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October 17, 2017

National Center for Immunization and Respiratory Diseases
Division of Bacterial Diseases
Centers for Disease Control and Prevention (“CDC”)
ATTN: Dr. Laura Cooley
1600 Clifton Road NE, MS C25
Atlanta, GA 30329
travellegionella@cdc.gov
(404) 639-2215

RE: Docket No. CDC-2017-0069

Dear Dr. Cooley:

The International Code Council (“Code Council”) appreciates this opportunity to provide comments in regards to Docket No. CDC-2017-0069 (82 FR 39439), Request for Information (“RFI”) titled “*Effective Methods for Implementing Water Management Programs (WMPs) to Reduce Growth of Transmission of Legionella spp.*”

The Code Council is a U.S. based member-focused organization that develops model codes and standards used in all 50 states and in many countries to ensure safe, sustainable, affordable, and resilient structures. It is dedicated to developing model codes and standards used in the design, build and compliance process to construct safe, sustainable, affordable and resilient structures.

In regards to the RFI, the Code Council respectfully provides comments on the following sections of the aforementioned text.

- 8) ... *In your state or local jurisdiction, should building codes or other types of public health regulation or legislation be used to help prevent Legionnaires’ disease? Why or why not?*
- 10) *What additional considerations are relevant to developing guidance for preventing Legionnaires’ disease?*

Internationally, code officials recognize the need for a modern, up-to-date plumbing code addressing the design and installation of plumbing systems in all building types. The International Plumbing Code® (“IPC”) is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities, large and small.

This comprehensive plumbing code establishes minimum regulations for plumbing systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new plumbing designs. The IPC is fully compatible with all of the International Codes® (“I-Codes®”) published by the Code Council, including the

International Building Code®, International Energy Conservation Code®, International Existing Building Code®, International Fire Code®, International Fuel Gas Code®, International Green Construction Code®, International Mechanical Code®, ICC Performance Code®, International Private Sewage Disposal Code®, International Property Maintenance Code®, International Residential Code®, International Swimming Pool and Spa Code™, International Wildland-Urban Interface Code® and International Zoning Code®.

The International Plumbing Code provisions provide many benefits, among which is the model code development process that offers a global forum for plumbing professionals to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

The Code Council develops construction and public safety codes through the governmental consensus process. This system of code development has provided the citizens of the U.S. the highest level of safety in the world for more than 80 years. The Code Council governmental consensus process meets the principles defined by the National Standards Strategy of 2000; OMB Circular A-119, Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities (1998). It complies with Public Law 104-113 National Technology Transfer and Advancement Act of 1995. The Code Council's governmental consensus process leaves the final determination of code provisions in the hands of public safety officials who, with no vested financial interest, can legitimately represent the public interest. The following principles are adhered to in Code Council's governmental consensus process:

- 1) Openness
 - a. Participation in the development of the codes, including code hearings, is open to all at no cost.
 - b. Anyone can submit a code change proposal or make a public comment.
 - c. Code committees must consider all views before voting.
- 2) Transparency
 - a. Evidence of committee vote, with reason, must be documented.
 - b. Final decisions are made in an open hearing by public safety officials.
- 3) Balance of Interest
 - a. Committee members represent general interests, user interests, producer interests, or multiple interests. One-third of the committee's members must be public safety officials.
 - b. Committee members cannot vote on issues that are a conflict of interest.
 - c. ICC membership is not a condition of committee membership.
- 4) Due Process
 - a. A code change proponent has the opportunity to rebut opponents and vice versa.
 - b. Anyone who attends the hearing can testify.
 - c. Committees are required to consider all views, objections and the cost impact of all code change proposals.

- 5) Appeals Process
 - a. Anyone can appeal an action or inaction of the code committee.
 - b. ICC renders its decision on the appeal based on whether due process was served.
- 6) Consensus
 - a. Committee members vote to approve the code change, make modifications to it, or vote against it.
 - b. A simple majority from the committee decides the action of the proposed code change.
 - c. ICC assembly action allows members to challenge the action of the committee.

The Code Council respectfully states the Code Council's governmental consensus process and suite of I-Codes is a proven successful medium for the communication and implementation of methodologies that safeguard the public health and safety in all communities, large and small. The Code Council invites the CDC and concerned stakeholders to engage in the Code Council's code development process accessible here: <https://cdpaccess.com/login>. Additional information about the Code Council's code development process can be obtained here: <https://www.iccsafe.org/codes-tech-support/codes/code-development/current-code-development-cycle/>

Thank you for considering the Code Council's comments. If you have any questions regarding our comments, please do not hesitate contacting me at mguard@iccsafe.org or 414-374-2758.

Respectfully,

Misty Guard
Vice President
PMG (Plumbing, Mechanical, Fuel Gas, Swimming Pool and Spa & Private Sewage Disposal) Programs