

# Meeting Minutes: Plumbing Board

Date: October 15, 2019  
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**

Michael Dryke – via teleconference  
Kent Erickson  
John Flagg (Vice Chair)  
Mike Herman (Secretary) – via teleconference  
Rick Jacobs (Chair)  
Justin Parizek  
Phillip Sterner  
Cathy Tran (DLI Commissioner’s Designee)  
David Weum (DOH Commissioner’s Designee)

## **Members Absent**

Richard Becker  
Jeff Brown  
David Wagner

## **DLI Staff & Visitors**

Suzanne Todnem (Gen. Counsel, DLI)  
Lyndy Logan (DLI)  
Jim Peterson (DLI)  
Jim Lungstrom (DLI)  
Brad Jensen (DLI)  
John Roehl (DLI)  
Matt Marciniak (IAPMO)  
Adam Hanson (ABC)  
Mike Johnson (J-Berd)  
Gary Thaden (MMCA)  
Scott Thompson (My Plumbing Training)  
Jennifer Schaff (County Materials Corp)  
Chris Soderholm (Water Control Corp)  
John Parizek (ASSE International)  
Nick Erickson (Housing First MN)  
Tim Power (MNLA)  
Jim Grothaus (Hancock Concrete)  
Kirk Ellis (Speedway LLC)  
Dan Olson (Speedway counsel)  
Jeff Hill (MWQA)  
Jason Kruger (MN Concrete Pipe Assoc.)

## **1. Call to Order**

The meeting was called to order by Chair Jacobs at 9:44 a.m. Roll call was taken by John Flagg; a quorum was declared with 7 of 11 voting members, and one non-voting member, present in person or via teleconference. (Phil Sterner joined the meeting at 10:11 a.m. resulting in 8 of 11 members present in person or via teleconference).

## **2. Approval of meeting agenda**

A motion was made by Herman, seconded by Erickson, to approve the agenda as presented. The roll call vote was unanimous with 7 votes in favor; the motion carried.

### 3. **Approval of previous meeting minutes**

A motion was made by Flagg, seconded by Erickson, to approve the August 29, 2019, special meeting minutes with a correction to Larry Justin to read (MN FASPE) and to add "Attachment A" to pages 3 to 22, as presented. The roll call vote was unanimous with 7 votes in favor; the motion carried.

### 4. **Regular Business**

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

### 5. **Committee Reports**

#### A. **Department Updates**

None

#### B. **Executive Committee**

The Committee met this morning and advised the Chair on the Board's agenda.

#### C. **Construction Codes Advisory Council**

The CCAC's next meeting is October 21, 2019 @ 9:30 a.m.

Representative: Mike Herman

Alternate: John Flagg

### 6. **Special Business**

#### A. **Request for Final Interpretation (RFI) – PB0141 – Daniel R. Olson – section 709.1 – See Attachment A**

Phil Sterner joined the meeting at 10:11 a.m. during the following discussion, resulting in 8 of 11 members present in person or via teleconference.

Kirk Ellis, Sr. Project Manager, Speedway LLC and Dan Olson, Legal Counsel, Bassford Remele, P.A., introduced themselves and Mr. Olson addressed the Board.

Mr. Olson summarized Speedway's RFI and position to the Board including their interpretation of "where practicable" in section 709.1, which considers factors such as comparative cost of installing a gravity system versus installing a pump system and safety of the surrounding area during installation of a gravity system. Mr. Olson described their situation which involves single-cup brewing machines that have a cleaning function that would drain 4-5 gallons of waste a day and Speedway would like to use a pump system instead of adding a gravity system that involves cutting into the floor to trench the gravity drain. Speedway's position is that because a pump system is a safe and less expensive alternative to a gravity drain, gravity drainage is not "practicable." Mr. Olson offered to respond to any questions of Board members. Tran clarified that Speedway is proposing a standpipe receptor that would receive waste indirectly from the coffee machine; the issue is how the proposed standpipe is being connected to the building drainage system, a pump system rather than gravity flow. The Department advised Speedway that the code requires this standpipe to drain by gravity but Speedway disagrees and has submitted this RFI to the Board. Discussion followed regarding the intent of the code, what factors are appropriate to consider

when determining when gravity drainage is “practicable,” who makes that determination, and outcomes of the different interpretations offered by Speedway and the Department.

Concern was raised that if pumps were allowed for one fixture, it could lead to multiple fixtures using pumps for any remodel work, and therefore multiple pumps will be installed when gravity is available. Pumps are not the preferred drainage method; gravity is and the code reflects this. Pumps are mechanical equipment and can fail and result in much higher costs than installing gravity drainage. The Board was reminded by Todnem that they are not approving or disapproving any particular product, configuration, or construction plan, and the Board should focus on interpreting the selected code language. Whether Speedway’s specific circumstances renders gravity drainage practicable or not practicable is an enforcement determination and the Board does not have enforcement authority.

The Board discussed extensively what factors determine whether gravity drainage is “practicable” or not in the code. Such a determination must be made on a case-by-case basis by the Authority Having Jurisdiction. Acceptable factors to be considered in determining whether gravity drainage is “practicable” include geological conditions, structural integrity of the building, and compliance with other regulations. Safety of the construction site is the contractor’s responsibility and should not be used to determine if gravity drainage is “practicable.” Sometimes it will be necessary to move things to install gravity drainage, such as cabinets and other obstacles to get to the plumbing system; the AHJ determines at what point it is no longer “practicable” to move things and require gravity drainage. Section 710 of the Plumbing Code offers relevant context for section 709. Section 710 provides requirements for when pump systems are used and limits pump use to fixtures that are below the crown level of the main sewer. Where gravity drainage is available, gravity drainage should be used. Under section 709.1, a sump pump system would be allowed when gravity is available but on a limited basis.

Jacobs said he has never believed a pump to be a good idea unless there were no other options. “Where practicable” means if it can happen, then it should happen. Herman said it needs to be a gravity drain feature due to the way the code is written. The current code does not allow for pumps when gravity is available.

Tran asked if section 709.1 allows for sump pump systems when gravity flow is available, and Jacobs replied no – when gravity is available it flows by gravity. Weum replied “rarely.” Tran added that section 709.1 of the Plumbing Code should be interpreted on a case by case basis, as determined by the AHJ but the code requires gravity. Jacobs reiterated that if it can flow by gravity, it must flow by gravity, as it pertains to the plumbing system. Jacobs agreed with Tran – section 709 indicates a case by case basis as determined by the AHJ.

Parizek said only the plumbing system is in question to define practicable, not the plans. The code said if a fixture must be drained by gravity then it must be drained by gravity and any other approved fixture must be approved by the AHJ.

The primary factor in whether gravity drainage is “practicable” or “reasonably capable of being accomplished” is the plumbing system capabilities, while recognizing there are other factors to consider. The determination must be made by the AHJ with the assumption that gravity drainage should be used. The Board considered what was asked in the RFI. Because the Board does not have enforcement authority, the question in the RFI was modified to be limited to code interpretation and not take an enforcement position regarding Speedway’s circumstances.

The Board answered the following question stated in the Request for Interpretation:

**Question:** Given that the definition of "practicable" is "reasonably capable of being accomplished," does the Plumbing Code require drainage by gravity system where such an installation is unreasonably expensive to the landowner and avoidably dangerous to patrons when a safe, sanitary, proven alternative exists?

**Answer:** Yes. Plumbing fixtures that can flow by gravity must flow by gravity. Section 709.1 offers an alternative on a case by case basis. Code conformance for existing buildings is described in Chapter 4714.0101, Subp. 3.

**A motion made by Flagg, seconded by Sterner, to authorize the Chair to prepare a Final Interpretation, as described above, and include a memorandum explaining the Board’s decision. The roll call vote was unanimous with 8 votes in favor; the motion carried.**

- B. Review Plumbing Board Bylaws and proposed amendments – See Attachment B**  
A motion was made by Sterner, seconded by Flagg, to accept proposed amendments. The roll call vote was unanimous with 8 votes in favor; the motion carried. **[Executive Committee was dissolved]**
- C. Discuss 2018 Uniform Plumbing Code: Review “Ad Hoc Code Review and Rulemaking Committee 2018 UPC Recommendations to the Board” (Attachment C) and “Board Review of 2018 UPC RFAs” (Attachment D) documents and related RFAs; Board to consider granting rulemaking authorization to Chair**

**A motion was made by Flagg, seconded by Erickson, to authorize the Board Chair to open rulemaking of possible amendments to chapter 4714 to adopt the 2018 UPC with amendments accepted by the Board. The roll call vote was unanimous with 8 votes in favor; the motion carried.**

**D. Training: Open Meeting Law, Data Practices, and Records Retention – This was tabled until Jan. 21, 2020.**

**7. Complaints**

Nothing to report.

**8. Open Forum**

**9. Correspondence**

**10. Board Discussion**

None

**11. Announcements**

Next regularly scheduled meeting in 2020 – all meetings will be held at 9:30 a.m. in the Minnesota Room. The Board accepted the amendment in the Bylaws to dissolve the Executive Committee.

A. January 21, 2020

**12. Adjournment**

A motion was made by Sterner, seconded by Flagg, to adjourn the meeting at 2:43 p.m. The roll call vote was unanimous with 8 votes in favor of the motion; the motion passed.

