

Minutes: SPECIAL Plumbing Board meeting

Date: August 28, 2018
Time: 9:30 a.m.
Minutes by: Lyndy Logan
Location: Minnesota Room, Department of Labor and Industry
443 Lafayette Road No., St. Paul, MN 55117-4344

Members

Tom Andresen
Richard Becker
Michael Dryke
Kent Erickson
John Flagg
Mike Herman – via teleconference
Rick Jacobs (Chair)
Justin Parizek – via teleconference
Phillip Sterner (Secretary)
Cathy Tran (DLI Commissioner’s Designee)

Members Absent

Jeff Brown
David Wagner
David Weum (DOH Commissioner’s Designee)

DLI Staff & Visitors

Suzanne Todnem (Gen. Counsel, DLI)
Lyndy Logan (DLI)
Jim Peterson (DLI)
Brad Jensen (DLI)
Gary Thaden (MMCA)
Scott Thompson (My Plumbing Training)
Peter Daniels (Wenck Associates)
Mike Johnson (J-Berd)
Megan Henkemeyer (J-Berd)
Adam Hanson (ABC)
Matt Marciniak (IAPMO)
John Parizek (ASSE)
Anita Anderson (MDH) – via teleconference

1. Call to Order

The meeting was called to order by Chair Jacobs at 9:35 a.m. Roll call was taken by Jacobs and a quorum was declared with 9 of 12 voting members present in person or via teleconference. Introductions and housekeeping announcements were made and Kent Erickson and Justin Parizek introduced themselves as new Board members.

2. Approval of meeting agenda

A motion was made by Herman, seconded by Flagg, to approve the agenda as presented. The roll call vote was unanimous with 9 votes in favor; the motion carried.

3. Regular Business

Approval of expense reports – Jacobs approved the expenses as presented.

4. Special Business

- A. Review and approve NEW proposed changes to Minnesota Rules, part 4716.0040, subp. 2, at lines 5.7-5.8 and part 4716.0092, subp. 3, at lines 7.23-7.25 of the 6/5/18 rule draft – See **Attachment A**.

Todnem said there are no substantive changes; language was only revised to provide clarification. Todnem noted that 5.7 and 5.8 were revised to make it clear renewals must happen before expiration. Jacobs agreed that the proposed changes provide clarity. Lines 7.23, 7.24, and 7.25 were revised to more closely mirror registered unlicensed plumber language and to provide clarification.

Clarification was provided to Scott Thompson that 4.3 and 4.6 lines were consolidated and moved to a different part of the rule.

A motion was made by Becker, seconded by Herman, to approve new proposed changes to Minnesota Rules 4716.0040, subp. 2 at lines 5.7-5.8 and part 4716.0092, subp. 3 at lines 7.23-7.25. The roll call vote was unanimous with 9 votes in favor; the motion carried.

Phil Sterner joined the meeting at 9:54 a.m. resulting in 10 of 12 voting members present in person or via teleconference.

B. Review RFI clarification from Peter Daniels regarding a grinder pump lift station

The Chair noted that Peter Daniels submitted additional information as requested – see **Attachment B**. Daniels said that would be used in place of a septic system.

The Chair read aloud from the RFI: “There are thousands of grinder pump stations installed in Minnesota at commercial, residential, industrial, and institutional facilities. We are not aware of any of these grinder pump stations that are equipped with 10-ft tall vent pipes. These grinder pump stations are often located in yards or green space outside of homes and buildings. The grinder stations themselves are designed with several venting options. Adding an additional 10-ft tall vent is not needed. There is also not a practical way to install a 10-ft tall vent pipe on a buried grinder pump station located in a property's backyard. We are also concerned that a 10-ft tall exterior vent could freeze with condensation in the winter.”

The Board reviewed and discussed Attachment B and the following question, answer, and motion resulted:

Question: Do plumbing code sections 710.10 and 906.4 apply to exterior sumps and receiving tanks?

Answer: Yes, if the exterior sumps and receiving tank are located within the property lines and not covered by a utility easement. If the

sump and receiving tank are covered by a utility easement, then the Plumbing Code does not apply.

A motion was made by Becker, seconded by Flagg, to accept the Answer to the Question (shown above) and to authorize the chair to issue a Final Interpretation. The roll call vote was unanimous with 9 voting members present in person or via teleconference [Parizek was no longer present via teleconference], the motion carried.

