

BPA Policy 440-75

Building Code Governance Program

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1. Purpose & Background

This policy establishes the Bonneville Power Administration (BPA) building code governance program to ensure that BPA complies with applicable laws through the adoption of building codes and the issuance of equivalencies and variances. It establishes the Authority Having Jurisdiction (AHJ), Authority Having Jurisdiction Council (AHJ Council), Building Code Official (BCO), Fire Code Official (FCO), and other supporting functions, and it sets associated duties for these roles.

The purpose of this policy is to establish a program with the primary interest of ensuring the health, safety, and welfare of building occupants and meeting bulk electric/bulk power system (BES/BPS) emergency response and continuity of operations requirements.

2. Policy Owner

The Chief Administrative Officer owns this policy. The Director of Facilities and Workplace Services is responsible for its implementation and is authorized to develop, revise, and approve associated procedures.

3. Applicability

This policy applies to the management, construction, modernization, renovation, and operation and maintenance of all BPA-owned facilities.

The policy applies to BPA facilities, building structures, non-building structures, building non-structural components, building structural components, and energy delivery facilities. It does not apply to BES and bulk power system BPS components.

Where federal regulations and/or executive orders conflict with the requirements of codes, standards, and guides adopted herein, the more prescriptive approach of the two shall apply.

4. Terms & Definitions

- A. **Adopted Code, Standard, or Guide:** A code, standard, or guide that, once adopted by BPA, becomes the minimum requirements by which to construct, operate, and maintain BPA facilities.
- B. **Authority Having Jurisdiction (AHJ):** Bonneville full-time equivalency (BFTE) employee designated to adopt and enforce applicable building standard and code requirements.
- C. **Authority Having Jurisdiction Council (AHJ Council):** Comprised of the Vice President, Transmission Engineering; Director of Facilities and Workplace Services; Chief Safety Officer; BCO and FCO, serves as an advisory body to the AHJ on matters pertaining to adopting and enforcing the requirements of the applicable building codes or standards.
- D. **BPA Facilities:** BPA-owned building infrastructure to include foundations, building, non-building structures, non-structural components, interiors, plumbing, heating, ventilation and air conditioning (HVAC), fire protection, electrical, electronics safety and security, building

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automation systems, surrounding grounds, and other fixed improvements upon the land within the sites controlled by BPA. The term *BPA facilities* does not apply to transmission infrastructure such as telecom and transmission towers, transformers, relays, capacitor banks, or other equipment that is part of the BES.

- E. **Building Codes:** Set of operational standards and requirements for building and associated structures. The purpose is to safeguard occupant health, safety, and welfare as they relate to the construction, maintenance, and occupancy of buildings and structures.
- F. **Building Code Official (BCO):** Designated individual who determines the proper application of BPA-adopted building codes to construction, operation, and maintenance of BPA-owned facilities. Recommends to the AHJ Council any identified building code equivalencies or variances.
- G. **Building Non-structural Components:** Utilities inside and outside a building required for operation, maintenance, and general use of the building, racks and cabinetry containing electrical equipment and components and cladding, heating, ventilation and air-conditioning (HVAC), light fixtures, drop-down ceilings, fire protection and sprinkler systems, non-load bearing wall partition, and concrete masonry unit (CMU) veneer.
- H. **Building Structure:** A structure intended and utilized for shelter or occupancy (2018 International Building Code (IBC)).
- I. **Building Structural Components:** The foundations, columns, girders, beams, supports, concrete slabs, and other structural members of the buildings.
- J. **Bulk Electric System (BES):** All components that directly generate, transmit, or control market/high voltage power system elements at or station service, electrical support systems for the control centers, and the initial funding and construction of new facilities/upgrades above 100KV as defined by the North American Electric Reliability Corporation (NERC). This equipment is subject to NERC regulations for transmission system reliability.
- K. **Bulk Power System (BPS):** Facilities and control systems necessary for operating an interconnected electric energy supply and transmission network (or any portion thereof), and electric energy from generating facilities needed to maintain transmission system reliability. The term does not include facilities used in the local distribution of electric energy.
- L. **Certificate of Occupancy:** Document issued by the AHJ Council certifying a building's compliance with applicable building codes and other laws, and indicating the building to be in a condition suitable for occupancy.
- M. **Code Review:** A pre-construction review of project designs to ensure that the design incorporates BPA-adopted building codes, standards, and guides.
- N. **Energy Delivery Facilities:** A specific grouping of facilities that supports the BPA transmission system. This includes an existing or planned location or site encompassing all real property and appurtenances at which a BPA substation, switching station, or radio station is located. Buildings located outside of or that are not a part of a station perimeter fence (if one is present) are

