I. Call to Order
The meeting was called to order by Chair Parizek at 9:34 a.m. Roll call was taken by the Chair and a quorum was declared with 9 of 12 voting members present in person or via teleconference. Introductions and housekeeping announcements were made.

II. Approval of revised meeting agenda
A motion was made by Justin, seconded by Flagg, to approve the agenda with additional revisions shown below. The roll call vote was 8 votes in favor of the motion and one abstention; the motion carried.

III. Approval of Previous Meeting Minutes
A) January 17, 2017

V. Special Business as follows:
A) RFI – Sean Flaherty, President NFSA, MN Chapter

III. Regular Business
Approval of expense reports – Parizek approved the expenses as presented.
V. Special Business

A) RFI – Sean Flaherty – President NFSA, MN Chapter (Attachment A)

Mr. Flaherty addressed the Board to present his RFI. The adoption of the new Minnesota Plumbing Code inadvertently created a conflict with the Minnesota Fire Code. The Minnesota Plumbing Code requires that installation of backflow prevention assemblies be performed by licensed plumbers. The Minnesota Fire Code adopts NFPA 13 which requires that backflow prevention assemblies be installed in fire sprinkler systems. Fire sprinkler systems are installed by sprinkler contractors who are generally not licensed plumbers. Due to this conflict between the two codes, a joint committee was established with himself (Flaherty), Lungstrom, and Parizek to create language addressing above noted issues and the language was reviewed by the Board’s legal counsel for clarity. The RFI inquires whether licensed fire sprinkler fitters may install double check assemblies on fire sprinkler systems where they are considered an integral part of the system. This applies to double check backflow prevention assembly (DC) and double check detector fire protection backflow prevention assemblies but not RPZ devices, which are omitted in the language. Flaherty noted that the double check assemblies would not be added upstream; it would replace the single check assembly requirement and would apply only to low hazard installations.

Gary Thaden, Government Affairs Director, Minnesota Mechanical Contractors Association, also addressed the Board. After the three member committee (Flaherty, Lungstrom and Parizek) met, a larger group of interested parties came together and reviewed the RFI proposed interpretation language and supports the proposed interpretation.

Discussion followed on proper training requirements, whether the language clearly expressed the intent of the Code and the Board, and what question the RFI posed.

A motion was made by Justin, seconded by Kittelson, that the answer is NO to the following question: “Is additional backflow protection required if all of the following conditions are met: (1) an individual licensed under Minnesota Statutes chapter 299M installs a fire protection system; (2) the fire protection system includes as an integral component a double check backflow prevention assembly (DC) that meets ASSE 1015 and meets the requirements of NFPA 13, Parts 8.16.1.1.3.1 and 8.16.1.1.3.2 or a double check detector fire protection backflow prevention assembly that meets ASSE 1048 and meets the requirements NFPA 13, Parts 8.16.1.1.3.1 and 8.16.1.1.3.2; and (3) neither a reduced pressure principle backflow prevention assembly nor a reduced pressure detector fire protection backflow prevention assembly is required by section 603.5.15.1 of the Minnesota Plumbing Code.” The roll call was 9 votes in favor of the motion; the motion carried.
VI. Open Forum
Nothing brought forward.

VII. Board Discussion
Board members asked Parizek to contact Sterner, Chair of the “Inspection Uniformity on a State-wide Basis Committee” to verify he was still interested in chairing this Committee and, if so, to ask him to propose meeting dates to the other committee members – Eggen, Kittelson, Lungstrom, Parizek, and Edwards.

VIII. Announcements
Next regularly scheduled meetings in 2017 – all meetings will be held at 9:30 a.m. in the Minnesota Room. The Executive Committee meetings occur at 8:00 a.m. prior to each regular meeting in the Minnesota Room.
A) April 18, 2017
B) July 18, 2017 (annual meeting)
C) October 17, 2017

IX. Adjournment
A motion was made by Edwards, seconded by Eggen, to adjourn the meeting at 10:31 a.m. The roll vote was 9 votes in favor of the motion; the motion passed and the meeting was adjourned.