Respectfully submitted,

*Mike Herman*

Mike Herman, Board Secretary

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

## Plumbing Board Request for Interpretation

PRINT IN INK or TYPE

NAME OF SUBMITTER Speedway LLC	Rule(s) to be interpreted (e.g., 4714.0330) 709.1
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The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at [www.dli.mn.gov/CCLD/PlumbingCode.asp](http://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: 709.1	Name of DLI employee gave interpretation: Cathy Tran	Date interpretation originally requested: 8/27/2019
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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?

Yes  No

If Yes, state the name or type of official

N/A

State the circumstances of the initial dispute:

Please see the attached letter from counsel.

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

Please see the attached letter from counsel.

What is your interpretation of the language:

Please see the attached letter from counsel.

List any other information you would like the Board to consider:

Please see the attached letter from counsel.

### Information regarding submitting this form:

- Submit any supporting documentation to be considered electronically to [DLI.CCLDBOARDS@state.mn.us](mailto: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.

**Office Use Only**

RFI File No. PB0141	Date Received by DLI 9.13.2019	Dated Received by Board	Date of Board Meeting 10.15.2019
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).

**Submitted by:**

NAME		FIRM NAME	
Daniel R. Olson		Bassford Remele, P.A.	
ADDRESS		CITY	STATE ZIP CODE
100 South Fifth Street, Suite 1500		Minneapolis	MN 55402
PHONE	SIGNATURE (original or electronic)	DATE	
612-746-1095	/s/ Daniel R. Olson	9/13/2019	

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**



BASSFORD REMELE

DANIEL R. OLSON  
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September 13, 2019

*VIA EMAIL AND U.S. MAIL*

Minnesota Plumbing Board  
c/o Minnesota Department of Labor and Industry  
443 Lafayette Road North  
St. Paul, MN 55155-4344  
[dli.cclboard@state.mn.us](mailto:dli.cclboard@state.mn.us)

Re: *Request for Interpretation by Speedway LLC*  
Our File No.: 5945-1

Dear Minnesota Plumbing Board:

Our office represents Speedway, LLC. We respectfully submit the following issue for interpretation:

**Question:**

Section 709.1 of the Plumbing Code provides that “Where practicable, plumbing fixtures shall be drained to the public sewer or private sewage disposal system by gravity.” Given that the definition of “practicable” is “reasonably capable of being accomplished,” does the Plumbing Code require drainage by gravity system where such an installation is unreasonably expensive to the landowner and avoidably dangerous to patrons and where a safe, sanitary, proven alternative exists?

**Background:**

On August 13, 2019, Speedway was informed by a plumbing inspector, Scott Sawyer, that the Department would not approve Speedway’s proposed plan to install Bean-to-Cup coffee machines in its convenience stores. Speedway’s plan featured designed drainage pumps that would clear out no more than five gallons of water and cleaning fluid per day from the machines at each store. These drainage pumps are safe and sanitary and have been approved and installed all across the country.

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The Department, however, rejected the proposed plan and has told Speedway that it will be required to dig trenches in all of its proposed Bean-to-Cup Stores to connect the machines to floor drains—all to flush out five gallons of water and cleaning fluid. Such an endeavor would significantly disrupt operations at Speedway's stores and would amount to a small remodel in certain locations. The process will take several months and require three different contractors, costing Speedway in upwards of \$1 million in project costs and lost sales. Importantly, the project would also pose significant safety concerns to Speedway's customers and employees as the stores would need to remain open during the construction phase.

The Department further informed Speedway that it could seek deviations from the Plumbing Code based on undue hardship, but would need to submit a separate deviation request for each of the dozens of individual stores in which the Bean-to-Cup machines are scheduled for install. Because the Department is incorrectly interpreting the Plumbing Code, Speedway seeks an interpretation before undertaking dozens of individual deviation requests.

### **Analysis:**

The crux of the analysis here is necessarily based on basic tenets of statutory construction and interpretation. When a legislature or governing body includes certain words or phrases in some parts of the Code but not others, those words or phrases must be given ample consideration.

The specific section of the Plumbing Code at issue is Section 709.1, which provides: "**Where practicable**, plumbing fixtures shall be drained to the public sewer or private sewage disposal system by gravity." (Emphasis added.) Significantly, the inclusion of the "where practicable" language differs from every other regulation and requirement set forth in Chapter 7, including commercial dishwashing machines and sinks (Section 704.3), cleanout locations (Section 707.4), sump construction (Section 710.8), and building sewer locations (Section 752.1). This is significant, as by including "[w]here practicable" in the original text of Section 709.1, the authors of the Code clearly intended to build in flexibility here without the requirement of a formal deviation process. Why else would it be included in this Section where it is conspicuously omitted in every other section? Enabling Speedway to install its Bean-to-Cup machines with a sanitary, safe, proven alternative would not be a deviation from this code provision, as it is not practicable to install the system any other way. The other Code sections do not have this built-in flexibility and require a deviation.

With regards to whether spending \$1 million and digging trenches at the peril of its employees and customers (or in the alternative completely shutting down the Stores and putting its employees who need a paycheck out of work) where there is a proven alternative is practicable, one must look at the definition of "practicable." Notably, the Code does not define practicable." But the Minnesota Court of Appeals has repeatedly relied on *Black's Law Dictionary* in interpreting "practicable" as meaning "**reasonably** capable of being accomplished." See *In re Matter of Application of J.M.M. o/b/o Minors for a Change of Name*, No. A17-1730, 2018 WL 2470701, at

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\*6 (Minn. Ct. App. June 4, 2018) (emphasis added) (citing *Black's Law Dictionary* 1361 (10th ed. 2014)), *review granted* (Sept. 18, 2018); *State v. Morse*, No. A14-1202, 2015 WL 3822833, at \*4 (Minn. Ct. App. June 22, 2015), *rev'd on other grounds*, 878 N.W.2d 499 (Minn. 2016); *Abel v. Abel*, No. A06-1733, 2007 WL 2703035, at \*3 (Minn. Ct. App. Sept. 18, 2007).

Here, connecting the Bean-to-Cup machines to a gravity drain is not “reasonably capable of being accomplished.” In fact, it is not reasonable by any definition of this word. Quite the opposite: Speedway will be forced to incur nearly \$1 million in costs and lost sales to install coffee machines and make the choice to either (1) put its employees and customers in danger or (2) completely shut down its stores, increasing the cost associated with the project exponentially and putting its hard-working employees out of work—where there is a proven safe and sanitary alternative used by numerous companies all over the country. This is inherently *unreasonable*.

Accordingly, Speedway respectfully requests the following interpretation of Section 709.1: No, Section 709.1 does not require plumbing fixtures to drained by a gravity system where the installation of such a system would be unreasonably burdensome and a proven safe and sanitary alternative is adopted.

Very truly yours,



Daniel R. Olson

DRO:vlc

cc: Erin A. Moosbrugger, Esq.

# Bylaws of the Plumbing Board

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## Article I. Name

- A. The official name shall be “Plumbing Board.”

## Article II. Purpose

- A. The purpose of the Plumbing Board shall be as identified in Minnesota Statutes, section 326B.435, subdivision 2. At the request of the Commissioner of Labor and Industry, the Board shall also provide information and documentation concerning any complaint referred by the Board to the commissioner, as provided in Minnesota Statutes, section 326B.435, subdivision 8.

## Article III. Membership

- A. The membership of the Plumbing Board shall be as identified in Minnesota Statutes, section 326B.435, subdivision 1.

## Article IV. Officers

- A. The Plumbing Board shall elect a chair, vice-chair, and secretary. All voting members of the Board are eligible to serve as officers.
  - a. Chair: The chair shall:
    - i. Preside at Board meetings;
    - ii. Appoint committees;
    - iii. Correspond on behalf of the Board;
    - iv. Develop meeting agenda; and
    - v. Act as the Board liaison with the Department of Labor and Industry regarding Board functions.
  - b. Vice-Chair: The vice-chair shall:
    - i. Assume the duties of the chair in the chair’s absence; and
    - ii. Assume the duties of the secretary in the secretary’s absence.
  - c. Secretary: The secretary shall:
    - i. Ensure that accurate notes of all Board meetings are taken and minutes are created and presented for Board approval at the next following meeting;
    - ii. Provide the presiding officer and membership with the exact wording of all motions;
    - iii. Record the official vote on all motions; and
    - iv. Maintain a record of all actions taken by the Board.

- B. The election of officers shall take place at the first meeting of the Plumbing Board and at each annual meeting thereafter.
  - a. The commissioner or the commissioner's designee shall preside over the election of all officers. The newly elected chair shall begin presiding over the meeting at the completion of elections.
  - b. Nominations for and election of each officer shall be independent of other officers.
  - c. Officers shall be elected in the following order: chair, vice-chair, secretary.
  - d. Nominations may be made by any voting member of the Board.
  - e. The number of nominees for each office is not limited.
  - f. Election shall be determined by majority of members voting.
    - i. Votes shall be cast by a raising of hands.
    - ii. Members shall vote for only one candidate at each ballot.
    - iii. Ballots shall be cast until one candidate receives a majority of votes cast.
  
- C. Vacancy
  - a. An election shall be held at the next regular meeting to fill a vacant office.
    - i. When an election results in creating a vacancy, an election to fill the vacancy shall be held at the same meeting until all positions are filled.
    - ii. The commissioner or the commissioner's designee shall preside over the election of vacant offices.
  
