



# ICC CODES - PUBLIC COMMENT FORM

FOR PUBLIC COMMENTS ON THE "2008 REPORT OF THE PUBLIC HEARINGS"

PLEASE SEE BACK OF FORM FOR PROCEDURES ON SUBMITTING PUBLIC COMMENTS. ALL SUBMITTALS MUST COMPLY WITH THESE PROCEDURES.

**CLOSING DATE: All Comments Must Be Received by June 9, 2008. The 2008 Final Action Hearings will be held September 17-23, 2008 in Minneapolis, Minnesota**

1) Please type or print clearly: Public comments will be returned if they contain unreadable information.

|                         |  |        |    |         |              |        |
|-------------------------|--|--------|----|---------|--------------|--------|
| Name:                   | Tom Neltner  |        |    |         | Date:        | 6-9-08 |
| Jurisdiction/Company:   | National Center for Healthy Housing and Alliance for Healthy Homes |        |    |         |              |        |
| Submitted on Behalf of: |  |        |    |         |              |        |
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2) Copyright Release: In accordance with Council Policy #28 Code Development, all Code Change Proposals, Floor Modifications and Public Comments are required to include a copyright release. A copy of the copyright release form is included at the end of this form. Please follow the directions on the form. This form as well as an alternative release form can also be downloaded from the ICC website at [www.iccsafe.org](http://www.iccsafe.org). If you have previously executed the copyright release, please check the box below:

2007/2008 Cycle copyright release on file

3) Code Change Proposal Number:

Indicate the Code Change Proposal Number that is being addressed by this Public Comment: PM14-07/08

4) Public Comment: The Final Action requested on this Code Change Proposal is: (Check Box)

Approved as Submitted (AS):
  Approved as Modified by this Public Comment (AMPC):
  Approved as Modified by the Code Committee as Published in the ROH (AM):
  Approved as Modified by Assembly Floor Action as Published in the ROH (AMF):
  Disapproved (D):

5) Proposed Modification (AMPC only):

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters. In dwelling units, the hot water supplied to tubs, whirlpool bathtubs, showers, and tub-shower combinations shall be maintained at a maximum the temperature of the water at the spout in a bathtub or shower shall not exceed 120°F (49°C) by a water temperature limiting device that conforms to either ASSE 1070 or ASSE 1016

Modification Continued (Attach additional sheets as necessary)

6) Reason (State the reason and justification to support the Public Comment. Include a bibliography of any substantiating material. It is the responsibility of the commenter to make the material available at the Final Action Hearing):

See next page.

Reason Continued (Attach additional sheets as necessary)

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SUBMITTAL AS A DOCUMENT ATTACHED TO AN EMAIL IS PREFERRED  
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**Reason:**

The current version of the International Residential Code requires the use of water temperature limiting devices. Sections P2708.3 and P2713.3 of the International Residential Code require the use of a device that conforms to American Society of Safety Engineers (ASSE) 1070 or 1016 standards for tubs, whirlpool bathtubs, showers and tub-shower combinations as appropriate. The devices must limit water temperature to a maximum of 120°F (49°C).

The ASSE 1016 standard covers the delivery of water to individual fixtures that are adjusted and controlled by the user. The ASSE 1070 standard covers the control of maximum temperature to a fixture or group of fixtures. These standards allow the maximum temperature to be set at 120°F (49°C) at the bathtub or shower where scalding is most likely to cause injury and/or death.

According to the Consumer Products Safety Commission, “Each year, approximately 3,800 injuries and 34 deaths occur in the home due to scalding from excessively hot tap water. The majority of these injuries involve the elderly and children under the age of five. The U.S. Consumer Product Safety Commission (CPSC) urges all users to lower their water heaters to 120 degrees Fahrenheit.”

CPSC goes on to state “Most adults will suffer third-degree burns if exposed to 150 degree water for two seconds. Burns will also occur with a six-second exposure to 140 degree water or with a thirty second exposure to 130 degree water. Even if the temperature is 120 degrees, a five minute exposure could result in third-degree burns.” See [www.cpsc.gov/CPSCPUB/PUBS/5098.pdf](http://www.cpsc.gov/CPSCPUB/PUBS/5098.pdf)

In addition to preventing injuries, this decrease in temperature will conserve energy and save money.

This change is important because the current International Property Maintenance Code (IPMC) sets a minimum temperature of 110°F (43°C) but does not set a maximum temperature. Without the provision, local jurisdictions will not have the specific language they need from a model code to adopt the provision in their community.

Regarding the committee’s concern that requiring these devices would put a burden on the jurisdiction with respect to enforcement and inspection, the jurisdiction has the option to select which provisions of the model IPMC to adopt. It could choose not to require the devices or require incorporation of the devices for certain types of housing. If the jurisdiction chooses to prevent the injuries to children and the elderly and conserve energy by limiting the maximum temperature, it needs the specific language in the model code.

In addition, in rental property the requirement would be self-implementing since most state landlord-tenant laws require compliance with housing and property maintenance codes as a condition of all residential leases.