

Plumbing Board Request for Action

PRINT IN INK or TYPE

NAME OF SUBMITTER Cathy Tran, DLI	PURPOSE OF REQUEST (check all that apply): <input type="checkbox"/> New Code <input type="checkbox"/> Code Amendment <input type="checkbox"/> Repeal of an existing Rule
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The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at www.dli.mn.gov/CCLD/PlumbingCode.asp

Specify the purpose of the proposal: If recommendation for code change for appurtenance 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 document for Chapters 3, 4, 5

Office Use Only

RFA File No. PB0102	Date Received by DLI 11/29/2018	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).

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 document for Chapters 3, 4 & 5

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:

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)

- | | |
|-------------------------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Protect public, health, safety, welfare, or security | <input type="checkbox"/> Mandated by legislature |
| <input type="checkbox"/> Lower construction costs | <input type="checkbox"/> Provide uniform application |
| <input type="checkbox"/> Encourage new methods and materials | <input type="checkbox"/> Clarify provisions |
| <input type="checkbox"/> Change made at national level | <input type="checkbox"/> Situation unique to Minnesota |
| <input type="checkbox"/> Other (describe) _____ | |
-

Anticipated benefits: (check all that apply)

- | | |
|-----------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Save lives/reduce injuries | <input type="checkbox"/> Provide more affordable construction |
| <input type="checkbox"/> Improve uniform application | <input type="checkbox"/> Provide building property |
| <input type="checkbox"/> Improve health of indoor environment | <input type="checkbox"/> Drinking water quality protection |
| <input type="checkbox"/> Provide more construction alternatives | <input type="checkbox"/> Decrease cost of enforcement |
| <input type="checkbox"/> Reduce regulation | <input type="checkbox"/> Other (describe) _____ |
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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 action is a recommendation to the Plumbing Board and is not to be considered final action.

NAME AND E-MAIL ADDRESS		FIRM NAME	
Cathy Tran, Cathy.tran@state.mn.us		DLI	
NAME, PHONE NUMBER AND E-MAIL ADDRESS OF PRESENTER TO THE COMMITTEE (if different):			
651/284-5898			
ADDRESS		CITY	STAT ZIP CODE
443 Lafayette Road		St Paul	E MN
PHONE	SIGNATURE (original or electronic)	DATE	
651/284-5898	Cathy Tran	11/29/18	

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? <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:

DLI Proposed (2018 UPC)

Code Section	Proposed Change	Justification
4714.0301 Section 301.1 Minimum Standards	Delete proposed amendments under Chapter 4714.0301, Section 301.0; 301.1, 301.1.2 and recommend keeping 2018 UPC Sections 301.0, 301.1 and 301.2.	4714.0301, Section 301.1 is no longer needed since the UPC 2018 has addressed and removed non-plumbing language in this section which was the intent of the original amendment. 4714.0301, Section 301.1.2 is not necessary as the original amendment original removes the language regarding appendix I to avoid confusion about whether it is adopted or not. It is no longer needed since code section 4715.0050 clarifies by incorporation by reference.
301.2.5 Existing Buildings	In existing buildings or premises in which plumbing installations are to be altered, repaired, or renovated, the Authority Having Jurisdiction has discretionary powers to permit deviation from the provisions of this code, provided that such proposal to deviate is first submitted for proper determination in order that health and safety requirements, as they pertain to plumbing, shall be observed.	Previously deleted, 4714.0301, section 301.1.3. The proposed amendment deletes this UPC subsection in its entirety. Plumbing in existing buildings is addressed in part 4714.0101, subparts 3 and 6.
4714.0314 314.0 TRENCHING, EXCAVATION, AND BACKFILL	Delete amendments under 4714.0314, Sections 314.0, 314.2, 314.3 and 314.4 to keep 2018 UPC, Sections 314.2, 314.3, 314.4, 314.4.1 for recommending to the plumbing board for adoption. Section 314.1 remains as deleted.)	Section 314.2 has provisions for tunneling and driving in yards and driveways with specific requirements outlined for proper installation using tunneling and driving. Section 314.3 clarifies that open trench excavation for building drainage system within walls of a building must be utilized for proper installation. Section 314.4 and 314.4.1 adds specific requirements for underground thermoplastic pipe and fittings for sewers which previously did not. This will ensure installation will be installed correctly. These sections are needed for proper installation of building drainage system within walls of buildings and thermoplastic pipe and fittings for sewers since installation standards for plastic pipe have been eliminated in the appendixes.
Table 313.1 Hangers and Supports	Add note 6 to “Schedule 40 PVC and ABS DWV” row for “Horizontal” and “Vertical” columns.	Installation standards for plastic drain, waste, and vent no longer exists in the 2018 UPC. Furthermore, a nationally recognized standard is not yet available for expansion joints. This proposed note 6 provides acceptable offset methods to compensate for expansion

