

Plumbing Board  
c/o Department of Labor and Industry  
443 Lafayette Road North  
St. Paul, MN 55155-4344  
www.dli.mn.gov

## Plumbing Board Request for Action

PRINT IN INK or TYPE

**NAME OF SUBMITTER**

Jim Merchlewitz, Engineering Product Manager, ADS

**PURPOSE OF REQUEST** (check all that apply):  New Code  
 Code Amendment  Repeal of an existing Rule

The Minnesota Plumbing Code (MN Rules, Chapter 4715) is available at [www.dli.mn.gov/CCLD/PlumbingCode.asp](http://www.dli.mn.gov/CCLD/PlumbingCode.asp).

**Specify the purpose of the proposal:** (If recommendation for code change for fixture, appurtenance, material, or method, check all that apply)

Material  Method of installation, joining, etc.,  Fixture  Appurtenance (e.g., water conditioning equipment)  
 Test Method  Other (describe) \_\_\_\_\_

**Does your submission contain a Trade Secret?**  Yes  No

If Yes, mark “**TRADE SECRET**” prominently on each page of your submission that you believe contains trade secret information. Minnesota Statutes, section 13.37, subdivision 1(b), defines “trade secret” as follows:

“Trade secret information” means government data, including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the affected individual or organization, (2) that is the subject of efforts by the individual or organization that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

Note that, although “trade secret” information is generally not public, the Board and its committees may disclose “trade secret” information at a public meeting of the Board or committee if reasonably necessary for the Board or committee to conduct the business or agenda item before it (such as your request.) The record of the meeting will be public.

**Describe the proposed change.** The Minnesota Plumbing Code (Minnesota Rules Chapter 4715) is available via the World Wide Web at <http://www.revisor.leg.state.mn.us/arule/4715/>

**NOTE:**

- Please review the Minnesota Plumbing Code and include all parts of the Code that require revision to accomplish your purpose.
- The proposed change, including suggested rule language, should be *specific*. If modifying existing rule language, underline new words and ~~strike through deleted words~~. Please list all areas of the Minnesota Plumbing Code that would be affected.

Building storm and sanitary sewer, Drainage

**Office Use Only**

RFA File No. PB0081	Date Received by DLI	Dated Received by Committee	Date of Forwarded to Board
Title of RFA	By:		

Committee Recommendation to the Board:  Accept  Reject  Abstain

Board approved as submitted:  Yes  No Board approved as modified:  Yes  No

**This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.**

**Need and Reasons For the Change.** Thoroughly explain the need and why you believe it is reasonable to make this change. During a rulemaking process, the need and reasonableness of all proposed rule changes must be justified; therefore, a detailed explanation is necessary to ensure the Board thoroughly considers all aspects of the proposal. The product is made and sold in MN. ASTM specs have vetted out the product and determined there was a need for the new specification/product.

**Standards and Product Approvals or Listings:** Your product/method must conform to a referenced standard(s) listed in the IPC and the UPC. Please check which national code the standard(s) of your product/method are currently listed in:  
 IPC  UPC

If your product/method standard(s) is not currently listed in both national codes, your Request For Action will not be considered by the Board or its committees, however, you are welcome to present at any Board meeting during the Open Forum section of the Agenda.

The proposal must be accompanied by copies of any published standards, the results of testing, and copies of any product listings, as documentation of the health, sanitation and safety performance of any materials, methods, fixtures, and/or appurtenances. If none are available, please explain:

International Plumbing Code (IPC) approved the use of polypropylene (PP) pipe included in storm drainage and sanitary sewer applications. HDPE pipe manufactured in accordance with ASTM F667 and F2648 was also added as an approved material for storm drainage applications to the IPC. Specifically, the following items were approved for addition to the IPC:

- PP Pipe

Action Item # Description

- o P171-15 Addition of ASTM F2736, F2764, CSA B182.13 to Table 702.3 - Building Sewer Pipe
- o P239-15 Addition of ASTM F2881 to Chapter 14 Table 1102.4 - Building Storm Sewer Pipe

- HDPE Pipe

Action Item # Description

- o P237-15 Addition of ASTM F667 to Chapter 14 Table 1102.4 - Building Storm Sewer Pipe
- o P238-15 Addition of ASTM F2648 to Chapter 14 Table 1102.4 - Building Storm Sewer Pipe
- o P241-15 Addition of ASTM F667 to Chapter 14 Table 1102.5 - Subsoil Drain Pipe

Please attach electronic scanned copies of any literature, standards and product approvals or listings. Printed or copyrighted materials, ***along with written permission from the publisher to distribute the materials at meetings***, should be sent to the Plumbing Board, c/o Department of Labor and Industry, 443 Lafayette Road No., St. Paul, MN 55155-4344.

