



DATE

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

RECEIVED

MAR 16 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

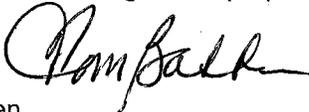
Dear Suzanne:

Please accept my formal request for hearing April 30 on the proposed adoption of the Uniform Plumbing Code (UPC) to replace our state's Minnesota Plumbing Code. This marks the first time Minnesota is to adopt a model plumbing code, but it lacks any competent review of our nation's two model plumbing codes, which includes the International Plumbing Code (IPC).

The proposed adoption must be rejected and the Minnesota State Plumbing Board must return to the process of properly reviewing both model plumbing codes. It is established in MSPB records that the International Code Council was given only 10 minutes to explain the IPC as the best replacement to the old state plumbing code. The Board's action April 19, 2011, ignores the fact the IPC is less costly to install, allows greater flexibility to building designers because it's a performance-based code, and is nationally coordinated with all the other International Code Council fire and construction codes which were recently updated in Minnesota. We agree a model code should be used in Minnesota as it is easier for designers and put education and enforcement in line with the rest of the nation.

- **The model codes are more comprehensive and regularly maintained.** Broader input is available on the national level for model code development so that a better code can be produced. Experts in regulation and industry from around the country participate in an open process that is less affected by local political agendas. This process occurs on a regular basis producing new codes every three years.
- **The local jurisdictions still participate effectively in the code development process.** Local officials and industry representatives can and are already participating in this process on the national level. If a model code is adopted, local jurisdictions can remain active in the national process. The jurisdiction benefits by having input into the code and by having officials that better understand the intent of the code.
- **The adopted model code must go through the MN rules process.** The adoption of a model code in MN is similar to the adoption of any other rule which should allow for the input of all stakeholders. We have not had the opportunity for fair input in choosing the plumbing model code nor have other stakeholders. Since there is a choice of model codes for this aspect of construction it is imperative that an open and fair process be used from the outset and with each adoption.

Please allow a hearing on the proposed rule. Thank you for your consideration.

Sincerely, 

Tom Bakken  
Chief Building Official  
City of Hastings

Cc: Terry Renlund – Building & Plumbing Inspector  
Jerry Backlund – Building & Plumbing Inspector



**Hutchinson City Center**

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Hutchinson, MN 55350-2522  
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March 16, 2015

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LEGAL SERVICES

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

Dear Suzanne:

Please accept my formal request for hearing April 30 on the proposed adoption of the Uniform Plumbing Code (UPC) to replace our state's Minnesota Plumbing Code. This marks the first time Minnesota is to adopt a model plumbing code, but it lacks any competent review of our nation's two model plumbing codes, which includes the International Plumbing Code (IPC).

The public of Minnesota expects and deserves better.

The proposed adoption must be rejected and the Minnesota State Plumbing Board must return to the process of properly reviewing both model plumbing codes. It is established in MSPB records that the International Code Council was given only 10 minutes to explain the IPC as the best replacement to the old state plumbing code. The Board's action April 19, 2011, ignores the fact the IPC is less costly to install, allows greater flexibility to building designers because it's a performance-based code, and is nationally coordinated with all the other International Code Council fire and construction codes which were recently updated in Minnesota. These include:

- The International Building Code
- The International Residential Code
- The International Mechanical Code
- The International Fire Code
- The International Existing Building Code
- The International Energy Construction Code
- The International Fuel Gas Code

The proposed UPC adoption is clearly out of step with these correlated codes which are enforced in communities throughout our state. The primary philosophy behind the I-Codes has been to give stake holders and regulators one set of competent building and fire safety codes that are easy to use and provide continuity between the various trades and disciplines. The adoption of an outlier code for plumbing is a step in a very different direction.

For the sake of sensible code development, use and enforcement, I hope the MSPB adopts the IPC. However, the first step to achieving that goal requires they return to the job of properly reviewing and evaluating the IPC as well as the competitor UPC. Please allow a hearing on the proposed rule. Thank you for your consideration.

Sincerely,

March 23, 2015

Suzanne Todnem  
Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155  
Email: dli.rules@state.mn.us

Dear Ms. Todnem:

I request a public hearing on the MN Plumbing Board's (agency) proposed rule adopting the 2012 Uniform Plumbing Code.

I am opposed to the adoption of the entire rule.

The agency's statement of need and reasonableness does not comply with MS. 14.131. The agency has not made a reasonable effort to ascertain the following information:

The agency willfully failed to consider whether the other national model plumbing code that is available for adoption, the International Plumbing Code (IPC), would provide a less costly method for achieving the purpose of the proposed rule. The IPC provides many cost advantages to the public compared to the UPC (see attachment entitled *Cost Advantages of the IPC versus the UPC*).

The agency failed to seriously consider adoption of the IPC as demonstrated by the transcript of the April 19, 2011 Plumbing Board meeting. The transcript also conflicts with the reason given by the agency for its decision to adopt the Uniform Plumbing Code (UPC). The agency claims that reciprocity of plumbing licensing requirements helped determine selection of the UPC but the transcript proves that no discussion of license reciprocity occurred. Although licensing reciprocity was not discussed, the plumbing board was presented with research before its hearing that showed negligible impact on licensing reciprocity with neighboring states (*White Paper on Model Plumbing Code Adoption by the Minnesota State Plumbing Board* (attached)). The agency fails to note in its SONAR that the IPC is also adopted in IA.

The agency also claims that it decided to adopt the UPC because it "*more closely resembles the existing MN Plumbing Code*" but the transcript shows no discussion of this issue by the Plumbing Board and in fact shows that a number of members of the Board wanted to compare the model codes because the specific provisions are unknown to the agency.

The agency failed to assess the cumulative effect of the rule with the other chapters of the MN State Building Code (MSBC). This is improper. The MSBC adopts the International Building, Fire, Mechanical, Fuel Gas, Residential, Energy Conservation, and Accessibility codes on a statewide basis. These codes are correlated with the IPC at the national level. Adopting any plumbing code other than the IPC is an invitation to foster conflicting requirements between codes and regulatory barriers to optimal economic efficiency.

The agency failed to consider whether the IPC is more performance based than the UPC. The transcript of the April, 2011 meeting records the regional manager for the International Association of Plumbing and Mechanical Officials (IAPMO), the publisher of the UPC, testifying, saying that "*What sets IAPMO*

apart .....<is a> *philosophy for prescriptive versus performance.*" At the same meeting a representative of the MN State Pipe Trades testified and said, "I think the UPC and Minnesota Plumbing Code is the closest thing as far as being prescriptive ..." These comments, from proponents of the UPC, identify the UPC as inconsistent with MS 14.002 State Regulatory Policy; and, MS 326B.101 Policy And Purpose (of the State Building Code).

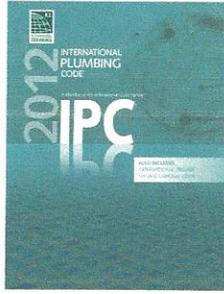
On the matter of notice, and according to its own SONAR, the agency decided at its April 2011 meeting to adopt the UPC with amendments. The SONAR also identifies 41 organizations and associations "anticipated to be substantially affected" by the proposed rule, however those organizations and associations were not notified before the April 2011 meeting that an action as significant as the adoption of a model plumbing code would take place. The public could not have anticipated that the agency would so deliberately neglect its obligation to increase public access to governmental information and to increase public participation in the formulation of administrative rules. The public could not have known that the agency was willing to vote to ignore the possibility of less costly and more flexible model regulatory language without reasonable consideration. The Plumbing Board has failed to protect the public interest.

To resolve my objection the agency must withdraw the proposed rule and make a comparison of the IPC and UPC to determine which provides a less costly compliance alternative; which is more flexible and less prescriptive; which has the broader public support; and, which has the preponderance of policy advantages over the other with regard to the public interest. Once the agency, with full public notice, has completed its due diligence on the selection of a model plumbing code it should again initiate a rules process to adopt a plumbing code.

Greg Johnson  
2189 Mitchell Avenue  
Saint Paul MN 55119

Attachments:

*Cost Advantages of the IPC versus the UPC*  
*White Paper on Model Plumbing Code Adoption by the Minnesota State Plumbing Board*



## Cost Advantages of the IPC versus the UPC

**Combination waste and vent:** Section 910.0 of the UPC restricts combination waste and vent systems to “*only where structural conditions preclude the installation of conventional systems as otherwise prescribed by this code.*” The IPC does not limit the use of a combination waste and vent system to only structurally unique conditions because physics say that a venting system either works or not.

**Horizontal wet venting:** Section 908.2 of the UPC restricts horizontal wet venting for bathroom groups to 2 groups on the same floor for private use only. The IPC does not restrict horizontal wet venting to private use bathroom groups because physics doesn't differentiate between private and public uses.

**Computerized vent design:** Computerized vent design is not specifically addressed in the UPC but is an option in the IPC.

