

**NOTICE OF PROPOSED CHANGES  
TO  
BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT**

**REGARDING PROPOSED CHANGES TO  
CALIFORNIA REFERENCED STANDARDS CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 12**

**REGARDING  
EXCESS FLOW ACTUATED AUTOMATIC GAS SHUTOFF VALVES**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Division of the State Architect (DSA) proposes to adopt amendments to the 2010 California Referenced Standards and adopt, approve, codify, and publish referenced building standards contained in the California Code of Regulations (CCR), Title 24, Part 12.

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from April 22, 2011 until 5:00 PM on June 6, 2011. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: E. David Walls, Executive Director

Written comments may also be faxed to (916) 263-0959, or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov). Pursuant to Government Code Section 11346.5 (a) 17, any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period that a public hearing be held.

**POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modification.

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards on behalf of Division of the State Architect under the authority granted by Health and Safety Code Section 18928. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code 19200-19204. The Division of the State Architect is proposing this regulatory action based on Health and Safety Code Sections 19201.5 and 19202.

**INFORMATIVE DIGEST**

Summary of Existing Laws:

Section 19202 of the Health and Safety Code provides that:

- Automatic gas shutoff devices not activated by motion, but are activated by significant gas leaks or overpressure surges, are to be certified by the State Architect.

- The design of the device must provide a proven method to automatically provide for expedient and safe gas shutoff in an emergency.
- The design of the device must minimize or preclude the disruption to the flow of gas from erroneous vibrations, alien forces, or both erroneous vibrations and alien forces.
- The design of the device must provide a capability for ease of consumer or owner resetting without concern for **safety**.
- The operational and functional design of the device must be at least equal to the device certified by the State Architect.

Summary of Existing Regulations:

Existing regulation in Part 12 makes reference to CSA U.S. requirements for Excess Flow Valves, which no longer exists.

Summary of Effect

The effect of this proposed action amends Part 12, Section 12-16-201 by repealing the reference to out-dated CSA Standard 3-92; and adopting a reference to the up-dated new ASTM F2138-09.

An ASTM F2138-09 specification covers requirements and test methods for excess flow valves for natural gas piping systems. Tests methods requirements determine the performance characteristics of an excess flow valve installed in a straight piece of pipe. Excess flow valves must conform to specified materials, dimensions, maximum inlet pressure, temperature rating range, and design requirements. It must be tested with the following performance requirements; trip flow, leak rate, bypass flow, pressure drop, reset parameters, snap acting loads, and cycle testing.

The scope of ASTM F2138-09 covers requirements and test methods for excess flow valves for use in thermoplastic natural gas piping systems. However it is expected that excess flow valves manufactured to the requirements of this specification may also be used in other natural gas piping systems.

Excess flow valves covered by ASTM F2138-09 are designed for insertion into components for natural gas systems such as pipe, tubing, or fittings in sizes from ½ CTS 2 IPS.

The tests required by ASTM F2138-09 are intended to determine the performance characteristics of an excess flow valve installed in a straight piece of pipe. An excess flow valve could possibly be installed in a straight piece of pipe, in a service tee outlet, as part of a mechanical coupling, or in other configurations. The performance characteristics of the excess flow valve may be significantly different for each installed configuration. Users should conduct their own tests to determine the installed performance characteristics or contact the EFV manufacturer for test data for the installed configuration. Additional guidance on selection and installation of excess flow valves is included in Appendix X1.

Comparable Federal Statutes or Regulations

There are no comparable federal regulations or statutes.

Policy Statement Overview

The broad objective of the proposed action is to maintain ASTM F2138-09 as the standard specification for Excess Flow Valves for Natural Gas Service (most recent edition) as the applicable standard used by the Division of the State Architect for certification of these devices in conformance with current state law.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

The Division of the State Architect has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Health and Safety Code 19201 provides that an "Excess flow gas shutoff device" means a gas shutoff device installed on customer-owned gas piping certified by the State Architect. "Excess flow gas shutoff device" would not include any device installed on a gas distribution system owned or operated by a public

utility. The Division of the State Architect has determined that this proposed code change would not impose any mandate on local agencies or school district.

