

**REVISED EXPRESS TERMS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING PROPOSED CHANGES TO THE 2007 CALIFORNIA PLUMBING CODE (CPC)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

The Department of Housing and Community Development (HCD) proposes to make necessary changes to the 2007 edition of the California Plumbing Code (CBC), based on the 2006 Uniform Plumbing Code (IPC), as presented on the following pages. HCD further proposes to:

- Adopt necessary amendments to the model code;
- Repeal amendments to the model code that are no longer necessary.

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**LEGEND FOR EXPRESS TERMS:**

1. **New California amendments (CA):** All California *language appears in italics, original modified language is underlined or in ~~strikeout~~.*
  2. **Amended, adopted, or repealed language after 45-day public hearing:** Amended, adopted, or repealed language will appear in double underline and ~~double strikeout~~.
  3. **Notation:** Authority and Reference citations are provided at the end of this document.
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**1. Amend Section 402.3.3**

**Before Comment Period:**

**402.3.3 Non-Water Supplied Urinals (Waterless Urinals) [HCD1 & HCD2]** *Waterless urinals sold or installed in this state shall comply with all of the following requirements:*

*1) Meet performance, testing, and labeling requirements established by ASME A112.19.19-2006 for vitreous china non-water supplied urinals.*

*2) Be listed by an ANSI accredited third-party certification agency to ASME A112.19.19-2006.*

*3) Follow cleaning and maintenance procedures established by the manufacturer.*

*4) Conform to reference standards in Table 14-1 for non-vitreous ceramic or plastic urinal fixtures.*

*5) Provide water distribution and fixture supply piping, sized as required elsewhere in this code, roughed-in immediately adjacent to each waterless urinal fixture installed.*

**After Comment Period:**

**402.3.3 Non-Water Supplied Urinals (Waterless Urinals) [HCD1 & HCD2]** *Waterless urinals sold or installed in this state shall comply with all of the following requirements:*

*1) Meet performance, testing, and labeling requirements established by ASME A112.19.19-2006 for vitreous china non-water supplied urinals.*

*2) Be listed by an ANSI accredited third-party certification agency ~~conforming to ASME~~ A112.19.19-2006.*

3) Follow cleaning and maintenance procedures established by the manufacturer.

4) Conform to reference standards in Table 14-1 for non-vitreous ceramic or plastic urinal fixtures.

5) Provide water distribution and fixture supply piping, sized as required elsewhere in this code, roughed-in immediately adjacent to each waterless urinal fixture installed.

For additional information, see Health and Safety Code Section 17921.4.

### **Rationale for change:**

HCD received comments during the 45-day comment period addressing Section 402.3.3, Item 2. The commenter requested that the word “conforming” be removed. The commenter felt the placement of the word could be construed to mean that the accredited third-party certification agency would have to conform to the ASME requirement. HCD has proposed to amend this language by deleting “conforming”. The proposed change reflects no change in regulatory effect.

Two comments expressed a view that all 6 conditions mandated by Health and Safety Code Section 17921.4 are required to be provided in the new Section 402.3.3 proposed by HCD. HCD believes it has included all the conditions within the body of the proposed plumbing regulations and disagrees with the commented assumptions. However, for those interested parties, a reference has been added directing the code user to the enabling statute found in the Health and Safety Code. Utilizing this format is consistent with the format HCD has incorporated into other parts of the Building Standards Code. The proposed modification reflects no change in regulatory effect.

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## **2. Repeal Sections 203.0, 905.4 (Exception), 906.1 (Exception), 909.1, 909.1.1, 909.1.2, 909.1.3, 909.1.4, and 909.1.5**

### **Before Comment Period:**

#### **203.0 –A- Definitions**

**Air Admittance Valve [HCD1 & HCD2]** – *A one-way valve designed to prevent trap siphonage without the extension of a vent pipe through the roof by admitting air into the plumbing drainage system when negative pressures develop.*

**905.4** *All vent pipes shall extend undiminished in size above the roof, or shall be reconnected with a soil or waste vent of proper size.*

**Exception: [HCD1 & HCD2]** *Installation utilizing an air admittance valve.*

**906.1** *Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than six (6) inches (152 mm) above the roof nor less than one (1) foot (305 mm) from any vertical surface.*

