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CALIFORNIA BUILDING
STANDARDS COMMISSION

May 1, 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 Commissioners:

I am writing on behalf of Genentech 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 any research and development laboratory containing 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 sector, requiring a broad range of biological and chemical work that is performed in a laboratory environment. These facilities are best located in proximity to major research institutions – such as UCSF in the Bay Area. Researchers at these educational institutions are performing similar and often related experimental activities to those underway in nearby industry facilities. In fact, they regularly move to and from educational institutions and biotechnology organizations. Therefore, codifying the L-Occupancy in the 2007 California Building Code, for use by any such research and development laboratory, will ensure that all such facilities are developed with the same minimum standards for the protection of life and property against fire and hazmat incidents.

The L-Occupancy clarifies design controls for mid and high-rise laboratory facilities, which support important medical discoveries that improve many people's lives. Without the L-Occupancy, the biotechnology industry in California will be severely impacted. If it is not adopted, fast-growing biotech companies like Genentech may choose to look elsewhere in the U.S. or even internationally to locate or expand, in order to leverage building code requirements more consistent with their business needs.

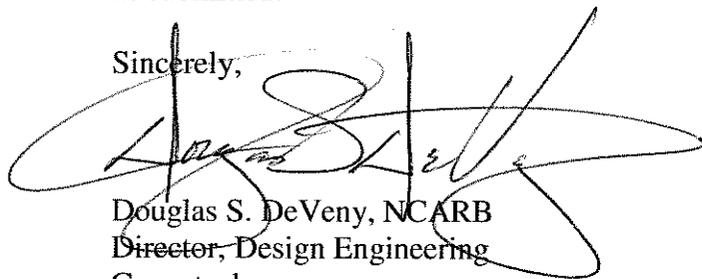
Through the use of fire-rated compartmentalization, increased ventilation, reduced exit travel distances, as well as other increased safety provisions, the L-Occupancy provides more controls than the B-Occupancy typically used to build these types of R&D facilities. The L-Occupancy, moreover, is consistent with the H-8 Occupancy provided for in the 2001 California Building Code that specifically and successfully applied to these type laboratories at educational institutions for the past several years.

From Genentech's perspective 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 throughout the State of California are built to the same safe standards.

Genentech would also like to express our support and appreciation of the extensive, inclusive process created by the State Fire Marshall's Office in the development of the L-Occupancy provisions. 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.

On behalf of Genentech, I heartily endorse these Express Terms as they serve to clarify the requirements for any 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,

A large, stylized handwritten signature in black ink, appearing to read 'Douglas S. DeVeny', is written over the typed name and title.

Douglas S. DeVeny, NCARB
Director, Design Engineering
Genentech