

STATE OF CALIFORNIA  
STATE AND CONSUMER SERVICES AGENCY  
CALIFORNIA BUILDING STANDARDS COMMISSION  
2525 NATOMAS PARK DR., SUITE 130  
SACRAMENTO, CA 95833  
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Email: BSC@dgs.ca.gov

Office Use Item No. \_\_\_\_\_

**PARTICIPATION COMMENTS FOR THE NOTICE DATED OCTOBER 13, 2009**  
Written comments are to be sent to the above address.

**WRITTEN COMMENT DEADLINE: OCTOBER 27, 2009**

Date: 10/26/09

From:

Martin D. Cooper  
Name (Print or type)

  
(Signature)

City of Foster City

Agency, jurisdiction, chapter, company, association, individual, etc.

610 Foster City Blvd.  
Street

Foster City  
City

CA  
State

94404  
Zip

I/We (do)(do not) agree with:

The Agency proposed modifications As Submitted on Section No. 209 -G: 506.2; 601.3; 602.1 through 602.6; 603.0; 604.2; 604.5; 605.0; TABLES 6-1 through 6-10; Appendix A and Chapter 17 Standards

and request that this section or reference provision be recommended:

Approved     Disapproved     Held for Further Study     Approved as Amended

**Suggested Revisions to the Text of the Regulations:**

The proposed changes within the 15-day express terms should be incorporated into California Chapter 1 Part I Provisions only under the authority of DSA-SS. The California Matrix Adoption Tables should be formatted in the 2010 CMC to include only DSA-SS. The California Building Standards Commission and Department of Housing and Community Development should adopt the proposed amendments from the 45 day express terms only.

**Reason:** [The reason should be concise if the request is for "Disapproval," "Further Study," or "Approve As Amend" and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

The cost to the public would be unreasonable to expect a Mechanical Engineer to have to design to the SMACNA/ANSI 006-2006 standards every modification or addition to a HVAC system in every Occupancy Group.

**HEALTH & SAFETY CODE SECTION 18930****SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS**

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
  - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
  - (3) The public interest requires the adoption of the building standards.
  - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
  - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
  - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
  - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
    - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
    - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
  - (8) The format of the proposed building standards is consistent with that adopted by the commission.
  - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.