5. Announcements

Next regularly scheduled meetings in 2018 – all meetings will be held at 9:30 a.m. in the Minnesota Room. The Executive Committee meetings occur at 8:30 a.m. prior to each regular meeting in the Minnesota Room.

A. October 16, 2018

6. Adjournment

A motion was made by Flagg, seconded by Becker, to adjourn the meeting at 10:44 a.m. The roll call vote was unanimous with 9 votes in favor of the motion; the motion passed.

Respectfully submitted,

Phil Sterner

Phil Sterner, Board Secretary

06/05/18

For 8/28/18
Special Board
Mtg.

REVISOR

SS/NB

RD4365

4.1 (a) ~~the applicant gained the plumbing experience during military service,~~
4.2 ~~and the applicant's military officer certifies the experience;~~

4.3 (b) ~~the applicant gained the plumbing experience as part of a plumbing~~
4.4 ~~education class approved by the commissioner, and an authorized representative of the~~
4.5 ~~educational institution certifies the experience; or~~

4.6 (c) ~~the applicant gained the plumbing experience as a plumber's~~
4.7 ~~apprentice in another state where the experience is verified by a state agency in that state~~
4.8 ~~or by a federal agency.~~

4.9 G. Except as provided in item F, subitem ~~(3)~~ (2), units (a) to (c), all practical
4.10 plumbing experience must be certified by the licensed master plumber or plumbing contractor
4.11 who is responsible for the work performed. A restricted master plumber cannot certify the
4.12 restricted master plumber's own experience. The employer of a journeyworker plumber,
4.13 restricted master plumber, restricted journeyworker plumber, or ~~plumber's apprentice~~
4.14 registered unlicensed plumber is responsible for:

4.15 [For text of subitems (1) and (2), see M.R.]

4.16 **4716.0040 EXPIRATION OF LICENSES.**

4.17 Subpart 1. **Issuance and expiration.** Initial and ~~renewal~~ renewed journeyworker
4.18 plumber's licenses and renewed restricted journeyworker plumber's licenses expire on
4.19 December 31 of each odd-numbered year after issuance or renewal. Initial and renewed
4.20 ~~master plumber's licenses, and renewal restricted journeyworker~~ and renewed restricted
4.21 ~~master plumber's licenses, shall be issued for the calendar year for which application is~~
4.22 ~~made and shall expire on December 31 of such year~~ each even-numbered year after issuance
4.23 or renewal. Any journeyworker plumber, master plumber, restricted journeyworker plumber,
4.24 or restricted master plumber who submits a renewal application after December 31 shall
4.25 not work as a plumber until the person has submitted an application, fee, and penalty fee.

5.1 Any licensed journeyworker or master plumber who does not renew the license within two
 5.2 years is no longer eligible for renewal. The person must retake and pass the examination
 5.3 before a new license will be issued. Any licensed restricted journeyworker or restricted
 5.4 master plumber who does not renew the license within ~~12 months~~ two years of the license
 5.5 expiration will permanently forfeit the restricted plumber license.

5.6 Subp. 2. **License renewals.** Applications for license renewal must be submitted to
 5.7 the commissioner on forms prepared by the commissioner no later than December 31 of
 5.8 ~~the year preceding~~ ^{of} ~~after~~ the year for in which the application is made. ^{A license expires} The application must
 5.9 be accompanied by the required fee. Journeyworker and master plumbers who submit their
 5.10 license renewal applications after expiration of their license but within two years after
 5.11 expiration of the previously issued license must pay all past due renewal fees plus the
 5.12 required late fee. Restricted journeyworker and restricted master plumbers who submit their
 5.13 license renewal applications after expiration of their license but within ~~12 months~~ two years
 5.14 after expiration of the previously issued license must pay the past due renewal fee plus the
 5.15 required late fee.

5.16 **4716.0050 REGISTRATION OF PLUMBER'S APPRENTICE REGISTERED**
 5.17 **UNLICENSED PLUMBER.**

5.18 Subpart 1. **Scope.** Subpart 2 ~~shall~~ does not apply to a registered plumber's ~~apprentices~~
 5.19 apprentice under Minnesota Statutes, section 326B.47, subdivision 1, ~~clause (1)~~ paragraph
 5.20 (a).

