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	PURPOSE OF REQUEST (check all that apply): ☐ New Code
CATHY TRAN	☒ Code Amendment ☐ Repeal of an existing Rule

The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at 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)

☐ 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 4714) is available via the World Wide Web at http://www.revisor.leg.state.mn.us/arule/4714/

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.

See attached proposed amendments sections:
408.7 (Lining for Showers and Receptors)
4XX.X (Trench Drains)
1009.4 (Relief Vent)

Office Use Only

RFA File No.	Date Received by DLI	Dated Received by Committee	Date Forwarded to Board
PB0140	8.12.2019		
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 audio. To request, call 1-800-342-5354.

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.

See attached

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:

See attached

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

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:

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

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

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."

6. Provide a description of the classes of persons affected by a proposed change, who will bear the cost, and who will benefit.

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

Are there any existing Federal Standards? ☐ Yes ☒ No If yes, list:

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.

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).

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.

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:

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. 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 Plumbing Board or designated committee.

I understand that any committee action is a recommendation to the Plumbing Board and is not to be considered final action.

SUBMITTED BY NAME	FIRM NAME	SUBMITTER'S E-MAIL ADDRESS
Cathy Tran	DLI	Cathy.Tran@State.mn.us

NAME, PHONE NUMBER & E-MAIL ADDRESS OF PRESENTER TO THE COMMITTEE (if different):

ADDRESS	CITY	STATE ZIP CODE

PHONE	SIGNATURE (original or electronic)	DATE
651 284-5898		8/12/19

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

For Office/Committee Use Only Proposal received completed? ☐ Yes ☐ No

Date Proposer notified of gaps:	Mode of notification (e.g., e-mail)	Date returned to Proposer:	Date materials re-received:

PROPOSED AMENDMENT #1

408.7 Lining for Showers and Receptors. Shower receptors built on-site shall be watertight and shall be constructed from approved-type dense, nonabsorbent, and noncorrosive materials. Each such receptor shall be adequately reinforced, shall be provided with an approved flanged floor drain designed to make a watertight joint in the floor, and shall have smooth, impervious, and durable surfaces. Unless the shower receptor is poured on the ground as part of a slab, an approved shower liner must be provided in accordance with the requirements of this section.

Shower receptors shall have the subfloor and rough side of walls to a height of not less than 3 inches (76 mm) above the top of the finished dam or threshold shall be first lined with sheet plastic, lead, or copper, or shall be lined with other durable and watertight materials. Showers that are provided with a built in place, permanent seat or seating area that is located within the shower enclosure, shall be first lined with sheet plastic, lead, copper, or shall be lined with other durable and watertight materials that extend not less than 3 inches (76 mm) above horizontal surfaces of the seat or the seating area.

Lining materials shall be pitched ¼ inch per foot (20.8 mm/m) to weep holes in the subdrain of a smooth and solidly formed subbase. Such lining materials shall extend upward on the rough jambs of the shower opening to a point not less than 3 inches (76 mm) above the horizontal surfaces of the seat or the seating area, the top of the finished dam or threshold and shall extend outward over the top of the permanent seat, permanent seating area, or rough threshold and be turned over and fastened on the outside face of both the permanent seat, permanent seating area, or rough threshold and the jambs.

Nonmetallic shower subpans or linings shall be permitted to be built up on the job site of not less than three layers of standard grade 15 pound (6.8 kg) asphalt-impregnated roofing felt. The bottom layer shall be fitted to the formed subbase and each succeeding layer thoroughly hot-mopped to that below. Corners shall be carefully fitted and shall be made strong and watertight by folding or lapping, and each corner shall be reinforced with suitable webbing hot-mopped in place.

Folds, laps, and reinforcing webbing shall extend not less than 4 inches (102 mm) in all directions from the corner, and webbing shall be of approved type and mesh, producing a tensile strength of not less than 50 lb/ft^2 (244 kg/m^2) in either direction. Nonmetallic shower subpans or linings shall be permitted to consist of multilayers of other approved equivalent materials suitably reinforced and carefully fitted in place on the job site as elsewhere required in this section.

Linings shall be properly recessed and fastened to approved backing so as not to occupy the space required for the wall covering, and shall not be nailed or perforated at a point that is less than 1 inch (25.4 mm) above the finished dam or threshold. An approved-type subdrain shall be installed with a shower subpan or lining. Each such subdrain shall be of the type that sets flush with the subbase and shall be equipped with a clamping ring or other device to make a tight connection between the lining and the drain. The subdrain shall have weep holes into the waste line. The weep holes located in the subdrain clamping ring shall be protected from clogging.

Shower lining materials shall comply with approved standards acceptable to the Authority Having Jurisdiction. Lead and copper subpans or linings shall be insulated from conducting substances other than their connecting drain by 15 pound (6.8 kg) asphalt felt or its equivalent, and no lead pan or liner shall be constructed of material weighing less than 4 lb/ft^2 (19 kg/m^2). Copper pans or liners shall be not less than No. 24 B & S Gauge (0.02 inches) (0.51 mm). Joints in lead pans or liners shall be burned. Joints in copper pans or liners shall be soldered or brazed. Plastic pans shall not be coated with asphalt-based materials.
See 2018 UPC 408.7.1 to 408.7.5

Justification:
The current 2018 UPC language of 408.7 does not have specific language to separate or provide exceptions for onsite built showers that is poured on the ground (slab on grade) verse showers that are onsite built aboveground. The proposed language clarifies that showers poured on the ground as part of the slab do not required shower liners. This proposed amendment is consistent with IAPMO's interpretation of this provision and adds clarity for consistent code enforcement.

PROPOSED AMENDMENT #2

Code Section 4714.04xx.x
Add the following subsection (to be determined) in Chapter 4

4xx.x Trench Drains
Trench Drains shall comply with ASME A112.6.3, ASME A112.3.1, or be constructed of watertight material, watertight joint, and be tested for watertightness by filling with water to the level of the flood rim of the trench drain.

Justification:
Proposed language adds a new subsection to address trench drains since the 2018 UPC does not. The proposed language adds nationally recognized standards for the construction of trench drains and also addresses trench drains which are not. The proposed language also sets construction requirements for trench drains that are not certified, including testing and watertight installation for consistent enforcement. Trench drains are used in many plumbing systems especially in garages and manufacturing to collect and discharge into the drainage system and are not intended to retain water for long periods of time. The proposed language is reasonable since requiring listing on all trench drains as currently required under code 301.1 is overly restrictive and redundant since the code allows the use of brick and concrete constructed sand/flammable waste interceptors which both are not listed to any standard and more

concerning than trench drains. Many trench drains constructed in Minnesota are formed as part of a concrete slab and testing is necessary to ensure the integrity and integrity of the non-certified trench drains.

PROPOSED AMENDMENT #3

1009.4 Relief Vent. Interceptors (clarifiers) shall be so designed that they will not become air-bound where closed covers are used. Each interceptors (clarifiers) shall be properly vented. Interceptor (clarifier) and neutralization tank vent ports must be located above the highest liquid flow level.

Justification:
Proposed language adds clarify that vent ports must not be located such that the vent is submerged when flowing ½ to highest flow level. Blockage may occurred over times if submerged or during back-ups of the drainage system. This proposed amendment is not a significant change but rather adds clarify to the current requirement that an interceptor must be "properly vented"