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Code Section	Proposed Change	Justification
	<p>UPC Table 313.1 is amended:</p> <p>Notes:</p> <p><u>6. Installations shall compensate for thermal expansion and contraction. Expansion joints shall be utilized in vertical straight runs in excess of thirty (30) feet (9,144 mm) provided they are installed per manufacturer's installation instructions.</u></p> <p><u>Except piping buried below ground, horizontal and vertical piping must be installed with restraint fittings or a minimum twenty-four (24) inches (610 mm) 45° offset every thirty (30) feet (9144 mm).</u></p>	<p>and contraction of plastic DWV pipe for aboveground installation horizontally and vertically for proper support. This proposed language is reasonable and provides specific requirements needed for in design and installation, and consistent enforcement.</p>
<p>4714.0409, Section 409.1 Bathtubs and Whirlpool Bathtubs.</p>	<p>409.1 Application. Bathtubs and whirlpool bathtubs shall comply with the applicable standards referenced in Table 1401.1. <u>Bathtubs shall comply with ASME A112.19.1/CSA B45.2, ASME A112.19.2/CSA B45.1, ASME A112.19.3/CSA B45.4, CSA B45.5/IAPMO Z124, or CSA B45.12/IAPMO Z402. Whirlpool bathtubs shall comply with ASME A112.19.7/CSA B45.10.</u> Pressure sealed doors within a bathtub and or whirlpool bathtub enclosure shall comply with the applicable standards referenced in Table 1401.1. <u>ASME A112.19.15.</u> Whirlpool pedicure tubs shall comply with general requirements and water retention sections of ASME A112.19.7, or IAPMO IGC 155, Pipeless Whirlpool Bathtub Appliances.</p>	<p>The proposed amendments are reflecting the additions of nationally recognized standards in the body of the code that are also referenced standards under Chapter 17 of the UPC 2018.</p>

DLI Proposed (2018 UPC)

Code Section	Proposed Change	Justification
<p>4714.0418, section 418.7 Garage and Parking Area Drains</p>	<p>418.7 Garage and Parking Area Floor Drains. Floor area drains in open parking areas, including open areas of parking ramps, shall discharge to the storm sewer or to a place of disposal satisfactory to the sewer authority. Floor drains in parking areas that are enclosed, and , floor drains in areas open or enclosed that are used for maintenance or as vehicle wash bays, shall discharge to the sanitary sewer if a municipal sewer is available. An oil and flammable liquid interceptor <u>complying with Section 1017</u> shall be provided if required by sections <u>1009.1, 1011.1, and 1017.1</u>.</p> <p style="text-align: center;">Exception: Floor drains in private garages serving one- and two-family dwellings may discharge to daylight if approved by the administrative authority.</p>	<p>The change in this proposed amendment is to clarify the correct code sections where flammable and oily are required under code sections 1009.1, 1011.1, and 1017.1, and not only Section 1017.</p> <p>History:</p> <p>This was a Minnesota amendment that added a new subsection M.R. 4714, Section 418.7 in the last rule adoption. The language requires drains in enclosed garages to discharge to the sanitary sewer while floor drains in open parking areas must discharge to the storm sewer.</p> <ul style="list-style-type: none"> •Drains in enclosed garages generally do not collect rainwater, but will collect oil, grease, even vehicle wash waste, and other types of waste from vehicles that need proper treatment and discharge to the sanitary sewer. •Open areas of parking ramps will collect significant amounts of rainwater and must discharge to the storm sewer with an exception that the municipal sewer authority may determine other approved places of disposal as necessary for open parking ramp drainage.
<p>Section 421.2 Limitation of Hot Water Temperature for Public Lavatories.</p>	<p>M.R. 4714.0421, Section 421.2. is deleted.</p>	<p>This language has been relocated to a new section of the UPC 2018, Section 407.3 and therefore, creates redundant requirement and conflicts with Section 421.2 of 2018 UPC which is now for floor sink strainers.</p>
<p>4714.0501, Section 501.1 Applicability</p>	<p>501.1 Applicability. The regulations of this chapter as amended in this code shall govern the construction, location, and installation of fuel-burning and other water heaters heating potable water. The minimum capacity for storage water heaters shall be in accordance with the first-hour rating listed in Table 501.1(2). Design, construction, and workmanship shall be in accordance with accepted engineering practices, manufacturer's instructions, and applicable standards and shall be of such character as to secure the results sought to be obtained by this code. No water heater shall be hereinafter installed that does not comply with the</p>	<p>The proposed amendment reflects the language in the 2018 UPC adopting water heater standards for different types of water heater while deleting language "together with chimneys, vents, and their connectors" because it's not plumbing. Adopting nationally recognized standards provides clear and consistent requirements for industry and regulators.</p>

