

Tuesday, April 7, 2015

Attorney for MNDLI Suzanne Todnem
443 Lafayette Road North
St. Paul, MN 55155

RECEIVED
APR 09 2015
DEPT. OF LABOR & INDUSTRY
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

Re: Notice of Intent to Adopt Rules Governing the Minnesota Plumbing Code

This letter is in response to the dual notice of Intent to Adopt Rules Without a Public Hearing and Notice of Hearing. I understand that the Minnesota Plumbing Board (MPB) is considering rule amendments to rules governing the Minnesota Plumbing Code, Minnesota Rules, Chapter 4715, to be replaced with Chapter 4714, which adopt and amend the 2012 Uniform Plumbing Code (UPC).

I hereby request a hearing in response to the MPB dual notice of intent to Adopt Rules Governing the Minnesota Plumbing Code. I object to the entirety of this rule change.

On April 19, 2011, after multiple attempts by some members of the MPB to achieve a certain vote and without furnishing substantive technical or policy reasons for its intent to entertain the matter, the MPB chose to begin the process of adoption of the Uniform Plumbing Code (UPC) in place of the Minnesota Plumbing Code. Adequate advance public notice was not given that on April 19, 2011, the MPB would entertain a vote to effectively adopt the UPC, pending Minnesota amendments that would make it acceptable to the MPB. The MPB's action on April 19, 2011 had the effect of omitting fair, transparent and thorough consideration of alternative codes to the UPC, including the International Plumbing Code (IPC), prior to undertaking such a significant action.

The IPC is part of a family of coordinated, integrated International codes that include the International Building Code, the International Fire Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Electrical Code, the International Energy Code, the International Existing Building Code and the International Green Construction Code. Minnesota has adopted and has in place, the International fire code, building code, mechanical code, fuel gas code, energy code and residential code.

Sincerely,


Kollen Parsons
12498 Xenwood Ave S
Savage, MN 55378



PIKE Plumbing & Heating of Brd., Inc.

Residential, Commercial Industrial
Plumbing, Heating & Cooling Contractors

P.O. BOX 452, 830 BROOK ST.
BRainerd, MINN. 56401
PHONE: 829-4332

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DEPT. OF LABOR & INDUSTRY
LEGAL SERVICES

KEVIN GRUBER

Owner.

April 6, 2015

To: Ms. Suzanne Todnem
Minnesota Department of Labor and Industry
443 Lafayette Road North
Saint Paul, MN 55155

Re: *Notice of Intent to Adopt Rules Governing Minnesota Plumbing Code – Revisor ID #R-04139*

Dear Ms. Todnem:

This letter is to formally request that a public hearing be held on the proposed amendments to rules governing the Minnesota Plumbing Code to replace it with the adoption of the Uniform Plumbing Code (UPC). We are in receipt of the public notice that such a hearing could be held April 30 in St. Paul at the Department of Labor & Industry.

The Minnesota State Plumbing Board nearly four years ago voted to adopt the UPC replacing the Minnesota plumbing code.

The public, plumbing contractors and licensed plumbers all over the State of Minnesota expect a complete review of all the options before adopting the UPC.

I have been in the plumbing industry since 1970, first as an apprentice, then as a journeyman and now a master plumber owning my own business since 1982.

To the best of my knowledge, if we adopt the UPC, we will have 31 pages of amendments taken from the UPC and inserted into the new code. If we need that many amendments to make the new code fit our state code then why are we changing? I will be the first to admit that certain parts of our code may need to be updated. If there are some things in the UPC code that would make our code better that add them to our code but do not get rid of one of the most respected state plumbing codes in our nation.

The public as far as I know has not been harmed or had any serious health issues arise from our existing code as long as it has been enforced by competent plumbing officials. The Minnesota Plumbing Board might be wise to look outside of its board members for a little more input on what the real world thinks about these changes.

Thank you for your consideration on this important matter.

Sincerely,

Kevin Gruber
President
Pike Plumbing and Heating of Brainerd, Inc.