**Circuit venting:** Circuit venting in the UPC isn't included in the body of the code but rather is only addressed in Appendix L. In that appendix, circuit venting is required to be designed and sized by a professional engineer. The IPC incorporates circuit venting into the body of the code and provides a slide calculator to simply size the piping with no engineering required. See the separate document titled “The Cost Savings Speaks” for an example of the benefit to the owner of being able to use circuit venting.

**Single-stack venting:** Single-stack venting in the UPC is also not mentioned in the body of the code but instead is buried in Appendix L. Like circuit venting, it is required to be designed by a registered professional engineer. The IPC only requires that it be installed as per the sizing and installation requirements in section 917 of the code saving needless costs of design.

**Engineered systems inspections:** Circuit venting and Single-stack venting, as engineered systems under Appendix L of the UPC, require inspection by a licensed engineer rather than a local government inspector, thereby inflating the costs of installing these systems and making them less likely to be used.

**Air Admittance Valves:** Installing air admittance valves in Detroit Lion Stadium (Ford Field) Detroit, Michigan saved over two hundred sixty three thousand, four hundred and sixteen dollars (\$263,416.00) in construction costs. The use of air admittance valves helped save the indoor air quality while also helping to save the environment by reducing sewer gas emissions. This information is based on a report prepared by Ron L. George of Plumb-Tech Design & Consulting Services LLC.

**Size of drainage piping:** The IPC assigns lower fixture unit values to many fixtures than the UPC. This means that larger pipe sizes, or additional pipe runs, are required by the UPC before being required by the IPC.

**Size of drainage piping:** The IPC does not apply any arbitrary limits on the number of fixtures allowed when sizing drainage piping. The UPC limits the number of water closets allowed which in turn requires additional piping. IPC values deal strictly with the fixture unit load and are based upon work that was done at the National Bureau of Standards. This work was published by the Bureau in reports BMS 65 and BMS 66 and is still valid today. No research has been published warranting changes to these proven methods.

# **The Association of Minnesota Building Officials**

*Committed to serving the public interest and  
the professionals that ensure safety in the built environment*

## **White Paper on Model Plumbing Code Adoption by the Minnesota State Plumbing Board**

**April 15, 2011**

As the state plumbing board evaluates and compares International and Uniform model plumbing codes for adoption in MN the decision making can be assigned to two general areas of consideration, technical provisions and policy impacts.

In the area of technical provisions the board needs to determine whether the model code works. Simply, does the code adequately protect the health of the public?

At the board's national model code review committee's second meeting Labor and Industry staff stated that both model codes worked to protect the public and that there were no reports nationally of any problems with the codes protecting the public. As it was stated in the committee meeting, "*Neither code has left a trail of dead bodies behind.*"

Further, members of the committee said the number of technical amendments required to each of the model codes to align them with MN's specific technical perspective was both comparable and minimal.

Finally, on technical provisions, deference must be given to the board's statutory authority to amend the code. Any technical requirement deemed deficient by the board can be amended, meaning that since the national models require approximately the same amount of amendments, technical considerations give neither model code an advantage for adoption purposes.

Given no technical advantage to MN of using either code, the decision to adopt a model plumbing code becomes a policy decision that can be considered in the context of the following categories of import.

### **Training Requirements**

Regardless of which national model code is adopted in MN some additional training for designers, regulators, contractors, and installers will be necessary.

It's helpful that neither model code makes illegal any piping method or installation that is currently legal under the homegrown plumbing code, meaning that the industry won't be 'un-learning' things. It's more accurate to say that the model codes offer additional and more current nationally accepted materials and methods of piping installation. The national model code review committee recognized this in discussion when members said the MN state plumbing code was out of date.

It's also instructive to look to Jack Hettwer's testimony in the contested hearings to adopt the International Mechanical and Fuel Gas codes in 2004. Mr. Hettwer, who at the time was the training coordinator for the Joint Minneapolis Plumbers Training Committee said that most plumbing work "*is service, repair, and remodeling with no contractor on site.*" Re-stated,

methods that an installer already knows how to apply in a specific circumstance aren't changed, but additional options may be presented by the model code.

It's valid to say that training to the most current technology is an on-going expense of progress in any industry. New methods and materials trigger the need for the workforce to remain competitive through qualification. This is the kind of training that makes installers more valuable to contractors and contractors more valuable to owners. The plumbing board's concurrent initiative to require continuing education of plumbers inherently recognizes the need for the workforce to engage in on-going training. This continuing education requirement will neatly address the specifics of the additional options offered by a national model code adoption.

Referring to the earlier technical area, if either model code works and would receive approximately the same amount of amendment, each code would trigger comparable changes to training curriculum for the industry.

The construction economy slow down actually enhances the ability of the industry to respond to changing training needs as fewer apprentices are affected. For example, the Minneapolis Plumbers' Joint Journeyman and Apprentice Training website states that the program *"will not be taking applications for the apprenticeship program in March, 2011 due to the economic slowdown over the last couple of years. The list of applicants from March, 2010 will be kept open until March, 2012."* ([www.training15.com/index.php](http://www.training15.com/index.php) )

If the plumbing board decides to adopt the IPC it's helpful that the United Association training manual includes content from the International Plumbing Code. This should keep changes to the Joint Journeyman and Apprentice Training curriculum to a necessary minimum.

The model codes offer the benefit of off-the-shelf training programs by nationally recognized experts in the field. The International codes offer the additional advantage of being able to be bundled as training events, meaning that a designer, inspector or contractor who works in more than one discipline can attend training events that offer training in multiple disciplines, such as institutes where plumbing, mechanical, and building code requirements are taught. This advantage becomes magnified as the need for new competencies in green building and water efficiency accelerate.

An additional strength of an International plumbing code adoption is the ease of access to training. The ICC is regularly contracted in MN to give continuing education training that is qualified for building official and inspector certification renewals and the building official chapters of the ICC frequently offer affordable training opportunities.

Courses can be developed by ICC specifically for MN and for retraining inspectors to new language.

Caution should be taken by the plumbing board in relying upon offers of free training to government officials by either the ICC or IAPMO and then learning later that those officials can't accept the training without running afoul of Section 471.895 of MN Statutes or local ordinances. The League of MN Cities' Handbook for MN Cities says that, "*many cities interpret the gift law to apply to all city employees.*"

### **Ease of Use**

Industry and local government official have enjoyed the ease of using single volumes that incorporate mechanical, fuel gas, and plumbing code provisions as published by the ICC. As MN adopts a national model plumbing code the only way to continue to publish all of these related requirements in a single volume is to adopt the International codes' plumbing provisions. Copyright issues prevent merging IPC and UPC content.

Additionally, as mentioned elsewhere, only the International codes have current commentaries which explain in detail every code requirement leaving no room for confusion over intent and compliance.

### **License Reciprocity with Adjoining States**

Inquiries with Mn's adjoining states reveal that neither South Dakota nor Wisconsin grant reciprocity based upon the code adopted by the prospective partnering state. Rather, each looks to the quality of the reciprocal's licensing and training programs.

In Iowa plumbing is licensed at the local level. Both the IPC and UPC are adopted at the local level.

North Dakota uses the UPC but has reciprocity with MN which already has a different code, the state plumbing code, which is generally less similar to the UPC than the IPC because of its lag in recognition of modern methods and materials.

MN is the much larger market, so ND will have an incentive to maintain reciprocity to protect its contractors' ability to work in MN. The population of ND is 646,844. The population of MN is 5,266,214.

The plumbing board in ND hasn't considered reciprocity with MN if it goes to a model code. In the unlikely event that a change to the IPC by MN meant the loss of reciprocity with ND, MN plumbers will still be able to work in ND by obtaining a ND license.

To do plumbing work in North Dakota, without reciprocity, you must pass an exam to get a license. To qualify for the master exam you need two years of work experience as a licensed journeyman plumber in North Dakota or *any other state* that has a state licensing law. If you have a valid master license in another state, you can also use it to apply for a master exam.

The exam and master license costs \$200. The exam and journeyman license is \$100. Both are good for one calendar year. Note that these fees are less than MN charges just to process a Master Plumber and Journeyman Plumber Reciprocity Application with either SD or ND licensed plumbers.

It's also worth noting that nowhere on the MN Master Plumber and Journeyman Plumber Reciprocity Application is any plumbing code referenced.

In related credentialing information, the Association of MN Building Officials retained the ICC in 2005 to develop certifications in both residential and commercial plumbing inspection.

These certifications tests were developed by a committee of subject matter experts, (plumbers, plumbing contractors, and plumbing inspectors) from MN with support from ICC staff. The committee used a pool of questions that were applicable to both the International codes' plumbing provisions & the MN state plumbing code.

These certifications were designed to transition to IPC certifications if the state adopted the IPC. These certifications were also just updated. Adopting the International code plumbing provisions protects the integrity and value of the certifications.

