

Meeting Minutes: Ad-Hoc Code Review & Rulemaking Committee

Date: May 31, 2019
Time: 9:00 a.m.
Location: Minnesota Room, Department of Labor and Industry
443 Lafayette Road No., St. Paul, MN 55117-4344

Committee Members Present

Richard Becker
John Flagg
Mike Herman
Rick Jacobs (chair)
Cathy Tran

Committee Members Absent

None

DLI Staff & Visitors

Suzanne Todnem, General Counsel (DLI)
Brad Jensen (DLI)
Jim Peterson (DLI)
Mike Johnson (J Berd Mechanical)
Nick Erickson (Housing First MN)
Stephanie Menning (MN Utility Contractors)
Aaron Ganson (ADS)
Caleb Hansen (City of Blaine)
Matt Marciniak (IAPMO)
Alex Bartley (MDH)
Tom Pahkala (UA Local 15)
Tim Power (MNLA)
David Radziej (Metro PHCC)

1. Call to Order

The meeting was called to order by Chair Jacobs at 9:10 a.m. Introductions and housekeeping announcements were made. Attendance was taken; a quorum was met with 5 of 5 members present.

2. Approval of meeting agenda

A motion was made by John Flagg, seconded by Richard Becker, to approve the agenda as presented. The vote was unanimous with 5 votes in favor; the motion carried.

3. Approval of previous meeting minutes

A motion was made by Mike Herman, seconded by Richard Becker, to approve the April 22, 2019, as presented. The vote was unanimous with 5 votes in favor; the motion carried.

4. Regular Business

Approval of Expense Reports – Chair will approve expenses presented at the meeting.

5. Special Business

Discuss chapters 2, 7, 15, 16, and 17 of the 2018 Uniform Plumbing Code (UPC), appendix E of the 2018 UPC, and any other chapter or appendix of the 2018 UPC as interest and time permits; discuss rulemaking recommendations to the Plumbing Board

- Chapter 2 (RFA PB0137) – **Proposed change** to definition of potable water
 - Discussion on definition of potable water recommended change. Concerns over certain uses such as laundry purposes and utility sinks that require the use of potable water but are not consistent with the proposed definition. Following discussion with regards to possible changes to the definition of potable water it was **recommended** by the committee to leave definition as it is currently in the plumbing code (UPC 218.0).
- Chapter 6 (RFA PB0137) – **Proposed change** to the lead content requirements
 - Discussion on the proposed change in the description of Lead Content requirements to replace “water for human consumption” to “potable water”. Committee previously agreed to recommend repealing the Minnesota amendment regarding lead content in favor of using the 2018 UPC language regarding lead content. The proposed amendment creates other concerns as it would apply in various situations. Following discussion with regards to possible changes to the requirements regarding lead content it was **recommended** by the committee to leave the definition as it is currently in the 2018 UPC code (formally M.R. 4714 section 604.11).
 - It was further recommended by Chairman Jacobs that language could be submitted with regards to a definition for “human consumption” consistent with the federal Safe Drinking Water Act (SDWA). Tran also added that the any change in the requirements for lead content should be proposed at the federal level under the SDWA.
 - Author of PB0137 stated that they might submit a proposed definition for “for human consumption.”
- Section 4714.1702, Table 1702.9.4 (RFAPB0124) – **Proposed change** to the table 1702.9.4
 - The below recommended changes were proposed to table 1702.9.4

The proposed change is to section 4714.1702, Table 1702.9.4:

| TABLE 1702.9.4 | |
|-------------------------------|---------------|
| Measure | Limit |
| Turbidity | <1 |
| E. coli (MPN/100 mL) | 2.2 |
| Odor | Non-offensive |
| Temperature (degrees Celsius) | MR |
| Color | MR |
| pH | MR |

MR = measure and record only
 Treatment:
~~5-100~~ micron or smaller absolute filter
 Minimum ~~3.5~~ log inactivation reduction of viruses- bacteria

- Turbidity is not a *significant* factor since the requirement of minimum 3.5 log reduction of bacteria means 99.9 percent removal of pathogen. The proposed change is risk-based and performance-based. Continuous monitoring of the minimum of 3.5 log reduction of bacteria is adequate regardless of the type of treatment technology used to treat water. Delete

