

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH)**

**REGARDING AMENDMENTS TO THE 2007 CALIFORNIA PLUMBING CODE (CPC), DPH-08-006  
FOR USE IN THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

The Administrative Procedure Act 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 AND RATIONALE FOR PROPOSED CHANGES**

The California Department of Public Health (CDPH) proposes to repeal amendments contained in the 2007 California Plumbing Code (CPC) which prescribe CDPH's non-adoption of CPC provisions regulating the use of cross-linked polyethylene piping (PEX) in potable water supply systems.

**CHAPTER 6 – WATER SUPPLY AND DISTRIBUTION**

**SECTIONS: 604.1, 604.11, 604.11.1, and 604.11.2.** CDPH proposes to adopt the above-listed model code sections into Title 24, Part 5, CPC, repealing their existing prohibitions against the use of PEX.

The California Building Standards Commission (CBSC) has previously proposed adoption of the UPC without amendment, to allow the use of PEX piping. In these previous adoptions, CBSC has received comments asserting that the California Environmental Quality Act (CEQA) must be satisfied in order to adopt the model code as written for use in California.

CBSC will be the lead agency for preparation of the CEQA document, and CDPH will be a responsible agency, relying on the CEQA document for the adoption of regulations. If necessary, CDPH will either propose amendments or withdraw all or portions of the initial proposal.

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

CBSC expects completion of environmental studies prior to adoption and approval of CDPH's proposal by the Building Standards Commission.

**CONSIDERATION OF REASONABLE ALTERNATIVES**

The CDPH has not considered any reasonable alternatives to the proposed action.

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

The CDPH has not identified any reasonable alternatives to the proposed action, and no adverse impacts to small business are expected as a result of this proposed action.

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

The CDPH has no evidence indicating any potential significant adverse impact on business with regard to this proposed action.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

The regulations proposed for adoption do not duplicate or conflict with federal regulations.