

**UPDATED INFORMATIVE DIGEST
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 California Department of Public Health (CDPH) finds that no revisions have been made which would warrant a change to the informative digest contained in the Notice of Proposed Action to Building Standards of the California Department of Public Health (CDPH) Regarding Amendment of the 2007 California Plumbing Code (CPC), DPH-08-006, for use in the California Code of Regulations (CCR), Title 24, Part 5.

The Informative Digest/Policy Statement Overview remains relevant for the proposed changes. Post hearing changes have been made to address the mitigation measures identified in the Draft Environmental Impact Report (DEIR) regarding the use of PEX tubing.

The proposed action would amend Part 5 of Title 24 (2007 California Plumbing Code) by repealing language contained in Sections 604.1 and 604.11, which prescribe CDPH's non-adoption of model plumbing code provisions regulating the use of PEX water supply piping. CDPH proposes to amend CPC Table 6-4 and Sections 604.1, 604.11, 604.11.1, and 604.11.2 regarding the use of PEX in potable water supply systems.

These changes will prevent potential contamination of drinking water by solvents or petroleum products in water systems utilizing PEX tubing. The requirement for impermeable sleeves in PEX tubing being used for the drinking water to meet regulatory standards for drinking water, and the requirement that the PEX tubing be NSF or ASTM certified will further ensure that the consumption of drinking water from water systems utilizing PEX tubing will be safe. The requirement that the PEX tubing meet NSF, ASTM or equivalent standards for hot water systems will further ensure that the tubing is heat tolerant.

Summary of the Immediately Preceding Laws and Regulations

Health and Safety Code Section 18897.2. Authorizes the director of Health Services to adopt rules and regulations establishing minimum standards for organized camps.

Health and Safety Code Section 18897.4. Every local health officer shall enforce within his jurisdiction the building standards published in the State Building Standards Code relating to organized camps and other rules and regulations adopted by the State Director of Health Services.

Health and Safety Code Section 18897.7. No organized camp shall be operated in this state unless each site or location in which the camp operates complies with the State Building Standards Code and with other rules and regulations adopted by the State Director of Health Services and State Fire Marshal. Violation constitutes a misdemeanor.

Health and Safety Code Section 113705. The legislature finds and declares that public health interest requires that there be uniform statewide health and sanitation standards for retail food facilities.

Health and Safety Code Section 113707. The department shall adopt regulations to implement retail food safety.

~~Health and Safety Code Section 131052.~~ State Department of Public Health shall succeed to and be vested with all the duties powers, purposes, functions, responsibilities, and jurisdiction of the former State Department of Health Services as they relate to public health, including the duties described in Sections 18897.2, 18897.4, 18897.1, 113705, and 113707.

Health and Safety Code Section 131200. The department may adopt and enforce regulations for the execution of its duties.

Summary of the Immediately Preceding Regulations

The existing 2007 California Plumbing Code is a part of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code and incorporates, by adoption, by the California Building Standards Commission, the 2006 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials. Currently, CDPH does not adopt model code standards for PEX water supply piping for applications under its authority.

Summary of Effect

The regulatory effect of the CDPH amendment of 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) will allow the use of cross-linked polyethylene (PEX) tubing for water distribution.

The proposed action would amend Part 5 of Title 24 (2007 California Plumbing Code) by repealing language contained in Sections 604.1 and 604.11, which prescribe CDPH's non-adoption of model plumbing code provisions regulating the use of PEX water supply piping. CDPH proposes to amend CPC Table 6-4 and Sections 604.1, 604.11, 604.11.1, and 604.11.2 regarding the use of PEX in potable water supply systems.