

**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 PLUMBING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5
(DSA SS/CC 02/21)**

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 Plumbing Code for adoption into the 2022 edition of the California Plumbing Code (CPC) with the following amendments:

Section 1.1.1 Title

DSA proposes to update the general title statement reflecting adoption of the 2021 Uniform Plumbing Code, the most recent edition of the model code. Additionally, BSC 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 (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 2

Chapter 2, DEFINITIONS

DSA proposes to adopt Chapter 2 of the 2021 UPC with existing California amendments carried forward into the 2022 edition of the CPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 3

Chapter 3, General Regulations

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

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 4

Chapter 4, Plumbing Fixtures and Fixture Fittings

DSA proposes to adopt Chapter 4 of the 2021 UPC into the 2022 edition of the CPC with existing California amendments carried forward and additional changes.

Table 422.1

The 2019 edition of CPC Section 422.1 was amended during the intervening code adoption cycle, to permit an alternate *Table 4-1* (replaced *Table A*) as an exception, which can be used if the jurisdiction has adopted it. DSA inadvertently omitted that language and proposes to adopt now. Additionally, DSA proposes to amend the statement at the top of Table 422.1 to allow California Building Code or *Table 4-1* to be used to as an alternate to calculate the occupant load factor for the fixture counts in nonresidential occupancies, consistent with the language in Section 422.1 and in coordination with BSC.

CAC Recommendation (if applicable):

Further Study

Agency Response:

ACCEPTED, As requested DSA reviewed and compared language to the Building Standards Commission code package looking for discrepancies in wording. DSA was unable to find any discrepancies.

Item 5

Chapter 5, Water Heaters

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

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 6

Chapter 6, Water Supply and Distribution

DSA proposes to adopt Chapter 6 of the 2021 UPC with existing California amendments carried forward into the 2022 edition of the CPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 7

Chapter 7, Sanitary Drainage

DSA proposes to adopt Chapter 7 of the 2021 UPC with existing California amendments carried forward into the 2022 edition of the CPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 8

Chapter 8, Indirect Wastes

DSA proposes to adopt Chapter 8 of the 2021 UPC into the 2022 edition of the CPC without amendment.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 9

Chapter 9, Vents

DSA proposes to adopt Chapter 9 of the 2021 UPC into the 2022 edition of the CPC without amendment.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 10

Chapter 10, Traps and Interceptors

DSA proposes to adopt Chapter 10 of the 2021 UPC with existing California amendments carried forward into the 2022 edition of the CPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 11

Chapter 11, Storm Drainage

DSA proposes to adopt Chapter 11 of the 2021 UPC with existing California amendments carried forward into the 2022 edition of the CPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 12

Chapter 12, Fuel Gas Piping

DSA proposes to adopt Chapter 12 of the 2021 UPC with existing California amendments carried forward into the 2022 edition of the CPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 13

Chapter 13 Health Care Facilities and Medical Gas and Medical Vacuum Systems, Chapter 14 Firestop Protection, Chapter 15 Alternate Water Sources for Nonpotable Applications, and Chapter 16 Nonpotable Rainwater Catchment Systems

DSA proposes to not adopt Chapter 13 of the 2021 UPC into the 2022 CPC. This chapter is adopted by the Office of the State Fire Marshal (for fire and panic safety) and amended by the Office of Statewide Health Planning and Development.

DSA proposes to not adopt Chapter 14 of the 2021 UPC into the 2022 CPC. This is under the authority of the State Fire Marshal.

DSA proposes to not adopt Chapters 15 and 16 of the 2021 UPC. DSA did not adopt Chapters 15 and 16 in the 2018 edition of the UPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 14

Chapter 17, Referenced Standards

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

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 15

Appendix A, Recommended Rules for Sizing the Water Supply System

DSA proposes to adopt Appendix A of the 2021 UPC into the 2022 edition of the CPC without amendment.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 16

Appendix B, Explanatory Notes on Combination Waste and Vent Systems

DSA proposes to adopt Appendix B of the 2021 UPC into the 2022 edition of the CPC without amendment.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 17

Appendix C, Alternate Plumbing Systems

DSA proposes to not adopt Appendix C of the 2021 UPC into the 2022 edition of the CPC. DSA did not adopt Appendix C in the 2018 UPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 18

APPENDIX D, Sizing Storm Water Drainage Systems

DSA proposes to adopt Appendix D of the 2021 UPC into the 2022 edition of the CPC without amendment.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 19

Appendix E, Manufactured/Mobile Home Parks and Recreational Vehicle Parks, Appendix F, Firefighter Breathing Air Replenishment Systems, and Appendix G, Sizing of Venting Systems

DSA proposes to not adopt Appendices E, F, and G of the 2021 UPC into the 2022 edition of the CPC. DSA did not adopt Appendices E, F, and G in the 2018 UPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 20

Appendix H, Private Sewage Disposal Systems

DSA proposes to adopt Appendix H of the 2021 UPC into the 2022 edition of the CPC without amendment.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 21

Appendix I, Installation Standard for PEX Tubing Systems for Hot and Cold Water Distribution

DSA proposes to continue adoption of Appendix Chapter I, IAPMO IS 31-2014 only of the 2021 UPC without amendments into the 2022 CPC, and not adopt new 2021 UPC Appendix sections IAPMO IS 26-2019e2, IAPMO IS 33-2019e1 and TCNA Handbook-2018.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

Item 22

Appendix J, Combination of Indoor and Outdoor Combustion and Ventilation Opening Design, Appendix K, Potable Rainwater Catchment Systems, Appendix L, Sustainable Practices, and Appendix M, Peak Water Demand Calculator

DSA proposes to not adopt Appendix J, K, L, and M of the 2021 UPC into the 2022 edition of the CPC. DSA did not adopt Appendix C in the 2018 UPC.

CAC Recommendation (if applicable):

APPROVED AS SUBMITTED

Agency Response:

ACCEPTED

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 UPC, developed by the International Association of Plumbing 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.