

STATE OF CALIFORNIA
DEPT. OF GENERAL SERVICES - GOVERNMENT OPERATIONS AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 14, 2015
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: SEPTEMBER 28, 2015

Date: September 28, 2015

From:

Mary Lamielle

Name (Print or type)

(Signature)

-- National Center for Environmental Health Strategies, Inc..

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

1100 Rural Avenue Voorhees, New Jersey 08043

Street

City

State

Zip

We do not agree with striking/removing Section 11B-216.13ff; 11B-703.7.2.5ff Cleaner Air Symbol (pp. 57-59)

and request that this section or reference provision be recommended:

[] Approved [**X**] Disapproved [] Held for Further Study [] Approved as Amended

MAINTAINED AS IT READS BEFORE STRIKING

Suggested Revisions to the Text of the Regulations:

The State of California, Department of General Services, California Building Standards Commission failed to consult with the disabled community and in particular those individuals who depend on the Cleaner Air Symbol and code requirements to help identify accessible spaces and buildings. As such the state has no authority to strike the sections that address the Cleaner Air Protocol and Symbol from the requirements.

The Cleaner Air Language and Pictogram must be retained within the State of California's code to provide for bare minimum of access to publically funded buildings and facilities or any facilities leased or rented by the state of California for people with environmental sensitivities. While the Division is to be commended for its recent adoption of "Green" building principles, "green buildings" are not by definition accessible to individuals disabled by chemical and electrical sensitivities. Existing buildings as well as buildings designed and operated to meet a "green building" standard need to adopt and use the Cleaner Air Signage and Requirements, a protocol in the existing standards, in order to indicate whether a **specific building** is barrier-

free and accessible for individuals disabled by environmental barriers. These individuals need to know that they can conduct business in a specific building.

I have been in several "LEED" Buildings including a Platinum Building, the Chesapeake Bay Foundation Headquarters. These buildings were not accessible to me. I was unable to use them without disabling reactions. Cleaner Air Signage and protocol as adopted in California would help identify those buildings that are/are not accessible according to strict criteria. The Signage and Protocol encourage design, operation, and maintenance of buildings that promote accessibility to individuals disabled by environmental sensitivities so that they too can be guaranteed access to medical and educational facilities, libraries, and other buildings necessary to conduct the most basic life activities. The Cleaner Air Signage also alerts these same individuals to buildings that would be problematic and helps identify for the building owners and managers ways in which the building could be healthier for all and more accessible for people with chemical and environmental sensitivities.

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.]

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.

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