2025

TIME: 8:26 AM

WSR 25-12-051

**Agency:** Department of Labor & Industries (L&I)

**Effective date of rule:**

**Permanent Rules**

- ☐ 31 days after filing.
- ☒ Other (specify) July 1, 2025 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- ☐ Yes ☒ No If Yes, explain:

**Purpose:** The adopted rulemaking will implement the requirements of Substitute House Bill 1323 (SHB 1323), codified as chapter 49.105 RCW. SHB 1323 requires a training and certification program be created for individuals who spray-on apply fire-resistant materials to buildings classified as construction types I, II, III, IV, and V, as defined by the International Building Code, and install fire-stop systems in risk category III and IV, as defined by the International Fire Code. Fire protection measures are critical design elements to control the spread of fire and help protect structural steel, contain fire, and limit damage. Fire-resistant materials help protect the lives of employees that work in these buildings by providing more time for them to evacuate in case of a fire. The sufficient training of applicators and proper installation of fire-resistant materials will aid in reducing the number and severity of fires in the workplace. The adopted rulemaking includes requirements for safety training certification for workers, curriculum for in-person classroom and hands on instruction, and approval of training providers.

The adopted rule includes the following:

- Requirements for contractors applying fire-resistant materials to use certified applicators in specified buildings. It also notes activities and building types that are exempt;
- Defined key terms related to fire-resistant material application, including training providers, certified applicators, and contractors. It ensures clarity on roles, materials, and processes;
- Penalties for violations of the statute or rule;
- Certification requirements for both initial certification and renewing certification;
- Training course evaluation and approval, including course requirements, instructor qualifications, recordkeeping, and procedures for course changes and audits; and
- Denial, suspension, and revocation of work certification and training course approvals.

**Citation of rules affected by this order:**

New: WAC 296-156-001, 296-156-003, 296-156-010, 296-156-020, 256-156-030, 296-156-050 and 296-156-060.  
Repealed:  
Amended:  
Suspended:

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, and 49.105.040.

**Other authority:** Chapters 49.17 and 49.105 RCW

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 25-05-092 on February 18, 2025 (date).

- Describe any changes other than editing from proposed to adopted version:

- Clarified that "fireproofing" or "spray fireproofing" includes the use of spray-applied fire-resistant or resistive (SFRM) materials.
- Added the word "course" for consistency and to clarify the 8 hour firestop refresher is a course similar to the other courses listed.
- Modified the goal of certification to clarify the training is to understand the procedures to properly perform the application of fireproofing materials, also known as spray fire-resistant materials (SFRM).
- Modified the goal of certification to clarify the training is to understand the procedures to properly perform the application firestop in the construction industry.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Carmyn Shute, Administrative Regulations Analyst

Address: Department of Labor & Industries

Division of Occupational Safety and Health

PO Box 44620

Olympia, WA 98504-4620

Phone: 360-870-4525

Fax: 360-902-5619

TTY:

Email: [Carmyn.Shute@Lni.wa.gov](mailto:Carmyn.Shute@Lni.wa.gov)

Web site: <https://www.lni.wa.gov/rulemaking-activity/?query=296-156&cardNo=AO24-02>

Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>7</u>	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted on the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

**Date Adopted:** May 29, 2025

**Name:** Joel Sacks

**Title:** Director

**Signature:**