**Exception: [HCD1 & HCD2]** *Installation utilizing an air admittance valve.*

#### **909.1 Air Admittance Valves [HCD1 & HCD2].**

**909.1.1 General [HCD1 & HCD2].** *An air admittance valve shall meet the requirements of this section. Air admittance valves shall comply with ASSE 1051 or the requirements of another approved testing agency.*

**909.1.2 Where Permitted [HCD1 & HCD2].** *At a kitchen island or similar island location.*

**909.1.3 Installation [HCD1 & HCD2].** *Air admittance valves shall be installed in accordance with their listing, manufacturer’s installation instructions, and the requirements provided in this code. The device shall not be installed to function as a vent for more than one fixture.*

**909.1.4 Access, Location, and Ventilation [HCD1 & HCD2].** *Air admittance valves shall be accessible for inspection, maintenance, and removal. The device shall be located a minimum of 4 inches (mm) above the trap weir in a location that permits a free flow of air. When an air admittance valve is located within a wall or similar enclosed space, a vented or louvered access panel shall be provided.*

**909.1.5 Testing [HCD1 & HCD2].** *Air admittance valves shall be installed after testing and approval of the drain, waste, and vent system as required in Chapter 7 of this code.*

## After Comment Period:

### ~~203.0 A Definitions~~

~~**Air Admittance Valve [HCD1 & HCD2]**~~ *A one-way valve designed to prevent trap siphonage without the extension of a vent pipe through the roof by admitting air into the plumbing drainage system when negative pressures develop.*

**905.4** All vent pipes shall extend undiminished in size above the roof, or shall be reconnected with a soil or waste vent of proper size.

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~~**909.1.5 Testing [HCD1 & HCD2].**~~ *Air admittance valves shall be installed after testing and approval of the drain, waste, and vent system as required in Chapter 7 of this code.*

## Rationale for change:

Recently, HCD became aware that the State of Louisiana, Department of Health and Hospitals had submitted a proposal to the Department of Housing and Urban Development (HUD) to remove Anti-Siphon Trap Vent Devices (ASTD's) from the Manufactured Home Construction and Safety Standards found in Part 3280, Subpart G which allows the use of Air Admittance Valves (AAV) in manufactured housing.

In its initial proposal, HCD stated "air admittance valves have been approved by HUD in the Manufactured Home Construction Safety Standards as "Anti-siphon trap vent devices" since June 15, 1976. HCD has accepted the similar use in manufactured housing, factory-built housing, and dwellings as evidenced in "Information Bulletin 76-1" dated February 18, 1976. Similarly, use has also been permitted in recreational vehicles. In this hard usage application, HCD has no history of product failure."

To consider this new information, and as required by Building Standards Law, HCD is obligated to take any additional time deemed necessary to further evaluate the concerns raised by this state agency (Louisiana). HCD intends to monitor any outcome, finding, action, or opinion offered by HUD with regard to this recent proposal submitted from the State of Louisiana.

Further, HCD chooses to be cautious and withdraw the proposed Express Terms regarding AAV's from this code adoption cycle and delay its proposed adoption of AAV's until after a determination is made by HUD regarding the use of AAV's in manufactured housing.

This action is not a prohibition of the use of AAV's in California. Local building officials remain authorized to approve AAV's pursuant to the State Housing Law on a case-by-case basis through the alternate approval provision, or by ordinance upon an express finding that it is reasonably necessary because of local climatic, geological, or topographical conditions.

### **3. Amend Table 6-4 and Section 604.1**

#### **Before Comment Period:**

**CHAPTER 6  
WATER SUPPLY AND DISTRIBUTION**

**TABLE 6-4<sup>1</sup>**

<i>Material</i>	<i>Water Distribution Pipe and Fittings</i>		<i>Building Supply Pipe and Fittings</i>
	<i>Hot</i>	<i>Cold</i>	
<i>Asbestos – Cement</i>			X
<i>Brass</i>	X	X	X
<i>Copper</i>	X	X	X
<i>Cast Iron</i>	X	X	X
<i>CPVC</i>	X	X	X
<i>Galvanized Malleable Iron</i>	X	X	X
<i>Galvanized Wrought Iron</i>	X	X	X
<i>Galvanized Steel</i>	X	X	X
<i>PE</i>			X
<i>PE-AL-PE</i>	X	X	X
<i>PEX<sup>†</sup></i>	X	X	X
<i>PEX-AL-PEX<sup>†</sup></i>	X	X	X
<i>PVC</i>			X

