

**Executive Committee - Meeting Minutes**  
**October 15, 2013 at 8:00 a.m.**  
**Department of Labor and Industry**  
**443 Lafayette Road No., St. Paul, MN 55117-4344**

**Members**

John Parizek  
Jim Lungstrom  
Grant Edwards  
Michael McGowan

**Board Members Present**

Thomas Pahkala

**Board Members Absent**

None

**DLI Staff & Visitors**

Pat Munkel-Olson (DLI)  
Lyndy Lutz (DLI)  
Cathy Tran (DLI)  
Jim Peterson (DLI)  
Matt Marciniak (IAPMO)  
Jim Gander (Superior Mechanical)  
Dan Driessen (Ultrapure)  
Gary Ford (Metro Testing)  
Phil Raines (Assoc. Builders & Contractors)

**I. Call to Order**

The meeting was called to order by Chair Parizek at 8:17 a.m. New board member Thomas Pahkala was introduced and provided a brief personal history stating he works for the City of Minneapolis as a rain leader disconnect inspector. Introductions and housekeeping announcements were made. Attendance was taken, a quorum was met.

**II. Approval of Meeting agenda**

A motion was made by to approve the agenda by consent.

**III. Approval of Previous Meeting Minutes**

Edwards made a motion to approve the July 16, 2013 Executive Committee Minutes as presented, seconded by McGowan. Two abstentions, the majority vote ruled and the motion passed.

**IV. Regular Business**

Nothing to report.

**V. Special Business**

**A) Department Updates**

Tran – Accelerated plan review process ends in January 2014.

**B) Rulemaking- Continuing Education Intent to Adopt published**

Munkel-Olson – Continuing Education Rules proposed for the renewal of the backflow tester and rebuilder certification – one comment was received; will inform the governor's office and then submit to the OAH for review.

**C) Complaints**

Parizek – Two California plumbing companies were advertising in our state – both turned over to enforcement. No other complaints dealing with board or licensing.

**D) Final Interpretations published**

Parizek – Updated and posted on our website: Penguin Toilets and Combi-Ovens

E) **Plumbing Board Agenda Review**

**National Code Review Committee:** The Board will not officially adopt or suggest adoption of any rules other than moving them forward in the process. A Request for Comments was published and we are currently in the review phase with decisions on moving forward, denying, or tabling amendments to be decided by the full board.

**Concerns:** Original intent was to look at the UPC and our code to determine if changes needed to be made between the two. Due to the large number of code amendments, we may need to look at our original intent as we go through the process to be certain these amendments met the criteria that was set. The board's intent is to discuss our anticipated goals and hold another meeting on November 18, 2013 and if needed, on December 10, 2013. Munkel-Olson clarified that when a model code is incorporated by reference it is done by date, therefore the incorporation by reference, should you decide to propose an amendment and ultimately have it adopted, is going to have a particular code with a date and the amendment would honor the current code. Munkel-Olson described the rulemaking process and timelines.

VI. **Correspondence**

**Parizek discussed emails he previously sent (*attached*)**

- 1) **ASSE Certification to the lawn irrigation industry:** Addressed concerns and questions regarding available courses for ASSE certification and controversy over ASSE 1060 and 1070 valves, tempering, and skull protection.
- 2) **Perma-Liner manufacturers:** Perma-Liner wanted to know how to get their product properly approved in Minnesota as they are now properly listed in the 2012 UPC. Advised that there were two different paths they could follow: Submit a request for the product to be reviewed at one of our board meetings with that process taking approximately 2 to 3 years or, wait to see what happens with the UPC – if there aren't any proposed amendments to that portion of the UPC, an RFA would not be needed and the time frame could possibly be shorter.

**Parizek discussed bi-monthly meetings regarding water reclamation**

- 1) Parizek and Tran met with representatives from the Minnesota Department of Health, Minnesota Pollution Control, and the Department of Natural Resources to discuss issues regarding water reclamation. There is a lot of cross-over between the agencies and there are a number of issues that need to be resolved. We are taking a serious look at boundaries and authority of each agency and what possible changes need to take place. Consensus at the last meeting was to look at legislative involvement to determine who has authority and because of this, Parizek recommended that Chapter 16 be tabled until these issues are worked out. Chapter 17 also needs revision in an effort to remove any references to water quality standards since the board does not have any authority; therefore these references will be removed and re-presented at either the November or December board meeting.

VIII. **Open Forum**

Michael McGowan asked to step down from the Executive Committee due to time constraints. Parizek to ask board for a nomination to fill this position.

IX. **Discussion**

Nothing brought forth.

