

STATE OF CALIFORNIA
 STATE AND CONSUMER SERVICES AGENCY
 CALIFORNIA BUILDING STANDARDS COMMISSION
 2525 NATOMAS PARK DR., SUITE 130
 SACRAMENTO, CA 95833
 (916) 263-0916 Phone
 (916) 263-0959 Fax
 Email: BSC@dgs.ca.gov

Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED MARCH 18, 2008
 Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: MAY 12, 2008

Date: 5/5/2008

From: George Faggella
 Name (Print or type)

California Department of Public Health
 Agency, jurisdiction, chapter, company, association, individual, etc.

<u>1616 Capitol Ave MS 7405</u> <u>95899</u>	<u>Sacramento</u>	<u>CA</u>
Street	City	State Zip

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

The Agency proposed modifications As Submitted on Section No. 805.3

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

to the proposing state agency.

Suggested Revisions to the Text of the Regulations:

Include Section No. 805.3 with the recommendation of implimenting Radon Resistant New Construction (RRNC) as described by Appendix F of the International Residential Code, ASTM E1465-07a, or equivalent standard practice in high radon potential areas throughout the State as demonstrated by local data or radon potential maps.

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

The inclusion of Radon Resistant New Construction into the Green Building Standards is compliant with criteria 1 through 6 of Health and Safety Code, Section 18930. Radon exists in California and its distribution is patchy. At least 26 Counties (to date) have been identified as having at least one zip code area of high radon potential. Because of California's large population the U.S. Environmental Protection Agency has estimated that each year more people in California (approximately 1724) develop radon induced lung cancer than any other state.

Individual jurisdictions may not see radon as a significant issue and thus not be willing to adopt RRNC into local codes, however the cumulative impact for the state is significant. If RRNC is not addressed on a statewide level it most likely will not be addressed.

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.