

**BUILDING STANDARDS COMMISSION**

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## **Notice of Availability of the Draft Environmental Impact Report and Notice of Public Meetings for the Adoption of Statewide Regulations Allowing the Use of PEX Tubing**

Date: May 9, 2008

To: Responsible Agencies, Interested Parties, and Organizations

Subject: Notice of Availability of the Draft Environmental Impact Report

Lead Agency: The California Building Standards Commission

Contact: Ms. Valerie Namba, Senior Environmental Planner  
California Department of General Services, Real Estate Services Division  
Professional Services Branch, Environmental Services Section  
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### **Purpose of Notice**

The California Building Standards Commission (BSC) is releasing a draft environmental impact report (DEIR) for statewide regulations that would allow the use of cross-linked polyethylene (PEX) tubing for a variety of hot and cold water applications, for public review and comment. The DEIR analyzes the potential environmental impacts of approving the proposed regulation. The DEIR was prepared in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Title 14 of the California Code of Regulations, Section 15000 et. seq.).

Responsible Agencies relying on this EIR for the adoption of regulations include the U.S. Department of Housing and Community Development, California Division of the State Architect, California Office of Statewide Health Planning and Development, California Department of Public Health, and the California Department of Food and Agriculture. The purpose of this notice is to solicit the views of the Responsible Agencies, affected agencies, and interested members of the public regarding the adequacy of the DEIR. All comments submitted within the comment period will be responded to in writing in the final EIR.

### **Project Location**

The proposed adoption of regulations related to PEX tubing is a statewide regulatory change. As such, the project area is the State of California (Exhibit 1).

### **Deadline for Submitting Comments**

The DEIR is available for public review for 45 days, beginning May 9, 2008. Comments must be received no later than 5:00 p.m. on June 23, 2008.

## Project Description

BSC proposes the adoption of new state plumbing code regulations that would allow the use of PEX tubing in various cold and hot water plumbing (including potable water) applications. PEX tubing is a high-density material that is an alternative to ferrous and nonferrous piping for water distribution.

The proposed regulations would apply to all occupancies, including commercial, residential, and institutional building construction, rehabilitation, and repair in all areas of the state. Residential buildings include single-family dwellings, apartment houses, hotels, and motels. Institutional buildings would include schools, hospitals, and other uses.

PEX tubing is currently allowed and is used in California for hydronic heating systems and for all uses in manufactured homes. It is also authorized as an alternate material in approximately 200 California cities and 30 California counties. Three California cities have approved the use of PEX for all uses by local ordinance. For the majority of existing and residential buildings in California, potable water pipe is made of metal, though chlorinated polyvinyl chloride (CPVC) plastic pipe has recently been approved for use in residential buildings.

The project is limited to the consideration and possible adoption of plumbing regulations to allow use of this alternative water-distributing piping material in applications under the jurisdiction of all California cities, cities and counties, counties and state agencies. The EIR does not assess any specific project that involves direct construction or modification to structures.

The following table and text are excerpted from “The Express Terms for the Building Standards of the Building Standards Commission Regarding the Adoption of Amendments into the 2007 California Plumbing Code (CPC) California Code of Regulations, Title 24, Part 5.” The proposed changes to the regulations are as follows, with proposed deletions shown in strikeout and proposed additions in underline.

UPC TABLE 6-4			
Material	Water Distribution Pipe and Fittings		Building Supply Pipe and Fittings
	Hot	Cold	
Asbestos – Cement			X
Brass	X	X	X
Copper	X	X	X
Cast Iron	X	X	X
CPVC	X	X	X

BSC

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Source: Created by EDAW in 2008.

### Proposed Project Area

### Exhibit 1

UPC TABLE 6-4			
Material	Water Distribution Pipe and Fittings		Building Supply Pipe and Fittings
	Hot	Cold	
Galvanized Malleable Iron	X	X	X
Galvanized Wrought Iron	X	X	X
Galvanized Steel	X	X	X
PE			X
PE-AL-PE	X	X	X
PEX <sup>1</sup>	X	X	X
PEX-AL-PEX <sup>1</sup>	X	X	X
PVC			X

1. [BSC, HCD, DSA] The use of ~~PEX and PEX-AL-PEX~~ in potable water supply systems is not adopted for applications under the authority of the California Building Standards Commission, the Division of State Architect and the Department of Housing and Community Development.

