

**FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT**

**REGARDING THE CALIFORNIA ELECTRICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action.

UPDATES TO THE INITIAL STATEMENT OF REASONS:

The Office of Statewide Health Planning and Development (OSHPD) finds that a revision has been made which would warrant a change to the initial statement of reasons for the following proposed action:

- Article 700.6 (C) - The amendment originally proposed for Article 700.6 (C) would have required that all transfer switches be listed regardless of voltage. The amendment has been revised to make it specific to automatic transfer switches rated above 600 VAC.

INITIAL STATEMENT OF REASONS:

Adopt the 2008 National Electrical Code for incorporation, by reference, into the 2010 California Electrical Code and to carry forward existing California amendments related to hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers, to make minor editorial and technical modifications for clarification and consistency within the code. Amendments are summarized below.

- Articles 100, 700.27 and 701.18 – Amendment to the definition of “coordination (selective)” will allow selective coordination requirements of 700.27 and 701.18 to be enforced without requiring specific types of overcurrent protection or oversized equipment.
- Table 220.42, Lighting Load and Demand Factors– Amendment specifies what areas of a hospital the demand factors will not apply.
- Articles 352, 362, 380,382, 388 & 392 – Amendments regarding branch circuits in patient care areas are being repealed because they are unnecessary. These requirements are addressed in Article 517.13(A).
- Articles 404.4 & 406.8(C)(1) – Amendments clarify existing language regarding placement of switches and receptacles in shower stalls.
- Article 404.8(A) (2) –Amendment regarding location of switches in wet locations, such as shower stalls, is being relocated to a more appropriate article, Article 404.4.
- Article 517.16 – Amendment will provide coordination and clarification of the requirements in Articles 250.146(D), 406.2(D), 517.13 and 517.16 as they apply to insulated ground receptacles in patient care areas.
- Article 517.22(A) & (B)(1)– Amendments are editorial for clarity.
- Article 517.22(B)(2) - Amendment adopts a more appropriate lighting standard for skilled nursing facilities.
- Articles 517.33(A)(5) & Article 517.35(B)(4) – Amendments allow wireless nurse call systems in hospitals.
- Article 517.33(A)(7)–Amendment adds “information technology” rooms to telephone room requirements to be connected to the critical branch. This will provide continued functioning of these systems within a hospital.
- Article 517.42(C)(3) – Amendment clarifies that wireless emergency nurse call systems must comply with the latest ANSI/UL 1069 standard.
- Article 517.44(B.1) Exception 2 – Amendment clarifies that battery-powered components of a wireless emergency nurse call system are not required to have the wireless components connected to the alternate source of power.

- Article 517.123(C)(3) – Amendment clarifies requirements for “code blue” audible and visual device locations.
- Article 700.4(A) – Amendment specifies the standard to which generator sets must be tested.
- Article 700.4(B) – Amendment specifies the authority having jurisdiction for periodic testing of emergency generators in hospitals is Department of Public Health, Licensing and Certification
- Article 708.1 – Amendment provides an exemption from new model code requirements for electrical distribution systems.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

- **45-Day Public Comment Period from August 28, 2009, to October 12, 2009**

OSHPD received no comment during the 45-Day Public Comment Period from August 28, 2009, to October 12, 2009. Mr. Fred Paul, *Eaton Corporation* did attempt to comment on OSHPD’s proposed amendment to California Electrical Code, Article 700.6 (C) and submitted comments dated October 27, 2009 and November 11, 2009; however, these were submitted outside the comment period. In addition, Mr. Paul gave oral comment regarding Article 700.6 (C) at the California Building Standards Commission meeting on November 18, 2009. The following is Mr. Paul’s written comment dated November 11, 2009, which was the basis for his oral comment at the Commission meeting:

“Suggested Revisions to the Text of the Regulations: DELETE

The proposed amendment for 700.6(C) – “Automatic Transfer Switches shall be listed for Emergency System use,” is ambiguous as to its intent.

It would appear to be an attempt to incorporate a UL1008 rating to Automatic Transfer Switches ABOVE 600-Volts, since the current wording of the Code and UL1008 incorporates the 600-Volt limit to the term Automatic Transfer Switch.

However, for a piece of equipment above 600-volts to be rated as an Automatic Transfer Switch, the only avenue available for 3rd party certification would be UL1008-A “Outline of Investigation”.

Is the intent to regulate the use of Transfer Schemes, such as Keyed Interlocked Circuit breakers in ≤600-Volt UL891 Switchboards, UL1558 Switchgear or >1,000-Volt ANSI C37.20.1 Class Equipment?

Or, is the intent to regulate what is commonly called in the industry Parallel Switchgear (PSG), which is technically an Automatic Transfer Scheme, for Paralleling multiple Generators and/or with the Utility, which currently is built in UL891, UL1558 or ANSI C37.20.1 Class Equipment?

There is no vehicle in place currently for Third Party certification for the latter two paragraphs for common electrical industry practices and/or equipment to be rated for use on “Emergency Systems” as this proposed amendment would call for to be implemented.”

Based on the issue that Mr. Paul conveyed that there is no official standard for medium voltage transfer switches rated above 600 VAC, OSHPD did revise the proposed amendment to Article 700.6 (C) following the Commission meeting. The proposed revision was based on 9-Point Criterion #6 and makes the amendment specific to automatic transfer switches rated above 600 VAC. Currently, the only available document is the unofficial UL 1008-A “Outline of Investigation”. OSHPD is anticipating that within the year there will be a nationally recognized standard. However, in the event that there is no adopted standard, then OSHPD will accept an alternative approval and testing program.

OSHPD’s revised amendment to Article 700.6(C) was noticed during the 15-Day Public Comment Period from November 25, 2009 to December 9, 2009.

- **15-Day Public Comment Period from November 25, 2009 to December 9, 2009**

OSHPD did not receive any objections or recommendations regarding the proposed regulations during the 15-Day Public Comment Period from November 25, 2009 to December 9, 2009.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

OSHPD has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

No alternatives were proposed. OSHPD has determined that the proposed regulations will not have an adverse economic impact on small businesses.