ICC certifications are recognized across the country as demonstrating the professional qualifications of inspectors.

### **Economic Impact on Local Government.**

In addition to co-located, multi-disciplinary training, local government benefits in the area of co-located code development if the IPC is adopted. Local MN officials are already participating in the International code development process at the national level and can far more easily participate in plumbing code development if it doesn't involve additional trips to alternate locations.

Co-located companion code hearings facilitate a jurisdiction's ability to be active in the process, benefitting the jurisdiction through input into the code and by having officials that better understand the intent of the code through their participation.

It should be noted that this benefit also applies to any DLI staff with responsibilities in multiple disciplines or general functional areas.

Mn's local governments are also well satisfied with the panoply of support services and materials that the ICC offers. Those include commentaries and technical interpretation to make sure the code is appropriately administered, manuals, checklists, guidelines, and other tools in multiple formats, and product evaluations to facilitate the introduction of technological improvements. An IPC adoption means ready access to this wealth of material without local government having to develop either their own resources or new vendor relationships.

### **Performance versus Prescriptive**

Claims that because the IPC offers more design options it is somehow less suitable for adoption are more readily assigned to the category of political opposition than legitimate objection.

The IPC offers both prescriptive *and* performance provisions without assuming that the code needs to teach skilled installers how to plumb. That this approach is effective is evidenced by the fact that the plumbing provisions of the International codes are the most widely adopted in the US. Clearly the provisions are useable by industry and the public.

Worth mentioning is that commentaries to the International codes are available which walk the user through the intent and content of the code section by section which should satisfy the most ardent supporter of prescriptive language. The UPC has no similar commentary.

### **Consistency and Correlation.**

The problems created by conflict between code provisions with which contractors, owners, and installers must comply cannot be overstated, particularly when more than one regulatory agency is involved.

When multiple agencies, at multiple levels of government, administer multiple codes, which is the case in health care, education, and essentially all state licensed facilities, regulated parties are put into the position of serving more than one master. Any conflict in the language of the various codes means an owner can't legally comply with requirements. Resolution is often only possible when one of the regulating agencies 'stands down'.

Standing down can be difficult for regulators because of the issues that typically drive turf battles. Even when the final interpretive authority rests with one agency, conflicts in the code mean the agency has to accept non-compliance in some regard which always leaves the agency open to criticism or worse, liability. Conflict between codes makes government look stupid.

It's critical to remember that while government tries to resolve conflict designers, contractors, owners, and installers wait for resolution. In construction scheduling is often the difference between a successful project and an economic loser. Time is money.

Codes that have been correlated at the national level, as is the case with the International codes, eliminate the problem of conflicting and inconsistent language.

MN already adopts the International Building, Fire, Mechanical, Fuel Gas, Residential, and Accessibility codes on a statewide basis. The International Property Maintenance Code is adopted at the local level by a number of jurisdictions. DLI staff members have said that the state is moving toward adoption of the International Energy Conservation Code and have had conversations about adopting the International Green Construction Code and the International Existing Buildings Code. Additionally the plumbing board has been requested to adopt the International Green Construction Code-Water Efficiency Provisions extract.

Adopting any plumbing code other than the IPC is an invitation to conflicting requirements and regulatory barriers to optimal economic efficiency.

As a matter of policy the American Institute of Architects, the National Association of Home Builders, The National Multi-Housing Council, and Building Owners and Managers Association International support the single, correlated code set principle. AIA states it clearly:

*“ The AIA supports regulation by a single set of comprehensive, coordinated, and contemporary codes and standards, which establish sound threshold values of health, safety, and the protection of the public welfare throughout the United States.”*

The only single set of comprehensive, coordinated, and contemporary codes and standards is the International codes.

### **Participation and Support**

International plumbing code provisions are developed with the broad participation of industry, government, and the public. Members of the hearing committees establishing the content of the International codes plumbing provisions include representatives of the United Association (labor), the Plumbing Heating Cooling Contractors' Association, the American Society of Plumbing Engineers, the National Association of Home Builders, manufacturers, state and local regulators, and individual plumbing contractors.

Local chapters of the US Green Building Council, the American Society of Heating, Refrigerating and Air Conditioning Engineers, and the Building Owners and Managers Association have all endorsed the adoption of the IPC as has the Target Corporation. Polling by the local chapter of the American Society of Plumbing Engineers reveals its members support the adoption of the IPC by a nearly two to one margin.

Perhaps most significantly, all of the six chapters of building officials in MN have voted unanimously to support the adoption of the International codes plumbing provisions. These

chapters represent the more than 800 people in MN who day in and day out are required to administer the provisions of the code and to serve as the local experts on its requirements.

With all of the other parties involved in the discussion it's fair to say that the code affects their business. With the officials who administer the code's requirements you must say that the code *is* their business.

### **Summary**

- There are no technical disadvantages to adopting the International plumbing code provisions and little if any impact on licensing reciprocity agreements.
- The MN state plumbing board retains control of amending the technical and administrative content of the code.
- Many MN plumbing inspectors are certified in a program designed to transition to certification in the International codes.
- Training in the additional options offered by current methods and materials will be needed regardless of which model code is adopted.
- Local government realizes economic benefits in an International code environment when training or participating in code development.
- The International codes offer prescriptive compliance language with the design flexibility of performance options.
- The International codes have the advantage of ease of use because of commentaries and the ability to put all plumbing and mechanical code language in a single document.
- Only the International plumbing code requirements are correlated at the national level with the other codes adopted in MN.
- There is broad participation by affected parties in the development of, and support for, the International plumbing codes provisions.

### **Conclusion**

There is no substantive reason to reject the adoption of the International Plumbing Code in MN. Any other decision calls into question the underlying motivations and risks the attention of elected officials who vigorously oppose cumbersome regulation. Adopting the International Plumbing Code clearly demonstrates the board's commitment to efficient and effective regulation and affirms its value as the authority having jurisdiction of plumbing regulation in Minnesota.

# Michel Sales Agency, Inc.

A Service Company Industry Professionals Plan On

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**Harold Bruner** (651) 287-2646 Direct  
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March 23, 2015

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

*Re: Notice of Intent to Adopt Rules Governing the Minnesota Plumbing Code; Revisor's  
ID # R-04139*

Dear Ms. Todnem:

Please count my letter among those requesting a public hearing on the proposed amendments to the Minnesota State Plumbing Code.

This model code adoption is an historic event because it replaces the long-standing home-grown state code. A model code adoption fulfills the wishes of the legislative majority in 2007 that moved the Minnesota State Plumbing Board (MSPB) out from the oversight of the state health department to reside in the Minnesota Department of Labor & Industry. But the MSPB's actions since April 11, 2011, circumvented the process we expected when it refused any serious analysis of the International Plumbing Code (IPC), despite offers and attempts made in that meeting to allow a side-by-side analysis.

Instead, the Board chose to review and analyze the Uniform Plumbing Code (UPC) as the only option to retaining the current Minnesota State Plumbing Code, thereby, neglecting its duty to all Minnesotans. I attended that meeting four years ago and witnessed the motions and the refusal to soberly consider the IPC.

The IPC is used by the federal government and by more state and local jurisdictions than the UPC. Among the chief reasons why the IPC is more popular are its generally lower costs of installation, its flexibility for building design and safety, and its ease of use by jurisdictions and stake holders.

The IPC arrives already correlated with the rest of the International Codes for easier use by builders, designers and regulators. Minnesota uses the family of International Codes for commercial and residential construction. It makes the most sense that its plumbing code would be within the same family of pre-correlated construction and fire safety codes. Why was no analysis attempted?

Once the MSPB adopts a model code, there is no going back. We insist the code adoption process is done correctly, fully and openly. Codes are public policy meant to primarily serve and protect the public's interests, and they are not the privileged domain of one narrow industry. We ask that the MSPB be required to complete its work to fully review and objectively consider the IPC. We ask this gets done right for all of the people of Minnesota.

Sincerely,

A handwritten signature in cursive script that reads "Harold F. Bruner".

Harold Bruner / M.E. / Mechanical Engineer,  
Manager of Engineering,  
Michel Sales Agency, Inc.  
St. Paul, Minnesota  
651-287-2646 Direct  
[harold@michelsales.com](mailto:harold@michelsales.com)

March 24, 2015

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

Email [dli.rules@state.mn.us](mailto: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 Maplewood and responsible for plumbing inspections in my community. I have been doing plumbing inspections for more than 25 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:

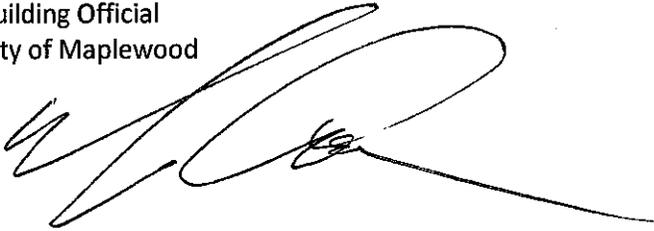
- Minnesota makes use of the family of International Code Council codes for its construction codes. They are nationally correlated with each other for easier, less confusing and less costly use by all stake holders involved in the built environment, which involves much more than plumbing installers. 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 651-249-2321 or email: [nick.carver@ci.maplewood.mn.us](mailto:nick.carver@ci.maplewood.mn.us). Thank you for your attention to this letter and my views expressed here.