- D. Term
  - a. The term of all elected officers ends at the completion of election of officers at the annual meeting.

#### Article V. Meetings

- A. All meetings shall be held pursuant to Minnesota Statutes Chapter 13D.
- B. Location
  - a. Board meetings shall be held at the Department of Labor and Industry offices located at 443 Lafayette Road North, Saint Paul, Minnesota.
  - b. As provided in Minnesota Statutes, section 326B.435, subdivision 7, meetings employing telephone or other electronic means may be conducted.
- C. Annual meeting
  - a. The annual meeting of the Board shall be the first meeting each state fiscal year.
- D. Regular meetings
  - a. Regular Board meetings shall be held on a schedule determined by the Board.
    - i. The regular Board meeting schedule shall be maintained at 443 Lafayette Road North, Saint Paul, and on the Department of Labor and Industry website.
- E. Special meetings
  - a. Special Board meetings are meetings that are not regularly scheduled.

- i. Special Board meetings shall be called by the chair.
- ii. Unless the meeting is an emergency meeting, at least three days before the date of the meeting, notice of the special Board meeting shall be posted at 443 Lafayette Road North, Saint Paul, and mailed, e-mailed, or delivered to each person who has requested a notice of special meetings.
- iii. If the chair determines that circumstances require immediate consideration by the Board, the chair shall call an emergency meeting in accordance with Minnesota Statutes, section 13D.04, subdivision 3.

#### Article VI. Committees

- A. The chair may appoint a Board committee to address specific issues.
  - a. Committees shall report directly to the Board.
  - b. Unless dismissed by the appointing chair, the term of committee members ends with the election of a new chair.
  - c. Each Committee shall appoint a Secretary to record the meeting's Minutes.
  
- B. Parliamentary Authority for Committees
  - a. A quorum of the committee shall consist of the majority of members of the committee qualified to vote on the matter in question.
  - b. A meeting must not be called to order unless a quorum is present.
  - c. A meeting must be declared adjourned by the committee chair or other presiding committee member at any time it is apparent that a quorum is not present.
  - d. A vote on any issue is valid even though fewer than the quorum vote.

#### Article VII. Parliamentary authority for the Board

- A. Quorum
  - a. A quorum of the Board shall consist of the majority of members of the Board qualified to vote on the matter in question.
  - b. A meeting must not be called to order unless a quorum is present.
  - c. A meeting must be declared adjourned by the Board chair or other presiding officer at any time it is apparent that a quorum is not present.
  - d. A vote on any issue is valid even though fewer than the quorum vote.
  
- B. Majority
  - a. A majority of the membership is 7 voting members of the Board, except that if there is any vacancy in the voting members of the Board, a majority of the membership is more than half of the voting member positions on the Board that are filled. This number does not depend on the number of members present at a meeting or voting on a particular matter. An affirmative majority of the voting members is the same as a majority of the membership.
  - b. A simple majority, or a voting majority, is more than half of the members voting on a particular matter.
  - c. A two-thirds majority of the membership is 9 voting members of the Board, except that if there is any vacancy in the voting members of the Board, a two-thirds majority of the membership is two-thirds or more of

- the voting member positions on the Board that are filled. This number does not depend on the number of members present at a meeting or voting on a particular matter. A two-thirds majority of the voting members is the same as a two-thirds majority of the membership.
- d. A two-thirds voting majority is two-thirds or more of the members voting on a particular matter.
- C. Regular meeting order of business
- e. Call To Order
  - f. Approval of Meeting Agenda
  - g. Approval of Previous Meeting Minutes
  - h. Regular Business
    - i. Minnesota Plumbing Code
    - ii. Plumbing Licensure and Registration
  - i. Special Business
  - j. Committee Reports
  - k. Complaints
  - l. Open Forum
  - m. Board Discussion
  - n. Announcements
  - o. Adjournment
- E. Process for consideration of business agenda items and motions
- a. A business agenda item is presented by the chair or other Board member.
  - b. Any Board member, either a voting or nonvoting member, makes a motion to address the issue.
  - c. Another Board member, either a voting or nonvoting member, seconds the motion.
  - d. The issue and motion are discussed/debated.
  - e. After all members have had opportunity to speak on the issue the chair or presiding officer asks the secretary to read the motion and calls for a vote on the motion.
  - f. Other motions may be made and considered within this process as outlined in the following table.

## F. RULES GOVERNING MOTIONS IN ORDER OF PRECEDENCE

<b>Motion</b>	<b>Interrupt (Note 1)</b>	<b>Second</b>	<b>Debatable (Note 2)</b>	<b>Amendable (Note 3)</b>	<b>Vote to Pass</b>
Adjourn	No	Yes	No	No	Voting Majority
Recess	No	Yes	Restricted	Restricted	Voting Majority
Postpone/Table (Note 4)	No	Yes	No	No	Voting Majority
Refer to Committee (Note 5)	No	Yes	Restricted	Yes	Voting Majority
Amend	No	Yes	Yes	Yes	Voting Majority
Main Motion	No	Yes	Yes	Yes	Voting Majority
Reconsider (Note 6)	Yes	Yes	Restricted	No	Voting Majority
Rescind (Note 7)	No	Yes	Yes	No	Membership Majority
Resume Consideration/ Remove from the Table	No	Yes	No	No	Voting Majority
Appeal (Note 8)	Yes	Yes	Yes	No	Voting Majority
Amend Bylaws	No	Yes	Yes	Yes	Membership Majority
Rules Amendment Except Plumbing Code Amendment	No	Yes	Yes	Yes	Membership Majority
End debate	Yes	Yes	No	No	Two-thirds Voting Majority
Plumbing Code Amendment	No	Yes	Yes	Yes	Two-Thirds Membership Majority

## Notes to the table:

1. Interrupt – Can the maker of the motion interrupt another motion process?
2. Debatable – Can the motion be debated? Restricted – Debate is restricted to the motion being considered.
3. Amendable – Can the motion be amended? When restricted, an amendment must be germane to the motion to amend.
4. Postpone/Table – A motion postponed or tabled may be reconsidered within the same meeting as a result of motion to resume consideration. The motion postponed/tabled may be brought forward as a new motion at subsequent meetings without a motion to resume consideration. A motion to postpone/table ends debate of the motion to be postponed or tabled.
5. Refer to Committee – The debate on a motion to refer to a committee is restricted to the committee membership, assignment, meeting and reporting schedule.

6. Reconsider – A motion to reconsider can only be made during the same meeting the motion to be reconsidered was acted on. Debate is restricted to the motion to reconsider. Debate on the motion to be reconsidered can only occur after the motion to reconsider is passed. The use of the term “reconsider” in these bylaws is different from the use of the term “reconsider” in Minnesota Statutes, section 326B.435, subdivision 6, items (b), (d), (e) and (f). Nothing in these bylaws is intended to conflict with the statutory restrictions on the Board’s ability to “reconsider” plumbing code amendments and other proposed rules and rule amendments.
7. Rescind – A motion to rescind can only be made on motions that passed at previous meetings and then only if irreversible actions have not been carried forth. A motion to rescind must pass by a majority vote of the Board membership. A motion to rescind cannot be reconsidered or rescinded.
8. Appeal – Any member may make a motion to appeal a ruling or action of the chair or presiding officer.
9. End debate – Any member may make a motion to end discussion on the matter at hand.

Other actions or limits are at the discretion of the chair or other presiding officer, but are subject to appeal by another Board member.

#### Article VIII. Internal standards related to “day spent on Board business”

When authorized by the Board, members may be compensated at the rate of \$55 per diem for each day spent on Board activities in addition to being reimbursed for expenses as authorized by the commissioner’s plan adopted under Minnesota Statutes section 43A.18, subdivision 2. The Board defines a day spent on Board activities as any day members attend a regular or special Board meeting, or when specifically authorized by the Board to attend committee meetings or other meetings or activities or perform other duties on any day other than the day of a regular or special Board meeting.

In addition to the day of the Board activity and when a Board member’s primary residence is more than 250 miles from the location of the Board activity, an additional day for travel is allowed when the member incurs overnight lodging expense.

#### Article IX. Board Minutes

The Minutes for each meeting shall include the following:

1. A list of attendees.
2. The start time of the meeting.
3. Each topic description.
4. All motions made and the recorded vote.
5. Upcoming meeting dates and times.
6. Time of adjournment.

Article X. Amendment to bylaws

A majority of the membership must vote in the affirmative to adopt an amendment to these bylaws.

