

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC)**

**REGARDING ADOPTION OF THE 2009 UNIFORM PLUMBING CODE (UPC),
CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 5**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:

The specific purpose of this proposed action by the CBSC adopts the most current edition of the UPC of the International Association of Plumbing and Mechanical Officials, (IAPMO). The adoption of the 2009 UPC will make applicable the most recent edition for use by individuals, businesses and state agencies as mandated by the Health & Safety Code (H&SC), Section 18928.

The proposal to add Table A, Occupancy Load Factor, was made because the International Association of Plumbing and Mechanical Officials (IAPMO) removed this table from the 2009 edition of the plumbing code. The BSC felt this table was necessary and important in assisting the citizens of California to accurately estimate the appropriate number of plumbing fixtures for all occupancies based on the occupant load factor instead of the existing requirements currently specified for installation in the 2009 plumbing code.

The specific rationale for this action is to meet the requirements of Health and Safety Code (H & SC) §§18928 and 18934.5, which assures that the latest plumbing regulations for those occupancies under CBSC's authority. It meets criteria (3), in the public interest, and (7), incorporation of model codes, of H & SC §18930(a).

**CHAPTER 1 – DIVISION I
CALIFORNIA GENERAL CODE PROVISIONS**

Specific Purpose:

The BSC proposes to combine the model code Chapter 1, Administration with the state administration Chapter 1 to create a new Chapter 1 with two divisions. *Division I* would be for State regulated occupancies and *Division II* would be for the model code administrative provisions. This action is being proposed as a result of the California Building Standards Commissions Code Coordinating Council and stakeholder input regarding relocating the model code administration chapter from the *Appendix Chapter 1*, as currently shown in the 2007 California Plumbing Code, back to the front of the code book. Renumbering the state administration provisions will help to distinguish the separation between the state administration, *Division I* and the model code *Division II*, within Chapter 1 Administration.

SECTIONS 1.1 through 1.2

The BSC is proposing to maintain the existing California regulations contained in Sections *1.1* through *1.2* with modifications.

Rationale:

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for occupancies regulated by the Building Standards Commission and published as the 2010 California Plumbing Code Administrative Chapter 1, *Division I & II*.

SECTIONS 1.2.2, 1.2.3, 1.2.3.1 and 1.2.3.2

Specific Purpose:

The BSC is proposing to add new sections 1.2.2, 1.2.3, 1.2.3.1, and 1.2.3.2 for *Alternate Materials and Methods of Construction Equivalency, Alternate Materials, Design and Methods of Construction and Equipment, Research Reports and Tests*. These sections are being added to clarify the intent of these provisions to not prevent the use of systems, methods or devices of equivalency.

Rationale:

Due to the separation of state administrative provisions and the model code administrative provisions for local jurisdiction adoption, the BSC is proposing to clarify that the alternate materials and methods of construction equivalency are applicable to Division I for occupancies that are regulated by state agencies.

GENERAL REGULATIONS

SECTION 313.7

Specific Purpose:

The BSC proposes to amend the above section in coordination with Title 24, Part 2 California Building Code pursuant to Health and Safety Code Sections 18928, 18928.1 and 18934.5. Penetrations of fire resistant rated assemblies is addressed in the California Building Code.

SANITARY DRAINAGE

SECTION 701.1.2

Specific Purpose and Rationale:

The BSC proposes to amend the above section in coordination with Title 24, Part 2 California Building Code pursuant to Health and Safety Code Sections 18928, 18928.1 and 18934.5. Penetrations of fire resistant rated assemblies is addressed in the California Building Code.

CHAPTER 9 - VENTS

SECTION 903.1.2

Specific Purpose and Rationale:

The BSC proposes to amend the above section in coordination with Title 24, Part 2 California Building Code pursuant to Health and Safety Code Sections 18928, 18928.1 and 18934.5. Penetrations of fire resistant rated assemblies is addressed in the California Building Code.

CHAPTER 11 – STORM DRAINAGE

SECTION 1101.3

Specific Purpose and Rationale:

The BSC proposes to amend the above section in coordination with Title 24, Part 2 California Building Code pursuant to Health and Safety Code Sections 18928, 18928.1 and 18934.5. Penetrations of fire resistant rated assemblies is addressed in the California Building Code.

CHAPTER 14 – TABLE 14-1 REFERNCED STANDARDS

Delete reference to ASME A112.20.1-2004, ASME A112.20.2-2004, ASTM E 119-2007a, ASTM E 814-2006, UL 263 and UL 1479

Specific Purpose and Rationale:

ASME A112.20.1

The BSC proposes to not adopt the above standard as these provisions are not within the enabling legislative authority of the BSC.

ASTM E 119-2007a, ASTM E 814-2006, UL 263-2003, UL 1479-2003.

The BSC proposes to not adopt the above standards in coordination with Title 24, Part 2 California Building Code pursuant to Health and Safety Code Sections 18928, 18928.1 and 18934.5. Penetrations of fire resistant rated assemblies is addressed in the California Building Code.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2009 Uniform Plumbing Code and published as the 2010 California Plumbing Code pursuant to Health and Safety Code Section 18928, 18928.1 and 18934.5.

**CHAPTER 15
FIRESTOP PROTECTION**

Specific Purpose and Rationale:

The BSC proposes to not adopt Chapter 15 pursuant to Health and Safety Code Sections 18928, 18928.1 and 18934.5. Penetrations of fire resistant rated assemblies is addressed in the California Building Code.

**APPENDIX I
INSTALLATION STANDARDS**

IAPMO IS 5-2006, Section 2.2.6

Specific Purpose and Rationale:

The BSC proposes to amend the above section in coordination with Title 24, Part 2 California Building Code pursuant to Health and Safety Code Sections 18928, 18928.1 and 18934.5. Penetrations of fire resistant rated assemblies is addressed in the California Building Code.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

There were no formal studies or reports used as the bases for the proposed adoption of the Uniform Plumbing Code. The Health & Safety Code, Section 18928, mandates this proposed action.

CONSIDERATION OF REASONABLE ALTERNATIVES

There are no reasonable alternatives identified by the agency. The Health & Safety Code, Section 18928, mandates this proposed action.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

No alternatives were identified to lessen the adverse impact on small businesses. The Health & Safety Code, Section 18928, mandates this proposed action.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

No facts, evidence, documents, testimony, or other evidence of any significant adverse economic impact on business have been identified. The Health & Safety Code, Section 18928, mandates this proposed action.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

There are no federal regulations related to this proposed action. The Health & Safety Code, Section 18928, mandates this proposed action.