**Primary reason for change:** (check only one)

- Protect public, health, safety, welfare, or security
- Lower construction costs
- Encourage new methods and materials
- Change made at national level
- Other (describe) \_\_\_\_\_
- Mandated by legislature
- Provide uniform application
- Clarify provisions
- Situation unique to Minnesota

**Anticipated benefits:** (check all that apply)

- Save lives/reduce injuries
- Improve uniform application
- Improve health of indoor environment
- Provide more construction alternatives
- Reduce regulation
- Other (describe) \_\_\_\_\_
- Provide more affordable construction
- Provide building property
- Drinking water quality protection
- Decrease cost of enforcement

**Economic impact:** (explain all answers marked "yes")

1. Does the proposed change increase or decrease the cost of enforcement?  Yes  No If yes, explain NA

2. Does the proposed change increase or decrease the cost of compliance?  Yes  No If yes, explain Include the estimated cost increase or decrease, and who will bear the cost increase or experience the cost decrease: NA

3. Are there less costly or intrusive methods to achieve the proposed change?  Yes  No If yes, explain NA

4. Were alternative methods considered?  Yes  No If no, why not? If yes, explain what alternative methods were considered and why they were rejected. NA

5. If there is a fiscal impact, try to explain any benefit that will offset the cost of the change. If there is no impact, mark "N/A." Increased competition

6. Provide a description of the classes of persons affected by a proposed change, who will bear the cost, and who will benefit. underground stormwater/drainage and sanitary - gravity flow applications

7. Does the proposed rule affect farming operations? (Agricultural buildings are exempt from the Minnesota Building Code under Minnesota Statutes, Section 326B.121.)  Yes  No If yes, explain Drainage

Are there any existing Federal Standards?  Yes  No If yes, list: ASTM approvals listed above

Are there any differences between the proposed change and existing federal regulations?  Yes  No  Not applicable  Unknown If yes, describe each difference & explain why each difference is needed & reasonable.

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Minnesota Statutes, section 14.127, requires the Board to determine if the cost of complying with proposed rule changes in the first year after the changes take effect will exceed \$25,000 for any small business or small city. A small business is defined as a business (either for profit or nonprofit) with less than 50 full-time employees and a small city is defined as a city with less than ten full-time employees.

During the first year after the proposed changes go into effect, will it cost more than \$25,000 for any small business or small city of comply with the change?  Yes  No If yes, identify by name the small business(es or small city(ies).

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Will this proposed plumbing code amendment require any local government to adopt or amend an ordinance or other regulation in order to comply with the proposed plumbing code amendment?  Yes  No, If yes, identify by name the government(s) and ordinances(s) that will need to be amended in order to comply with the proposed plumbing code amendment.

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Additional supporting documentation may also be attached to this form. Are there any additional comments you feel the Committee/Board may need to consider? If so, please state them here:

The attached document lists the IPC Committee's actions and highlights the proposals that were approved during the Public Comment Hearings in December 2015. Unfortunately, these updates will not be physically published in the IPC Manual until the next printing of the IPC Code in January 2018. In the interim, please utilize the documentation of our approval, see attached document to show that the items have indeed been passed and approved for use.

#### Information regarding submitting this form:

- Submissions are received and heard by the Committee on an "as received" basis. **Any missing documentation will delay the process, and your proposal will be listed as the date it was received "Complete."**
- **Submit any supporting documentation to be considered**, such as manufacturer's literature, approvals by other states, and engineering data electronically to [DLI.CCLDBOARDS@state.mn.us](mailto:DLI.CCLDBOARDS@state.mn.us). Once your Request For Action form has been received, it will be assigned a file number. Please reference this file number on any correspondence and supplemental submissions.
- **For copyrighted materials that must be purchased from publishers, such as published standards, product approvals or testing data, listings by agencies (IAPMO, ASSE, ASTM, etc.) you may send just 2 copies, along with written permission from the publisher to distribute the materials at meetings, via U.S. Mail to: Plumbing Board, c/o Department of Labor and Industry, 443 Lafayette Road No., St. Paul, MN 55155-4344.**
- **For materials that must be submitted by U.S. Mail, please include a copy of your "Request For Action" form originally submitted and reference your assigned RFA file number.**


#### Information for presentation to the Committee and/or Board:

- Limit presentations to 5 minutes or less.
- Be prepared to answer questions regarding the proposal and any documentation.

#### Information regarding Committee and/or Board function:

- The Product and Code Review Committee serves to advise the Plumbing Board.

I understand that any action of the Product and Code Review Committee is a recommendation to the Plumbing Board and is not to be considered final action.

NAME AND E-MAIL ADDRESS		FIRM NAME	
Jim Merchlewitz, jim.merchlewitz@ads-pipe.com		Advanced Drainage Systems, Inc.	
NAME, PHONE NUMBER AND E-MAIL ADDRESS OF PRESENTER TO THE COMMITTEE (if different):			
Jim Merchlewitz, 612-387-2413, jim.merchlewitz@ads-pipe.com			
ADDRESS	CITY	STAT E	ZIP CODE
4365 Bailey Lake Drive	Woodbury	MN	55129
PHONE	SIGNATURE (original or electronic)	DATE	
612-387-2413		5/9/16	

For Assistance or questions on completing this form, contact Cathy Tran, Department of Labor and Industry at 651-284-5898.

<b>For Office/Committee Use Only</b>			
Proposal received completed? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Date Proposer notified of gaps:	Mode of notification (e.g., e-mail)	Date returned to Proposer:	Date materials re-received: