

Plumbing Board
c/o Department of Labor and Industry
443 Lafayette Road North
St. Paul, MN 55155-4344
www.dli.mn.gov
Email: DLI.cclboards@state.mn.us

PB0204.RFA.Rick Wahlen.Chapter 15.Rec'd 6.2.2025

Plumbing Board Request for Action

PRINT IN INK or TYPE

NAME OF SUBMITTER		PURPOSE OF REQUEST (check all that apply): <input checked="" type="checkbox"/> New Code	
James Hauth and Rick Wahlen on Behalf of MN AWWA		<input type="checkbox"/> Code Amendment <input type="checkbox"/> Repeal of an existing Rule	
The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at https://epubs.iapmo.org/2020/MPC/			
Specify the purpose of the proposal: If recommendation for code change for appurtenance or method (check all that apply)			
<input type="checkbox"/> Appurtenance (e.g., water conditioning equipment)		<input type="checkbox"/> Test Method	
<input checked="" type="checkbox"/> Other (describe) Inclusion of Chapter 15 in the next plumbing code revision			
Does your submission contain a Trade Secret? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 here: https://epubs.iapmo.org/2020/MPC/			
NOTE: <ul style="list-style-type: none">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 <i>specific</i>. 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. Chapter 15, Alternate Water Sources for Nonpotable Applications, was not included in the 2020 and earlier Minnesota Plumbing Code.			
For Office/Committee Use Only Proposal received complete? <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:
Office Use Only			
RFA File No. PB0204	Date Received by DLI 6/2/2025	Dated Received by Committee 6/4/2025	Date of Forwarded to Board TBD
Title of RFA PB0204.RFA.Rick Wahlen.Chapter 15.Rec'd 6.2.2025			
Committee Recommendation to the Board: <input type="checkbox"/> Accept <input type="checkbox"/> Reject <input type="checkbox"/> Abstain			
Board approved as submitted: <input type="checkbox"/> Yes <input type="checkbox"/> No		Board approved as modified: <input type="checkbox"/> Yes <input type="checkbox"/> No	

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. Please see the attached letter for a thorough description of this request.

The exclusion of guidance in this chapter for the construction of nonpotable water systems in applications where all other potable water plumbing is governed by the Minnesota Plumbing Code is problematic. The absence of guidance in code leads to confusion and reluctance to pursue the installation of water conserving, water reuse systems that are encouraged throughout society and recommended by the government. Examples of nonpotable plumbing systems needing additional guidance include but are not limited to rainwater collection and grey water reuse plumbing and fixtures. Public water supply systems which are liable for drinking water potability from the source to the tap are justly concerned that the introduction of water reuse systems in a home or other facility could potentially jeopardize the health of the drinking water if not properly designed and installed to prevent cross-connection. Furthermore, engineers and architects who are encouraged to include water reuse through local, regional, and federal water conservation and water efficiency grants find the introduction of nonpotable use to be a challenge to get accepted, given the various agencies who need to review and approve such designs when no nonpotable plumbing guidance is provided in code. The opportunities for circular back-and-forth review, modification, and review in multiple iterations seems to be the typical pattern when guidance is absent in code. The absence of guidance of this kind actually serves to stifle or minimize a developer's interest in pursuing logical, practical, and publicly beneficial water conserving designs. Chapter 15 is included in the UPC, and MnAWWA respectfully requests the next code revision to include this chapter to enable the safe construction of nonpotable water conservation plumbing systems in the same efficient manner as potable water plumbing is constructed within the purview and authority of the plumbing code.

If your product/method standard(s) is not currently listed in a national code, 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:

The uniform plumbing code being reviewed by the ad hoc rulemaking committee already contains standards which address this request in the 2024 UPC Chapter 15, beginning on page 255.

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***, and email to DLI.cclboards@state.mn.us

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

✓ Other (describe)	In many respects, this change request can be categorized as nearly all of the above listed reasons. The present absence of code guidance challenges public health protection, increases costs, discourages new methods, doesn't follow national initiatives, allows for non-uniform solutions - or at least leads to each case being designed as a singular concept not governed by code, and can contribute to misunderstandings of provisions until addressed post design. This code change will mitigate all of these concerns.
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	✓ Other (describe) See above question. This will address several of the above benefits.
<p>The Following Information is Optional. This Information can Assist in Evaluating a Request for Action and in Rulemaking and Should be Provided if Known.</p> <p>Economic impact: (explain all answers marked "yes")</p>	
1. Does the proposed change increase or decrease the cost of enforcement? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain	
2. Does the proposed change increase or decrease the cost of compliance? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain	
4. Were alternative methods considered? <input type="checkbox"/> Yes <input type="checkbox"/> 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.) <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain	
Are there any existing Federal Standards? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list:	
Are there any differences between the proposed change and existing federal regulations? <input type="checkbox"/> Yes <input type="checkbox"/> 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 (or email) two 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.

