

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT - STRUCTURAL SAFETY (DSA-SS)**

**REGARDING AMENDMENTS TO THE 2007 CALIFORNIA PLUMBING CODE (CPC),  
FOR USE IN THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action.

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE FOR PROPOSED CHANGES**

DSA proposes to repeal amendments contained in the 2007 California Plumbing Code (CPC) which prescribe DSA's non-adoption of CPC provisions regulating the use of PEX in potable water supply systems.

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.

**CHAPTER 6. WATER SUPPLY AND DISTRIBUTION**

**SECTIONS: 604.11, 604.11.1, 604.11.2 and Table 6-4**

DSA-SS proposes to adopt the above-listed model code sections into Title 24, Part 5, CPC, with modification. DSA-SS has previously proposed adoption of the UPC without amendment to restrict the use of PEX piping. In these previous adoptions, DSA-SS has received comments asserting that the California Environmental Quality Act (CEQA) must be satisfied in order to adopt the model code as written for use in California. In these previous adoptions, DSA-SS has not agreed with the comments, but decided to include a restriction for PEX to avoid legal challenges that could potentially delay the adoption of the UPC or force the withdraw the entire UPC adoption package due to the voluminous comments received from stakeholders who want the use of PEX restricted in California.

During the current adoption cycle, DSA-SS anticipates receiving similar comments and intends to complete the necessary tasks to legally adopt these sections without amendment. If necessary, DSA-SS will either propose amendments or withdraw all or portions of the initial proposal. The DSA-SS banner has been removed from Sections 604.11, 604.11.1 and 604.11.2 to maintain consistency with the format of this code.

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

DSA expects completion of environmental studies (EIR) prior to adoption and approval of this proposal by the Building Standards Commission.

**CONSIDERATION OF REASONABLE ALTERNATIVES**

The Division of the State Architect has not considered any reasonable alternatives to the proposed action.

**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 impacts to small business are expected as a result of this proposed action.

**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.