ADOPTED: November 16, 2007

AMENDED: February 19, 2008

PROPOSED AMENDMENT: April 21, 2009

PROPOSED AMENDMENT, ADOPTED: August 23, 2011

PROPOSED AMENDMENT: April 19, 2016

**PROPOSED AMENDMENT, ADOPTED: July 19, 2016**

## Ad Hoc Code Review and Rulemaking Committee 2018 UPC Recommendations to the Board

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)cccept (R)eject (M)odify
1.	PB0097	RFA	Thomas Johnson	Chapter 1	Add chapter 1 of the UPC into the Plumbing Code	<b>Proposal:</b> add chapter 1 of the UPC to the Plumbing Code. <b>Recommendation:</b> do not add chapter 1 of the UPC because MN uses rule chapter 1300 for code administration.	8/29/19	The Board accepted the recommendation as presented.	Accept
2.	Letter	N/A	Jeff Quinn, Farr Plumbing and Heating		Letter to Board re: Dishwasher air gaps, venting floor drains, boiler water fill, for next rule cycle.	Addressed in RFAs below.	8/29/19	Items were addressed in RFA's submitted to the Ad Hoc Committee – no further discussion.	N/A
3.	<a href="#">PB0135</a>	RFA (2018 UPC) Also see Final Interpretation at line #8	DLI	Chapter 2 definitions	Definition of "building supply" and registered design professional	<b>Proposal:</b> amend definitions of "building supply" and change term "Registered Professional Engineer" to "Registered Design Professional" <b>Recommendation:</b> amend the definitions of "building supply" and "Registered Professional Engineer" as proposed. See <a href="#">PB0135</a> .	8/29/19	The Board accepted the recommendation as presented to amend term "Registered Professional Engineer" to Registered Design Professional.  The Board accepted the recommendation to amend the definition of "building supply" with one modification: Remove "is" as follows: "Building Supply. The pipe <del>is</del> carrying potable water from municipal water supply..."	1. Accept Registered Design Professional as presented 2. Accept building supply with modification (remove "is")
4.	<a href="#">PB0128</a>	RFA (2018 UPC)	Scott Thompson	Chapter 2	Definition of "floor drain" and "floor drain – emergency"	<b>Proposal:</b> amend definition of "floor drain" and "floor drain – emergency" as proposed. <b>Recommendation:</b> define "floor drain – emergency" as "Floor drains that <u>DO NOT SERVE AS A RECEPTOR THAT</u> are located in restrooms, under emergency eyewash/shower equipment and in laundry rooms." No definition for "floor drain."	8/29/19	1. <b>Floor drain:</b> The Board agreed to keep the definition of floor drain with a modification to add language shown in ALL CAPS: Floor drains that DO NOT SERVE AS A RECEPTOR THAT are located in restrooms, under emergency eyewash/shower equipment and in laundry rooms."	1. Accept with modifications noted in ALL CAPS 2. Amend to emergenc

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								<p><b>2. Floor drain – emergency:</b> The Board agreed to amend to “emergency floor drain” in lieu of “floor drain – emergency.”</p> <p>The Board discussed whether the language should read “floor drain, emergency” or “emergency floor drain.” The language “floor drain, emergency” is used in Table 702.1; however, “emergency floor drain” is defined in the definitions; therefore, the Board agreed to accept the recommendation but amend to “emergency floor drain” in lieu of “floor drain – emergency.”</p>	y floor drain
5.	<a href="#">PB0137</a>	RFA (2018 UPC)	MDH	Chapter 2	Definition of “potable water”	<p><b>Proposal:</b> amend definition of “potable water” as proposed.</p> <p><b>Recommendation:</b> leave definition of “potable water” as is in 2018 UPC.</p>	8/29/19	<p>The Board agreed with the recommendation as presented after discussion noted below.</p> <p>Weum read the definition of potable water. The Board discussed leaving “potable water” but defining “water for human consumption” The definition of Human Consumption in Section 604.2 of the 2018 UPC would affect the manufacturer’s lead content. Tran read Exception 2 of Section 604.2 of the 2018 UPC.</p>	Accept
6.	<a href="#">PB0129</a>	RFA (2018 UPC)	Scott Thompson	Chapter 2	Definition of “quick-acting valve”	<p><b>Proposal:</b> amend definition of “quick-acting valve” as proposed</p> <p><b>Recommendation:</b> Full-board discussion</p>	8/29/19	<p>The Board rejected the proposal and accepted language to modify the 2018 UPC, Section 609.10 as follows: “Building water supply systems where <u>water hammer occurs</u> shall be provided with water hammer arrestors to absorb the <u>resulting</u> high pressures. Water hammer ...”</p>	Reject proposal. Amend 2018 UPC Section 609.10 as shown
7.	<a href="#">PB0083</a>	Final Interpretation	Patrick Lorio, City of Minneapolis	2012 UPC, sections 414.3 & 807.4, MN	Air gap fittings and drainage from domestic dishwashers	<p><b>Question:</b> May a domestic dishwasher be drained to a lower floor, without the installation of an approved air gap fitting with an indirect drain?</p>	N/A	<p>The Board agreed that no further discussion was needed at the 8/29/2019 meeting.</p> <p>5.11.2016: No, a domestic dishwasher cannot drain to a lower floor without the installation of</p>	

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				Rule 4714.0050		<b>Answer:</b> No. The Minnesota Plumbing Board interprets UPC Sections 414.3 and 807.4 as incorporated into the Minnesota Plumbing Code by Minnesota Rule 4714.0050, to require a domestic dishwasher to discharge through a listed air gap fitting. The air gap fitting must be referenced in chapter 14 of the 2012 UPC as amended by Minnesota Rules chapter 4714.		an approved air gap fitting with an indirect drain. The air gap fitting must be referenced in chap 14 of the 2012 UIPC as amended by MN Rules chapter 4714	
8.	<a href="#">Definition of "Building Supply"</a>  See also PB0135	Final Interpretation	Gordon Granse, Polyethylene Technology	2012 UPC section 204.0, MN Rule 4714.0050	Definition of Building Supply	<b>Question:</b> Is the pipe supplying water to a water meter or pressure tank inside the building considered part of the building supply?  <b>Answer:</b> Yes.	N/A	Final Interpretation issued (in response to a letter) May 11, 2016. Yes, the pipe supplying water to a water meter or pressure tank inside the building is considered part of the building supply.	
9.	<a href="#">PB0085</a>  See also PB0135	Final Interpretation	David Henrich, Bergerson Caswell, Inc./MN Water Well Assoc	2012 UPC section 204, Table 604.1, and IS 7 (2.6.1), MN Rule, part 4714.0050	Use of polyethylene piping for building supply piping	<b>Question:</b> Based on the Plumbing Board's May 11, 2016, Final Interpretation, can polyethylene piping, when used for building supply, be installed inside and under buildings?  <b>Answer:</b> Yes.	N/A	Final Interpretation issued June 15, 2016. Yes, polyethylene piping, when used for building supply, can be installed inside and under buildings	
10.	<a href="#">PB0088</a>	Final Interpretation	Sean Flaherty, President MN Chapter of the NFSA	Sec. 603.5.15, part 4714.0050	Double Check backflow prevention assemblies (DC) and double check detector fire protection backflow prevention assemblies that are an integral	<b>Question:</b> 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	8/29/19	The Board agreed that no modifications were necessary following discussion below: Final interpretation issued March 20, 2017. Todnem asked the Board if there needed to be any further discussion and Peterson said this should be addressed in the Licensing rules, not the Plumbing Code. Minnesota Plumbing Code 603.5.15.1 (renumbered to 603.5.14) would not be affected.  Backflow protector is part of the fire system per Tran.	No modifications necessary

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					part of a fire protection system.	and 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?  <b>Answer:</b> No. Uniform Plumbing Code section 603.5.23, as adopted in the Minnesota Plumbing Code, Minn. R. parts 4716.0096 and 4716.0097, and Minn. Stat. § 326B.437 still apply to the backflow assembly			
11.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0301	chapters 3-5, various	(1) <b>Proposal:</b> Delete Minn. rule part 4714.0301 (default to use 2018 UPC)  <b>Recommendation:</b> Delete Minn. rule part 4714.0301	6/17/19	The Board agreed to accept recommendation as presented. The Board previously determined that 4714 is the controlling document and the 2018 UPC would be adopted as the reference.	Accept
12.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	301.2.5	chapters 3-5, various	(2) <b>Proposal:</b> Delete 2018 UPC sec. 301.2.5 (Existing Buildings) in its entirety. Already addressed in Minn. rule 4714.0101, subparts 3 and 6.  <b>Recommendation:</b> Delete 2018 UPC sec. 301.2.5 in its entirety.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
13.	N/A	N/A	Committee	312 and 313	Pipe expansion	<b>Proposal:</b> Becker to make tables to address ΔT 50 (conditioned space) and ΔT 100 (unconditioned space).  <b>Recommendation:</b> Use proposed Table 313.3.1 as modified	8/29/19, 6/17/19	8/29/2019: Becker submitted <b>Exhibit A</b> and Jim Peterson and Zach Barnaal submitted <b>Exhibits B and C</b> on behalf of DLI. <ul style="list-style-type: none"> <li>The Board agreed to accept Exhibit B with modifications. Modifications are shown on attached Exhibit B2.</li> <li>Add a footnote #6 to Table 313.3, at line "Schedule 40 PVC and ABS DWV" under column "Horizontal": For expansion loops, see Table 313.3.1</li> </ul>	8/29/19: Accept with modifications as noted on <b>Exhibit B.1</b> . Modifications accepted with addition of 10 and 20 feet – See <b>Exhibit B.2</b>