5.21 Subp. 2. **Registration requirements.** No person shall work as a ~~plumber's apprentice~~
 5.22 registered unlicensed plumber until that person has submitted an application and fee for
 5.23 registration to the commissioner. Registration must be renewed annually and shall be for
 5.24 the period from July 1 of each year to June 30 of the following year. Applications for initial
 5.25 and renewal registration must be submitted to the commissioner before July 1 of each
 5.26 registration period on forms provided by the commissioner, and must be accompanied by

6.1 the required fee. A ~~plumber's apprentice~~ registered unlicensed plumber who submits a
6.2 registration application after July 1 in any year must pay the ~~past due~~ renewal fee plus the
6.3 required late fee.

6.4 A. A ~~plumber's apprentice~~ registered unlicensed plumber must be at least 18 years
6.5 of age or be a high school graduate, except that ~~an apprentice~~ a registered unlicensed plumber
6.6 employed and supervised by the ~~apprentice's~~ registered unlicensed plumber's parent must
6.7 be at least 16 years of age.

6.8 B. At the time of registration, ~~an apprentice~~ a registered unlicensed plumber must
6.9 provide a name, address, date of birth, Social Security number, and information about
6.10 education and practical plumbing experience.

6.11 **4716.0091 DEFINITIONS.**

6.12 Subpart 1. Scope. The terms used in parts 4716.0090 to 4716.0092 have the meanings
6.13 given them in this part, UPC sections 201.0 to 228.0 as incorporated by reference in part
6.14 4714.0050, and Minnesota Statutes, section 326B.50.

6.15 Subp. 2. Registered unlicensed water conditioner. "Registered unlicensed water
6.16 conditioner" means an individual who performs water conditioning work for a contractor
6.17 or employer, does not hold any class of water conditioning license, and is registered with
6.18 the commissioner under part 4716.0093.

6.19 **4716.0092 LICENSURE.**

6.20 Subpart 1. **Water conditioning contractor.** An applicant for a water conditioning
6.21 contractor license must designate a water conditioning responsible licensed master ~~or master~~
6.22 ~~plumber, licensed by the commissioner, as the individual responsible for the water~~
6.23 ~~conditioning contractor's compliance with this part, chapter 4714, Minnesota Statutes,~~
6.24 ~~sections 326B.50 to 326B.59, and all orders issued under Minnesota Statutes, section~~
6.25 ~~326B.082~~ as defined in Minnesota Statutes, section 326B.50. The responsible water

7.1 ~~conditioning licensed master or master plumber~~ must give a minimum 15-day notice to the
 7.2 water conditioning contractor and the department before resigning as the responsible water
 7.3 ~~conditioning licensed master or master plumber~~ for the contractor. The contractor and
 7.4 responsible ~~water conditioning licensed master or master plumber~~ must immediately notify
 7.5 the department upon the termination or separation of the contractor's responsible water
 7.6 ~~conditioning licensed master or master plumber~~. The water conditioning contractor shall
 7.7 have 60 days from the last day of employment of its previous responsible ~~water conditioning~~
 7.8 ~~licensed master or master plumber~~ to employ another responsible ~~water conditioning licensed~~
 7.9 ~~master or master plumber~~. The water conditioning contractor shall submit written notification
 7.10 to the department that it has designated a different ~~water conditioning responsible licensed~~
 7.11 ~~master or master plumber~~ as the individual responsible for the contractor's compliance with
 7.12 this part, chapter 4714, and Minnesota Statutes, sections 326B.50 to 326B.59. If the water
 7.13 conditioning contractor is unable to acquire a replacement responsible ~~water conditioning~~
 7.14 ~~licensed master or master plumber~~, the water conditioning contractor's license is invalid
 7.15 and the contractor shall cease and desist from performing any water conditioning work and
 7.16 return the contractor's license for voluntary termination. Upon acquiring a replacement
 7.17 responsible ~~water conditioning licensed master or master plumber~~, the water conditioning
 7.18 contractor may request reinstatement of the terminated license under Minnesota Statutes,
 7.19 section 326B.096.

7.20 *[For text of subp 2, see M.R.]*

7.21 Subp. 3. **Water conditioning journeyworker.** An applicant for a water conditioning
 7.22 journeyworker license must satisfactorily pass an examination given by the commissioner.

