

**INITIAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE DIVISION OF THE STATE ARCHITECT-STRUCTURAL SAFETY
(DSA-SS AND DSA-SS/CC)
REGARDING THE 2022 CALIFORNIA MECHANICAL CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4
(DSA SS/CC 01/21)**

The Administrative Procedure Act (APA) 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, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

Item 1

CHAPTER 1, ADMINISTRATION DIVISION I, CALIFORNIA ADMINISTRATION

DSA proposes to bring forward existing California amendments in Chapter 1, Division I from the 2019 California Mechanical Code for adoption into the 2022 edition of the California Mechanical Code (CMC) with the following amendments:

Section 1.1.1 Title

DSA proposes to update the general title statement reflecting adoption of the 2021 Uniform Mechanical Code, the most recent edition of the model code. Additionally, DSA proposes to carry forward existing amendments in *Chapter 1, Division I*.

Updating the edition of the model code referenced is required to meet Building Standards Law regarding the adoption of the most recent edition of model code within one year of the model code publication. This update will clarify the codes available for use in construction and maintain the most current building standards for the protection of public health and welfare in the built environment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 2

CHAPTER 2, DEFINITIONS

DSA proposes to adopt Chapter 2 of the 2021 UMC, and to carry forward existing

amendments.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 3

CHAPTER 3, General Regulations

DSA proposes to adopt Chapter 3 of the 2021 UMC with existing California amendments carried forward into the 2022 edition of the CMC.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 4

CHAPTER 4, Ventilation Air Supply

DSA proposes to adopt Chapter 4 of the 2021 UMC with existing California amendments carried forward into the 2022 edition of the CMC.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 5

CHAPTER 5, Exhaust Systems

DSA proposes to adopt Chapter 5 of the 2021 UMC with existing California amendments carried forward into the 2022 edition of the CMC.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 6

CHAPTER 6, Duct Systems

DSA proposes to adopt Chapter 6 of the 2021 UMC into the 2022 edition of the CMC

without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 7

CHAPTER 7, Combustion Air

DSA proposes to adopt Chapter 7 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 8

CHAPTER 8, Chimneys and Vents

DSA proposes to adopt Chapter 8 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 9

CHAPTER 9, Installation of Specific Appliances

DSA proposes to adopt Chapter 9 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as submitted

Agency Response:

Accept

Item 10

CHAPTER 10, Boilers and Pressure Vessels

DSA proposes to adopt Chapter 10 of the 2021 UMC into the 2022 edition of the CMC

without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 11

CHAPTER 11, Refrigeration

DSA proposes to adopt Chapter 11 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 12

CHAPTER 12, Hydronics

DSA proposes to adopt Chapter 12 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 13

CHAPTER 13, Fuel Gas Piping

DSA proposes to adopt Chapter 13 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 14

CHAPTER 14, Process Piping

DSA proposes to adopt Chapter 14 of the 2021 UMC into the 2022 edition of the CMC

without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 15

CHAPTER 15, Solar Energy Systems

DSA proposes to adopt Chapter 15 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation (if applicable):

Approve as Submitted

Agency Response:

Accept

Item 16

CHAPTER 16, Stationary Power Plants

DSA proposes to adopt Chapter 16 of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 17

CHAPTER 17, Referenced Standards

DSA proposes to adopt Chapter 17 of the 2021 UMC with existing California amendments carried forward into the 2022 edition of the CMC.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 18

APPENDIX A, B, and C

DSA proposes to not adopt appendix A, B, and C of the 2021 UMC into the 2022

edition of the CMC. DSA did not adopt these in the 2019 edition.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 19

APPENDIX D, Manufactured Mobile/Mobile Home Parks and Recreational Vehicle Parks

DSA proposes to adopt Appendix D of the 2021 UMC into the 2022 edition of the CMC without amendment.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

Item 20

APPENDIX E, F, and G

DSA proposes to not adopt appendix E, F, and G of the 2021 UMC into the 2022 edition of the CMC. DSA did not adopt these in the 2019 edition.

CAC Recommendation:

Approve as Submitted

Agency Response:

Accept

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

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

Health and Safety Code Section 18928 mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

This is required by HSC Section 18941.

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

The Regulations proposed will have no adverse impact on small business.

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

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

The Regulations proposed will have no adverse impact on small business.

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

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

The Regulations proposed will have no adverse impact on small business.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)
Division of the State Architect has assessed whether or not and to what extent this proposal will affect the following:

- A.** The creation or elimination of jobs within the State of California.
These regulations will not affect the creation or elimination of jobs within the State of California
- B.** The creation of new businesses or the elimination of existing businesses within the State of California.
These regulations will not affect the creation or elimination of existing businesses within the State of California.
- C.** The expansion of businesses currently doing business within the State of California.
These regulations will not affect the expansion of businesses currently doing business with the State of California
- D.** The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
These regulations will bring California into compliance with the most recent edition of the national model code (i.e. the 2021 UMC, developed by the International Association of Mechanical and Mechanical Officials), thereby benefiting the welfare of residents, worker safety, and the state's environment

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

The regulations proposed will have no overall cost impact, since they are equivalent to the current requirements in the Code.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

No conflict.