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excluded. Energy delivery facilities are a subset of BPA facilities; all energy delivery facilities are BPA facilities but not all BPA facilities are energy-delivery.

- O. **Equivalency:** The application of a code requirement that has not been adopted by BPA to construction, operation, and maintenance activities. Such code requirements shall meet the intent and purpose of any equivalent BPA-adopted code. The AHJ must approve all requests for equivalencies to BPA-adopted codes.
- P. **Facility Operations and Maintenance (O&M):** Services rendered to assure a facility functions as designed and constructed.
- Q. **Fire and Life Safety:** Matters related to fire cause and behavior; construction safeguards and exit facilities; facilitation of first responder ingress and operation; control of and storage of hazardous, flammable and combustible materials; and fire alarm, fire-detecting, and fire extinguishing service equipment.
- R. **Fire Code Official (FCO):** Designated individual who determines if the requirements of BPA-adopted fire codes are applied properly to the construction, operation, and maintenance of BPA-owned facilities.
- S. **Fire Protection Engineer (FPE):** A certified, licensed individual with the training and education necessary to apply science and engineering principles to protect people and property from the harmful and destructive effects of fire and smoke.
- T. **Model Building or Fire Code:** A building or fire code that is developed and maintained by a standards organization independent of the jurisdiction responsible for adopting the code.
- U. **Operations and Maintenance (O&M):** Services required to assure a facility will perform the functions for which the building was designed and constructed.
- V. **Non-building Structure:** A structure other than a building structure and not designed for continuous human occupancy.
- W. **Project Attestation:** A written assurance that a design code review was completed and that the facility was constructed in accordance with the codes, standards, and guides adopted by BPA.
- X. **Service Delivery Teams:** Any team responsible for facilities-related construction, modernization, renovation, and operations and maintenance activities or which contracts for or executes facility-related construction, modernization, renovation, and operations and maintenance activities.
- Y. **Substantial Completion:** A stage of construction completed to the point that occupants can use it for its intended purpose. At this stage of completion, any construction deficiencies would pose no greater risk to occupant health or safety than a facility at the final-completion stage.
- Z. **Variance:** Any AHJ-approved deviation from adopted building or fire codes that requires AHJ approval.

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5. Policy

A. **BPA’s Building Code Governance Program:** BPA’s building code governance program adopts and implements applicable building codes, standards, and guides and provides regular review of updates to those applicable codes through an established process of change management, communication, and oversight, as outlined in BPA Procedure 440-75-1, *Adoption of Model, Consensus Building Codes*.

