

STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 28, 2009
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: OCTOBER 12, 2009

Date: 9/10/09

From:

Shlomo Rosenfeld

Name (Print or type)

(Signature)

-- Shlomo I. Rosenfeld & Associates

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

1763 Broadway Oakland CA 94612
Street City State Zip

I/We do not agree with:

The Agency proposed modifications As Submitted on Section No. CMC Chapter 4 Sec 416.1

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended below

Suggested Revisions to the Text of the Regulations:

Hold CMC Chapter 4 Sec 416.1 as proposed for further study or make the following suggested revisions:

1. Add a definition for the proposed new term **'differential air pressure'** which is different from the currently used terms **'AIRBALNCE RELTIONSHIP TO ADJACENT AREAS'** the title of column B in Table 4-A and **'pressure relationship'** in the title of Table 4-A.
2. Be consistent in the proposed Sec 416.1. Use the term **'differential air pressure'** or **'differential pressure'** if they are the same but not both.
3. Since the requirement of the proposed Sec 416.1 applies only to anterooms consider to use the term **'anteroom differential air pressure'** in lieu of **'differential air pressure'** and **'differential pressure'** to distinguish between it and the currently used terms **'AIRBALNCE RELTIONSHIP TO ADJACENT AREAS'** the title of column B in Table 4-A and **'pressure relationship'** used in the title of Table 4-A
4. Revise notes 4, 5 and 6 of Table 4-A to refer to the proposed Sec 416.1 by making the following suggested revision in each of notes 4, 5 and 6 of Table 4-A as follows: **"...pressure shall be achieved in accordance with Sec. 416.1 and by balancing..."**

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

1. The proposed change is unnecessarily ambiguous. (point # 6 of 9) and is in conflict with notes in Table 4-A
2. The terms ‘**differential air pressure**’ and ‘**differential pressure**’ are not defined in the Code Table 4-A. Table 4-A identifies ‘**AIRBALNCE RELTIONSHIP TO ADJACENT AREAS**’. This is the title of column B in Table 4-A which is also called ‘**pressure relationship**’ in the title of Table 4-A.
3. The suggested term ‘**anteroom differential air pressure**’ distinguishes between the existing terms and clarifies the specific intent of the proposed Sec 416.1 requirement only to rooms associated with anterooms. Note that there are several room listed in Table 4-A which their titled includes the words ‘Negative pressure’ such as Negative pressure treatment room which the proposed Sec 416.1 does not apply to them since they do not have an anteroom.
4. . The suggested revisions to notes 4, 5 and 6 of Table 4-A resolve the conflicts and clarifies that there are anteroom differential air pressure requirements as well as cfm pressure relationship requirements.

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.