

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

OFFICE OF STATEWIDE
HEALTH PLANNING AND
DEVELOPMENT



November 6, 2013

2013 NOV -8 P 3:11

FACILITIES DEVELOPMENT
DIVISION

Paul A. Coleman
Deputy Director
Office of Statewide Health Planning and Development
400 R Street, Suite 200
Sacramento, California 95811

RE: Commission Approval of Change without Effect
CBSC Rulemaking File Number OSHPD 02/13 & 03/13
California Code of Regulations, Title 24, Part 5

Dear Mr. Coleman:

At the California Building Standards Commission meeting held on November 6, 2013, the Commission approved your agency's proposed building standards change without effect in the referenced part of Title 24. Accordingly, the approved change to the building standards was filed with the Secretary of State on November 7, 2013 and will be effective and enforceable on December 6, 2013 (30 Days after filing with SOS). Attached for your records is a copy of the face sheet and approved standards as filed.

If you have any questions or need additional information regarding this matter you may contact Michael Nearman of this office at telephone (916) 263-0916. When contacting this officer regarding this regulatory action, please refer to the rulemaking file number referenced above.

Sincerely,


Jim McGowan
Executive Director

Attachments

cc: Glenn Gall
Michael Nearman
CBSC Rulemaking File
CBSC Chron

BUILDING STANDARDS NOTICE/SUBMISSION FACE SHEET

BSC-FACE SHEET (Std. BSC-1, REV. 04/03/2009) Page 1

CA BUILDING STANDARDS
COMMISSION

NOV 06 2013

APPROVED

ENDORSED FILED
IN THE OFFICE OF

2013 NOV -7 AM 9:04

Notice Register Number	Publication Date
Notice File Number: Z-	
Office of Administrative Law	

Building Standards Commission

State Agency	Submittal #	Item #
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OSHPD	(3SE) 02/13	
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Secretary of State

APPLICANTS - DO NOT USE THE ABOVE SPACE

1. PROPOSING AGENCY DIRECTOR OR DESIGNEE (Attach delegation order of designee)

Paul A. Coleman, Deputy Director

STATE AGENCY

Office of Statewide Health Planning & Development

TELEPHONE NUMBER

(916) 440-8300

STREET ADDRESS

400 R Street, Suite 200

CITY

Sacramento

STATE

CA

ZIP CODE

95811

FAX NUMBER

(916) 324-9188

2. SUBMITTAL -- SUGGESTED REVISIONS TO THE CALIFORNIA CODE OF REGULATIONS, TITLE 24

SUBJECT: 2013 California Plumbing Code Requirements for Clinics - OSHPD 3 & 3SE

AGENCY FILE NUMBER:

OSHPD 02/13

3. NATURE OF PROCEEDINGS (GC §11346.5(a)(1))

PARTS/SECTIONS
AFFECTED

Adopt

Amend

Repeal Title 24, Part 5, Section 217.0 - OSHPD 3SE Definition and Sections 604.1, 609.9, 701.1.2.1 and 906.2

4. TYPE OF FILING

☐ Notice of Proposed Action ☐ Regular Rulemaking ☐ Resubmittal ☐ Emergency ☐ Other (Specify)
Notice of Decision not to Proceed

☐ Certification of Compliance: The agency officer named below certifies that this agency complies with the provisions of Government Code § 11346.1 prior to, or within 180 days of, the effective date of the regulations contained in this filing.

☒ Changes without regulatory effect (Attach explanation and justification analysis supporting that the proposed change(s) does not materially alter any rights, responsibilities, conditions, prescription or other regulatory element of any California Code of Regulations provisions.

5. EFFECTIVE DATE OF REGULATORY CHANGE

☐ Effective 180 days after publication in the California Building Standards Code ☒ Effective 30th day after filing with the Secretary of State ☐ Effective on filing with Secretary of State ☐ Effective other (Specify)

6. AUTHORITY -- Specify Statute(s) or Law(s) Authorizing the adoption(s) (GC §11346.2(a)(2) & §11346.5(2)): Health & Safety Code Sections 1226, 1275 & 129850; Government Code Section 11152.5

7. REFERENCE -- Provisions of law being implemented, interpreted or made specific by the regulations: Health & Safety Code Sections 129850

8. NAME AND TELEPHONE NUMBER OF THE AGENCY OFFICER TO WHOM INQUIRIES CONCERNING THE PROPOSED ACTION MAY BE DIRECTED

Glenn S.A. Gall, AIA, Health Facilities Review Supervisor

(916) 440-8356

CERTIFICATION--IMPORTANT-- PLEASE READ BEFORE SIGNING-- If not signed, this application may be rejected.