Sincerely,  
Nicholas N Carver BO 001332  
Building Official  
City of Maplewood

A handwritten signature in black ink, appearing to read 'N. Carver', with a long horizontal flourish extending to the right.

March 24, 2015

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

Email [dli.rules@state.mn.us](mailto: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 a Building Inspector for the City of Maplewood and responsible for plumbing inspections in my community. I have been doing plumbing inspections for more than 8 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:

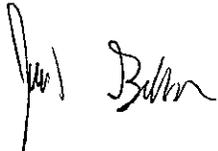
- Minnesota makes use of the family of International Code Council codes for its construction codes. They are nationally correlated with each other for easier, less confusing and less costly use by all stake holders involved in the built environment, which involves much more than plumbing installers. 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 651-249-2324 or email: Jason.brash@ci.maplewood.mn.us. Thank you for your attention to this letter and my views expressed here.

Sincerely,  
Jason Brash B0 002732  
Building Inspector  
City of Maplewood

 03-25-15

March 24, 2015

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

Email [dli.rules@state.mn.us](mailto: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 Inspector for the City of Maplewood and responsible for plumbing inspections in my community. I have been doing plumbing inspections for more than 2 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:

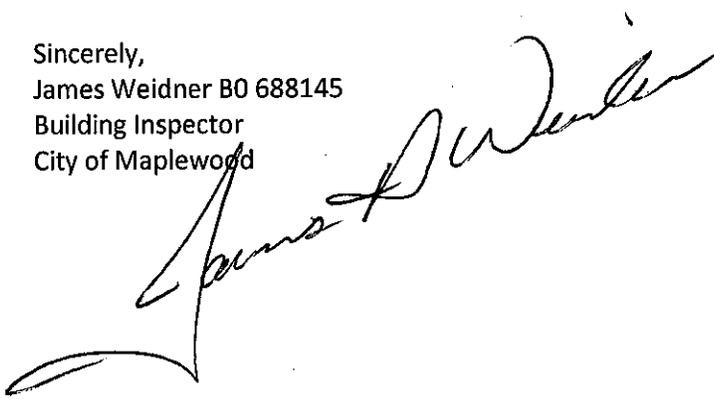
- Minnesota makes use of the family of International Code Council codes for its construction codes. They are nationally correlated with each other for easier, less confusing and less costly use by all stake holders involved in the built environment, which involves much more than plumbing installers. 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 651-249-2321 or email: [nick.carver@ci.maplewood.mn.us](mailto:nick.carver@ci.maplewood.mn.us). Thank you for your attention to this letter and my views expressed here.

Sincerely,  
James Weidner B0 688145  
Building Inspector  
City of Maplewood

A handwritten signature in black ink, appearing to read "James Weidner", written over the typed name and title.

March 24, 2015

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

Email [dli.rules@state.mn.us](mailto: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 a Building Inspector for the City of Maplewood and responsible for plumbing inspections in my community. I have been doing plumbing inspections for more than 12 years.

In April of 2011, the MN State Plumbing Board decided to move forward with adopting a model code without an appropriate review process.

Therefore, I am requesting that the Administrative Law Judge hearing scheduled by your office at 9:30 a.m. on April 30 be held.

Adoption of the UPC could create additional costs to local governments, contractors and building owners as this code document does not mesh with the current set of I-Codes currently adopted.

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. The I-Codes have established definitions, terminology and section correlation that work together. Adding a differing document will create dysfunction in enforcing the entire Minnesota State Building Code. 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.

- Model codes are written by professionals for professionals. By their very nature they should be written to provide a level of safety and consistency that can cross state lines, even international borders. It would be hugely beneficial to have a set of codes that work together rather than piece-mealed together documents that could conflict.

These are costly consequences which can be avoided. Why 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 is evidence something is amiss. For the sake of fairness, completion of duty and transparency, I hope the MSPB will be required to consider impartial model code selection by giving the IPC a proper opportunity to present it's merits and validity.

If you wish to discuss my letter you can reach me by phone at 651-249-2322 or email: [david.swan@ci.maplewood.mn.us](mailto:david.swan@ci.maplewood.mn.us).

Thank you for your attention to this letter and my views expressed here.

Sincerely,

A handwritten signature in black ink that reads "David W. Swan". The signature is written in a cursive style with a large, prominent initial "D".

David W. Swan BO 002410  
Building Inspector  
City of Maplewood

Mike McNamara  
1328 Lincoln Lane  
Hastings, MN 55033

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

RECEIVED  
MAR 27 2015  
DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Ms. Todnem,

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.

Cordially,



Mike McNamara

Timothy Malooly  
4780 Lakeway Terrace  
Shorewood, MN 55331

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

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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.

Cordially,



Timothy R. Malooly

March 27, 2015

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

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

Dear Ms. Todnem:

This letter is sent to seek a hearing on the Minnesota State Plumbing Board's (MSPB) proposed rule to adopt the Uniform Plumbing Code (UPC). I believe a review by an objective third party will reveal the MSPB's SONAR does not comply with MS. 14.131.

The MSPB is required to make a "reasonable effort" to review both the UPC and the International Plumbing Code (IPC) to determine "whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule." By any serious definition, there was no reasonable effort to review the IPC to see if it could achieve the purpose of the proposed rule by providing less costly methods.

The UPC is famously the "prescriptive" plumbing code, according to assertions from its sales people and supporters. The IPC is famously the more "performance based" plumbing code, according to its supporters and the community of building professionals in the United States. The IPC, because it is performance based, offers lower costs of materials and installation than the UPC. There is a strong concern in the enforcement community that adopting the UPC, instead of the IPC, will increase the costs of education and personnel born by our state's local jurisdictions.

The IPC is nationally correlated with the International codes adopted in Minnesota that includes the International Building Code, the International Fire Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Energy Construction Code, the International Existing Building Code and the International Green Construction Code. For these reasons, I strongly encourage the State of Minnesota to decline adoption of the UPC and fully and fairly consider adopting the IPC. Thank you for your consideration.

Sincerely,



Lisa Vieau  
11054 16<sup>th</sup> St. NE  
Saint Michael, MN  
Phone: 763-494-6081  
Email: [lvieau@maplegrovern.gov](mailto:lvieau@maplegrovern.gov)

Jeff Pilla  
5594 Upper 183<sup>rd</sup> Street  
Farmington, MN 55024

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

RECEIVED  
MAR 30 2015  
DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Ms. Todnem,

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.

Cordially,

  
Jeff Pilla

Friday, March 27, 2015

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

RECEIVED

MAR 30 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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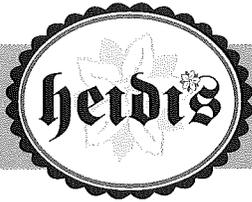
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Sincerely,

Bob Balgie

644 Woodduck Dr Apt L  
Woodbury, MN 55125



## LIFESTYLE GARDENS

RECEIVED

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

MAR 30 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Ms. Todnem,

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Cordially,

Heidi Hensel Heiland  
CEO Heidi's Lifestyle Gardens  
President Minnesota Nursery and Landscape Association (MNLA)

**Douglas P. Seaton**  
**4306 Sunnyside Road**  
**Edina, MN 55424**  
**(612) 750-8368**

March 24, 2015

RECEIVED

MAR 30 2015

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

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Dear Ms. Todnem:

I have been informed that the Minnesota State Plumbing Board (MSPB) intends to amend the rules governing the Minnesota Plumbing Code to adopt the Uniform Plumbing Code (UPC) as a model plumbing code to replace the current Minnesota State Plumbing Code. This letter is in response to your request for comments and to request a public hearing on the proposed amendments.

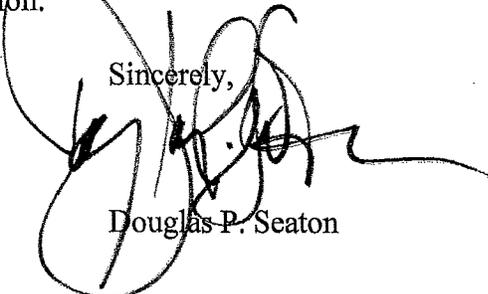
I would like to discourage adoption of the UPC, and instead encourage adoption of the International Plumbing Code (IPC). I write this letter to request that a public hearing on the proposed rule amending the Minnesota Plumbing Code be held.