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								<ul style="list-style-type: none"> <li>Table title change: <u>Schedule 40 PVC and ABS DWV and Storm Pipe Expansion Table</u></li> </ul> <p>6/17/19 Discussion: Installation shall compensate for thermal expansion and contraction. Expansion joints shall be utilized in vertical straight runs in excess of thirty (30) feet (9,144 mm) provided they are installed per manufacturer's installation instructions. Except piping buried below ground, horizontal and vertical piping must be installed with restraint fittings or a minimum twenty-four (24) inches (610 mm) 45 degree offset every thirty (30) feet (9144 mm) Becker said he would revise the tables to incorporate formulas for ABS and PVC and bring back to the Board at a later date.</p>	6/17/19: Modify
14.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	Table 313.3	chapters 3-5, various	(4) <b>Proposal:</b> Add footnote 6 to Table 313.3.  <b>Recommendation:</b> DLI will bring recommendation to Board for discussion. See also Item 13 above as part of discussion	6/17/19	6/17/2019: Table 313.3 is connected to the above tables; therefore, it will be discussed when tables above are revised and brought back to Board.	See above  6/17/19: Modify
15.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0314	chapters 3-5, various	(3) <b>Proposal:</b> Delete Minn. rule 4714.0314 (default to use 2018 UPC for tunneling/trenching)  <b>Recommendation:</b> Delete Minn. rule 4714.0314	6/17/19	The Board agreed to accept recommendation as presented.	Accept
16.	<a href="#">N/A</a>	N/A	Committee	407.4	Transient Public Lavatories	<b>Proposal:</b> delete section 407.4 Transient Public Lavatories	6/17/19	The Board agreed to accept recommendation as presented.	Accept

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						<b>Recommendation:</b> delete section 407.4 of 2018 UPC.			
17.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0409	chapters 3-5, various	(5) <b>Proposal:</b> Amend Minn. rule 4714.0409  <b>Recommendation:</b> Amend rule part 4714.0409 to reflect the additions of nationally recognized standards in the body of the code that are also referenced standards under Chapter 17 of the UPC 2018, strike IAPMO IGC 155 references (see PB0102)	6/17/19	The Board agreed to accept recommendation as presented.	Accept
18.	<a href="#">PB0090</a> <a href="#">PB0099</a> <a href="#">PB0101</a> <a href="#">PB0110</a>	RFA	Multiple	4714.0414.3	Redundancy - Dishwasher listed air gap device	<b>Proposal:</b> Delete "through an air gap fitting in accordance with Section 807.4 in section 414.3 and delete section 807.4."  <b>Recommendation:</b> add language to sections 414.3 and 807.3, "or run the discharge line as high as possible under the countertop, securely fastened." (Section 807.3 of 2018 UPC renumbered section 807.4) See <a href="#">1/14/19 Ad Hoc meeting minutes</a> .	6/17/19	The Board agreed to accept recommendation as presented.  Note: Tran noted that the recommendation as presented is correct. Marciniak previously confirmed that IGC 155 (2018 version) was superseded by ASME A112.19.7 (2012 version).	Accept
19.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0418	chapters 3-5, various	<b>Proposal:</b> Amend Minn. rule 4714.0418, regarding section 418.7, add a reference to other sections (1017, 1009.1, 1011.1, and 1017.1)  <b>Recommendation:</b> Full Board review; committee recommends adding definitions for "open parking garage" and "enclosed parking garage."	6/17/19	The Board agreed to accept recommendation as presented.  Currently neither are defined; therefore, DLI references the building code for "open parking garage" and "enclosed parking garage" definitions.	Accept
20.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0421	chapters 3-5, various	<b>Proposal:</b> Use 2018 UPC language, delete Minn. rule 4714.0421, result: change temperature from 110 degrees F to 120 degrees F (relocated to section 407.3 in 2018 UPC).	6/17/19	The Board agreed to accept recommendation as presented.	Accept

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						<b>Recommendation:</b> delete Minn. rule 4714.0421, result: change temperature from 110 degrees F to 120 degrees F.			
21.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0501	chapters 3-5, various	<b>Proposal:</b> Amend Minn. rule 4714.0501 to exclude chimneys, vents and their connectors because not plumbing. <b>Recommendation:</b> Amend Minn. rule 4714.0501 to exclude chimneys, vents and their connectors because not plumbing.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
22.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0504	chapters 3-5, various	<b>Proposal:</b> Amend Minn. rule 4714.0504, subp. 2, to add "Discharge piping shall be installed in accordance with Section 608.5." <b>Recommendation:</b> Amend Minn. rule 4714.0504, subp. 2, to add "Discharge piping shall be installed in accordance with Section 608.5." Delete "[NFPA 54: 10.25.5]" that is in the rule.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
23.	N/A	N/A	Committee	505.4.1	Single-wall heat exchanger	Discussion of the change for single-wall exchange in UPC 2018, Section 505.4.1, and current Minn. rule 603.5.4.1. Minn. Rule does not have a heat-transfer medium that is listed as a toxicity rating or Class of 1. No recommendation.	6/17/19	No recommendation	No Action
24.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0507	chapters 3-5, various	<b>Proposal:</b> Amend Minn. rule 4714.0507, subp. 2 regarding Relief Valve Discharge, to replace the Minnesota amendment and use 2018 UPC language. <b>Recommendation:</b> Amend Minn rule 4714.507, subp. 2 regarding Relief Valve Discharge, to replace the Minnesota amendment and use 2018 UPC language.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
25.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0508	chapters 3-5, various	<b>Proposal:</b> Amend Minn. rule 4714.0508 to effectively use 2018 UPC language for 508.4 Appliances in Attics and Under-Floor	6/17/19	The Board agreed to accept recommendation as presented.	Accept

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						Spaces, and maintain deletion of sections 508.0 to 508.3.3.  <b>Recommendation:</b> Amend Minn. rule 4714.0508 to effectively use 2018 UPC language for 508.4 Appliances in Attics and Under-Floor Spaces, and maintain deletion of sections 508.0 to 508.3.3.			
26.	<a href="#">PB0102</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0509	chapters 3-5, various	<b>Proposal:</b> Amend Minn. rule 4714.0509 to include deletion of UPC section 509.15, Venting of Appliances.  <b>Recommendation:</b> delete section 509 in its entirety, including 509.15, of the 2018 UPC.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
27.	<a href="#">PB0104</a>	RFA (2018 UPC)	Richard Becker	509- 510.2.27	Delete those section in their entirety	<b>Proposal:</b> Delete UPC sections 509.0 through 510.2.27 in their entirety.  <b>Recommendation:</b> Delete UPC sections 509.0 through 510.2.27; these deletions already covered in other recommendation or already in Minn. rule 4714.0510.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
28.	N/A			4714.0511	Delete 4714.0511	<b>Proposal:</b> Delete Minn. rule 4714.0511 because no section 511 in 2018 UPC.  <b>Recommendation:</b> Delete 4714.0511.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
29.	<a href="#">PB0115</a>	RFA (2018 UPC)	DLI	4714.0601	Various chapter 6 proposals (DLI)	<b>Proposal:</b> renumber section 601 (4714.0601) to 602, per 2018 UPC  <b>Recommendation:</b> correct numbering	6/17/19	The Board agreed to accept recommendation as presented.	Accept
30.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	4714.0603	Various chapter 6 proposals (MDH)	<b>Proposal:</b> Keep the current Minnesota amendment in Minn. rule 4714.0603, subp. 1 as is.  <b>Recommendation:</b> Keep the current Minnesota amendment in Minn. rule 4714.0603, subp. 1 as is. (No action necessary)	6/17/19	The Board agreed to accept recommendation as presented.	Accept

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31.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	4714.0603	Various chapter 6 proposals (MDH)	<p><b>Proposal:</b> Keep the current Minnesota amendment in Minn. rule 4714.0603, subp. 5.</p> <p><b>Recommendation:</b> Keep the current Minnesota amendment in Minn. rule 4714.0603, subp. 5. (No action necessary)</p>	6/17/19	The Board agreed to accept recommendation as presented.	Accept
32.	<a href="#">PB0092</a>	Final Interpretation	Douglas R. Morin	603.2	Double check assembly	<p><b>Question 1:</b> Can a backflow preventer approved to ASSE 1022 be installed on a domestic water line serving a combi-oven pursuant to Minnesota Plumbing Code section 603.2?</p> <p><b>Answer:</b> No. Table 603.2 explicitly states that a backflow preventer approved to ASSE 1022 is appropriate for carbonated beverage machines or dispensers. A combi-oven is not a carbonated beverage machine or dispenser. UPC section 603.2, as adopted in chapter 4714, requires backflow prevention devices or assemblies to comply with Table 603.2.</p> <p><b>Question 2:</b> Is a backflow preventer approved to ASSE 1012 a suitable device for the installation on a combi-oven under section 603.2 when approved by the Authority Having Jurisdiction?</p> <p><b>Answer:</b> Yes. ASSE 1012 is not specifically listed in Table 603.2. Devices approved to ASSE 1012 are not explicitly addressed as approved devices in Table 603.2 so the Authority Having Jurisdiction must approve its use, including for use on a combi-oven.</p>	6/17/19	No action necessary – clarification only	No action

