

**FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT
(DSA-SS AND DSA-SS/CC)**

**REGARDING CHANGES TO THE
CALIFORNIA MECHANICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

[Note to agencies: Directions below, which, like this note, are not intended to be shown in your submittal, have been updated to reflect requirements of SB 617 effective January 1, 2012. New directions are shown in underline.]

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

(Government Code Section 11346.9(a)(1))

There are no revisions to the Initial Statement of Reasons below (pages 2 through 3). There were no public comments received during the 45 day public comment period.

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE AND BENEFITS:

Section – 2013 edition of the California Mechanical Code.

DSA proposes to repeal the 2009 edition of the UMC, and adopt the 2012 edition of the UMC (published by the International Association of Plumbing and Mechanical Officials) for codification and effectiveness as the 2013 California Mechanical Code (CMC). DSA proposes this action in order to comply with state law requiring state agencies to adopt the latest edition model codes within one year of the publication date.

Building standards proposed by DSA-SS for adoption would be applicable to public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

This proposal will also make effective the 2012 edition of the UMC as the 2013 edition CMC, for application by DSA-SS/CC (Division of the State Architect – Structural Safety/Community Colleges) to community colleges, which a community college district may elect to use in lieu of standards promulgated by DSA-SS per Education Code Section 81053.

The 2012 edition of the UMC Preprint changes are shown in ~~strikeout~~ and underline.

No new amendments to the 2012 edition UMC are being proposed by DSA-SS or DSA-SS/CC. State administrative amendments contained in CMC Chapter 1 are being continued with editorial changes. Proposed changes are as noted below:

CHAPTER 1 – California Administration
Section 1.1.1

Editorial amendment to bring up-to-date; reference to the 2012 edition of the UMC by deleting reference to 2009 UMC.

Section 1.9.2.4

Editorial amendment to bring up-to-day; cross references to the correct numbering format; by changing cross reference to Section 1.9.2.1 to 1.9.2.2 and changing cross reference to Section 1.9.2.2 to 1.9.2.4 for consistency with format adopted by the CBSC for the 2013 CMC.

Section 209 – G (Galvanized Steel)

2012 UMC definition is adopted. Existing CA language continues to also be adopted.

Clarifying language “conforming to the requirements of” is added to combine both UMC and CA language as the definition for Galvanized Steel in 2013 CMC.

Section 505.2 – Construction

CA amendments are repealed in Section 506.2; which cross references ANSI/SMACN 006-2006. The HVAC Duct Construction Standards Metal and Flexible are included in 2012 UMC, Chapter 17 (Referenced Standards). DSA is proposing to adopt Chapter 5 (Exhaust Systems) of the 2012 edition UMC without amendment.

Chapter 6 0 Duct Systems - Matrix Adoption Table

(601.3, 602.1, 602.3, 602.4, 602.5, 602.6, 603.0, 604.2, 604.2.1, 604.5, 605.0)

Matrix Adoption Table is amended to clearly identify repealed CA amendments. DSA is proposing to adopt Chapter 6 of the 2012 edition UMC and carry forward existing CA amendment in 601.3 only. CA amendments are repealed in Section 602.1, 602.3, 602.4, 602.5, 602.6, 603.0, 604.2, 604.2.1, 604.5, and 605.0; which cross references ANSI/SMACN 006-2006. The HVAC Duct Construction Standards Metal and Flexible are included in 2012 UMC, Chapter 17 (Referenced Standards).

Section 601.0 – General

601.3 DSA amendment is unchanged.

Sections 602.1 through 605.0 - DSA is repealing all CA amendments. DSA is proposing to adopt Chapter 6 of the 2012 edition UMC and carry forward existing CA amendment in 601.3

Table 17-1

Table 17 is renumbered as 1701.0 to be consistent with 2012 UMC. DSA is repealing CA amendments for Standard Number ANSI/SMACNA-006-2006.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

None required, as Section 18928 of the Health & Safety Code mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

No new prescriptive standards are proposed.

CONSIDERATION OF REASONABLE ALTERNATIVES

The Division of the State Architect has not considered any reasonable alternatives to the proposed action, as this action is required by state law.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS.

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to this proposed action.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

The regulations proposed for adoption do not duplicate or conflict with federal regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

(Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s)).

The Division of the State Architect has determined that the proposed regulatory would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

(Government Code Section 11346.9(a)(3))

No objections or recommendations regarding its Part 4 proposals were brought to the attention of DSA during the Rulemaking process or during the public comment period.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

(Government Code Section 11346.9(a)(4))

The Division of the State Architect has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulations, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES: (Government Code Section 11346.9(a)(5))

There are no rejected proposed alternatives to identify. This proposal will not have an adverse economic impact on small businesses.