On April 19, 2011, the MSPB decided to move forward with proposing adoption of the UPC without appropriate consideration of the IPC as a competitor model code. Public notice was not given that the MSPB on that date would vote on adoption of the UPC without reviewing alternative codes, comparison of the IPC and UPC was not performed, and the Board provided no substantive technical or policy reasons for adopting the UPC.

The International Plumbing Code is part of the family of International codes that includes 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. These codes are developed and coordinated at the national level. Minnesota has adopted the International fire code, building code, mechanical code, fuel gas code, energy code, residential code and electrical code. The addition of the International Plumbing Code would benefit local enforcement and ultimately conserve resources because it is compatible with these existing codes and therefore more easily integrated into the local code administration and enforcement processes.

For these reasons, I strongly encourage the State of Minnesota to decline adoption of the UPC and fully and fairly consider adopting the IPC. For these reasons, I request a hearing on the proposed rule. Thank you for your consideration.

Sincerely,

  
Douglas P. Seaton

RECEIVED

MAR 30 2015

Friday, March 27, 2015

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

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

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Sincerely,



Kent Williamson

1908 2nd Ave N  
Minneapolis, MN 55405

Friday, March 27, 2015

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

RECEIVED

MAR 30 2015

DEPT OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

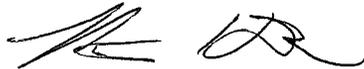
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Sincerely,



Patrick Dean, President  
For the Edge, Inc.  
Minnesota Manufacturer of Irrigation and Landscape Trenchers

8028 Hill Trail N  
Lake Elmo, MN 55042  
[www.trenchedge.com](http://www.trenchedge.com)

Friday, March 27, 2015

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

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LEGAL SERVICES

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Sincerely,

Todd Rice

16551 83rd Ave N  
Maple Grove, MN 55311

March 30, 2015

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

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

Dear Ms. Todnem:

Please accept my letter which demands a hearing on the Minnesota State Plumbing Board's (MSPB) proposed rule to adopt the Uniform Plumbing Code (UPC). I believe a review by an Administrative Law Judge will show the MSPB's SONAR does not comply with MS. 14.131.

The MSPB is required to make a "reasonable effort" to review both the UPC and the International Plumbing Code (IPC) to determine "whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule." There was no reasonable effort by the MSPB on, prior to or since April 19, 2011, to review the IPC to see if it could achieve the purpose of the proposed rule by providing less costly methods.

The UPC is famously the "prescriptive" plumbing code, according to its sales people and supporters. The IPC is famously the more "performance based" plumbing code, according to its supporters and the community of building professionals in the United States. The IPC, because it is performance based, offers lower costs of materials and installation than the UPC. There is a strong concern in the enforcement community that adopting the UPC, instead of the IPC, will force increased costs of education and personnel born by our state's local jurisdictions.

The IPC is nationally correlated with the International codes adopted in Minnesota that includes the International Building Code, the International Fire Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Energy Construction Code, the International Existing Building Code and the International Green Construction Code. For these reasons, I strongly encourage the State of Minnesota to decline adoption of the UPC and fully and fairly consider adopting the IPC. Thank you for your attention to my request for an ALJ hearing on April 30, as stated in the Intent to Adopt notice.

Sincerely,

Roger Axel, CBO  
Building Official  
City of New Hope  
4401 Xylon Avenue North  
New Hope, MN 55428  
Phone: 763-531-5122

Debbie Lonnee  
307 First Avenue South  
South St. Paul, MN 55075

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

RECEIVED

MAR 31 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Ms. Todnem,

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Cordially,



Debbie Lonnee

Randy Berg  
18936 540<sup>th</sup> Avenue  
Austin, MN 55912

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

RECEIVED  
MAR 31 2015  
DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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Cordially,

  
Randy Berg

3/31/2015

Ms. Suzanne Todnem  
Minnesota Department of Labor & 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 state's homegrown state plumbing code.

The public of Minnesota expects a complete review of all options. Before going into private business, I served as a plumbing/mechanical inspector for the Cities of Maple Grove and Fridley. Public confidence that codes are developed and implemented fairly is at stake.

As of right now, if we adopt the UPC, we will have 31 pages of Amendments taken from the UPC and inserted into the new code. Why are we changing, it doesn't make sense. Our MPC should be updated but not completely changed. The plumbing community has not been involved in this process in any manner. The Minnesota Plumbing Board (MPB) has not looked outside the board itself for any input on what the plumber might think about any changes.

In my opinion, the plumbing code isn't the problem, but the enforcement of the code. In most of Minnesota there is no code enforcement, or at least no qualified or knowledgeable people doing the plumbing inspections. Not doing a proper plumbing installation could cause a serious health concern to the public. The people who put the MPC together knew what they were doing. The MPC is one of the most respected codes in the United States. Does the code need to be updated? Yes, it does, but we do not need to adopt a new code and add 31 pages of amendments. Lastly, I do not see where another code will make Minnesota any safer or easier to apply. Have the MPB update the Minnesota Plumbing Code and start enforcing it as Minnesota Statutes 326B.43 Subdivisions 1-3 states.

Construction codes are adopted as public policy to protect all of the public. They are not the exclusive domain of a very narrow group of the state population. Let's have a hearing that results in opening the process fairly and fully. Thank you for your consideration.

Sincerely,

Gary Ford

GRF/jkc

Gary Ford  
31222 Cedar Creek Rd  
Hinckley, MN 55037

3/31/2015

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

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Gary Ford



Scott Frampton  
12515 40<sup>th</sup> Street South  
Afton, MN 55001

RECEIVED

APR 01 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

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

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Cordially,

  
Scott Frampton

Friday, March 27, 2015

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

RECEIVED

APR 01 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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Sincerely,



Richard Walter

15031 Staples St NE  
Andover, MN 55304

Friday, March 27, 2015

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

RECEIVED

APR 01 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

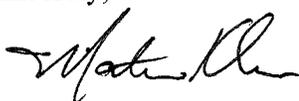
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Sincerely,



Matthew Kuha

10904 Olive St NW  
Minneapolis, MN 55448

April 1, 2015

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

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The UPC is famously the "prescriptive" plumbing code, according to its sales people and supporters. The IPC is famously the more "performance based" plumbing code, according to its supporters and the community of building professionals in the United States. The IPC, because it is performance based, offers lower costs of materials and installation than the UPC. There is a strong concern in the enforcement community that adopting the UPC, instead of the IPC, will force increased costs of education and personnel born by our state's local jurisdictions.

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Sincerely,



Jesse Szykalski  
10160 46<sup>th</sup> St. NE  
Saint Michael, MN 55376  
Phone: 612-363-3133  
Email: jesseski54@gmail.com

Friday, March 27, 2015

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

RECEIVED

APR 01 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

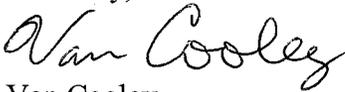
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Sincerely,



Van Cooley

6108 Bethia Ln  
Brooklyn Park, MN 55429

Sunday, March 29, 2015

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

RECEIVED

APR 01 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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Sincerely,

  
Sam O'Reilly

5986 188th St W  
Farmington, MN 55024

Monday, March 30, 2015

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

RECEIVED  
APR 02 2015  
DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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Sincerely,



Derek Tweten

7524 Lyndale Ave S  
Minneapolis, MN 55423

Monday, March 30, 2015

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

RECEIVED

APR 02 2015

DEPT. OF COMMERCE & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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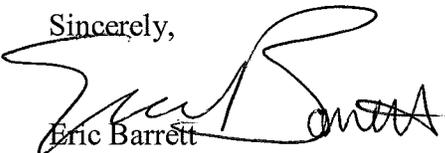
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Sincerely,



Eric Barrett

7524 Lyndale Ave S  
Minneapolis, MN 55423

Monday, March 30, 2015

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

RECEIVED

APR 02 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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Sincerely,



Kent Harris

1658 Dodd Rd  
Mendota Heights, MN 55118

Tuesday, March 31, 2015

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

RECEIVED

APR 02 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

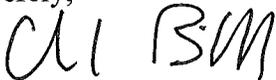
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Sincerely,



Chad Bishcoff

629 Park Dr  
Farmington, MN 55024

April 2<sup>nd</sup>. 2015

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

*Re: Notice of Intent to Adopt Rules, Minnesota Plumbing Code – Reviser’s ID Number R-04139*

Dear Ms. Todnem:

Please accept my letter which demands a hearing on the Minnesota State Plumbing Board’s (MSPB) proposed rule to adopt the Uniform Plumbing Code (UPC). I believe a review by an Administrative Law Judge will show the MSPB’s SONAR does not comply with MS. 14.131.

The MSPB is required to make a “reasonable effort” to review both the UPC and the International Plumbing Code (IPC) to determine “whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.” There was no reasonable effort by the MSPB on, prior to or since April 19, 2011, to review the IPC to see if it could achieve the purpose of the proposed rule by providing less costly methods.

