

Ruling of the Minister
Ministry of Municipal Affairs
and Housing
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RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

Pursuant to Section 29(1)(a) of the *Building Code Act, 1992*, the Director of the Building and Development Branch, as delegate of the Minister of Municipal Affairs and Housing (the "Minister"), hereby approves the use of **Enertite® 1-2-1** subject to the following terms and conditions:

Ministers Ruling No: 10-09-246 (13489-R)
File No: 10-04
Issued on June 23, 2010

1. MANUFACTURER

BASF Canada Inc.
100 Milverton, 5th Floor
Mississauga, ON
L5R 4H1

Tel: 289 360-1300
Fax: 289 360-6000

2. MANUFACTURING FACILITIES

Toronto, ON
Blackie, AB

3. SPECIFIC CONDITIONS

- (a) The use of **Enertite® 1-2-1** is approved as a thermal insulation in respect of the requirements of Sentence 9.25.2.2.(1) of Division B of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");
- (b) **Enertite® 1-2-1** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this Ruling, with the Building Code;
- (c) When **Enertite® 1-2-1** is used, additional insulation may be required in order to satisfy the thermal insulation requirements in Part 12 "Energy Efficiency" of Division B of the Building Code and the Supplementary Standards SB-12;
- (d) The use of the **Enertite® 1-2-1** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report 13489-R issued on January 13, 2010; provided that the references in that report to the model National Building Code of Canada, 2005 including those listed in table below, column 1 below, shall be deemed references to the Building Code listed in column 2 below, as described in the table below;

model National 2005 Building Code References	Ontario's 2006 Building Code References
Division A, 1.2.1.1.(1)(b) Division B, 9.10.3.2.(2) Division B, 9.10.17.10 Division B, 9.25.2.2.(1) Division B, 9.25.2.3. 2005 National Building Code (NBC) 2005	Division A, 1.2.1.1.(1)(b) Division B, 9.10.3.2.(2) Division B, 9.10.17.10 Division B, 9.25.2.2.(1) Division B, 9.25.2.3. Building Code
column 1	column 2

- (f) A copy of this Ruling shall be attached to the application for a building permit; and;
- (g) This Ruling is valid only for products manufactured at the facilities outlined in Section 2. (Manufacturing Facilities) of this Ruling.

4. GENERAL CONDITIONS

The Minister or his/her delegate may amend or revoke this Ruling if:

- (a) the Evaluation Report is amended by the CCMC;
- (b) the Evaluation Report expires in accordance with the CCMC's General Conditions for Evaluation Reports;
- (c) the Evaluation Report is rendered void in accordance with the CCMC's General Conditions for Evaluation Reports by reason of alterations to the product or relocation of manufacturing facilities, described in the Evaluation Report, without prior agreement by the CCMC;
- (d) the Evaluation Report is withdrawn by the CCMC in accordance with the CCMC's General Conditions for Evaluation Reports where, in the opinion of the CCMC:
 - (i) the level of performance, in-situ, of the product described in the Evaluation Report is unsatisfactory;
 - (ii) the proponent of such product fails to fulfil its obligations as set out in the CCMC's General Conditions for Evaluation Reports; or
 - (iii) such product may pose any danger to the health or safety of the user of such product;
- (e) the Minister or his/her delegate determines that the use of the material, system or building design authorized by this Ruling:

- (i) will not comply with the *Building Code Act, 1992* or any relevant law as they may be amended or re-enacted from time to time; or
 - (ii) provides an unsatisfactory level of performance, in situ; or
- (f) any provision of the Building Code relevant to this Ruling is amended or remade.

Dated at Toronto This 23rd Day of June 2010.

Denise K. Evans
Director, Building and Development Branch