

**EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA DEPARTMENT of PUBLIC HEALTH (CDPH)**

**REGARDING PROPOSED AMENDMENT OF THE
2007 CALIFORNIA PLUMBING CODE (CPC), DPH-08-006
FOR THE CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 5**

LEGEND FOR EXPRESS TERMS

1. The proposed amendments as originally presented at the time of the 45-day public notice indicated proposed additions to the regulation text in single underline and in italics.
2. The proposed amendments as originally presented at the time of the 45-day public notice indicated proposed deletions/repeals from the regulation text in ~~single strike-out~~.
3. Additions to the proposed regulation text as originally noticed are indicated by double underline and in italics.
4. Deletions from the proposed regulation text as originally noticed are indicated by ~~double strike-out~~.

The California Building Standards Code (California Code of Regulations, Title 24, Part 1, 2, 3, 4, 5, 6, 7, 8, 10 & 12) is published in its entirety every three years and is effective to all buildings that submit an application for a building permit during its effective period. Each triennial edition of the California Building Standards Code becomes effective 180 days after its publication and is effective at the time an application for a building permit is submitted.

These proposed regulations will amend the 2007 edition of the California Plumbing Code (CPC) based on the 2006 edition of the Uniform Plumbing Code (UPC) of the International Association of Plumbing and Mechanical Officials (IAPMO) for occupancies regulated by the California Department of Public Health.

EXPRESS TERMS:

The California Department of Public Health proposes to amend the 2007 edition of the California Plumbing Code (CPC) based on the 2006 edition of the Uniform Plumbing Code by the International Association of Plumbing and Mechanical Officials (IAPMO) by including amendments addressing the mitigation measures identified in the California Environmental Quality Act (CEQA) document regarding the used of PEX. These items are presented on the following matrix adoption table.

**CHAPTER 6 WATER SUPPLY AND DISTRIBUTION
MATRIX ADOPTION TABLE**

Adopting Agency	CDPH	COMMENTS 45 Day Public Notice	COMMENTS 15 Day Availability
Adopt entire 2006 UPC Chapter without amendments			
Adopt Entire 2006 UPC Chapter as amended (amended sections listed below)	X		
Adopt Only those sections of the 2006 UPC which are listed below and/or Adopt Only those California promulgated sections ^{1, 2, 3} listed below			
Table 6-4 UPC	X		<u>Add footnotes 2 and 3 for CDPH applications</u>
604.1-Exception #4 CA	X	Remove Exception #4 from Section 604.1	<u>Add paragraph relating to MTBE, TBA, and Proposition 65 Chemicals</u>
604.11 UPC	‡	Remove restriction for CDPH applications	
604.11.1 UPC	‡	Remove restriction for CDPH applications	
604.11.2 UPC	‡	Remove restriction for CDPH applications	

This state agency adopts the entire chapter except for those sections indicated by the following symbol: ‡

Notation:

Authority: Health and Safety Code sections 18897.2, 113707, and 131200

Reference: Health and Safety Code sections 18897.2, 18897.4, 18897.7, 113705, 113707, and 131200

Rationale for Change:

CDPH is changing the language to be consistent with the mitigation measures indicated in the CEQA document allowing the use of PEX tubing with the amendments listed below. Adoption and approval of the amendments will be based on certification of the CEQA Environmental Impact Report. The report can be found on California Building Standard's Commission's website at www.bsc.ca.gov.

Amend the following articles for Chapter 6 of the 2007 CPC:

**CHAPTER 6
WATER SUPPLY AND DISTRIBUTION**

TABLE 6-4^{1,2,3}

Material	Water Distribution Pipe and Fittings		Building Supply Pipe and Fittings
	Hot	Cold	
Asbestos – Cement			X
Brass	X	X	X
Copper	X	X	X
Cast Iron	X	X	X
CPVC	X	X	X
Galvanized Malleable Iron	X	X	X
Galvanized Wrought Iron	X	X	X
Galvanized Steel	X	X	X
PE			X
PE-AL-PE	X	X	X
PEX ^{1,2,3}	X	X	X
PEX-AL-PEX ¹	X	X	X
PVC			X

¹ **[BSC, DSA/SS & HCD]** The use of PEX and PEX-AL-PEX in potable water supply systems is not adopted for applications under the authority of the California Building Standards Commission and the Division of State Architect-Structural Safety and the Department of Housing and Community Development.

² When PEX tubing is placed in soil and is used in potable water systems intended to supply drinking water to fixtures or appliances, the tubing or piping shall meet one of the following:

1. The tubing is sleeved with a material approved for potable water use in soil or other material that is impermeable to solvents or petroleum products.

2. A Phase I Environmental Site Assessment is conducted in accordance with ASTM Standard E 1527-05 and concludes that contamination of the soil or groundwater by solvents or petroleum products in areas where PEX tubing would be placed is unlikely.

³ PEX tubing shall meet the requirements of NSF P171 CL-R or an equivalent standard when used in continuously recirculating hot water systems where chlorinated water is supplied to the system and the PEX tubing is exposed to the hot water 100% of the time.

604.0 Materials

604.1 All pipe, tube and fittings carrying water used in potable water systems intended to supply drinking water shall meet the requirements of NSF 61 as found in Table 14-1. All materials used in the water supply system, except valves and similar devices, shall be of a like material, except where otherwise approved by Authority Having Jurisdiction.

Materials for building water piping and building supply piping shall be in accordance with Table 6-4 and the standards in Table 14-1.

~~(4) [DHS] Use of PEX piping is not adopted for applications under the authority of the Department of Health Services and the Department of Food and Agriculture.~~

All PEX pipe, tube, and fittings carrying water in potable water systems intended to supply drinking water for human consumption to fixtures and appliances shall also receive NSF certification that any leached concentrations of methyl-tert-butyl ether (MTBE), tertiary butyl alcohol (TBA), or California Proposition 65 chemicals are below the relevant California Maximum Contaminant Level (MCL), secondary MCL, notification, or Safe Harbor level or other applicable Proposition 65 level for those chemicals. The tubing shall be physically marked in a manner that indicates the pipe is NSF certified for human consumption uses in California.

For water service areas that have detectable levels of MTBE or TBA in drinking water or where there is known MTBE or TBA contamination of a source of drinking water, PEX tubing installed to supply water for human consumption uses shall be certified by NSF not to leach detectable levels of MTBE or TBA, and be physically marked as such.

604.11 PEX. ~~[Not Adopted by DHS]~~ Cross-linked polyethylene (PEX) tubing shall be marked with the appropriate standard designation(s) listed in Table 14-1 for which the tubing has been approved. PEX tubing shall be installed in compliance with the provisions of this section.

604.11.1 PEX Fittings. ~~[Not Adopted by DHS]~~ Metal insert fittings, metal compression fittings, and cold expansion fittings used with PEX tubing shall be manufactured to and marked in accordance with the standards for the fittings in Table 14-1.

604.11.2 Water Heater Connections. ~~[Not Adopted by DHS]~~ PEX tubing shall not be installed within the first eighteen (18) inches (457mm) of piping connected to a water heater.

Notation:

Authority: Health and Safety Code sections 18897.2, 113707, and 131200

Reference: Health and Safety Code sections 18897.2, 18897.4, 18897.7, 113705, 113707, and 131200