Submitter's Name	Submitter's Email Address	Submitter's Firm Name	
Rick Wahlen	rwahlen@edenprairie.org	Minnesota Section, American Water Works Assoc.	
Presenter's name, phone, and email if different			
Jim Hauth, (651) 204-6050, jim.hauth@cityvadnaisheights.com			
Submitter's Mailing Street Address	City	State	Zip Code
8080 Mitchell Road	Eden Prairie	MN	55344
Submitter's Phone	Submitter's Signature (original, electronic or typed)	Date	
(952) 294-5908	Rick Bradley Wahlen	June 2, 2025	

For Assistance or questions on completing this form, contact Mike Westemeier, Department of Labor and Industry at michael.westemeier@state.mn.us or by phone 651-284-5898.

June 5, 2025

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

Sent via email: DLI.cclboards@state.mn.us

Subject: Support for Inclusion of Chapter 15 (Alternate Water Sources for Non-potable Applications) of the Uniform Plumbing Code in Minnesota Plumbing Code Revisions

Dear Members of the Minnesota Plumbing Board,

On behalf of the Minnesota Section of the American Water Works Association (MN AWWA), we are writing to express our strong support for the inclusion of Chapter 15 of the Uniform Plumbing Code (UPC), which governs alternate water sources for non-potable applications, in the ongoing revision of the Minnesota Plumbing Code.

As our state and communities face increasing pressure from drought, population growth, aging infrastructure, and climate change, the need to conserve potable water and diversify our water supply portfolio has never been more urgent. Codifying reuse and alternative water systems through Chapter 15 is a necessary step toward enabling cities, utilities, and developers to pursue safe, sustainable, and responsible water reuse practices.

Reasons for Inclusion of Chapter 15:

1. **Enabling Local Leadership in Water Conservation:**
Inclusion of Chapter 15 empowers local jurisdictions to implement and manage alternative water reuse systems—such as greywater, rainwater, and on-site non-potable water reuse—under a clear and consistent regulatory framework. Cities and utilities across Minnesota are eager to adopt innovative conservation strategies, but the lack of codified guidance hinders progress and creates legal uncertainty.
2. **Public Health and Safety:**
Chapter 15 provides comprehensive technical and safety standards for design, treatment, and maintenance of non-potable water systems. Rather than relying on ad hoc or unregulated systems, codification ensures public health is protected while promoting innovation in sustainable water practices.
3. **Alignment with National Best Practices:**
Many states and jurisdictions across the U.S. have adopted similar code language to regulate water reuse. Adoption of Chapter 15 brings Minnesota in alignment with national trends and practices, supporting consistency for engineers, contractors, and inspectors.
4. **Environmental Stewardship:**
Encouraging the reuse of alternate water sources for irrigation, toilet flushing, and cooling reduces demand on potable systems and wastewater discharges, promoting environmental sustainability and resilience of natural water systems.



5. **Infrastructure and Cost Efficiency:**

Allowing non-potable water reuse can reduce strain on municipal water and sewer systems, leading to deferred capital expenses and more efficient infrastructure investment. It can also provide cost savings to consumers and developers who incorporate reuse strategies.

6. **Regulatory Clarity and Uniformity:**

Without statewide provisions, local governments are left to develop piecemeal standards, leading to inconsistencies and confusion. Chapter 15 provides a consistent, science-based framework for implementation.

MN AWWA believes that Minnesota must move forward with a modernized Plumbing Code that supports long-term water sustainability. Including Chapter 15 reflects a forward-thinking approach that acknowledges the realities of water resource challenges while maintaining our shared commitment to public health and safety.

We urge the Plumbing Board to adopt Chapter 15 of the UPC in the next edition of the Minnesota Plumbing Code. MN AWWA stands ready to collaborate and provide technical expertise in support of this critical advancement for our state.

Thank you for your consideration.

Sincerely,

Minnesota Section
American Water Works Association

James de Lambert
Water Utility Council Chair
jdelambert@carlsonmccain.com

Copies by email: Minnesota Section Executive Committee and Board
c/o Mona Cavalcoli