- “viruses” and replace with “bacteria” because viruses are not a concern with regard to roof rainwater.
- After discussion it was recommended by Mike Herman/Richard Becker to recommend the proposed changes to table 1702.9.4. Committee agreed and will **recommend** above change(s).
- Reference Letter addressed to Plumbing Board received from Jeff Quinn (FARR Plumbing & Heating). Letter contains discussion points regarding; Dishwasher Air Gaps, Venting Floor Drains, &Boiler Water Fill
 - It was noted by the committee that all points had been addressed in previous meetings. Committee did not reopen discussion with regards to the points contained within the letter.
- Section 724 (RFA PB0136) – **Proposed change** to code section – Recreational Vehicle (RV)
 - DLI proposed renumbering of Minn.R. 724 and clarifications for backflow preventer requirements on the flushing device water supply to RV sanitary disposal stations, water connection to unapproved source, and drainage pipe sizing for designing and installing RV sites. Table 724.1 for drainage pipe sizes is taken from 2018 UPC Appendix E.
 - Following discussion of the recommended changes to numbering and language contained in section 724, 724.1.1 (Construction), 724.2.2 (Flushing Devices), 724.2 (Drainage Pipe Sizes (Table 724.1) it is **recommended** by the committee to accept changes as proposed in RFA PB0136 in their entirety.
- Appendix E
 - Committee is not interested in including Appendix E in the Minnesota Plumbing Code because most language in the appendix covers mechanical, fuel/gas, and licensing requirements, which is not plumbing.
 - Appendix E will not be adopted to be included

A Review of agenda items for completion was conducted

- Chapter 2 (Definitions) – determined that all items had been addressed
- Chapter 7 (Sanitary Drainage) – no further items open for discussion
- Chapter 15 (Alternate Water Sources for Nonpotable Applications) – Previously recommended to not be included; recommendation remains the same
- Chapter 16 (Nonpotable Rainwater Catchment Systems)
 - Utilize current MN Code Chapter 17 and renumber as Chapter 16
 - May need to review for renumbering or sections
 - Adopt updated changes as submitted from previous RFA(s)
- Chapter 17 (Referenced Standards)
 - Committee discussed that chapter 17 of the 2018 UPC would be recommended for adoption with changes and recommendations as previously discussed.

Other Topics

- Expansion and contraction of PVC – see PB0102
 - This discussion had been tabled at an earlier meeting
 - Reviewed and discussed the Plastic Pipe and Fittings Association (PPFA) User Bulletin as an example of language/examples that may be used to determine future recommendation(s)
 - Committee agreed that it will create its own tables based on $\Delta T50$ for conditioned spaces and $\Delta T100$ for unconditioned spaces. Becker will take the lead on creating these tables for the Committee’s consideration.
- 407.4 – Transient Public Lavatories

- Discussion regarding the definition of transient public lavatories and how it is interpreted statewide causes of a lot of confusion.
 - Definition varies between AHJ's on what is a transient public lavatory and when it is required to have metered faucets installed.
 - Because all faucets are manufactured as low-flow, the risk of wasteful water use is diminished.
 - After further discussion committee recommended to delete section 407.4 of the 2018 UPC (403.4 MN Plumbing Code).
- Single-wall heat exchangers in section 505.4.1.
- Discussion of the change in single-wall heat exchangers between UPC 2018, Section 505.4.1, and current Minn R. 603.5.4.1. Minn R. does not have a heat-transfer medium that is listed as a toxicity rating or Class of 1.
 - The committee has no recommended changes regarding single-wall heat exchangers.

Next Steps

- Put all proposals and committee recommendations together for presentation to the Plumbing Board; Board members should review all committee minutes, RFA's, documents, etc.
- Plumbing Board members will review and accept, reject or change the committee's recommendations for changes to the Plumbing Code
- Next Board meeting is a special meeting anticipated to be on June 17th. Committee will meet prior to the Board meeting to review and approve committee minutes and review the committee recommendations to the Board. All required notices will go out before the meetings.

6. **Adjournment**

A motion to adjourn by Richard Becker, seconded by John Flagg. The vote was unanimous with 5 votes in favor; the motion carried, and meeting was adjourned at 2:44 p.m.

Respectfully submitted,

Mike Herman

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