#### **ESTIMATE OF COST OR SAVINGS**

- A. Cost or savings to any state agency: **No**
- B. Cost to any local agency required to be reimbursed under Part 7 of Division 4: **No**
- C. Cost to any school district required to be reimbursed under Part 7 of Division 4: **No**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No**
- E. Cost or savings in federal funding to the state: **No**

#### **INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

The Division of the State Architect has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

Health and Safety Code 19201 provides that an "Excess flow gas shutoff device" means a gas shutoff device installed on customer-owned gas piping certified by the State Architect. "Excess flow gas shutoff device" would not include any device installed on a gas distribution system owned or operated by a public utility.

#### **DECLARATION OF EVIDENCE**

The Division of the State Architect initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action over and above the Initial Statement of Reasons.

#### **FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

Health and Safety Code 19202 provides that automatic gas shutoff devices that are not activated by motion, but are activated by significant gas leaks or overpressure surges, must be certified by the State Architect. The design of the device would provide:

- A proven method to automatically provide for expedient and safe gas shutoff in an emergency.
- Minimize or preclude the disruption to the flow of gas from erroneous vibrations, alien forces, or both erroneous vibrations and alien forces.
- Provide a capability for ease of consumer or owner resetting without concern for **safety**.
- The operational and functional design of the device shall be at least equal to the device certified by the State Architect.

#### **COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

The Division of the State Architect is not aware of any additional cost impacts that a representative private person or business would incur in reasonable compliance with the proposed action. The fee for the certification is not part of this code amendment.

Health and Safety Code Section 19201.5 provides that the State Architect will establish a certification procedure and shall establish a fee for the certification. Fees imposed would be equal to the costs associated with making the certification and are continuously appropriated to the State Architect for administering the certification program.

#### **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

The Division of the State Architect has assessed whether or not and to what extent this proposal will affect the following:

- **The creation or elimination of jobs within the State of California.**  
These regulations update existing out-date regulations (CSA 3-92) to the most recent Standard (ASTM F2138-09) regarding 'Standard Specification of Excess Flow Valves for Natural Gas Service', which would not result in jobs and business expansion, elimination or creation.

- **The creation of new businesses or the elimination of existing businesses within the State of California.**

These regulations update existing out-date regulations (CSA 3-92) to the most recent Standard (ASTM F2138-09) regarding 'Standard Specification of Excess Flow Valves for Natural Gas Service', which would not result in creation of new businesses or the elimination of existing businesses within the State of California.

- **The expansion of businesses currently doing business with the State of California.**

These regulations update existing out-date regulations (CSA 3-92) to the most recent Standard (ASTM F2138-09) regarding 'Standard Specification of Excess Flow Valves for Natural Gas Service', which would not result in expansion of businesses currently doing business with the State of California.

### **INITIAL DETERMINATION OF SIGNIFICANT EFFECT ON HOUSING COSTS**

The Division of the State Architect has made an initial determination that this proposal would not have a significant effect on housing costs.

### **CONSIDERATION OF ALTERNATIVES**

The Division of the State Architect must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

### **AVAILABILITY OF RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the persons named below.

Interested parties may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact persons named below.

### **CBSC CONTACT PERSONS**

General questions regarding procedural and administrative issues should be addressed to:

\_\_\_\_\_  
 \_\_\_\_\_ **@dgs.ca.gov**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Jane Taylor, Senior Architect  
[jane.taylor@dgs.ca.gov](mailto:jane.taylor@dgs.ca.gov)  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833  
 Telephone No: (916) 263-0916  
 Facsimile No: (916) 263-0959

### **PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Richard Conrad                      Ph. (916) 324-7180              richard.conrad@dgs.ca.gov

Division of the State Architect  
 1102 Q Street, Suite 5200  
 Sacramento, CA 95811  
 DSA Facsimile No: (916) 327-3371