



**Department of Permitting Services**  
**Division of Commercial Building Construction**  
 2425 Reedie Drive, 7<sup>th</sup> Floor, Wheaton, MD 20902

**CODE INTERPRETATION/POLICY**

Code/Year	Section of Code	Title of Code Section/Subsection/Policy
NFPA 1 2015 Edition & ER 8-16	Chapter 26	Laboratories Using Chemicals 26.3 Construction

**Statement/Background of Issue:**

Montgomery County is currently under the 2015 NFPA 1 and 101 as adopted under Executive Regulation 8-16 Fire Safety Code – Building Construction, effective August 1, 2016. This adoption was in consideration of the State of Maryland Fire Prevention Code, effective January 1, 2016. Both of these regulations require separation of all laboratories regardless of the laboratory hazard classification. NFPA 45 does not require separation of Class D laboratories; however, all laboratories, including those classified as Class D, would require a minimum 1-hour fire separation per local requirements.

The 2015 NFPA 1 as adopted by the State of Maryland under the State Fire Prevention Code effective January 1, 2016 under .08 National Fire Protection Association 1 Fire Code Section ZZ amended Chapter 26 to add the following Section and Subsection:

26.3 Construction

26.3.1 All laboratories, laboratory suites or laboratory units within the scope of NFPA 45, regardless of the laboratory hazard classification in NFPA 45, shall be separated by at least one-hour fire resistance rated construction from non-laboratory areas. If a higher fire resistance rating is required by Table 5.1.1 in NFPA 45 or the building code, the higher fire resistance rating shall be used. Rooms that are an incidental use to the lab shall be considered part of the laboratory for the purpose of this requirement and shall not require additional separation.

Montgomery County Executive Regulation 8-16 Fire Safety Code – Building Construction under section 22.00.07.99 also added Section 26.3 and 26.3.1 (as amended by the State).

The 2018 NFPA 1 as adopted by the State of Maryland under the State Fire Prevention Code effective October 7, 2019, which is the current Maryland Fire Prevention Code, no longer amends Chapter 26 to include 26.3 or 26.3.1; the construction requirements for laboratory separation have been omitted by the State.

Montgomery County has not adopted the 2018 NFPA 1.

**Division Interpretation/Policy:**

Laboratory separation provided in accordance with 5.1.1, NFPA 45, shall be considered as acceptable for compliance with 22.00.07.99 ER 8-16.

The requirements under 22.00.07.98 ER 8-16 must continue to be met.

<b>Interpretation/Policy No.</b>	<b>Date</b>	<b>Division Chief</b>
<b>BCP 21-01</b>	August 2, 2021	<i>Richard E Merck</i> Richard Merck