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33.	<a href="#">PB0098</a>	Final Interpretation	Thomas Johnson	4714.0603.2 and table	Whether an AVP can have a valve downstream.	Pending litigation.		Final Interpretation issued 10/8/2018;	
34.	<a href="#">PB0100</a>	RFA	Joel Hipp	Table 603.2	Table 603.2, Atmospheric Vacuum Breaker Installation	<p><b>Proposal:</b> Amend Table 603.2 (and 1401) to replace “No valve downstream” with “have outlet open to atmospheric pressure” consistent with the 2017 edition of ASSE 1001.</p> <p><b>Recommendation:</b> leave language as is in the code because proposed amendment would require updating reference to the 2017 edition of ASSE for consistency; concern that updating this referenced standard edition could lead to other referenced standard updates, which would defeat the purpose of adopting a model code.</p>	6/17/19	The Board agreed to accept recommendation as presented.	Accept
35.	<a href="#">PB0115</a>	RFA (2018 UPC)	DLI	603.5.8	Various chapter 6 proposals (DLI)	<p><b>Proposal:</b> renumber 603.5.18 to 603.5.17</p> <p><b>Recommendation:</b> renumber</p>	6/17/19	The Board agreed to accept recommendation as presented.	Accept
36.	<a href="#">PB0105</a> <a href="#">PB0116</a>	RFA (2018 UPC)	Scott Eggen, Steve Tiedman	603.5.10	Exception to Steam or Hot Water Boilers	<p><b>Proposal:</b> Amend section 603.5.10 by adding an exception for 1- and 2-family dwellings.</p> <p><b>Recommendation:</b> do not add an exception for 1- and 2-family homes; use 2018 UPC language as is.</p>	6/17/19	The Board agreed to accept recommendation as presented.	Accept
37.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	603.5.18	Various chapter 6 proposals (MDH)	<p><b>Proposal:</b> Renumber section 603.5.18 to 603.5.17 to reflect 2018 UPC numbering.</p> <p><b>Recommendation:</b> Renumber section 603.5.18 to 603.5.17.</p>	6/17/19	The Board agreed to accept recommendation as presented.	Accept
38.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	603.5.21	Various chapter 6 proposals (MDH)	<p><b>Proposal:</b> Section 603.5.21 is new to the 2018 UPC, keep it incorporated as is.</p>	6/17/19	The Board agreed to accept recommendation as presented.	Accept

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						<b>Recommendation:</b> Incorporate (new) 2018 UPC section 603.5.21 as is. (No action necessary)			
39.	<a href="#">PB0114</a> <a href="#">PB0115</a>	RFA (2018 UPC)	DLI	4714.0604	Various chapter 6 proposals (DLI)	<b>Proposal:</b> repeal rule Minn. rule 4714.0604 in its entirety. <b>Recommendation:</b> repeal Minn. rule 4714.0604. Use 2018 UPC language re: lead content (604.2)	6/17/19	The Board agreed to accept recommendation as presented.	Accept
40.	<a href="#">PB0137</a>	RFA (2018 UPC)	MDH	604.2 (formerly 604.11)	Amend 2018 UPC language re: potable water and lead content	<b>Proposal:</b> amend 2018 UPC language regarding definition of potable water and Section 604.2 on lead content by revising “water for human consumption” to “potable water” (Committee recommends deleting MN amendment) <b>Recommendation:</b> do not amend; use 2018 UPC language.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
41.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	604.11	Various chapter 6 proposals (MDH)	<b>Proposal:</b> Do not amend Minn. rule section 604.11, keep the 2018 UPC language. <b>Recommendation:</b> Do not amend section 604.11, keep the 2018 UPC language (604.2). (No action necessary)	6/17/19	The Board agreed to accept recommendation as presented.	Accept
42.	<a href="#">PB0118</a>	RFA (2018 UPC)	Rich Olson	Table 604.1, chapter 14	Add NSF SE 17304 to the Referenced Standards Fittings column for CPVC fittings in Table 604.1	<b>Proposal:</b> Amend Table 604.1 and add NSF SE 17304 to the Referenced Standards chapter. <b>Recommendation:</b> do not amend Table 604.1 to add NSF SE 17304.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
43.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	604.10	Various chapter 6 proposals (MDH)	<b>Proposal:</b> Renumber Minn. rule 604.10 to 604.9 to reflect 2018 UPC numbering. <b>Recommendation:</b> Renumber 604.10 to 604.9	6/17/19	The Board agreed to accept recommendation as presented.	Accept

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44.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	607.3	Drinking water protection	<b>Proposal:</b> Amend 2018 UPC section 607.3 for potable water tanks <b>Recommendation:</b> Amend 2018 UPC section 607.3 as written in the RFA.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
45.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	607.4	Tanks used in commercial settings	<b>Proposal:</b> Amend 2018 UPC section 607.4 <b>Recommendation:</b> Amend 2018 UPC section 607.4 as written in RFA except last sentence of RFA language should read: "Overflow pipe shall discharge through an air gap."	6/17/19	The Board agreed to accept recommendation as presented in chart – The word "No" is removed from the last sentence as shown in PB0114. "No e-Overflow may be connected directly to any drain, sanitary sewer, or storm sewer"	Accept
46.	<a href="#">PB0115</a>	RFA (2018 UPC)	DLI	4714.0608	Various chapter 6 proposals (DLI)	<b>Proposal:</b> repeal Minn. rule 4714.0608, use 2018 UPC language. <b>Recommendation:</b> repeal part 4714.0608	6/17/19	The Board modified the proposal and recommendation as shown below and accepted the modified recommendation. <b>MODIFIED Proposal:</b> Amend Minn. rule 4714.0608, use 2018 UPC language. <b>MODIFIED Recommendation:</b> Amend MN Rule 4714.0608, use the 2018 UPC but amend 608.5 and use the verbiage as presented in PB0115.	Accept modified language
47.	<a href="#">PB0103</a>	RFA (2018 UPC)	Brent Marsolek, Dave Wagner	UPC 609.1, 312.6	UPC sec. 609.1. Installation	<b>Proposal:</b> amend 2018 UPC sections 312.6, 609.1 <b>Recommendation:</b> Amend water pipe bury depth requirements: "Building supply and yard piping shall be not less than 12 inches (305 mm) below the maximum local frost depth in accordance with Section 312.6, or an alternative approved by the Authority Having Jurisdiction." PB to define "maximum frost depth" or find a published source of maximum frost depth.	6/17/19	The recommendation matches NFPA 24 and the Board agreed to accept the recommendation with <b>no need for the PB to define "maximum frost depth" or find a published source of maximum frost depth.</b>  Wagner and Tran no longer need to review and bring a revised recommendation back to the Board as discussed earlier.	Accept as modified
48.	<a href="#">PB0113</a>	RFA	Brent Marsolek, Dave Wagner	4714. 609	Meter location, section 609.11	<b>Proposal:</b> amend Minn. rule 4714.0609.11 to require water meters be located as close as possible to the point of entrance of the potable water supply pipe.	6/17/19	The Board agreed to accept recommendation as presented.	Accept

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)cccept (R)eject (M)odify
						<b>Recommendation:</b> amend Minn. rule 4714.0609.11 as drafted in RFA.			
49.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	609.6 and 611.0 through 611.3	Various chapter 6 proposals (MDH)	<b>Proposal:</b> Maintain Minnesota amendments in rule chapter 4714 to sections 609.6 and 611.0 through 611.3. <b>Recommendation:</b> Maintain Minnesota amendments to sections 609.6 and 611.0 through 611.3.	6/17/19	The Board agreed to accept recommendation as presented.	Accept
50.	<a href="#">PB0106</a> <a href="#">PB0129</a>	RFA (2018 UPC)	Multiple	609.10	Quick acting valves, water hammer, section 609.10	<b>Proposal:</b> define "quick-acting valve" as used in section 609.10. <b>Recommendation:</b> Full-board discussion	6/17/19	The Board agreed that it would be too difficult to define "quick-acting valve" and after much discussion agreed to table this item.	Table
51.	<a href="#">PB0114</a>	RFA (2018 UPC)	MDH	609.11 to 609.12	Various chapter 6 proposals (MDH)	<b>Proposal:</b> Renumber in Minn. rule, section 609.11 to 609.12, keep Minnesota amendment. <b>Recommendation:</b> Renumber in Minn. rule, section 609.11 to 609.12, keep Minnesota amendment.	6/17/19	The Board rejected the recommendation as presented because section 609.11 would be replaced. Pipe insulation removed.	Reject
52.	<a href="#">PB0115</a>	RFA (2018 UPC)	DLI	611.3.1	Various chapter 6 proposals (DLI)	<b>Proposal:</b> add subsection 611.3.1 to Minn. rule 4714.0611 <b>Recommendation:</b> add subsection 611.3.1 as proposed. See RFA PB0115.	6/17/19	The Board agreed to accept modified proposal and recommendation as shown below. <b>MODIFIED Proposal:</b> add subsection 611.5 to Minn. rule 4714.0611 <b>MODIFIED Recommendation:</b> add subsection 611.5 as proposed. See RFA PB0115.	Accept as modified
53.	<a href="#">PB0119</a>	RFA (2018 UPC)	Jason Kruger	Table 701.2	Amend Table 701.1 to allow the use of reinforced concrete pipe as described in ASTM C76	<b>Proposal:</b> Amend Table 701.2 of Chapter 7 to add ASTM C76 reinforced concrete pipes and ASTM C443 as proposed <b>Recommendation:</b> amend as proposed with addition of footnote stating, "***For storm sewer application only"	6/17/19	The Board agreed to accept recommendation as presented.	Accept
54.	<a href="#">PB0121</a>	RFA (2018 UPC)	DLI	701.1	chapter 7, various	<b>Proposal:</b> minor corrections and renumbering to coordinate with numbering changes in the 2018 UPC	6/17/19	The Board agreed to accept recommendation as presented.	Accept