I certify that the attached copy of regulation(s) is a true and correct copy of the regulation(s) identified in this filing, that the information specified in this filing is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification. I further understand that any false, incomplete, or incorrect statements may result in the rejection of this filing.

AGENCY DIRECTOR OR DESIGNEE SIGNATURE

DATE SIGNED

TYPE NAME AND TITLE OF SIGNATORY: Paul A. Coleman, Deputy Director

10/22/2013

EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

REGARDING PROPOSED CHANGES TO
CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5

LEGEND FOR EXPRESS TERMS

1. Existing California amendments or code language being modified are in *italics* when they appear in the model code text. All such language appears in *italics*, modified language is underlined.
2. Repealed text: All such language appears in ~~strikeout~~.

EXPRESS TERMS

CALIFORNIA PLUMBING CODE

CHAPTER 2
DEFINITIONS

217.0

- 0 -

~~OSHPD 3SE. This is a subcategory of OSHPD 3. OSHPD 3SE facilities have exemptions from selected requirements in the California Plumbing Code. Such facilities are often contained within existing commercial or residential buildings as "storefront" units, but they may also be freestanding new or converted structures. The services provided and the size of the units limit use and occupancy, thereby minimizing hazards and allowing for less stringent standards. OSHPD 3SE classification consists of the following facility types:~~

~~(1) Primary Care Clinics providing services limited to those listed in California Building Code Section 1226.6 (i.e. clinics without treatment rooms and that perform procedures limited to those that may be performed in exam rooms as defined in California Building Code Section 1224.3). Outpatient clinical services of a hospital providing services equivalent to a primary care clinic may also be classified as OSHPD 3SE.~~

~~Exception: Primary Care Clinics that include treatment rooms, procedure rooms, or patient treatment spaces that require positive or negative pressure other than airborne infection isolation exam rooms, shall not be classified OSHPD 3SE.~~

~~(2) Rehabilitation Clinics providing services limited to those listed in California Building Code Section 1226.10.~~

~~(3) Psychology Clinics providing services limited to those listed in California Building Code Section 1226.12.~~

~~No other clinics or outpatient clinical services of a hospital, when provided in a freestanding building, considered as OSHPD 3 facilities shall be classified OSHPD 3SE.~~

NOTATION:

Authority: Health and Safety Code Sections 1226, 1275, 18928, 129790 and 129850; Government Code Section 11152.5
Reference: Health and Safety Code Section 129850

CHAPTER 6
WATER SUPPLY AND DISTRIBUTION

604.1 Pipe, Tube, and Fittings. Pipe, tube, fittings, solvent cements, thread sealants, solders, and flux used in potable water systems intended to supply drinking water shall be in accordance with the requirements of NSF 61.

Materials used in the water supply system, except valves and similar devices, shall be of a like material, except where otherwise approved by the Authority Having Jurisdiction.

Materials for building water piping and building supply piping shall be in accordance with the applicable standards referenced in Table 604.1.

Exception: *[OSHDP 1, 2, 3 & 4] Use of CPVC is not permitted for applications under authority of the Office of Statewide Health Planning and Development.*

609.9 Disinfection of Potable Water System. New or repaired potable water systems shall be disinfected prior to use where required by the Authority Having Jurisdiction. *[OSHDP 1, 2, 3 & 4] No requirement for [OSHDP 3SE]. Prior to utilization of newly constructed or altered potable water systems, all affected potable water piping shall be disinfected using procedures prescribed in California Plumbing Code Sections 609.9.1 through 609.9.4. The method to be followed shall be that prescribed by the Health Authority or, in case no method is prescribed by it, the following:*

NOTATION:

Authority: Health and Safety Code Sections 1226, 1275, 18928, 129790 and 129850; Government Code Section 11152.5
Reference: Health and Safety Code Section 129850

CHAPTER 7
SANITARY DRAINAGE

701.0 Materials.

701.1 Drainage Piping. Materials for drainage piping shall be in accordance with one of the referenced standards in Table 701.1 except that:

- (1) No galvanized wrought-iron or galvanized steel pipe shall be used underground and shall be kept not less than 6 inches (152mm) aboveground.
- (2) ABS and PVC DWV piping installations shall be installed in accordance with applicable standards referenced in Table 1401.1. Except for individual single-family dwelling units, materials exposed within ducts or plenums shall have a flame-spread index of a maximum 25 and a smoke-developed index of a maximum 50, where tested in accordance with ASTM E 84 and UL 723.

