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VIA EMAIL AND U.S. MAIL

Thomas L. Morrison
Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

**Re: HCD Proposed Amendments of California Plumbing Code
Sections 211.0, 402.3.1, 402.3.2, 402.3.3, 504.2.1, 1003.1 and 1005.0
Regarding Non-Water Supplied Urinals**

Dear Mr. Morrison:

The following comments are respectfully submitted on behalf of the California State Pipe Trades Council regarding the proposed California Plumbing Code ("CPC") regulations that would add Sections 402.3.1, 402.3.2 and 402.3.3 and amend Sections 211.0, 504.2.1, 1003.1 and 1005.0 to approve the use of non-water supplied urinals in occupations under the jurisdiction of the Department of Housing and Community Development ("HCD") (collectively, "the waterless urinal regulations").

These comments are submitted in response to the Notice of Post-Hearing Modifications to Text of Proposed Building Standards dated July 10, 2008 which revises HCD's Express Terms contained in the prior March 18, 2008 Notice of Proposed Changes to Building Standards of the California Building Standards Commission. The revised express terms amend CPC section 402.3.3 of the proposed waterless urinal regulations to remove the word "conforming" and to add a reference to Health and Safety Code section 17921.4. The rest of the waterless urinal regulations noticed on March 18, 2008 remain unchanged.

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We support the removal of the word "conforming" from CPC section 402.3.3, subsection (2). This change provides clarity to this section and creates consistency with Health and Safety Code section 17921.4.

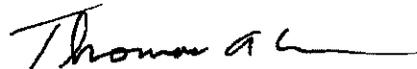
We have some concern over the added reference to Health and Safety Code section 17921.4 in that it is unrealistic to expect code users to consult the statute to determine compliance with the California Building Standards Code. Currently, Section 402.3.3 contains some of the waterless urinal requirements contained in Health and Safety Code section 17921.4, but not all of the requirements. Section 402.3.3 should be amended to include all of the conditions contained in Health and Safety Code section 17921.4.

We previously submitted a letter dated May 8, 2008 which laid out our concerns regarding the proposed waterless urinal regulations that would add CPC sections 402.3.1, 402.3.2 and 402.3.3 and amend CPC sections 211.0, 504.2.1, 1003.1 and 1005.0. Aside from our concern over the use of the term "conformity" in CPC section 402.3.3, subsection (2), none of the concerns raised in our previous comments have been addressed by the proposed revisions. The proposed waterless urinal regulations remain inconsistent with AB 715 in several respects. In addition, several of the proposed amendments remain vague, overbroad or otherwise require revision to clarify the agency's intent.

Accordingly, our prior comments remain valid and pertinent to the pending waterless urinal regulations. We respectfully request that HCD further amend these proposals to ensure clarity and certainty in the application of these regulations.

Thank you for your consideration of our comments. Please contact us if you have any questions.

Sincerely,



Thomas A. Enslow

TAE:cnh