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)cept (R)ejct (M)odify
						<b>Recommendation:</b> amend as proposed. See <a href="#">3/11/19 meeting minutes</a> .			
55.	<a href="#">PB0107</a>	RFA (2018 UPC)	Aaron Ganson	Table(s) 701.1 (and 1701.1)	polypropylene pipe per ASTM F2764, Table 701.1 and Table 1701.1 (referenced standards)	<b>Proposal:</b> Add polypropylene pipe per ASTM F2736 and ASTM F2764 to Tables 701.1 and 1701.1 for sanitary building sewers. See <a href="#">3/11/19 meeting minutes</a> . <b>Recommendation:</b> add the ASTM standards, and joints and connections section as proposed (with updated numbering per the UPC 2018).	<b>10/15/19 (added language: add deflection test)</b> 6/17/19	<b>MODIFIED recommendation:</b> <ul style="list-style-type: none"> <li>Add footnote *** With no change in direction <b>and deflection test</b>.</li> <li>Add the ASTM standards with updated numbering per the UPC 2018 under building sewer pipe and fittings.</li> </ul> No directional changes. If good enough for sanitary sewer use then acceptable for storm use. Storm use would have cheaper pipe options available that could be used.	Accept as modified ( <b>and deflection test was added at the 10.15.19 Board meeting</b> ).
56.	<a href="#">PB0133</a>	RFA (2018 UPC)	Robert G Moore	Table 701.1	Add ASTM F2562 to Table 701.1	<b>Proposal:</b> add ASTM F2562 standard to Table 701.1 (renumbered Table 701.2) <b>Recommendation:</b> do nothing, do not add ASTM F2562 to Table 701.1.	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
57.	<a href="#">PB0121</a>	RFA (2018 UPC)	DLI	705.10.2 Expansion Joints	chapter 7, various	<b>Proposal:</b> delete Minnesota rule amendment and use the 2018 UPC language <b>Recommendation:</b> amend as proposed (use the 2018 UPC language)	8/29/19, 7/16/19	8/29/2019: The Board agreed with their decision to Accept the recommendation on 7/16/2019.  7/16/2019: The Board agreed to accept the recommendation as presented.	Accept
58.	<a href="#">PB0121</a> <a href="#">PB0108</a> <a href="#">PB0109</a>	RFA (2018 UPC)	DLI	707.4.1	chapter 7, various	<b>Proposal:</b> eliminate the cleanout requirement for back-to-back (or common) vertical fixture drains installed at same level by deleting Section 707.4.1 <b>Recommendation:</b> delete section 707.4.1	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
59.	<a href="#">PB0121</a>	RFA (2018 UPC)	DLI	707.4	chapter 7, various	<b>Proposal:</b> delete exception #3 of Section 707.4 <b>Recommendation:</b> keep exception #3 (DLI can review the RFA and resubmit)	7/16/19	The Board agreed to accept the recommendation as re-submitted using the 2021 UPC preprint language as follows: Exceptions: (3) Excepting the building drain, its horizontal branches, kitchen sinks, and urinals, a cleanout	Accept as modified

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)cept (R)eject (M)odify
								shall not be required on a pipe or piping that is above the floor level of the lowest floor of the building.	
60.	<a href="#">PB0121</a>	RFA (2018 UPC)	DLI	710.10	chapter 7, various	<b>Proposal:</b> add an exception to Section 710.10 for vents serving elevator sumps and pool sumps to not terminate through the roof <b>Recommendation:</b> amend as proposed, add an exception.	7/16/19	The Board agreed to accept the recommendation as presented.  <b>Exception:</b> <u>Vents serving sumps connected to elevator pit drains or swimming pool deck drains need not extend through the roof and must not connect to any other vent pipe.</u>	Accept
61.	<a href="#">PB0096</a>	Final Interpretation	Peter Daniels, PE	710.10 and 906.4	Do Plumbing Code sections 710.10 and 906.4 apply to exterior sumps and receiving tanks?	<b>Final Interpretation:</b> Yes, if the sump and receiving tank are located within in 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.	7/16/19	Final Interpretation issued on 8/29/2018  The board agreed to take no action.	No Action
62.	<a href="#">PB0127</a>	RFA (2018 UPC)	Scott Thompson	Sec. 712.1	Amend section 712.1 [and 4714.0712, subp. 1]	<b>Proposal:</b> repeal MN amendment to section 712.1 and use 2018 UPC 712.1 language. <b>Recommendation:</b> keep current MN amendment in Minn. <a href="#">rule part 4714.0712</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
63.	<a href="#">PB0121</a>	RFA (2018 UPC)	DLI	715 - CIPP	chapter 7, various	<b>Proposal:</b> amend Minn. rule 4714.0715 regarding section 715.3 to reflect the language of UPC 2018 <b>Recommendation:</b> full board should have a full discussion and make a decision on this proposed change. See <a href="#">3/11/19 ad hoc meeting minutes</a> for discussion notes.	7/16/19	The Board agreed to reject the recommendation as presented.	Reject
64.	<a href="#">PB0121</a>	RFA (2018 UPC)	DLI	717.1, Table 717.1	chapter 7, various	<b>Proposal:</b> add language to provide an option for the AHJ to accept fixture loading less than the minimum fixture loading required by this table for building sewers while maintaining the minimum scouring pipe velocity of two feet per second: "Loadings less than the listed minimums must be approved by the Authority Having Jurisdiction."	7/16/19	The Board agreed to accept the recommendation as presented.	Accept

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)ccept (R)eject (M)odify
						<b>Recommendation:</b> add language as proposed. See <a href="#">RFA PB0121</a> .			
65.	<a href="#">PB0121</a>	RFA (2018 UPC)	DLI	719.6	chapter 7, various	<b>Proposal:</b> add an additional option to join pipe to manholes and similar structures to provide a water tight connection  <b>Recommendation:</b> amend as proposed. See <a href="#">3/11/19 meeting minutes</a> .	7/16/19	The Board agreed to accept the recommendation as presented but noted that the word "follow" should be "follows" as shown below.  <u>Connections to manhole and similar structures must be provided as follows:</u> add "s" to follow	Accept w-amendment (adding "s" to follow)
66.	<a href="#">PB0136</a>	RFA (2018 UPC)	DLI	4714.0724	Add a table to section 724, Recreational Vehicle, drainage pipe sizes	<b>Proposal:</b> amend section 724.1 as proposed  <b>Recommendation:</b> Amend section 724.1 as proposed in <a href="#">PB0136</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
67.	<a href="#">PB0131</a>	RFA (2018 UPC)	Cathy Tran, DLI	810.1	Chapter 8, various	<b>Proposal:</b> Amend 810.1 Steam and Hot Water Drainage Condensers and Sumps and delete sections 810.1 (remaining) to 814.1 (see RFA PB0131)  <b>Recommendation:</b> amend as proposed. See <a href="#">3/29/19 meeting minutes</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
68.	<a href="#">PB0131</a>	RFA (2018 UPC)	Cathy Tran, DLI	4714.0813	Chapter 8, various	<b>Proposal:</b> amend current Minn. rule 4714.0813 SWIMMING POOLS  <b>Recommendation:</b> amend as proposed. See <a href="#">3/29/19 meeting minutes</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
69.	<a href="#">PB0130</a>	RFA (2018 UPC)	Scott Thompson	905.3	Adopt 2018 UPC section 905.3 in its entirety	<b>Proposal:</b> adopt Section 905.3 of the 2018 UPC in its entirety, delete MN amendment to section 905.3 in Minn. rule 4714.0905  <b>Recommendation:</b> no recommendation, full board to consider the proposal. See <a href="#">3/29/19 meeting minutes</a> .	7/16/19	The proposal was rejected.	Rejected
70.	<a href="#">PB0117</a>	RFA (2018 UPC)	Dennis Anderson	908.2	delete 908.2	<b>Proposal:</b> delete section 908.2 in its entirety (Horizontal Wet Venting for a Bathroom Group)	7/16/19	The Board agreed to accept the recommendation as presented.	Accept

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)cccept (R)eject (M)odify
						<b>Recommendation:</b> keep section 908.2 in its entirety.			
71.	<a href="#">PB0122</a>	RFA (2018 UPC)	Richard Blaylock	911	add/keep section 911.0 through 911.5	<b>Proposal:</b> adopt circuit venting method under 2018 UPC  <b>Recommendation:</b> adopt circuit venting method (no action necessary to include)	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
72.	<a href="#">PB0089</a>	RFA	Cathy Tran, DLI	1002.2 Fixture traps	Chapter 10	<b>Proposal:</b> add an exception to 1002.2: "Exception: Emergency floor drains, tell tail floor drains, and floor drains not used as waste receptors installed within 25 feet of a vented branch or main."  <b>Recommendation:</b> Amend as modified, see <a href="#">3/29/19 meeting minutes</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
73.	<a href="#">PB0089</a>	RFA	Cathy Tran, DLI	1006.1	Chapter 10	<b>Proposal:</b> Add an exception to the end of 1006.1: "Exception: Floor drains or trench drains which connect to sand interceptors or oil and flammable liquid interceptors do not need to be trapped."  <b>Recommendation:</b> Amend as modified, see <a href="#">3/29/19 meeting minutes</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
74.	<a href="#">PB0089</a>	RFA	Cathy Tran, DLI	1016.4	Chapter 10	<b>Proposal:</b> Amend section 1016.4  <b>Recommendation:</b> Amend as modified, see <a href="#">3/29/19 meeting minutes</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
75.	<a href="#">PB0089</a>	RFA	Cathy Tran, DLI	1017.1	Chapter 10	<b>Proposal:</b> Amend section 1017.1  <b>Recommendation:</b> Amend as modified, see <a href="#">3/29/19 meeting minutes</a> .	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
76.	<a href="#">PB0111</a>	RFA (2018 UPC)	Ken Loucks	1014.2.2	Exception to section 1014.2.2 vents	<b>Proposal:</b> Add an exception to Section 1014.2.2 Vent  <b>Recommendation:</b> do not add exception, leave 2018 UPC language as is.	7/16/19	The Board agreed to accept the recommendation as presented.	Accept

