

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

**REGARDING ADOPTION OF THE 2012 UNIFORM MECHANICAL CODE (UMC),
CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 4
CALIFORNIA MECHANICAL CODE**

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, PROBLEM, RATIONALE and BENEFITS:

This proposed action by the CBSC adopts the most current edition of the UMC of the International Association of Plumbing and Mechanical Officials, (IAPMO) with existing amendments (not shown) and new amendments shown below. These proposed regulations will make effective the latest edition of the Uniform Mechanical Code (UMC) for state owned buildings, including buildings constructed by the Trustees of the California State University and buildings constructed by the Regents of the University of California that are permitted under the next triennial edition of the California Mechanical Code (CMC). Further, California law makes the UMC standards adopted by the Commission applicable to all occupancies in California. Each triennial edition of the California Code of Regulations (CCR) becomes effective 180 days after its publication and is effective at the time an application for a building permit is submitted. The adoption of the 2012 UMC 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.

Section 1.1.3.2 State-Regulated Buildings, Structures, and Applications, Section 1.1.11 Format and Division II, SCOPE AND ADMINISTRATION, introductory statement.

Purpose:

To delete references in the regulatory language of the codes to the Matrix Adoption Tables located at the beginning of each chapter and replace where needed with non-regulatory notes.

Problem, Rationale and Benefit:

In the past, some code users have interpreted content of the Matrix Adoption Tables as a regulatory part of the codes, and some agencies have used tables as explanatory tools accompanying code change proposals. The agency tables and the published ones are intended to be illustrative only and are superseded by any language in agency proposals and published codes. In addition, both agency and published versions often contain erroneous entries, such as "Xs" in wrong boxes or sections numbered incorrectly.

To clarify the non-regulatory nature of the Matrix Adoption Tables and lead code users to understand them as roadmaps only for the codes, references in code language to the tables should be deleted. References imply incorporation into the code, which is not the intent of the otherwise useful tables.

Benefit:

Deleting these references from the codes will clarify the effective use of the codes for users and should mitigate any future challenges by those code users who find errors in the tables.

CHAPTER 5 – EXHAUST SYSTEMS

Section 506.1- Exceptions

Specific Purpose:

The BSC proposes to remove the specific California references 6-2SMACNA/ANSI 006-2006 HVAC Duct Construction Standards from Part 4, Chapter 5, and Section 506.1 – Exceptions.

Rationale:

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. This new reference has been added to the language contained in the UMC, special California references are no longer necessary.

CHAPTER 6 – DUCT SYSTEMS

SECTIONS 602.4, 602.5, 602.6, 604.2, 604.5 and 605.0

Specific Purpose:

The BSC proposes to remove the specific California references 6-2SMACNA/ANSI 006-2006 HVAC Duct Construction Standards from Part 4, Chapter 6, Sections 602.4, 602.5, 602.6, 604.2, 604.5 and 605.0.

Rationale:

The BSC proposes to remove the specific California references 6-2SMACNA/ANSI 006-2006 HVAC Duct Construction Standards from Part 4, Chapter 6, Sections 602.4, 602.5, 602.6, 604.2, 604.5 and 605.0 and adopt these sections unamended.

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 Mechanical Code. The Health & Safety Code, Section 18928, mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

There are no mandates for specific technologies or equipment or prescriptive standards that are required.

CONSIDERATION OF REASONABLE ALTERNATIVES

There are no reasonable alternatives identified by the agency. The Health & Safety Code, Section 18928 and 18934.7 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.