

Plumbing Board Request for Action

PRINT IN INK or TYPE

NAME OF SUBMITTER Brent Marsolek	PURPOSE OF REQUEST (check all that apply): <input type="checkbox"/> New Code <input checked="" 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) Water service depth of cover outside of structure

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.

The intention of this proposal is to augment Chapter 312.6 of the Minnesota Plumbing Code by amending Chapter 609 of the Universal Plumbing Code as shown in Attachment "A", attached hereto and incorporated herein.

See attached Attachment "A"

Office Use Only

RFA File No. PB0103	Date Received by DLI 2.5.2019	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.

The current standard for depth of bury of water service piping outside of structures is inadequate for protection from freezing. Frost depth, as defined by MSBC Rules 1303.1600 (Attachment "B"), is divided into two sections within the State of Minnesota. The southern half of the state has a defined frost depth of 42 inches and the northern half of the state has a defined frost depth of 60 inches. With the current code and these definitions, depth of bury for water service piping outside of a structure would be 54 and 72 inches, depending on which zone the installation would take place in. Data provided by The Minnesota Department of Transportation regarding frost and thaw depths has been compiled to support the argument that this depth of bury is inadequate (Attachment "C").

Additionally, different soil types throughout the State is an important consideration in determining proper depth of bury. It is proposed that soil types and their affects on determining proper depth of bury is greatly varied throughout the State and as such local authorities having jurisdiction are best equipped to make the determination of proper depth of bury in their area of governance.

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:

This proposal does not seek to change any materials, methods, fixtures, and/or appurtenances beyond depth of bury for water service piping outside of structures.

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.
No reliable alternative methods are known at this time.

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." 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:

See Attachment "A", "B", and "C"

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	
Brent Marsolek, brent.marsolek@ci.stpaul.mn.us		Saint Paul Regional Water Services	
NAME, PHONE NUMBER AND E-MAIL ADDRESS OF PRESENTER TO THE COMMITTEE (if different):			
Dave Wagner, 651-266-6261, dave.wagner@ci.stpaul.mn.us			
ADDRESS		CITY	STAT E
1900 Rice Street		Saint Paul	MN
PHONE		SIGNATURE (original or electronic)	DATE
651-266-6810			11/27/2018
		ZIP CODE	
			55113

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:

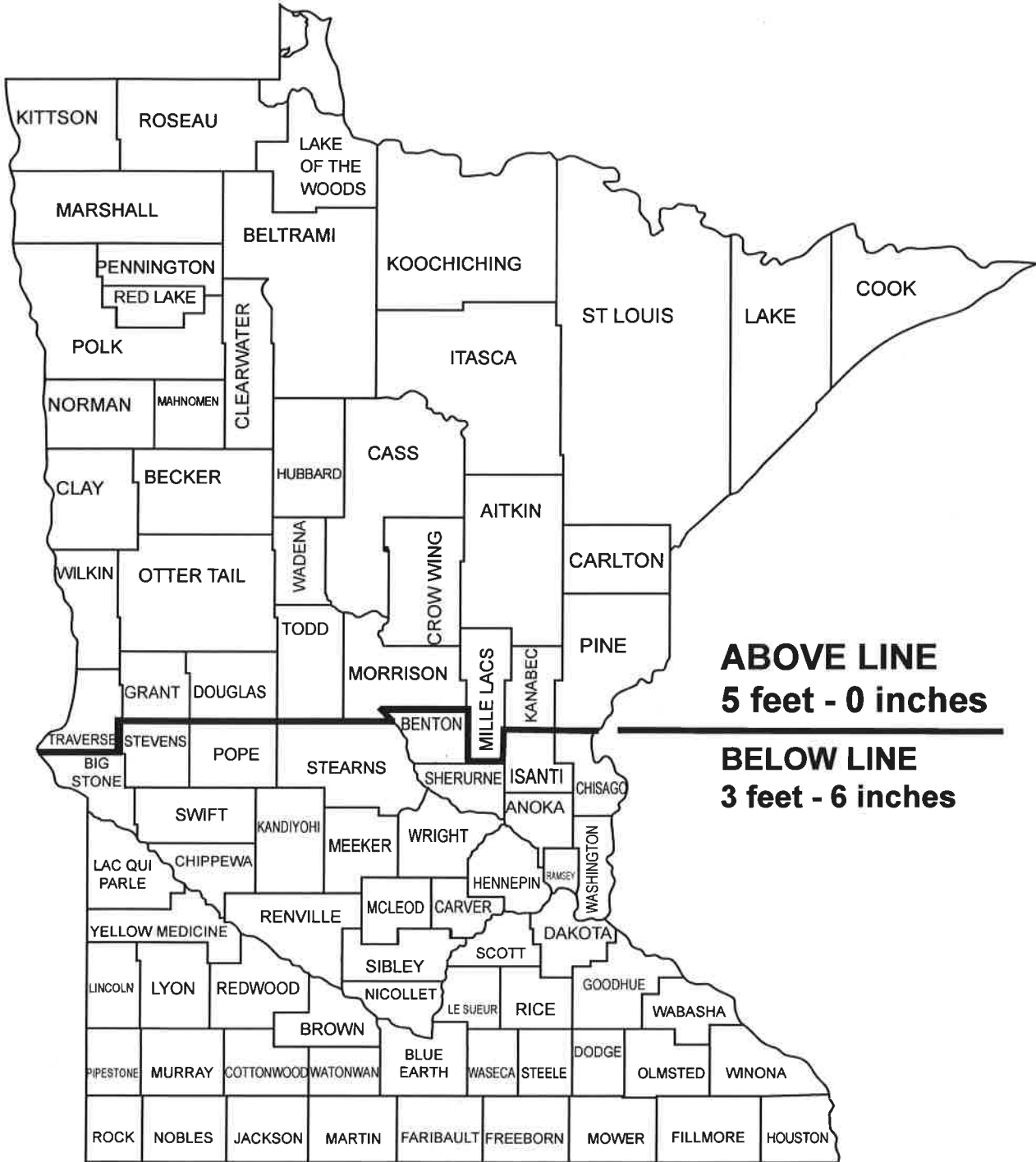
4714.0609 INSTALLATION, TESTING, UNIONS, AND LOCATION.

