

PARTICIPATION COMMENTS FOR THE NOTICE DATED OCTOBER 9, 2015
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: NOVEMBER 23, 2015 (no later than 5:00 pm)

Date: 10/14/2015 _____

From:

Shlomo Rosenfeld
Name (Print or type)

(Signature)

Shlomo I. Rosenfeld & Associates

Agency, jurisdiction, chapter, company, association, individual, etc.

1763 Broadway
Street

Oakland
City

CA
State

94612
Zip

Rosenfeld1@aol.com
Email address

510-251-9890
Phone number

I/We do not agree with:

The Agency proposed modifications As Submitted on Section No. 325.1.3 revised to 320.1.3

and request that this section or reference provision be recommended:

Approve Disapprove Further Study Approve as Amended

Suggested Revisions to the Text of the Regulations:

~~325.1.3~~ **320.1.3** For occupied areas not shown in Table ~~325.0~~ 320.0, cooling systems shall be designed to provide 75°F (23.9°C) maximum based on the 0.5 .4 percent Cooling, Evaporation, Dehumidification and Enthalpy design conditions described in summer design dry bulb temperature shown by the 1982 ASHRAE Climatic Data for Region X and ASHRAE 1994 Supplement to Climatic Data for Region X Climatic Design Data in the most recent version of ASHRAE Handbook-Fundamentals The systems shall be thermostatically controlled with appropriate zoning to achieve the above conditions

Reason: [The reason should be concise if the request is for “Disapprove,” “Further Study Required,” or “Approve As Amended” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

The proposed text of the regulation is ambiguous or vague contrary to criteria point 6 of 9. The current text includes criteria for room temperature conditions listed in referred table.

The proposed text of the regulation is incorrectly refers to “design dry bulb temperatures” only. HVAC systems are designed and sized based on design dry bulb and wet bulb temperatures not only “design dry bulb temperatures”. The referred ASHRAE publication includes state of the art four Climatic Design Conditions for different HVAC processes. The old referenced Climatic Design Conditions deleted by the proposed text included only one. It is in the public’s interest to refer to all four currently available Climatic Design Conditions - Cooling, Evaporation, Dehumidification and Enthalpy design conditions - as suggested in the revised text.

The referred ASHRAE publication is considered the Standard-of Care for HVAC design.

The suggested revisions clarifies the requirements for the owner, design engineer, contractor, commissioning team and the enforcing agency at what Climatic Design Conditions the HVAC system should be designed, constructed, commissioned and be expected to maintain the room conditions.

The suggested revisions actually could avoid potential owner/design/construction/enforcing agency disputes and associated costly meetings, costly change orders, costly construction delay and litigation cost.

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.