1. **Roles within BPA’s Building Code Governance Program:** To govern this program, an AHJ is established to ensure BPA complies with applicable laws through the adoption of consensus building codes and the issuance of equivalencies and variances. An AHJ Council, a BCO, and an FCO serve in an advisory role to the AHJ and provide subject matter expertise on code-related issues.
 - a) **AHJ:** The Chief Administrative Officer shall act as the AHJ for all BPA-owned facilities. The role and duties of the AHJ may not be delegated
 - i) The AHJ may delegate certain administration functions to ensure the coordination with, and compliance of, the BES. See Appendix A of this policy for the delegation of administrative functions.
 - b) **AHJ Council:** The AHJ Council shall consist of the following positions at BPA. Responsibilities for this council may not be delegated:
 - i) Vice President, Transmission Engineering (TE)
 - ii) Director of Facilities and Workplace Services, and
 - iii) Chief Safety Officer.
 - c) **BCO:** The BCO is the Facilities Projects and Planning Manager. The BCO role may not be delegated.
 - d) **FCO:** The FCO is Safety’s Occupational Safety and Health Manager. The FCO role may not be delegated.
 - e) **Service Delivery Teams:** Any team responsible for facilities-related construction, modernization, renovation, and operations and maintenance activities or which contracts for or executes facilities-related construction, modernization, renovation, and operations and maintenance activities shall do the following:
 - i) Complete a code review of the project’s design. The intent of a code review is to ensure that the design meets the intent of BPA-adopted building codes, standards, and guides.
 - ii) Complete a code review post construction. The intent of a post-construction code review is to ensure that the facility was constructed in accordance with BPA-adopted building codes, standards, and guides.

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- iii) Complete project attestations at the conclusion of design and construction code reviews.
 - a. See BPA Procedure 440-75-6, *Attestations and Certificates of Occupancy* for guidance on conducting code reviews and attestations and that provides guidance on completion of both code reviews and attestations.

2. **Required records that support BPA’s Building Code Governance Program:** In order to present or provide complete descriptions of all management, construction, modernization, renovation, and operation and maintenance, applicable records of BPA facilities, building structures, non-building structures, building non-structural components, building structural components, and energy delivery facilities shall be maintained and preserved consistent with BPA Procedure 440-75-10, *Preserving O&M Inspection, Testing, and Attestation Records*.

B. **Building code adoption and compliance:** BPA shall adopt and implement model, consensus building codes for all facilities to safeguard the life safety and health of all building occupants and first responders.

- 1. All facilities, regardless of use, will be constructed, operated, and maintained in accordance with BPA-adopted model, consensus building codes.
- 2. The AHJ must approve all variances and equivalencies in accordance with BPA Procedure 440-75-4, *Code Equivalencies and Variances*.

C. **Codes, standards and guides used, but not currently approved by the AHJ:** Application of codes, standards and guides not adopted by the AHJ must be more prescriptive than those adopted by BPA.

- 1. The application of requirements of codes, standards and guides not adopted by the AHJ is allowable when:
 - a) The requirement is more prescriptive than the requirements of codes, standards and guides adopted under this policy and;
 - b) The AHJ has approved the application of a code, standard, or guide not adopted by BPA.
- 2. Application of any code, standard or guide requirement which is less prescriptive than the requirements of those adopted under this policy shall not be employed without an approved AHJ variance or equivalency.

6. Policy Exceptions

The codes, standards, and guides that are established and maintained as part of this policy shall not apply to the BES or any of its components.

7. Responsibilities

A. **Authority Having Jurisdiction (AHJ):** The AHJ shall not delegate the following responsibilities:

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1. Enforcement of all adopted model building, fire and life safety codes, standards, and guides.
2. In consultation with the AHJ Council, considering all variances and equivalencies for approval.
3. Documenting variances and equivalencies (both permanent and temporary) with associated risks and risk owners.
4. Approving equivalencies and variances prior to implementation.
5. Consulting with the AHJ Council, BCO, and FCO for the administration of written interpretation of variances and equivalencies, based on application of codes, standards, and guides.
6. Formally adopting model building, fire, and life safety codes, standards, and guides with the primary interest of health; safety; emergency response requirements; continuity of operations; and protection of property.

The AHJ may delegate the adoption and administration of certain codes, standards, guides, and best practices as necessary to ensure coordinated code compliance in building design and construction, safety, fire prevention, storm water management, and energy efficiency. Appendix A of this policy outlines codes delegated by the AHJ.