The UPC is famously the “prescriptive” plumbing code, according to its sales people and supporters. The IPC is famously the more “performance based” plumbing code, according to its supporters and the community of building professionals in the United States. The IPC, because it is performance based, offers lower costs of materials and installation than the UPC. There is a strong concern in the enforcement community that adopting the UPC, instead of the IPC, will force increased costs of education and personnel born by our state’s local jurisdictions.

The IPC is nationally correlated with the International codes adopted in Minnesota that includes the International Building Code, the International Fire Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Energy Construction Code, the International Existing Building Code and the International Green Construction Code. For these reasons, I strongly encourage the State of Minnesota to decline adoption of the UPC and fully and fairly consider adopting the IPC. Thank you for your attention to my request for an ALJ hearing on April 30, as stated in the Intent to Adopt notice.

Sincerely,



Larry Huff  
9820 42<sup>nd</sup>. St.NE  
St. Michael, MN  
55376

C- 763 458 2946

Tuesday, March 31, 2015

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

RECEIVED

APR 02 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,



Megan Aune

960 20th Ave N  
South Saint Paul, MN 55075



Greater Saint Paul  
**Building Owners &  
Managers Association**

---

W-2950 FIRST NATIONAL BANK BUILDING • 332 MINNESOTA STREET  
SAINT PAUL, MINNESOTA 55101-1379 • PHONE: 651.291.8888 • FAX: 651.291.1031

April 2, 2015

Ms. Suzanne Todnem  
Minnesota Department of Labor & Industry  
443 Lafayette Road North  
Saint Paul, MN 55155  
Email: [dli.rules@state.mn.us](mailto:dli.rules@state.mn.us)

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

Dear Ms. Todnem:

This letter is sent to request a public hearing on the proposed adoption of the Uniform Plumbing Code (UPC). We believe the Minnesota State Plumbing Board is in conflict with MS. 14.131 in its Statement of Reasonableness and Need, as it was required to make a “reasonable effort” to review both the UPC and the International Plumbing Code (IPC) to determine “whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.”

The records show no effort occurred as the Board voted “no” to a motion on April 19, 2011, to conduct such an effort with a comparison and analysis of both model codes. A model code adoption to replace the homegrown state plumbing code is a major step. Once done, it can’t be changed. A fair, fully transparent process is critical to the credibility of the new code and its future administration.

It’s also important to note that Minnesota’s state construction codes are part of the International Code Council’s family of pre-correlated codes. The IPC is the model code selected by more jurisdictions throughout the United States, including the U.S. Department of Defense for its bases and office structures, and it is nationally correlated with the I-Codes. The UPC requires retrofitting to adapt to Minnesota’s other codes. It is also the most prescriptive plumbing code, which makes it less flexible for building designers and contractors and more costly to install with materials and labor. The IPC is the performance-based model plumbing code, which is much more desirable for development in Minnesota.

**2014-2015 OFFICERS**

William J. Thurmes, Chairperson • Julie A. Bauch, *Vice Chairperson* • Shawn E. Wiski, *Secretary/Treasurer*

**DIRECTORS**

Richard H. Hanson • Gerald M. Hersman • David B. Ketcham • Patrick A. Skinner • Bruce T. Thompson • Tim J. Yohnk  
Joe A. Spartz, *President*

Codes are public policy meant to primarily serve and protect the entire public's interests. We ask that the MSPB be required to complete its work to fully review and objectively consider the IPC. We believe the hearing set for April 30 will help to make that possible.

Sincerely,

Joe Spartz  
President, Greater Saint Paul BOMA  
332 Minnesota Street  
Saint Paul, MN 55101  
[joe.spartz@bomastpaul.org](mailto:joe.spartz@bomastpaul.org)  
651-291-2521

Herman Roerick  
22442 43<sup>rd</sup> Avenue  
St. Cloud, MN 56301

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

RECEIVED  
APR 03 2015  
DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Ms. Todnem,

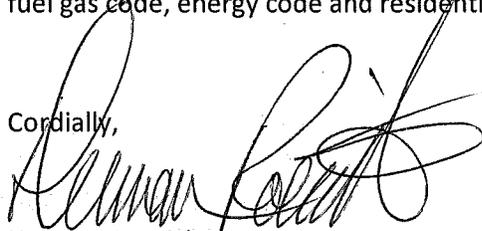
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I hereby request a hearing in response to the MPB dual notice of intent to Adopt Rules Governing the Minnesota Plumbing Code. I object to the entirety of this rule change.

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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.

Cordially,

  
Herman Roerick



April 3, 2015

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

Dear Ms. Todnem,

BOMA (Building Owners & Managers Association) Minnesota is a coalition comprised of members of local BOMA associations in Duluth, Minneapolis and St. Paul and members at large from other major commercial centers in the state, who together own and manage over 100 million square feet of commercial real estate statewide. We are affiliated with BOMA International whose members own or manage over 9 billion square feet of commercial properties.

From the outset BOMA has been a strong supporter of development of a single coordinated family of construction codes that can be applied by designers, developers and owners in the construction and subsequent operation of buildings anywhere in the country with minimal variations based on geography. For this reason when the first set of ICC codes became available, we worked proactively to have them adopted in Minnesota and this was achieved in all but the Plumbing Code which stayed with the “home grown” version at the time.

We understand that no side-by-side analysis between the IPC and UPC occurred in this adoption process. Therefore, we are requesting a hearing, mentioned in the Dual Notice of Intent to Adopt Rules on April 30, before a neutral third party to make sure a full, transparent and fair consideration is made of all Minnesota’s alternatives.

We applaud the Plumbing Board’s decision to consider moving to a national model code and hope you will see the advantages of choosing the International Plumbing Code over the Uniform Plumbing Code, the other option we understand is under consideration. While both are understood to provide comparable protection of public health and safety, we feel there is no question that the IPC is much more coordinated and compatible with other codes already adopted in Minnesota. We hope you will agree.

Thank you for your consideration.

Sincerely,

Kevin Lewis  
Co-Director

Joe Spartz  
Co-Director

## State Delegates

### Duluth

Steve LaFlamme  
slaflamme@oneidarealty.com

### Mankato

David Schooff  
david.schooff@cbcfishergroup.com

Gordon Awsumb  
awsumb@presenter.com

### Minneapolis

Jon Kuskie  
jkuskie@zellerrealty.com

Jim Durda  
jdurda@zellerreayty.com

Dave Dabson  
dave.dabson@piedmontreit.com

David Wright  
davidk.wright@usbank.com

### Rochester

Lucy Bishop  
lucy@bishop-management.com

Mac Hamilton  
mac@hamiltonmnre.com

### St. Cloud

Jim Illies, Sr.  
jimsr@inhproperties.com

### St. Paul

Julie Bauch  
julie@bauchenterprises.com

Bill Thurmes  
bthurmes@aeonmn.org

Pat Wolf  
patwolf@cres-inc.com

## CHAIR

Pat Wolf, St. Paul  
patwolf@cres-inc.com

## CO-DIRECTORS

Kevin Lewis  
kl@bomampis.org

Joe Spartz  
joe.spartz@bomastpaul.org

Wednesday, April 1, 2015

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

RECEIVED

APR 03 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

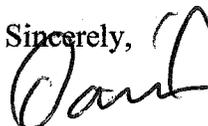
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Sincerely,

  
dan wiechmann

  
4-1-15

6163 Pine Beach Rd  
Brainerd, MN 56401

Wednesday, April 1, 2015

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

RECEIVED  
APR 03 2015  
DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

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Sincerely,



Daniel Slepica

5519 105th Ave N  
Brooklyn Park, MN 55443

Thursday, April 2, 2015

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

RECEIVED

APR 02 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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Sincerely,



Troy Carson

6405 14th Ave S  
Richfield, MN 55423



## Minnesota Golf Course Superintendents' Association

*Affiliated with the Golf Course Superintendents' Association of America*

Wednesday, April 1, 2015

RECEIVED

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

APR 03 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

### OFFICERS

**President**  
**Jake Schmitz**  
Olympic Hills Golf Club  
952-941-6139

**Vice-President**  
**David Kazmierczak CGCS**  
Prestwick Golf Club  
651-226-7019

**Secretary/Treasurer**  
**Erin McManus**  
Medina Golf and Country Club  
763-478-2179

**Ex-Officio**  
**Roger Stewart, Jr. CGCS**  
TPC Twin Cities  
763-785-0696

### DIRECTORS

**James Bezanson**  
Oneika Ridge Golf Course  
651-426-6889

**Jeff Girard**  
Stoneridge Golf Club  
651-998-0698

**Larry Gorman**  
MTI Distributing  
612/845-6451

**Todd Kranz**  
Windsong Farm Golf Club  
914/505-0382

**Mark Koepsell**  
Healthy Ponds by Bioverse  
507-727-1000

**Mike Manthey**  
Midland Hills Country Club  
612/306-3977

**Adam Murphy**  
Wild Ridge/Mill Run Golf Courses  
715-563-6828

**Bob Porter**  
Hiawatha Golf Course  
612-369-9965

**Brandon Schindele**  
Edina Country Club  
952-922-9012

### Executive Director

**Jack MacKenzie CGCS**  
MGCSA  
10050 204th Street N  
Forest Lake, MN 55025  
651-324-8873

Dear Attorney for MNDLI Todnem:

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

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Sincerely,

  
John MacKenzie

MGCSA Executive Director

RECEIVED

APR 03 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Dear Ms.Todnem,

I am requesting that a public hearing be held on the proposed Minnesota Rules Chapter 4714.