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Code Section	Proposed Change	Justification
	<p>type and model of each size thereof approved by the Authority Having Jurisdiction. <u>A list of accepted water heater appliance standards is referenced in Table 501.1(1). Listed appliances shall be installed in accordance with the manufacturer's installation instructions. Unlisted water heaters shall be permitted in accordance with Section 504.3.2.</u></p>	
<p>4714.0504, Subpart part 2. Section 504.6 Temperature, Pressure, and Vacuum Relief</p>	<p>The installation of temperature, pressure, and vacuum relief devices, or combinations thereof, shall be installed in accordance with the terms of their listings and the manufacturer's installation instructions. A shutoff valve shall not be placed between the relief valve and the water heater or on discharge pipes between the valves and the tmosphere. The hourly British thermal units (Btu) (kW·h) discharge capacity or the rated steam relief capacity of the device shall be not less than the input rating of the water heater. <u>Discharge piping shall be installed in accordance with Section 608.5.</u></p>	<p>The proposed amendment is needed to better coordinate safety relief discharge requirements to exist in one location Section 608.5. This provides consistent language with UPC 2018.</p>
<p>4714.0507, Subpart 2. Section 507.5</p>	<p>507.5 Relief Valve Discharge. Discharge from a relief valve into a water heater pan shall be prohibited. Discharge relief valves shall terminate to a safe place of disposal or within 18 inches of the floor.</p> <p>Drainage Pan. Where a water heater is located in an attic, in or on an attic ceiling assembly, floor-ceiling assembly, or floor-subfloor assembly where damage results from a leaking water heater, a watertight pan of corrosion-resistant materials shall be installed beneath the water heater with not less than $\frac{3}{4}$ of an inch (20 mm) diameter drain to an approved location. Such pan shall be not less than 1½ inches (38 mm) in depth.</p>	<p>Relief valve discharge has been coordinated and relocated in section 608.5, and consistent with proposed change in section 504.6. The proposed amendment is not significant but rather reflects the necessary relocation and coordination of language in the 2018 UPC for drainage pan.</p>
<p>4714.0508 APPLIANCES ON ROOFS.</p>	<p>UPC sections 508.0 to 508.4 <u>508.3.3</u> are deleted in their entirety.</p>	<p>The proposed amendment keeps section 508.4 which allows water heaters to be located in ceilings, attics and crawlspaces when installed in accordance with the requirements of 508.4 and consistent with national code standards.</p>

DLI Proposed (2018 UPC)

Code Section	Proposed Change	Justification
4714.0509 Venting of Appliance	UPC section 509.15 is deleted.	4715.0509 deletes UPC 509.0 to 509.14, but needs to amend to include deletion of 509.15. Venting of appliances is not plumbing.