**X. Announcements**

**Next Regularly Scheduled Meeting**

i. Tuesday, January 21, 2014 @ 8:00 – Minnesota Room, DLI

**XI. Adjournment**

**A motion was made by Edwards, seconded by McGowan to adjourn. The vote was unanimous and the meeting was adjourned at 8:46 a.m.**

Respectfully submitted,



Chair

**From:** [Parizek, John](mailto:Parizek, John)  
**To:** [dmat@ncscor.com](mailto:dmat@ncscor.com)  
**Cc:** [bill.adams@ci.stcloud.mn.us](mailto:bill.adams@ci.stcloud.mn.us); [Parizek, John](mailto:Parizek, John); [Munkel-Olson, Patricia \(DLI\)](mailto:Munkel-Olson, Patricia (DLI)); [Lutz, Lyndy \(DLI\)](mailto:Lutz, Lyndy (DLI))  
**Subject:** ASSE 1070 interpretation  
**Date:** Thursday, October 17, 2013 10:44:34 AM

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Mr. Matzen,

I believed this matter had been clarified some time ago and did not require an interpretation by the Plumbing Board since the original parties involved concurred with the Department's view. It seems this issue is not as much a conflict between the opinion of the Department and local inspectors but confusion which is quickly resolved after the local inspectors contact the Department for input and clarification.

I would like to confirm that your understanding of this requirement is the same as the Department's explanation. As explained to me by the Department:

All single shower control valves and combination tub and shower control valves are required to meet the ASSE 1016 Standard. These are typically the single handle control valves and there has been no change or modification to this code requirement. These control valves meeting ASSE 1016 can be either thermostatic, pressure balancing, or a combination of the two and no matter which type, are set for a maximum temperature outlet 120 degrees Fahrenheit. The ASSE 1070 device is required when the tub filler is not already controlled by an ASSE 1016 device. These devices are typically two handle control valves (separate hot and cold) usually installed on whirlpool tubs. The intent of the ASSE 1070 is to limit the temperature or temper the hot water supplying the fixture (coming out of the faucet with only the hot turned on) to 120 degrees Fahrenheit. There may be installations which will require both the ASSE 1070 and the ASSE 1016, examples of which could be a two handle whirlpool tub faucet and separate hand held shower or a claw foot bathtub with shower riser. A critical difference between the two devices is the ASSE 1016 device has a fast reaction time and narrower temperature fluctuation range in comparison to the ASSE 1070 device. A change in temperature while showering requires fast reaction to avoid scalding when flow rates can be 2.5 GMP; whereas a temperature change while filling a large capacity tub will take longer to affect the overall temperature.

If conflicts continue to arise in the field, individuals can be referred to the Department of Labor and Industry, and speak with one on the plumbing inspectors at: (651) 284-5067. As with any change in the plumbing code, a period of time may exist until the intent and requirement of the change is fully understood.

John Parizek, Chair Plumbing Board

**From:** Parizek, John [mailto:jparizek@dunwoody.edu]  
**Sent:** Monday, October 07, 2013 10:44 AM  
**To:** Cole Perkins (cole@perma-liner.com)  
**Cc:** Munkel-Olson, Patricia (DLI); Lungstrom, Jim (DLI); Larry Justin (ljustin@wentzassoc.com); Parizek, John; Wagner, Carey (DLI); Lutz, Lyndy (DLI)  
**Subject:** Perma-Liner

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Mr. Perkins,

I have verified that ASTM F 1216-09 is now a listed Standard in the 2012 edition of the Uniform Plumbing Code (UPC) and products conforming to this Standard can be used to repair underground sewers. With this listing and the listing in the current edition of the International Plumbing Code, ASTM F 1216-09 and your product can now be reviewed by the Plumbing Board for approval. A Request for Action (RFA) form, which is accessible at <http://www.dli.mn.gov/pb.asp>, can be submitted to the Plumbing Board for consideration. If approved by the Board, the ASTM F 1216-09 Standard will be included in the next rulemaking process for changes to the Minnesota State Plumbing Code. The typical time frame from the beginning of this process to an effective date is 2 – 3 years. Currently the Plumbing Board is reviewing possible amendments to the 2012 UPC for potential adoption in future rulemaking and all submitted RFAs are being reviewed as possible amendments to the UPC. At this time there have not been any suggested amendments to UPC, Section 715.3 which references use and installation of products conforming to ASTM F 1216-09. If the current UPC language is proposed and no amendments are made, filing an RFA is not required at this time. If the Board chooses not to move forward with potential adoption of the UPC in future rulemaking, you would then need to submit an RFA to have your product reviewed.

I hope this information has adequately addressed your concerns. If you have future questions or concerns, please contact me.

John A. Parizek, Chair Plumbing Board