B. AHJ Council: The AHJ Council shall not delegate the following responsibilities:

1. Addressing new codes, standards, and guides for adoption.
2. Reviewing and providing decisions for requested code variance and equivalencies.
3. Assessing notices of violation and mitigation.
4. Identifying and assessing risk and mitigation.
5. Coordinating with affected stakeholders to support all activities related to construction, modernization, renovation, and operations and maintenance of BPA-owned energized and non-energized facilities.
6. Recommending to the AHJ the adoption of model building codes and model fire codes with the primary interest of health, safety, emergency response requirements, and continuity of operations and protection of property.
7. Interpreting for the AHJ BPA-adopted building, fire, and life safety codes, standards and guides for all BPA facilities.
8. When an adopted code, standard, or guide does not address a specific hazard, project, or condition, the AHJ Council consults with the Building Code Official (BCO) or Fire Code Official (FCO), and, when warranted, recommends to the AHJ the use of other recognized codes, standards, guides, and practices. The AHJ Council will seek and review all relevant sources to assess risk and obtain guidance toward determining a rational approach to address the hazard or condition.
9. Approving all fire and life safety certificates of occupancy.

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10. Ensuring stakeholders have, and business partners are afforded, a mechanism to provide comment/feedback on issues affecting their organizations prior to review and after a rendering of a decision by the AHJ.

11. Ensuring the BCO and FCO complete fire risk assessments and briefs results to the AHJ.

C. Building Code Official (BCO): The BCO shall not delegate the following responsibilities:

1. Supporting the inspection and reporting of BPA’s compliance with BPA-adopted building, fire, and life safety codes, standards, and guides in BPA-owned and leased facilities.
2. Determining meeting or not meeting applicable building codes.
3. Serving as the subject matter expert to the AHJ council for the determination of all building code-related variances and equivalencies.
4. Conducting building project attestation reviews to ensure compliance with BPA-adopted building, fire, and life safety codes, standards, and guides.
5. Issuing building notification of inspections and code violations and reporting code violations to the AHJ Council.
6. In consultation with the BCO, developing and maintaining Appendix A of this policy.
7. Advising BPA managers regarding actions necessary to address hazardous building conditions.
8. Establishing and maintaining proper documentation of BPA’s compliance with applicable building codes consistent with BPA Policy 236-1, *Information Governance and Life Cycle Management*.

D. Fire Code Officer: The FCO shall not delegate the following responsibilities:

1. Supporting the inspection and reporting of BPA’s compliance with fire codes in BPA facilities.
2. Determining if applicable fire codes are met or not met.
3. Verifying that all fire protection systems are tested and accepted including life safety systems, fire protection water systems, approved equipment, and materials for compliance with BPA-adopted codes, standards, and guides.
4. Acting as the conduit to the AHJ council for the determination of all fire code-related variances and equivalencies.
5. Conducting fire and life safety project attestation reviews to ensure compliance with BPA-adopted fire and life safety codes, standards, and guides.
6. Issuing fire and life safety notification of inspections and code violations and reporting code violations to the AHJ Council.
7. Issuing fire alarm system, component, or zone outage permits.

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8. Reviewing investigation of the cause, origin, and circumstances of fire alarm activations causing building evacuation; fires; explosions; hazardous materials; and other emergency fire-related events.
 9. Providing consultancy and approving mitigation steps necessary to ensure that operations and maintenance activities are conducted safely and reduce fire and life safety risks as they pertain to:
 - a) The maintenance, storage, or handling of materials likely to pose a fire or life safety risk.
 - b) Any fire-related processes that produce conditions hazardous to life or property, including installing equipment utilized in connection with such activities.
 - c) Installing, modifying, or removing from service any fire protection system or equipment or any other construction equipment installation or modification in accordance with the provisions of the National Fire Protection Agency (NFPA).
 10. Advising BPA managers regarding actions necessary to address hazardous fire and life safety situations.
 11. Conducting periodic, random, or requested inspections for new, permanent, or temporary property/facilities, processes, equipment, systems, and other fire-related life safety and/or hazardous conditions. Annotating inspection results in written form and making results available to the applicable manager(s) within the inspected organization.
 12. Witnessing all acceptance testing of completed fire protection systems including life safety systems, fire protection water systems, approved equipment, and materials for compliance with BPA-adopted codes, standards, and guides.
 13. Maintaining FCO-related documentation consistent with BPA's compliance with applicable fire codes and BPA Policy 236-1, *Information Governance and Life Cycle Management*.
- E. All service delivery teams conducting facilities-related construction, modernization, renovation, and operations and maintenance activities:** Any team that contracts for, or executes facilities-related construction, modernization, renovation, operations and maintenance activities shall:
1. At the completion of the design and prior to starting construction, ensure completion of a code review to certify that the design meets the intent of BPA-adopted building and fire codes, standards, and guides.
 2. Complete an attestation indicating that the design code review was completed and entered into the project file. For non-fire protective systems, only Department of Energy (DOE) employees may complete attestations.
 3. At the conclusion of construction, ensure completion of a code review to certify that the facility was constructed in accordance with BPA-adopted building and fire codes, standards, and guides.