<sup>†</sup> [For BSC, DSA/SS & HCD] The use of PEX and PEX-AL-PEX in potable water supply systems is not adopted for applications under the authority of the California Building Standards Commission and the Division of State Architect – Structural Safety and the Department of Housing and Community Development

**After Comment Period:**

**CHAPTER 6  
WATER SUPPLY AND DISTRIBUTION**

**TABLE 6-4<sup>1,2,3</sup>**

Material	Water Distribution Pipe and Fittings		Building Supply Pipe and Fittings
	Hot	Cold	
Asbestos – Cement			X
Brass	X	X	X
Copper	X	X	X
Cast Iron	X	X	X
CPVC	X	X	X
Galvanized Malleable Iron	X	X	X
Galvanized Wrought Iron	X	X	X
Galvanized Steel	X	X	X
PE			X
PE-AL-PE	X	X	X
PEX <sup>1,2,3</sup>	X	X	X
PEX-AL-PEX <sup>1</sup>	X	X	X
PVC			X

<sup>1</sup> **[For HCD]** *The use of PEX and PEX-AL-PEX in potable water supply systems is not adopted for applications under the authority of the California Building Standards Commission and the Division of State Architect – Structural Safety and the Department of Housing and Community Development.*

<sup>2</sup> *When PEX tubing is placed in soil and is used in potable water systems intended to supply drinking water to fixtures or appliances, the tubing or piping shall meet one of the following:*

*1. The tubing is sleeved with a material approved for potable water use in soil or other material that is impermeable to solvents or petroleum products.*

*2. A Phase I Environmental Site Assessment is conducted in accordance with ASTM Standard E 1527-05 and concludes that contamination of the soil or groundwater by solvents or petroleum products in areas where PEX tubing would be placed is unlikely.*

<sup>3</sup> *PEX tubing shall meet the requirements of NSF P171 CL-R or an equivalent standard when used in continuously recirculating hot water systems where chlorinated water is supplied to the system and the PEX tubing is exposed to the hot water 100% of the time.*

**Rationale for change:**

The Department of Housing and Community Development (HCD) is changing the language to be consistent with the mitigation measures indicated in the CEQA document allowing the use of PEX tubing with the amendments listed above. Adoption and approval of the amendments will be based on certification of the CEQA Environmental Impact Report.

## **4. Amend Section 604.1**

**Before revision: None**

**After revision:**

**604.1** All pipe, tube and fittings carrying water used in potable water systems intended to supply drinking water shall meet the requirements of NSF 61 as found in Table 14-1. All materials used in the water supply system, except valves and similar devices, shall be of a like material, except where otherwise approved by Authority Having Jurisdiction.

Materials for building water piping and building supply piping shall be in accordance with Table 6-4 and the standards in Table 14-1.

All PEX pipe, tube, and fittings carrying water in potable water systems intended to supply drinking water for human consumption to fixtures and appliances shall also receive NSF certification that any leached concentrations of methyl tert-butyl ether (MTBE), Tert-Butylacrylate (TBA), or California Proposition 65 chemicals are below the relevant California Maximum Contaminant Level (MCL), secondary MCL, notification, or Safe Harbor level or other applicable Proposition 65 level for those chemicals. The tubing shall be physically marked in a manner that indicates the pipe is NSF certified for human consumption uses in California.

For water service areas that have detectable levels of MTBE or TBA in drinking water or where there is known MTBE or TBA contamination of a source of drinking water, PEX tubing installed to supply water for human consumption uses shall be certified by NSF not to leach detectable levels of MTBE or TBA, and be physically marked as such.

### **Rationale for change:**

The Department of Housing and Community Development (HCD) is changing the language to be consistent with the mitigation measures indicated in the CEQA document allowing the use of PEX tubing with the amendments listed above. Adoption and approval of the amendments will be based on certification of the CEQA Environmental Impact Report.

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### **NOTE:**

Authority Cited: Health and Safety Code Sections 17040, 17921, 17922, 18300, 18865 and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17060, 17910 through 17995.5, 18630, 18640, 18690, 18873.1, 18873.2, 18873.4 and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.