BIOCOM

May 7, 2008

Ms. Rosario Marin
Chair
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Re: Express Terms for Proposed Building Standards of the Office of the State Fire Marshall (SFM) Regarding the 2007 California Fire Code, California Code of Regulations Title 24, Part 9

Dear Chair Marin:

BIOCOM is the lead advocacy organization for the Southern California life science industry with more than 550 members including biotechnology and medical device companies, universities, basic research institutions and supports services firms. **We are writing in support of the aforementioned Express Terms being proposed by the SFM to be included in Section 443 of the 2007 California Building Code.** In this section of the Code, the L-Occupancy provides important controls and safety provisions for research and development laboratories containing specific quantities of hazardous materials in the State of California. The L-Occupancy is critical to the ongoing growth and development of the biotechnology industry in California.

The biotechnology industry is a quickly evolving industry that requires a broad range of biological and chemical work to be performed in a laboratory environment. These facilities are best located in proximity of major research institutions in both the Bay Area – such as UCSF, and in Southern California - such as UC Irvine, UCSD and The Salk Institute. Researchers at educational institutions such as UCSF are also performing similar type of experimental activities. Therefore, clarifying and codifying the L-Occupancy in the 2007 California Building Code for use as needed by a research and development laboratory will ensure that such facilities be developed with the same controls and safety provisions.

Credible parties who we have worked with extensively believe that the State Fire Marshall has the authority to propose these code amendments as described in the California Health and Safety Code Section 18949.2(b). The State is well served by the work that the State Fire Marshall has done in ensuring that all laboratory facilities that use specific quantities of hazardous materials throughout the State of California are built to the same safe standards. Laboratories that use minimal quantities of hazardous materials, such as basic microbiology and tissue culture labs, should still have the option to be designed under the new B-occupancy, as they only use very limited quantities of hazardous materials.

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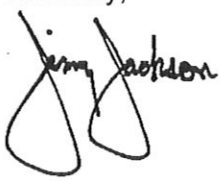
We are supportive of the extensive and inclusive process created by the State Fire Marshall's Office in the development of the L-Occupancy. It has been a very positive, constructive process that has addressed all the issues and included representatives of industry and regulatory organizations from across the State. We want to thank State Fire Marshall Kate Dargan, Chief Tonya Hoover, and their staff for their leadership in this important endeavor.

BIOCOM endorse these Express Terms as they serve to clarify the requirements for research and development laboratory and to enhance the safety measures and controls that will ensure safe operations. Please adopt the Express Terms as submitted.

Sincerely,



Jimmy Jackson
Vice President of Public Policy & Communications
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