I oppose the entire set of rules.

The reason that I am opposed to the proposed new rules is that they are not compatible with the International Codes that have been adopted into the Minnesota Building Code. The International Plumbing Code should be adopted because it coordinates with the other adopted International Codes.

As a licensed Minnesota Building Official who must enforce the Code I feel that it would be logical for the State to adopt the International Plumbing Code or simply keep the current home grown plumbing code.

Thank you for your consideration.

Gary Kirkeide  
2152 158<sup>th</sup> Lane N.E.  
Ham Lake.Mn.55304

Wednesday, April 1, 2015

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

RECEIVED

APR 06 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

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Sincerely,



jason hacker

1705 Mary Ln  
North Mankato, MN 56003

Thursday, April 2, 2015

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

RECEIVED

APR 06 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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Sincerely,



Michael A Cohrs

622 Chaucer Ln  
Watertown, MN 55388

RECEIVED

APR 06 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Monday, April 6, 2015

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

Dear Attorney for MNDLI Todnem:

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

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Sincerely,



Timothy H. Power

5199 Neal Ave S  
Afton, MN 55001

Wednesday, April 1, 2015

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

RECEIVED

APR 07 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

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Sincerely,



Dale Anderson

PO Box 8  
Saginaw, MN 55779

RECEIVED

APR 07 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Sunday, April 5, 2015

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

Dear Attorney for MNDLI Todnem:

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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,



David Brudwick

3028 Cassidy Dr NE  
Rochester, MN 55906

4/7/2015

Ms. Suzanne Todnem  
Minnesota Department of Labor & 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 state's homegrown state plumbing code.

The public of Minnesota expects a complete review of all options. Before going into private business, I am a plumbing contractor in Byron, MN. Public confidence that codes are developed and implemented fairly is at stake.

As of right now, if we adopt the UPC, we will have 31 pages of Amendments taken from the UPC and inserted into the new code. Why are we changing, it doesn't make sense. Our MPC should be updated but not completely changed. The plumbing community has not been involved in this process in any manner. The Minnesota Plumbing Board (MPB) has not looked outside the board itself for any input on what the plumber might think about any changes.

In my opinion, the plumbing code isn't the problem, but the enforcement of the code. In most of Minnesota there is no code enforcement, or at least no qualified or knowledgeable people doing the plumbing inspections. Not doing a proper plumbing installation could cause a serious health concern to the public. The people who put the MPC together knew what they were doing. The MPC is one of the most respected codes in the United States. Does the code need to be updated? Yes, it does, but we do not need to adopt a new code and add 31 pages of amendments. Lastly, I do not see where another code will make Minnesota any safer or easier to apply. Have the MPB update the Minnesota Plumbing Code and start enforcing it as Minnesota Statutes 326B.43 Subdivisions 1-3 states.

Construction codes are adopted as public policy to protect all of the public. They are not the exclusive domain of a very narrow group of the state population. Let's have a hearing that results in opening the process fairly and fully. Thank you for your consideration.

Sincerely,

Kyle Bissen

Route 52 Plumbing & Heating INC.

April 7, 2015

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

Email [dli.rules@state.mn.us](mailto: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 West St Paul and responsible for plumbing inspections in my community. I have been doing plumbing inspections for more than 8 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 651-552-4135 or email: dschilling@wspmn.gov. Thank you for your attention to this letter and my views expressed here.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Schilling', with a stylized flourish at the end.

Dennis Schilling  
Building Official  
City Of West St Paul



OLYMPIC HILLS GOLF CLUB

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

Wednesday, April 1, 2015

RECEIVED

APR 07 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.

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Sincerely,

Jake Schmitz  
Golf Course Superintendent  
Olympic Hills Golf Club

Duane C. Grace & Associates  
Building & Fire Codes Consultants  
Building Official/Plan reviewer  
Summer Address – 122 Knollwood Drive  
Moose Lake, Minnesota 55767-9446

Office Phone – 218/485-0294

Mobile Ph. 218/260-9692

E-mail – [duanec29@aol.com](mailto:duanec29@aol.com)

April 7, 2015

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

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

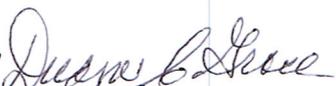
Dear Ms. Todnem:

Please count me as among those requesting a public hearing on the proposed amendments to our Minnesota Plumbing Code. My understanding from the public notice that the plumbing board wishes to adopt a plumbing code without a public hearing, and that the proposal is to adopt the Uniform Plumbing Code (UPC). I am a member of IAMPO, so am somewhat familiar with the codes they promulgate. While I am sure that the codes which they offer are good codes it really is not fair of that board to push a code on we Building Officials, that will cause our cities extra expense and will cause us administrative problems, and be much more difficult to integrate into our local codes and administrative procedures.

My understanding is that the plumbing board went forward with this adoption process without the appropriate (to me) consideration of the other model code, which happens to be compatible with the balance of our adopted codes, the International Plumbing Code (IPC). I would heartily agree that is time for Minnesota to adopt a nationally recognized plumbing code, but of course my feeling is that is be the best one for our state and compatible with our present code documents.

I would request that a public hearing be held and that the IPC code be given the same review process which the UPC has been given to date, and that in the process the wishes of the cities and the building officials be taken into consideration. After all we are the people who in the end must be responsible for the enforcement of that adopted code.

My belief is that all the codes which we as a state adopt, should be the best code for all of our public, to follow the scope of our code adoption, as noted in the MN Statute 16B.59. This in part states – “to provide health, safety etc, for all our residents of the state”. And it further states that it should “be permitted at the least possible cost consist with recognized standards of health and safety”.

Sincerely,  CBO #0556



## GREATER MINNEAPOLIS BUILDING OWNERS & MANAGERS ASSOCIATION

ADVOCACY & EDUCATION FOR COMMERCIAL REAL ESTATE

### Officers 2014-2015

**President:**  
David K. Wright, FMA, RPA  
Vice President  
U.S. Bank Corporate Real Estate

**Vice President:**  
Kimberly K. Ihle, CCIM, CPM, RPA  
General Manager  
CBRE

**Secretary/Treasurer:**  
Michael A. Hagen  
Property Manager  
The 614 Company

### Directors

**Ted Campbell**  
Ryan Companies

**Kevin Connolly, CPM, RPA**  
Cushman & Wakefield / NorthMarq

**Lynette M. Dumalag**  
Nelson Tietz & Hoye, Inc.

**Brett K. Greenfield**  
Colliers International

**Tanya J. Hemphill, CCIM, CPM, RPA**  
Investors Real Estate Trust

**Thomas W. Heuer**  
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**Jon A. Kuskie**  
Zeller Realty Group

**Cindy MacDonald**  
Kraus-Anderson Realty Company

**Patrick M. McQuiston**  
Target Corporation

**Andy Sundgaard**  
Frauenshuh, Inc.

**Amy J. Wimmer**  
Hines

### Executive Director

Kevin C. Lewis



Federated with  
BOMA International

April 7, 2015

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

Dear Ms. Todnem,

BOMA Greater Minneapolis is a 111 year old trade association with over 600 members representing over 60 million square feet of commercial office space in the region. Our members own, manage or provide services to the vast majority of office buildings in Minneapolis and the surrounding area.

BOMA Greater Minneapolis has been a strong supporter of development of a single coordinated family of construction codes that can be applied by designers, developers and owners in the construction and subsequent operation of buildings anywhere in the country with minimal variations based on geography. For this reason when the first set of ICC codes became available, we worked proactively to have them adopted in Minnesota and this was achieved in all but the Plumbing Code which stayed with the "home grown" version at the time.

We understand that no side-by-side analysis between the IPC and UPC occurred in this adoption process. Therefore, we are requesting a hearing, mentioned in the Dual Notice of Intent to Adopt Rules on April 30, before a neutral third party to make sure a full, transparent and fair consideration is made of all Minnesota's alternatives.

