

STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICES DATED APRIL 22, 2011
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: JUNE 6, 2011

Date: 6/1/2011

From:

Josh Jacobs
Name (Print or type)



(Signature)

GREENGUARD Environmental Institute
Agency, jurisdiction, chapter, company, association, individual, etc.

2211 Newmarket Pkwy, Suite 110 Marietta Georgia 30067
Street City State Zip

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

The Agency proposed modifications As Submitted on Section No. 5.714.4.4.1

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: *Further modify the proposed revisions as follows*

5.714.4.4.1 Adhesives, sealants, and caulks. Adhesives, sealants, and caulks used on the project shall meet the requirements of one of the following standards.

1. Adhesives, adhesive bonding primers, adhesive primers, sealants, sealant primers, and caulks shall comply with local or regional air pollution control or air quality management district rules where applicable, or SCAQMD Rule 1168 VOC limits, as shown in Tables 5.504.4.1 and 5.504.4.2 in Division 5.5. Such products also shall comply with the Rule 1168 prohibition on the use of certain toxic compounds (chloroform, ethylene dichloride, methylene chloride, perchloroethylene, and trichloroethylene), ~~except for aerosol products as specified in subsection 2, below.~~

Exception for #1: 2- Aerosol adhesives, and smaller unit sizes of adhesives, and sealant or caulking compounds (in units of product, less packaging, which do not weigh more than one pound and do not consist of more than 16 fluid ounces) shall comply with statewide VOC standards and other requirements, including prohibitions on use of certain toxic compounds, of California Code of Regulations, Title 17, commencing with Section 94507.

2. California Department of Public Health 2010 Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers, Version 1.1, February 2010 (also known as Specification 01350.)

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 current #2 is simply an exception to the requirements stated within #1.

The addition of the CA 01350 methodology as an alternative acceptable path is consistent with public comments from CARB and CDPH during the International Green Construction Code (IgCC) Code Development Hearing. The VOC content minimization standards that are currently referenced here were developed to help address outdoor air quality issues. Even though there are numerous manufacturers of adhesives that could show compliance with this now, we recognize that this would be a change to the way that manufacturers of these products have shown compliance to sustainable codes/standards for years. Therefore we suggest allowing those that have already taken the ‘next step’ to be able to show their products’ compliance to this section by having actual VOC emission minimization criteria within it. So for now, this code should allow either VOC content or VOC emission compliance path in this section. These dual compliance pathways for this product type would also be consistent with what is currently in the IgCC and ASHRAE 189.1.

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.