Tuesday, April 7, 2015

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443 Lafayette Road North
St. Paul, MN 55155

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Sincerely,



Wayne Bills

141 28th Ave S
Waite Park, MN 56387



President

April 10, 2015

Ms. Suzanne Todnem
Minnesota Department of Labor and Industry
443 Lafayette Road North
Saint Paul, MN 55155

Email dli.rules@state.mn.us

Re: Notice of Intent to Adopt Rules, Minnesota Plumbing Code – Revisor's ID Number R-04139

Dear Ms. Todnem:

I am the Building Official for the City of Cottage Grove and responsible for plumbing inspections in my community. I have been doing plumbing inspections for 22 years.

In April of 2011, the MN State Plumbing Board decided to move forward with adopting a model code without a real review process involving the International Plumbing Code. It became clear that the Board intended to push the Uniform Plumbing Code as a code suited to the desires of the people in the plumbing installation business. The work of code development, adoption, interfacing and implementing is a lot bigger than the desires of our friends in the plumbing business. And even though it may be difficult for some members of the MSPB to consider retracting the UPC adoption, it would be in the best interest of our state's citizens that they do so.

Therefore, I am requesting that the Administrative Law Judge hearing scheduled by your office at 9:30 a.m. on April 30 be held. It will allow a neutral third party to review the MSPB's decisions and to give consideration to expanding the MSPB's narrow focus to consider America's most used model plumbing code, the International Plumbing Code, as the best alternative for all Minnesotans.

In short, a UPC adoption would create much more trouble and costs to local governments than is necessary. Let me list some of my concerns:

- Minnesota makes use of the family of International Code Council codes for its construction codes. They are nationally correlated with each other for easier, less confusing and less costly use by all stake holders involved in the built environment, which involves much more than plumbing installers. Regulatory harmony is important to builders, engineers, architects and code enforcement alike.
- Because Minnesota is an ICC state, it minimized duplicative demands on time and money from local governments. If the UPC is adopted, local jurisdictions will need to be concerned about

sending their code officials to UPC classes in addition to ICC classes. Cities place a high value on having a voice in code development, and a UPC adoption would mean local governments will need to spend extra money to send their employees to IAPMO conferences and code development meetings as well as to ICC conferences and code development meetings. Additionally, if the UPC is adopted, ICC certification will be meaningless to plumbing inspections. Inspectors will have to be recertified and attend UPC classes, which will be a significant burden especially to outstate jurisdictions in Minnesota.

These are costly consequences which can be avoided. Of course, the MSPB did not allow a side-by-side comparison of the two model codes despite offers and motions to do so on April 19, 2011. For the sake of fairness, completion of duty and transparency, I hope the MSPB will be required to complete its job of considering a model code selection by giving the IPC at least as much attention and study as it did with the UPC.

If you wish to discuss my letter you can reach me by phone at 651-458-2828 or email: blabrosse@cottage-grove.org. Thank you for your attention to this letter and my views expressed here.

Sincerely,

A handwritten signature in black ink that reads "Robert J. LaBrosse". The signature is written in a cursive style with a long horizontal flourish at the end.

Bob LaBrosse, BO License Number 1872
Building Official
City of Cottage Grove

4/7/15

Ms. Suzanne Todnem
Minnesota Department of Labor & Industry
443 Lafayette Road North
Saint Paul, MN 55155

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I've been a plumber in Minnesota since 2008, and a master plumber since 2013. My grandfather, who is still my business partner, has been a master plumber since 1959. For 60 years my grandfather has plumbed under the Minnesota Plumbing Code. He and I have always been proud of the fact that our code, although having a few quirks, is recognized as one of the strictest codes in the nation. It is my opinion that the Minnesota Plumbing Code has served this state well.

While it is hard to keep up with all the new laws and regulations that come out of St Paul, I was particularly surprised when I heard that Minnesota might adopt the UPC. To this day, I still have not heard a convincing argument as to why Minnesota should throw away its own code. If changes are needed, why not modify and amend the existing code? It is my fear that the new code would not benefit the State or its plumbers, but rather the interests of a few politically powerful groups.

I would like to see this process become more open and transparent, so that plumbers like myself, who are busy plumbing in the real world, can actually have a say before our code is disbanded. To date, the only communication I've received from the State regarding this potential code change was one email. I realize that the Plumbing Board has the authority to change the code, but such a drastic measure should have more input from the public.

Sincerely,



Jeff Quinn
MN Master Plumber #PM076452