(b) [OSHDP 1, 2, 3 & 4] ABS and PVC installations are not allowed.

NOTATION:

Authority: Health and Safety Code Sections 1226, 1275, 18928, 129790 and 129850; Government Code Section 11152.5

Reference: Health and Safety Code Section 129850

CHAPTER 9
VENTS

906.0 Vent Termination.

...

906.2 Clearance. Each vent shall terminate not less than 10 feet (3048 mm) from, or not less than three 3 feet (914 mm) above, an openable window, door, opening, air intake, or vent shaft, or not less than three 3 feet (914 mm) in every direction from a lot line, alley and street excepted.

906.2.1 [OSHPD 1, 2, 3 & 4, ~~except OSHPD 3SE~~] Each vent pipe shall terminate not less than twenty-five (25) feet (7260 mm) from any air intake or vent shaft.

NOTATION:

Authority: Health and Safety Code Sections 1226, 1275, 18928, 129790 and 129850; Government Code Section 11152.5

Reference: Health and Safety Code Section 129850

REASON PROPOSING CHANGES WITHOUT REGULATORY EFFECT:

The Office of Statewide Health Planning and Development is repealing amendments of the 2013 California Plumbing Code (CPC) which were adopted by the California Building Standards Commission on April 24, 2013, and effective on January 1, 2014. Specifically, the provisions being repealed are Sections 217.0, 604.1, 609.9, 701.1.2.1 and 906.2 of the 2013 CPC. This repeal is being done pursuant to the Alternative Writ of Mandate issued by the Court in Superior Court of California, County of Alameda Case No. RG13681364.

BUILDING STANDARDS NOTICE/SUBMISSION FACE SHEET

BSC-FACE SHEET (Std. BSC-1, REV. 04/03/2009) Page 1

Notice Register Number Publication Date

Notice File Number: Z-

Building Standards Commission

State Agency

Submittal #

Item #

OSHPD

(3SE)

03/13

Office of Administrative Law

2013 NOV -7 AM 9:05

Secretary of State

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STATE AGENCY

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FAX NUMBER

(916) 324-9188

2. SUBMITTAL -- SUGGESTED REVISIONS TO THE CALIFORNIA CODE OF REGULATIONS, TITLE 24

SUBJECT: 2013 California Plumbing Code, Section 613.2 - OSHPD 3SE

AGENCY FILE NUMBER:

OSHPD 03/13

3. NATURE OF PROCEEDINGS (GC §11346.5(a)(1))

PARTS/SECTIONS
AFFECTED

Adopt

Amend Title 24, Part 5, Section 613.2

Repeal

4. TYPE OF FILING

☐ Notice of Proposed Action

☐ Regular Rulemaking

☐ Resubmittal

☐ Emergency

☐ Other (Specify)

Notice of Decision not to
Proceed

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☐ Effective 180 days after
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☒ Effective 30th day after filing
with the Secretary of State

☐ Effective on filing with
Secretary of State

☐ Effective other (Specify)

6. AUTHORITY -- Specify Statute(s) or Law(s) Authorizing the adoption(s) (GC §11346.2(a)(2) & §11346.5(2)): Health & Safety Code Sections 1226, 1275 & 129850; Government Code Section 11152.5

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Glenn S.A. Gall, AIA, Health Facilities Review Supervisor

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EXPRESS TERMS

CALIFORNIA PLUMBING CODE

CHAPTER 6
WATER SUPPLY AND DISTRIBUTION

613.0 [OSHPD 1, 2, 3 & 4] *Domestic Hot-Water Distribution Systems for Health Facilities and Clinics.*

613.2 At least two pieces of hot-water-heating equipment shall be provided to supply hot water for dishwashing and minimum patient services such as handwashing and bathing. Booster heaters for 125°F to 180°F (52°C to 82°C) water are acceptable as a second piece of equipment for dishwashing. Where storage tanks are separate from the water heater, at least two independent storage tanks shall be provided. ~~Not required for [OSHPD 3SE].~~

NOTATION:

Authority: Health and Safety Code Sections 1226, 1275, 18926, 129790 and 129850; Government Code Section 11152.5

Reference: Health and Safety Code Section 129850

REASON PROPOSING CHANGES WITHOUT REGULATORY EFFECT:

The Office of Statewide Health Planning and Development is repealing amendments of the 2013 California Plumbing Code (CPC) which were adopted by the California Building Standards Commission on April 24, 2013, and effective on January 1, 2014. Specifically, the provision being amended is Section 613.2 of the CPC. This amendment is being done as a result of the removal of the OSHPD 3SE facility definition from the 2013 CPC.