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4. Complete an attestation indicating the facility was built according to BPA’s adopted codes, standards, and guides and verifying substantial completion of the facility. For non-fire protective systems, only DOE employees may complete attestations.
5. For fire protective systems, only a licensed Fire Protection Engineer may complete attestations. No BPA employee shall conduct code reviews or attestations regarding fire protective systems.
6. Inform the BPA FCO to obtain fire alarm system, component, or zone outage permits. No person shall remove a fire alarm system, component, or zone from service (outage) without a valid outage permit.
7. Ensure incorporation of BPA-adopted fire codes and life safety codes, standards, and guides into project drawings, designs, specifications, and construction means and methods.
8. See BPA Procedure 440-75-6, *Attestations and Certificates of Occupancy* for guidance on conducting code reviews and attestations.
9. Maintain construction and operation and maintenance records for the following actions:
 - a) Inspection, testing, and attestation of fire protection and alarm systems
 - b) Inspection, testing, and attestation of backflow devices
 - c) Inspection, testing, and attestation of elevators
 - d) Inspection, testing, and attestation of cranes and hoists
 - e) Inspection, testing, and attestation of fuel islands
10. Maintain official records to support the demonstration of compliance with BPA’s applicable building or fire codes consistent with BPA Policy 236-1, *Information Governance & Life Cycle Management*.
11. Engage with the Chief Administrative Officer’s Project Management Office (N) and Communications (DK) if construction activities will affect employees or potentially disrupt BPA business activities.

8. Standards & Procedures

1. BPA Procedure 440-75-1, *Adoption of Model, Consensus Building Codes*
2. BPA Procedure 440-75-3, *Obtaining Applicable Permits*
3. BPA Procedure 440-75-4, *Code Equivalencies and Variances*
4. BPA Procedure 440-75-5, *Facilities Fire Incident Reporting and Response*
5. BPA Procedure 440-75-6, *Attestations and Certificates of Occupancy*
6. BPA Procedure 440-75-7, *Notification of Inspections and Code Violations*
7. BPA Procedure 440-75-9, *Fire Risk Assessment Program*

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8. BPA Procedure 440-75-10, *Preserving O&M Inspection, Testing, and Attestation Records*
9. BPA Procedure 440-75-11, *Approving Alterations to BPA Fire Protection Systems*

9. Performance & Monitoring

BPA’s Facilities and Workplace Services will establish key metrics that will demonstrate improvement over time. BPA will utilize fire risk assessments and result tracking of routine building and fire inspection results to measure policy effectiveness.

10. Authorities & References

- A. Public Law 110-140, *Energy Independence and Security Act of 2007*
- B. 40 USC 3312, *Compliance with nationally recognized codes*
- C. Public Law 100-678, *The Public Buildings Amendments of 1988* (formerly section 21 of 40 USC 619, *The Public Buildings Act of 1959*)
- D. Executive Order 13717, *Establishing a Federal Earthquake Risk Management Standard*
- E. 42 USC 17001, *The Energy Independence and Security Act of 2007*
- F. BPA Procedure 440-75-1, *Adoption of Model, Consensus Building Codes*
- G. BPA Procedure 440-75-4, *Code Equivalencies and Variances*
- H. BPA Procedure 440-75-6, *Attestations and Certificates of Occupancy*
- I. BPA Procedure 440-75-10, *Preserving O&M Inspection, Testing, and Attestation Records*
- J. BPA Procedure 440-75-11, *Approving Alterations to BPA Fire Detection, Annunciation, and Protective Systems*

