

Ruling of the Minister
Ministry of Municipal Affairs and Housing
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BUILDING CODE ACT, 1992

RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

No. 04-07-111 (10788-R)

Dated April 30, 2004

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 **Durock® Cement Board and Duracrete® 30 and Duracrete® Exterior Cement Boards**, subject to the following terms and conditions:

1. MANUFACTURER/AGENT

CGC Inc.
350 Burnhamthorpe Road West, 5th Floor
Mississauga, Ontario
L5B 3J1

Tel: (905) 803-5600
Fax: (905) 803-5682

2. MANUFACTURING FACILITIES

United States Gypsum Company
2 Division Street
River Rouge, Michigan
U.S.A. 48218

3. SPECIFIC CONDITIONS

(a) CGC Inc. manufactured panel type boards are approved as followed:

- (i) **Durock® Cement Board** is approved in respect of the requirements to a wall sheathing, moisture resistant backerboard and a panel type floor underlay in Articles 9.23.16.2, 9.29.10.4, 9.30.2.2. of the 1997 Ontario Building Code, Ontario Regulation 403/97 (the "Ontario Building Code") as amended or remade from time to time; and
- (ii) **Duracrete® 30 and Duracrete® Exterior Cement Boards**, is approved in respect to a wall sheathing material in Article 9.23.16.2 of the Ontario Building Code.

(b) **Durock® Cement Board and Duracrete® 30 and Duracrete® Exterior Cement Boards**, shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this ruling, with the Ontario Building Code.

Durock® Cement Board, Duracrete® 30, Duracrete® Exterior Cement Boards

- (c) The use of the **Durock® Cement Board and Duracrete 30 and Duracrete® Exterior Cement Boards** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report No. CCMC 10788-R (the "Evaluation Report") issued on October 29, 1984 and re-evaluated on February 7, 2002 and that the references in that report to the National Building Code of Canada, 1995 listed in column 1 below, shall be deemed references to the Ontario Building Code listed in column 2 below, as described in the following table;

National Building Code References	Ontario Building Code References
9.23.10.2.(2) 9.23.16.2. 9.29.10.4. 9.30.2. 9.30.2.2.	9.23.20.2.(2) 9.23.16.2. 9.29.10.4. 9.30.2. 9.30.2.2.
<p>General Reference Information</p> <p>Fasteners for the installation of underlay Subsection 9.30.2.</p>	<p>Fastener for the installation of underlay shall be deemed reference to Clause 9.30.6.3.(1)(a)</p>
<p>column 1</p>	<p>column 2</p>

- (d) A copy of this Ruling shall be attached to the application for a building permit; and,
- (e) This Ruling is valid only for 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 reenacted from time to time; or
 - (ii) provides an unsatisfactory level of performance, in situ; or
- (f) any Ontario Building Code provision relevant to this Ruling is amended or remade.

DATED AT TORONTO THIS 30TH DAY OF APRIL, 2004.

ALI ARLANI, DIRECTOR BUILDING AND DEVELOPMENT BRANCH