



## CALIFORNIA METALS COALITION

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October 9, 2009

California Building Standards Commission  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833  
 Attn: Dave Walls, Executive Director

Dear Mr. Walls,

**RE: OPPOSE Toxic Pipe Use in Hospitals, Nursing Facilities, and Correctional Centers**

The **California Metals Coalition (CMC)** was established in 1972 and today represents over 200 metalworking corporations—employing over 25,000 Californians with living-wage jobs and benefits.

California has always led the nation in safety and environmental standards. For buildings (such as, hospitals, skilled nursing facilities, licensed clinics, and correctional treatment centers) which fall under the jurisdiction of the Office of Statewide Health Planning and Development the use of PVC and ABS installations is strictly prohibited. This is due to the toxic dangers of PVC and ABS pipe.

CMC is strongly urging you not to adopt changes from the 2009 Uniform Plumbing Code into the 2010 California Plumbing Code, which would allow the use of PVC and ABS. Repealing sections 701.1.2.1, 705.2.5, 903.1.2.1, and 1101.3.1 is ignoring health and safety requirements for Californians.

In hospitals, nursing facilities and correctional facilities, PVC and ABS is easily destroyed in a fire. In fact, water temperatures over 140 degrees can fracture these pipes. For multi-story buildings, safety risks only increase in fires. Waste from these pipes is exposed to the public when the pipe is destroyed. Water from these pipes can further damage buildings. Cast iron is not compromised in fires.

PVC and ABS produce toxic fumes when burned. Firefighters and safety officials attempting to save patients will be harmed by dioxins. Burning PVC produces at least 75 byproducts of combustion, including carcinogens such as vinyl chloride, PCBs, chlorobenzene and other aromatic hydrocarbons such as benzene, toluene, xylene, and naphthalene. (Source: Greenpeace <http://archive.greenpeace.org/toxics>).

PVC is buried in landfills. Cast iron is 100% recycled. More than seven billion pounds of PVC has been thrown away in the U.S., and only 18 million pounds—**barely one quarter of 1 percent**—is recycled (Source: <http://Earth911.com>). PVC also interferes with the recycling of other plastics if commingled due to its chemical make-up.

The California Building Standards Commission should not change California code and allow PVC and ABS into these critical buildings. It is your duty to protect our hospitals, nursing facilities, and correctional centers.

Cast iron pipe is quiet, fireproof, safe and environmentally friendly. The California Metals Coalition strongly opposes eliminating the health and safety codes that protect Californians. Thank you.

Most Sincerely,

  
James Simonelli  
Executive Director

Cc: Senate President Darrell Steinberg  
Assembly Speaker Karen Bass  
Senator Loni Hancock  
Assemblymember Sandre Swanson  
Senator Ellen Corbett  
Senator Gloria Romero

OSHPD

**NOTICE OF PROPOSED CHANGES  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT**

**REGARDING THE CALIFORNIA PLUMBING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

**2009 Annual Code Adoption Cycle  
Adoption of the 2009 Uniform Plumbing Code**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Office of Statewide Health Planning and Development (OSHPD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The OSHPD is proposing building standards related to the adoption of the 2009 Uniform Plumbing Code for incorporation into the 2010 California Plumbing Code.

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from August 28, 2009, until 5:00 P.M. on October 12, 2009. Please address your comments to:

← California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Dave 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 modifications.**

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code 18949.3. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Section 129850. The OSHPD is proposing this regulatory action based on Health and Safety Code Sections 1226, 1275, 18928, 18929, 129790 and 129850 and Government Code Section 11152.5.

**INFORMATIVE DIGEST**

**Summary of Existing Laws**

Health and Safety Code Section 1226 authorizes the Office to prescribe, in consultation with the Community Clinics Advisory Committee, minimum building standards for the physical plant of clinics, for adoption in the California Building Standards Code.

Health and Safety Code Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.