

STATE OF CALIFORNIA  
STATE AND CONSUMER SERVICES AGENCY  
CALIFORNIA BUILDING STANDARDS COMMISSION  
2525 NATOMAS PARK DR., SUITE 130  
SACRAMENTO, CA 95833  
(916) 263-0916 Phone  
(916) 263-0959 Fax  
Email: cbsc@dgs.ca.gov

Office Use Item No. \_\_\_\_\_

**PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 24, 2012**  
Written comments are to be sent to the above address.

**WRITTEN COMMENT DEADLINE: OCTOBER 8, 2012**

Date: 10/04/2012

From:

Ali M. Fattah  
Name (Print or type)

  
(Signature)

City of San Diego Development Services Department

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

1222 First Avenue, MS # 401      San Diego      California      92101  
Street                                  City                                  State                                  Zip

I/We (do)(do not) agree with:

The Agency proposed modifications As Submitted on Section No. 701.1 (2) A, 903.1.1, 1101.3 par 2

and request that this section or reference provision be recommended:

Approved     Disapproved     Held for Further Study     Approved as Amended

**Suggested Revisions to the Text of the Regulations:**

**701.1 Drainage Piping.** Materials for drainage piping shall be in accordance with one of the referenced standards in Table 701.1 except that:

~~(701.1.2.1)~~ (1) No galvanized wrought-iron or galvanized steel pipe shall be used underground and shall be kept not less than 6 inches (152 mm) aboveground.

~~(701.1.2.2)~~ (2) ABS and PVC DWV piping installations shall be installed in accordance with applicable standards referenced in Table 1401.1. Except for individual single-family dwelling units, materials exposed within ducts or plenums shall have a flame-spread index of a maximum of 25 and a smoke-developed index of a maximum 50, where tested in accordance with ASTM E 84 and UL 723.

~~(A) (HCD 1 & HCD 2) ABS and PVC installations are limited to not more than two stories of areas of residential accommodation.~~

~~(903.1.3) 903.1.1 (HCD 1 & HCD 2) ABS or PVC installations are limited to not more than two stories of areas of residential accommodation.~~

~~(903.1.4) 903.1.2 903.1.1 (HCD 1 & HCD 2) All malleable iron vents shall be galvanized.~~

**1101.3 Material Uses.** Rainwater piping placed within the interior of a building or run within a vent or shaft shall be of cast-iron, galvanized steel, wrought iron, brass, copper, lead, Schedule 40 ABS DWV, Schedule 40 PVC DWV, stainless steel 304 or 316L (stainless steel 304 pipe and fittings shall not be installed underground and shall be kept not less than six (6) inches (152 mm) above ground), or other approved materials, and changes in direction shall conform to the requirements of Section 706.0. ABS and PVC DWV piping installations shall be installed in accordance with IS 5 and IS 9. Except for individual single-family dwelling units, materials exposed within ducts or plenums shall have a flame-spread index of a maximum of 25 and a smoke-developed index of a maximum of 50, where tested in accordance with ASTM E84 and UL 723.

~~(HCD 1 & HCD 2) ABS or PVC installations are limited to not more than two stories of areas of residential accommodation.~~

**Reason:** Disapproval. The proposed building standard is not unreasonable, arbitrary, unfair, or capricious.

We believe that this limitation on the use of non-metallic piping for drain, waste and vent piping in the 2010 California Plumbing Code (CPC), and to which no changes are proposed in the 2013 CPC, has no technical basis and unnecessarily impacts the cost of construction in California. The subject regulation is obsolete.

The proposed plumbing standards in Sections 701.1, 903.1.1 and 1101.3 of the 2013 California Plumbing Code that the limits on the use of "ABS or PVC installations ... to not more than two stories of areas of residential accommodation." are unreasonable, arbitrary, unfair, and capricious, and have no technical justification.

- The proposed standards unnecessarily increase the complexity in the local permit review process.
- The proposed standards unnecessarily increase the cost of construction.
- The proposed standards are routinely ignored or circumvented by local agencies in California due to the arbitrary nature of the regulations.
- Due to a lack of technical justification for the limitation, it is not possible to propose local amendments and make the required three local findings.
- Granting the use of ABS or PVC piping through applications for the use of alternate methods, materials and designs is difficult due to a lack of technical justification for the regulations.

We have reviewed Sections 701.1.2, 903.1.1 and 1101.3 of the CPC and believe that the limitations on the use of ABS and PVC piping do not reflect advancements in building science nor increased fire protection and fire resistance requirements in the California Building Code. The proposed CPC limitations on permissible piping materials do not improve the life and health safety of building occupants in California for the following reasons.

- **Sprinkler protection.** The CBC and CRC now require sprinkler protection throughout buildings where occupants sleep. This was not the case prior to the 2001 CPC (based on the 2000 Uniform Plumbing Code).
- **Fire resistive construction.** Penetration fire stop systems are currently available for all non-metallic piping materials when they penetrate floor ceiling assemblies and stories within wall cavities. Furthermore, the CBC requires the majority of multi-story buildings three stories or more in height constructed of combustible framing to be fire resistance rated.
- **Non-metallic piping to convey water is permitted.** The CPC permits the use of CPVC and PEX tubing for the conveyance of potable water in any building regardless of use or height. Furthermore, the CBC and CRC through their referenced fire sprinkler standards permit the use of CPVC piping for fire sprinkler systems.
- **Single family and non-residential buildings.** The CPC currently permits a hi-rise office building, a two story dwelling or townhouse and any non-residential building to be completely served by non-metallic

pipng. However, the CPC does not allow non-metallic piping for drain, waste and vent (DWV) piping throughout dwellings three or more stories in height.

- **Uniform Plumbing Code Requirements.** The 2000 Uniform Plumbing Code, which was the basis of the 2001 CPC, as well as later editions, does not limit on the use of non-metallic piping for DWV piping in any building.
- **Environmental concerns.** We are aware of environmental concerns that have been raised in previous State code development hearings due to the possible negative environmental impacts of the use and disposal of non-metallic DWV piping materials. Issues have been raised on the impacts to landfills, possible air quality impacts during the combustion of the DWV piping as well as impacts from the use of solvents and adhesives during the installation process. These same issues have been addressed in the adoption of standards for the use of CPVC piping and PEX piping for potable water distribution in buildings.

## 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.