Subp. 3. Section 609. UPC section 609 is amended by the following:

609.1 Installation. Water piping shall be adequately supported in accordance with Table 313.3. Burred end shall be reamed to the full bore of the pipe or tube. Changes in direction shall be made by the appropriate use of fittings, except that changes in direction in copper or copper alloy tubing shall be permitted to be made with bends, provided that such bends are made with bending equipment that does not deform or create a loss in the cross-sectional area of the tubing. Changes in direction are allowed with flexible pipe and tubing without fixtures in accordance with the manufacturer's instructions. Provisions shall be made for expansion in hot-water piping. Piping, equipment, appurtenances, and devices shall be installed in a workmanlike manner in accordance with the provisions and intent of the code. Building supply and yard piping shall be not less than 12 inches (305mm) below the average-maximum local frost depth, in accordance with Section 312.6 and Section 313.3 of this code, and in accordance with the Authority Having Jurisdiction. The cover shall be not less than 12 inches (305 mm) below finish grade.

FROST DEPTH

MSBC RULES 1303.1600



**ABOVE LINE
5 feet - 0 inches**

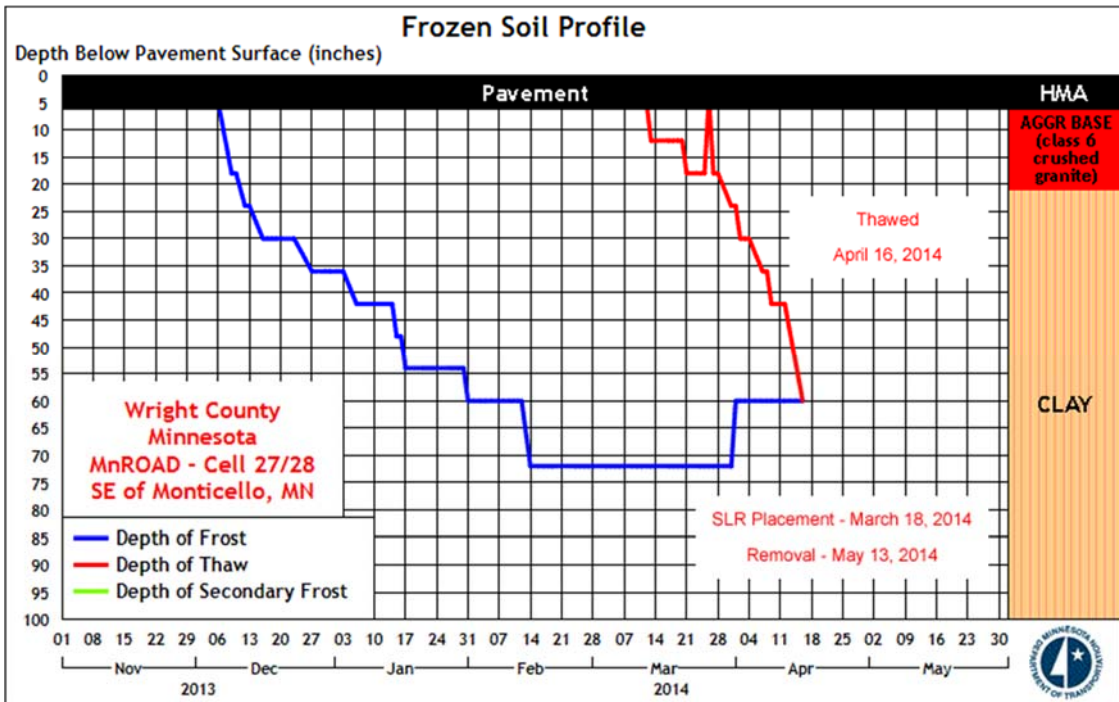
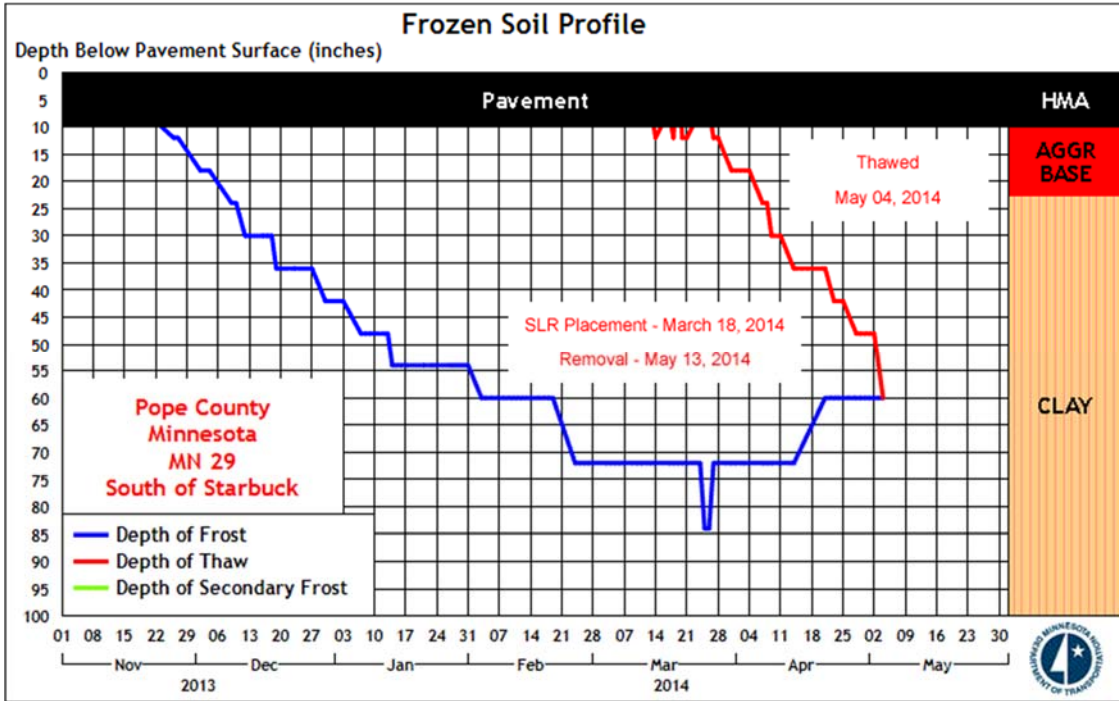
**BELOW LINE
3 feet - 6 inches**

Southern Half of State

Depth of bury per UPC Code = 54 inches

Data provided by MnDOT Materials & Road Research Frost and Thaw Depths:

http://dotapp7.dot.state.mn.us/research/seasonal_load_limits/thawindex/frost_thaw_graphs.asp



Northern Half of State

Depth of bury per UPC Code = 72 inches

Data provided by MnDOT Materials & Road Research Frost and Thaw Depths:

http://dotapp7.dot.state.mn.us/research/seasonal_load_limits/thawindex/frost_thaw_graphs.asp