11. Review

- A. This policy will be reviewed and updated:
 1. Within 90 days of the effective date of a new version of a law, regulation, or order affecting fire or life safety programs.
 2. Within 90 days of an internal reorganization affecting any entity within the policy and/or roles section.
- B. Notwithstanding the timelines above, this policy will be reviewed at least every 5 years by the cognizant Facilities and Workplace Services authority.

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12. Revision History

Version Number	Issue Date	Brief Description of Change or Review
1	9/23/2019	Initial Policy
1.1	1/21/2020	Minor revision to Section 2: Policy Owner
1.2	5/7/2020	Updated Appendix B with effective dates and reference section to reflect procedure documents.
1.3	6/23/2020	Major revisions to definitions, roles, responsibilities, records, and documentation.
2.0	1/27/2022	Edit content for clarity and location

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Appendix A: BPA Adopted Codes, Standards, Guides and Best Practices

A. The following model building codes, standards, guides, and best practices have been adopted for use across all BPA facilities to ensure coordinated code compliance in building, safety, fire prevention, storm water, and energy efficiency:

Council	Code (Building)	Current Edition
ICC	International Building Code (IBC)	2018
ICC	International Fire Code (IFC)	2018
ICC	International Mechanical Code (IMC)	2018
ICC	International Energy Conservation Code (IECC) – ASHRAE 90.1 incorporated by reference	2018
ICC	International Existing Building Code (IEBC)	2018
IAPMO	Uniform Plumbing Code Plumbing Code (UPC)	2018
IEEE	National Electrical Safety Code (NEC)	2017

Council	Code/Standard/Guide (Fire and Life Safety)	Current Edition
NFPA	1 - Fire Code	2018
NFPA	3 - Standard for Commissioning of Fire Protection and Life Safety Systems	2018
NFPA	4 - Standard for Integrated Fire Protection and Life Safety System Testing	2018
NFPA	10 - Standard for Portable Fire Extinguishers	2018
NFPA	12A - Standard on Halon 1301 Fire Extinguishing Systems	2018
NFPA	13 - Standard for the Installation of Sprinkler Systems	2016
NFPA	25 – Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems	2020
NFPA	37 - Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines	2018

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NFPA	70 - National Electrical Code	2017
NFPA	70e - Standard for Electrical Safety in the Workplace	2018
NFPA	72 - National Fire Alarm and Signal Code	2019
NFPA	76 - Standard for the Fire Protection of Telecommunications Facilities	2016
NFPA	90B - Standard for the Installation of Warm Air Heating and Air-Conditioning Systems	2018
NFPA	101 - Life Safety Code NFPA	2018
NFPA	110 - Standard for Emergency and Standby Power Systems	2019
NFPA	850 - Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations	2017
NFPA	1144 – Standard for Reducing Structure Ignition Hazards from Wildland Fire	2018
NFPA	2001 - Standard on Clean Agent Fire Extinguishing Systems	2018

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State Code (storm water)	State
<p>BPA utilizes local jurisdiction NPDES permits following the EPA’s Municipal Separate Storm Sewer Systems (MS4).</p> <p>For local jurisdictions without an MS4 NPDES permit, BPA follows Energy Independence and Security Act (EISA) 438 guidance.</p> <p>For specific guidance on storm water compliance, contract Environmental Fish and Wildlife's Pollution, Prevention and Abatement (EP).</p>	<p>All States in Which BPA owns facilities</p>

B. The AHJ delegates adoption and administration of the following codes, standards, guides and best practices:

Code, Standard, Guide or Best Practice	Code Year	Date Adopted	Delegate
National Electrical Safety Code (NEC)			TE