#### 604.1

Exceptions:

~~(2) [For OSHPD 1, 2, 3 & 4] Use of PEX piping is not permitted for applications under the authority of the Office of Statewide Health Planning and Development.~~

~~(4) [For BSC] Use of PEX piping is not adopted for applications under the authority of the Department of Health Services and the Department of Food and Agriculture.~~

**604.11 PEX.** ~~[Not Adopted by BSC, HCD, DSA/SS, DHS, AGR & OSHPD 1, 2, 3 & 4]~~ Cross-linked polyethylene (PEX) tubing shall be marked with the appropriate standard designation(s) listed in Table 14-1 for which the tubing has been listed or approved. PEX tubing shall be installed in compliance with the provisions of this section.

**604.11.1 PEX Fittings.** ~~[Not Adopted by BSC, HCD, DSA/SS, DHS, AGR & OSHPD 1, 2, 3 & 4]~~ Metal insert fittings, metal compression fittings, and cold expansion fittings used with PEX tubing shall be manufactured to and marked in accordance with the standards for the fittings in Table 14-1.

**604.11.2 Water Heater Connections.** ~~[Not Adopted by BSC, HCD, DSA/SS, DHS, AGR & OSHPD 1, 2, 3 & 4]~~ PEX tubing shall not be installed within the first eighteen (18) inches (457mm) of piping connected to a water heater.

~~(2) [For OSHPD 1, 2, 3 & 4] Use of PEX piping is not permitted for applications under authority of the Office of Statewide Health Planning and Development.~~

~~(4) [For AGR, DHS] Use of PEX piping is not adopted for applications under the authority of the Department of Health Services and the Department of Food and Agriculture.~~

### Significant Environmental Impacts

BSC has determined that this project may have significant effects on the environment. The DEIR identifies significant or potentially significant impacts of the proposed project in the following areas: air quality, water quality, and public health and hazards. The impacts in these areas would be reduced to a less-than-significant level with mitigation.

## Document Review and Comment Information

Please send written comments concerning the content of the DEIR to:

California Department of General Services  
Real Estate Services Division  
Professional Services Branch, Environmental Services Section  
Attn: Valerie Namba, Senior Environmental Planner  
707 Third Street, Third Floor, MS 509  
West Sacramento, CA 95605-9052

The DEIR and documents related to the DEIR are available for review during regular business hours at:

California Department of General Services, Real Estate Services Division  
Professional Services Branch, Environmental Services Section  
707 Third Street, Suite 3-400  
West Sacramento, CA 95605

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

The DEIR may also be viewed on the Building Standards Commission's Web site:  
<http://www.bsc.ca.gov>.

The California Department of General Services will be hosting several public meetings to give the public an opportunity to provide input on the content of the DEIR. The June 3 meeting will be webcast live at <http://www.dca.ca.gov/stream/audiocast.asx>. Please go to [www.bsc.ca.gov](http://www.bsc.ca.gov) for further instructions regarding the webcast. The public meetings have been scheduled at the following locations and times:

DEIR Public Meetings				
City	Location	Address	Date	Time
Sacramento	Room 500	Department of Consumer Affairs Hearing Room 1625 N. Market Boulevard Sacramento, CA 95834	Tuesday, June 3	2-4 p.m.
San Francisco	Auditorium	455 Golden Gate Avenue Auditorium San Francisco, CA 94102	Wednesday, June 4	2-4 p.m.
Los Angeles	Auditorium	Ronald Reagan Building Auditorium 300 S. Spring Street Los Angeles, CA 90013	Friday, June 6	10 a.m.-12 p.m.

**NOTE:** The meeting rooms for the scoping meetings are accessible to people with disabilities. If translation services are needed or if additional accommodations for the disabled are needed, please notify Ms. Valerie Namba at 916-376-1607 no later than 2 business days before the meeting.