Our board of directors applauds the Plumbing Board's decision to consider moving to a national model code and hope you will see the advantages of choosing the International Plumbing Code over the Uniform Plumbing Code. While both are understood to provide comparable protection of public health and safety, we feel there is no question that the IPC is much more coordinated and compatible with other codes already adopted in Minnesota.

Sincerely,

Kevin Lewis  
Executive Director

April 7th 2015

Suzanne Todnem

Minnesota Department of Labor & 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 Suzanne 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.

My concerns are of cross-connections, backflow assemblies.

Let me introduce myself, I was certified by the State on Minnesota for testing and rebuilding backflow assemblies in 1991. Since then I have been providing service through out Northern Minnesota. I have customers from Brainerd to Cloquet, North up to Grand Maria, west to Roseau then East Grand Forks, Moorhead, Fergus Falls and pretty much everything in between. I have a very large customer base.

Many of the backflow assemblies I provide service for have never been tested from the time they were installed and it appears there was never any inspection or enforcement programs in place for a RPZ assembly in most of the Cities. A plumber following the code, installed an RPZ to prevent a cross-connection and left all of the responsible up to the owner. No test was ever done so the city never received any paper work on the RPZ and they didn't know it existed, the owner....he doesn't know what to do either.

One of the new proposed amendments, it appears the the mandatory 5 year overhaul of RPZ's is going to be removed from plumbing code. Why....would we do that.....I have seen many reasons why this should NOT be removed, if for no other....Health and Safety. The 5 year mandatory overhaul on RPZ's eliminates all questions of does it or doesn't it need to be rebuilt. Our Health and Safety concerns, the responsibilities, who is at risk....all of these are removed with the mandatory rebuild.

The new proposed amendments also say we are going to test all testable assemblies. How will this happen without enforcement. Doesn't seem fair that a school or hospital in a small town stays in compliance with the code and the owner of an apartment building or a car wash ignores it.

Also, my opinion on testing and rebuilding of backflow assemblies, it should be a plumbing service, no others. The non plumbers that currently have the backflow testing certification, they can continue to test. But going forward, only a license and certified plumbers should be allowed to test and rebuild.

Construction codes are adopted as public policy to protect all of the public. They are not the exclusive domain of a very narrow group of the state population. Let's have a hearing that results in opening the process fairly and fully.

Thank you for your consideration.

Sincerely,

**Frank E. Soukup, Jr.**

**RF Backflow LLC** / Testing & Maintenance

Plumbing Contractor #PC643649  
Master Plumber #PM068699  
Backflow Certification #BF068699  
ASSE Certification Tester and Repairer #26733  
Power Limited Technician #PL007553  
Phone 218-820-2348  
Fax 218-732-5828  
[rbackflow@gmail.com](mailto:rbackflow@gmail.com)



**VETS FIRST**

\*\*\* CONFIDENTIALITY NOTICE \*\*\*

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Nicholas J. Sargent  
1840 22<sup>nd</sup> Avenue Northeast  
Rochester, MN 55906

RECEIVED

March 25, 2015

Suzanne Todnem  
C/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
Saint Paul, MN 55155

APR 07 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Ms. Todnem,

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).

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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.

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Cordially,



Nicholas J. Sargent

RECEIVED

APR 07 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Friday, April 3, 2015

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

Dear Attorney for MNDLI Todnem:

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

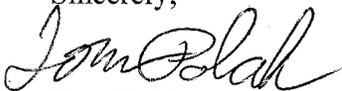
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Sincerely,



Tom Polak

2930 Old Bavaria Rd  
Chaska, MN 55318

**From:** [Moreland](#)  
**To:** [Todnem, Suzanne \(DLI\)](#)  
**Subject:** Notice of Intent to Adopt Rules Governing Minnesota Plumbing Code -Reviser ID # R-04139  
**Date:** Tuesday, April 07, 2015 3:24:48 PM

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Dear Suzanne Todnem,

This letter is a formal 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).

My concern is the Backflow Testing and Cross Connection Control. I taught the Certification class with Kevin O'Laughlin (MN), and Vitte Uses (WI). For 8 years in Mn, Wisconsin, including U of WI Madison, and N and S Dakota. as far as I know there has never been a complaint on any of our students on the quality of testing that was performed by licensed or un-licensed. Kevin and I were Certified by USC CA, Treo Center, Florida, New England Water Works, in Testing and Cross Connection Control. I don't believe anyone else is certified in MN for Cross Connection Control. I believe the five (5) year rubber goods replacement program should be continued for the safety of our water. I also feel the certification to test should continue to be extended to un-licensed plumbers just like it has been from its onset.

Thank you for your consideration.

Sincerely,

Glen Moreland  
Distributer and Calibration Center for Differential Pressure Gauges

Monday, April 6, 2015

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

RECEIVED

APR 06 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

Dear Attorney for MNDLI Todnem:

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

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Sincerely,



Dan Hamernick

4048 2nd St NE  
Minneapolis, MN 55421



# City of Oakdale

- established 1974 -

## Building Inspections

1584 Hadley Avenue North  
Phone: 651 - 739-5150

Oakdale, MN 55128  
Fax: 651 - 730-2820

April 6, 2015

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

RECEIVED

APR 08 2015

DEPT. OF LABOR & INDUSTRY  
LEGAL SERVICES

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

Dear Ms. Todnem:

We support the International Code Council, its codes, its governmental consensus process to update its codes and its training, testing and certification services, which has made it America's top model code organization. Its codes make up the majority of Minnesota's state construction and safety codes, and the International Plumbing Code (IPC) is adopted by more American jurisdictions than any other model plumbing code. It is nationally correlated with all of the other I-Codes and it is famously the prescriptive based plumbing code, which lends itself best for building designers and contractors seeking to build safe, dependable plumbing systems with lower costs of installation and materials.

For these reasons, we are surprised and concerned that the Minnesota State Plumbing Board on April 19, 2011, voted to reject the motion seeking a side-by-side analysis of both the IPC and the Uniform Plumbing Code (UPC). Instead, the MSPB voted to adopt the UPC to replace the home grown Minnesota State Plumbing Code without proper public notification and without further consideration of the IPC.

For these reasons, we request a public hearing on the proposed adoption of the UPC. We believe the Minnesota State Plumbing Board is in conflict with MS. 14.131 in its Statement of Reasonableness and Need, as it was required to make a "reasonable effort" to review both the UPC and the International Plumbing Code (IPC) to determine "whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule."

A model code adoption to replace a longstanding homegrown state plumbing code is a major development in any jurisdiction, especially in Minnesota. It is critical it gets done correctly. A fair, fully transparent process is critical to the credibility of the new code and its future administration.

Codes are public policy meant to serve and protect the entire public's interests. We ask that the MSPB be required to complete its work to fully review and objectively consider the IPC. We believe the hearing set for April 30 will help to make that possible.

Sincerely,

Sheryl Mellgren  
Building Inspector  
City of Oakdale  
[Sheryl.Mellgren@ci.oakdale.mn.us](mailto:Sheryl.Mellgren@ci.oakdale.mn.us)  
651-739-5150

3/31/2015

Ms. Suzanne Todnem  
Minnesota Department of Labor & 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 state's homegrown state plumbing code.

The public of Minnesota expects a complete review of all options. I currently am the master plumber for Centracare Systems which I have been for 16 years and I plan on moving into a private Plumbing business within a year.

As of right now, if we adopt the UPC, we will have 31 pages of Amendments taken from the UPC and inserted into the new code. Why are we changing, it doesn't make sense. Our MPC should be updated but not completely changed. The plumbing community has not been involved in this process in any manner. The Minnesota Plumbing Board (MPB) has not looked outside the board itself for any input on what the plumber might think about any changes.

In my opinion, the plumbing code isn't the problem, but the enforcement of the code. In most of Minnesota there is no code enforcement, or at least no qualified or knowledgeable people doing the plumbing inspections. Not doing a proper plumbing installation could cause a serious health concern to the public. The people who put the MPC together knew what they were doing. The MPC is one of the most respected codes in the United States. Does the code need to be updated? Yes, it does, but we do not need to adopt a new code and add 31 pages of amendments. Lastly, I do not see where another code will make Minnesota any safer or easier to apply. Have the MPB update the Minnesota Plumbing Code and start enforcing it as Minnesota Statutes 326B.43 Subdivisions 1-3 states.

Construction codes are adopted as public policy to protect all of the public. They are not the exclusive domain of a very narrow group of the state population. Let's have a hearing that results in opening the process fairly and fully. Thank you for your consideration.

Sincerely,

Kevin Kieke

Master Plumber

March 24, 2015

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

Email [dli.rules@state.mn.us](mailto: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 Burnsville and responsible for plumbing inspections in my community.

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 952-895-4441 or email: [chris.faste@ci.burnsville.mn.us](mailto:chris.faste@ci.burnsville.mn.us). Thank you for your attention to this letter and my views expressed here.

Sincerely,  
Christian Faste B0 001938  
Building Official  
City of Burnsville