Respectfully submitted,

John Parizek
John Parizek, Board Chair
Plumbing Board
Request for Interpretation

NAME OF SUBMITTER
Sean Flaherty - President NFSA, MN Chapter

Rule(s) to be interpreted (e.g., 4714.0330)
The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at www.dli.mn.gov/CCLD/PlumbingCode.asp
Has a request for interpretation been submitted to Department of Labor and Industry (DLI) staff, either as a verbal request or a written request? □ Yes □ No
If "No," contact DLI staff at 651-284-5187. The DLI is responsible for administration and interpretation of the Minnesota Plumbing Code, and all requests must be processed and provided a DLI interpretation before being referred to the Plumbing Board. This form is intended to be used to request an interpretation from the Plumbing Board only as a resolution of dispute with DLI interpretation.

Code/Rule to be interpreted: 603.5.15
Name of DLI employee gave interpretation: 
Date interpretation originally requested: 

Provide a copy of the DLI interpretation with this request (a copy must be provided as reference).

Is there a local dispute with an inspector of other official? □ Yes □ No
If Yes, state the name or type of official

State the circumstances of the initial dispute:
The adoption of the new plumbing code inadvertently created a conflict with the Minnesota Fire Code. The new plumbing code requires a licensed plumber to install double check fire protection backflow preventers and double check detector fire protection backflow preventers on fire sprinkler systems in Minnesota. The Minnesota Fire Code in Section IFC 102.7 adopts National Fire Protection 13 (Standard for the Installation of Sprinkler Systems). That Standard, in part 8.16.1.1.3, specifies backflow prevention devices for wet pipe fire sprinkler systems. Due to the conflict between these two codes a joint committee was established.

Explain what you disagree with the interpretation given to you by DLI staff:

What is your interpretation of the language:

List any other information you would like the Board to consider:
A joint committee of interested parties was convened by the MN Department of Labor and Industry, and consisted of representatives from the following: Minnesota Plumbing Board, Plumbers Union Locals #15 & #34, MN Pipe Trades, National Fire Sprinkler Association - MN Chapter, Sprinkler Fitters Union Locals #417 & #669 and the Minnesota Mechanical Contractors Association. After two meetings and one subcommittee meeting the committee came to consensus and respectfully requests adoption of the following interpretation:

"No additional backflow protection is required if all of the following conditions are met: (1) an individual licensed under Minnesota Statutes chapter 299M installs a fire protection system; (2) the fire protection system includes as an integral component a double check backflow prevention assembly (DC) that meets the requirements of NFPA 13, Parts 8.16.1.1.3.1 and 8.16.1.1.3.2 or a double check detector fire protection backflow prevention assembly that meets the requirements of NFPA 13, Parts 8.16.1.1.3.1 and 8.16.1.1.3.2; and (3) neither a reduced pressure principle backflow prevention assembly nor a reduced pressure detector fire protection backflow prevention assembly is required by section 603.5.15.1 of the Minnesota Plumbing Code."
Information regarding submitting this form:
- Submit any supporting documentation to be considered electronically to DLI.CCLDBOARDS@state.mn.us. Once your Request For Interpretation form has been received, it will be assigned a file number. Please reference this file number on any correspondence and supplemental submissions.

Information for presentation to the Committee:
- You will be notified with the date of the Committee Meeting in which your Request For Interpretation will be heard.
- Limit presentations to 5 minutes or less.
- Be prepared to answer questions regarding the Code, the circumstances that led to the dispute and please bring copies of any documentation.

What you can do if you disagree with the Board’s determination:
- You may appeal the Board’s determination pursuant to Minn. Stat. Chapter 14.
Submitted by:

NAME          FIRM NAME
Sean Flaherty  National Fire Sprinkler Association - MN Chapter

ADDRESS    CITY    STATE    ZIP CODE
301 York Avenue    St. Paul    MN    55130

PHONE    SIGNATURE (original or electronic)    DATE
(651) 755-3906    Sean Flaherty    2-17-17

For assistance or questions on completing this form, please call 651-284-5888 or 651-284-5889.

Mailing address:

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