7.23 An applicant for the water conditioning journeyworker examination must ^{be a registered} ~~be a registered~~

7.24 unlicensed water conditioner in Minnesota ^{and must have} ~~and must have~~ at least six months of practical

7.25 experience as listed in subpart 4, item C, subitem (2). ^{at all times while obtaining} The applicant is responsible for

7.26 verifying practical experience. ^{except as permitted in subpart 4, item A, subitem (4).}

RFI / Grinder pump

Additional information requested by the Plumbing Board:

- *Is the grinder pump on the inlet or outlet side of a septic tank?*
No. Septic tanks are not usually present if a grinder pump is used. Sewage leaves the house, enters the grinder station, then is pumped to a public sewer/treatment system. If the grinder pump is on the outlet side of a septic tank, it would fall under the code requirements of the MPCA, Minnesota Rules Chapters 7080 through 7083 Subsurface Sewage Treatment Systems Program and not fall under the jurisdiction of the 2015 Minnesota Plumbing Code.
- *You indicate in your RFI under, Explain why you disagree with the interpretation given to you by DLI staff: that the grinder stations themselves are designed with several venting options. Could you please provide these venting options.*
The bolted lids are not air/water tight, and there is an option to add a small mushroom vent (usually a few inches tall, see attached shop drawing)
- *Is the sump that the grinder pump is located in air and water tight?*
Yes, except for bolted lid, as mentioned above
- *How close is the grinder pump located to building?*
This can vary, depends on each situation. Typically as close as 5 feet, as far as a hundred feet.

Peter Daniels, PE

Project Engineer / Principal

Plumbing Board Request for Interpretation

PRINT IN INK or TYPE

NAME OF SUBMITTER Peter Daniels, PE	Rule(s) to be interpreted (e.g., 4714.0330) MN Plumbing Code Sections 710.3-710.12 & 906.4
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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: MN Plumbing Code Sections 710.3-710.12 & 906.4	NAME OF DLI employee gave interpretation: Corey Frain	DATE interpretation originally requested: Plans submitted May 10, 2018
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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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, state the name or type of official
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State the circumstances of the initial dispute:
Requirement #5 in the DOLI plan review letter dated June 1, 2018 (PLB1805-00156) requires a 10-ft tall vent pipe to be added to a proposed grinder pump lift station located outside a building, in green space. Installing a vent pipe in this manner is not feasible, and not necessary, given the design and location of the grinder pump station.

Explain why you disagree with the interpretation given to you by DLI staff:
There are thousands of grinder pump stations installed in Minnesota at commercial, residential, industrial, and institutional facilities. We are not aware of any of these grinder pump stations that are equipped with 10-ft tall vent pipes. These grinder pump stations are often located in yards or green space outside of homes and buildings. The grinder stations themselves are designed with several venting options. Adding an additional 10-ft tall vent is not needed. There is also not a practical way to install a 10-ft tall vent pipe on a buried grinder pump station located in a property's backyard. We are also concerned that a 10-ft tall exterior vent could freeze with condensation in the winter.

What is your interpretation of the language:
Venting of exterior grinder pump stations should be allowed through the grinder pump station's standard design options, as has been done for thousands of grinder pump stations in the past. An additional 10-ft tall vent pipe should not be required.

List any other information you would like the Board to consider:
See attached for photos of typical grinder pump station installation. Also attached is a letter from a vendor that sells packaged grinder pump stations.

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 Board.

- You will be notified with the date of the Board 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.

RFI File No. PB0096	Date Received by DLI June 15, 2018	Dated Received by Board July 17, 2018	Date of Board Meeting July 17, 2018
Title of RFI	By:		

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) Voice or TDD (651) 297-4198.

Submitted by:

NAME Peter Daniels		FIRM NAME Wenck Associates, Inc.	
ADDRESS 7500 Olson Memorial Highway Suite 300		CITY Golden Valley, MN 55427	STATE ZIP CODE
PHONE 763-252-6838	SIGNATURE (original or electronic) 	DATE June 13, 2018	

For assistance or questions on completing this form, please call 651-284-5898 or 651-284-5889.

Mailing address:

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

*** Please remember to attach all necessary explanations and supporting documentation*** Page 2 of 2