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)ccept (R)eject (M)odify
77.	<a href="#">PB0112</a>	RFA (2018 UPC)	Mike Johnson	1017.2	Design of interceptors, section 1017.2	<p><b>Proposal:</b> Establish set sizing for garages used for storage with 10 or more vehicles</p> <p><b>Recommendation:</b> amend section 1017.2 and add subsection 1017.2.1, to read as stated in <a href="#">3/29/19 meeting minutes</a>.</p>	7/16/19	The Board agreed to accept the recommendation as presented.	Accept
78.	<a href="#">PB0123</a>	RFA (2018 UPC)	Aaron Ganson	Table 1101.4.5	Add materials and standards to Building Storm Sewers, create Table 1101.4.5	<p><b>Proposal:</b> create a table in chapter 11 and add referenced standards to the table, or add the referenced standards to Table 701.2.</p> <p><b>10/15/2019:</b>  <b>Recommendation:</b> Do not create table in Chapter 11. Include F2306 and F2881 standards for storm sewer use only, include F2648 <b>and add footnote #1</b> for yard drainage only, to Table 701.2, add proposed joints language, to section 1101.4.5 and referenced standards 1701.1. Add joints and connections section as proposed (with updated numbering per the UPC 2018). <b>Add Footnote #2 to require deflection testing for pipes 12" and larger.</b>  <b>Note: Reference PB0142 to renumber.</b></p> <p>7/16/19:  <b>Recommendation:</b> Do not create table in Chapter 11. Include F2306 and F2881 standards for storm sewer use only, include F2648 for yard drainage only, to Table 701.2, add proposed joints language, to section 1101.4.5 and referenced standards 1701.1. Add joints and connections section as proposed (with updated numbering per the UPC 2018)</p>	10/15/19 (modified)  7/16/19	<p><b>10/15/19 – The board made modifications as shown in recommendation.</b></p> <p>7/16/19: After the discussion below, the Board agreed to accept the recommendation with a modification to replace ASTM C1628 with ASTM C443 in Section 1101.2.1 Mechanical Joints.</p> <p>Riley Dvorak, Forterra Pipe and Precast, and Jennifer Schaff, County Materials Corp, addressed the Board after Jason Kruger's email regarding <a href="#">Line #78 of PB0123</a> was read aloud by the Chair (see Correspondence section of the 7.16.2019 minutes).</p> <p>Dvorak said there are two standards C443 and C1628 – both will have the same performance requirements, both are required to meet 13 PSI. There is one major difference in that C1628 requires additional tolerance requirements. Their standard product meets the performance criteria of C443, but the joint tolerances are slightly different.</p> <p>Schaff said that through this process she found that C1628 was created for a sanitary sewer mechanism for a joint. C443 is standard for storm sewer applications which is what is being discussed. The federal standard referenced in the submittal is C443 as well, therefore, Schaff said if the intention is for storm sewer use only, then refer just to C443. If using for sanitary</p>	Accept as modified on <b>10/15/19</b> and 7/16/19

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)cept (R)eject (M)odify
								sewer application, then that would be something different.	
79.	<a href="#">PB0125</a>	RFA (2018 UPC)	Cathy Tran, DLI	1101.11.2.1 and 1101.11.2.2	Chapter 11, various	<b>Proposal:</b> add subsections 1101.11.2.1 Location and 1101.11.2.2 Engineered System.  <b>Recommendation:</b> amend as submitted. See <a href="#">PB0125</a> .	8/29/19	The Board reviewed the 4/22/2019 Ad Hoc Committee meeting minutes for modifications that the Committee made to PB0125, item 1, page 3, and the Board accepted the modifications. The Committee's recommendation includes clarity to adding secondary roof drains. The Board agreed to accept the recommendation as modified in the 4/22/2019 Committee minutes. (4/22/2019 minutes, page 3 of 5, PB0125, item 1 should read 1101.11.2.1 not 1101.2.1)	Accept as modified in 4/22 Ad Hoc minutes
80.	<a href="#">PB0125</a>	RFA (2018 UPC)	Cathy Tran, DLI	Chapter 11	Chapter 11, various	<b>Proposal:</b> amend sections 1103.1 and 1103.2 (renumbered from 1106). Add to both sections.  <b>Recommendation:</b> amend as submitted. See <a href="#">PB0125</a> .	8/29/19	The Board reviewed the 4/22/2019 Ad Hoc Committee meeting minutes for modifications that the Committee made to PB0125, item 2, page 3, and the Board accepted the modifications.	Accept as modified in 4/22 Ad Hoc minutes
81.	<a href="#">PB0132</a>	RFA (2018 UPC)	Arthur Schwidder	1106	Add a new section 1106.5 Sump Manhole/Catch Basin with Vertical Baffle	<b>Proposal:</b> require a minimum of 18 inches between nearest inlet pipe and a vertical baffle  <b>Recommendation:</b> take no action, do not require a minimum of 18 inches.	8/29/19	The Board this could restrict the use of products. The Board agreed to take no action as recommended by the Committee.	Accept
82.	<a href="#">PB0124</a>	RFA (2018 UPC)	MDH	Chapter 15	Do not adopt chapter 15	<b>Proposal:</b> Do not adopt chapter 15  <b>Recommendation:</b> do not incorporate chapter 15.	8/29/19	The Board agreed to accept the recommendation as presented.	Accept
83.	<a href="#">PB0124</a>	RFA (2018 UPC)	MDH	Table 1702.9.4	Update Table 1702.9.4	<b>Proposal:</b> Amend Table 1702.9.4 as proposed.  <b>Recommendation:</b> amend Table 1702.9.4 as proposed in <a href="#">PB0124</a> .	8/29/19	The Board reviewed the 5/31/2019 Ad Hoc Committee minutes for modifications made to PB0124 and accepted these modifications.	Accept as modified in 5/31 Ad Hoc minutes

Line #	PB #	RFA/RFI	Submitter	Rules affected	Brief Title	Proposal and Committee recommendation	Date reviewed by PB	PB action	(A)cccept (R)eject (M)odify
84.	N/A	N/A	Committee	Chpts. 16, 17	Chpts. 16, 17	<b>Proposal:</b> Keep current chapter 17 regarding rainwater catchment systems (renumber as appropriate for consistency with 2018 UPC), with RFA proposals recommended	8/29/19	The Board agreed to accept the proposal as noted with the change to Table 1702.9.4 as amended above.	Accept proposal as presented
85.	N/A	N/A	Committee	App. E	App. E	<b>Proposal:</b> do not include Appendix E in the Minnesota Plumbing Code  <b>Recommendation:</b> do not include Appendix E in the Minnesota Plumbing Code	8/29/19	The Board agreed to accept the recommendation as presented.	Accept

PB = Minnesota Plumbing Board

Accept, Reject, Deny column = in reference to the Board's determination in regard to the committee's recommendation

Some PB numbers are not included for a variety of reasons (e.g., RFA was withdrawn, RFA/RFI was incomplete, was for the plumber licensing chapter, etc.).

All UPC section and table numbers that have changed in the 2018 UPC will be adjusted as necessary, even if not indicated on this table. The substantive change is addressed here and renumbering corrections will be made as necessary for any proposed rules stemming from this document.

## Board Review of 2018 UPC RFAs

Line #	PB #	Submitter	Rules affected	Brief Title	Proposal in RFA	Date reviewed by PB	PB Action	(A)ccept (R)eject (M)odify
1.	<a href="#">PB0140</a>	Cathy Tran	408.7, 4xx.x, 1009.4	Lining for showers and receptors; trench drains; relief vent	<p><b>Proposal:</b></p> <p>#1: Add language to 408.7 Lining for Showers and Receptors: <u>Unless the shower receptor is poured on the ground as part of a slab, an approved shower liner must be provided in accordance with the requirements of this section.</u></p> <p>#2: Add language as follows: <u>4xx.x Trench Drains Trench Drains shall comply with ASME A1 12.6.3, ASME A1 12.3.1. or be constructed of watertight material, watertight joint and be tested for watertightness by filling with water to the level of the flood rim of the trench drain.</u></p> <p>#3: Add language as follows: <u>1009.4 Relief Vent: Interceptor (clarifier) and neutralization tank vent ports must be located above the highest liquid flow level.</u></p>	8/29/19	<p>The Board agreed with proposed amendments as follows:</p> <ol style="list-style-type: none"> <li>Section 408.7 – The Board agreed with proposed amendment 1 as presented.</li> <li>Section 4XX.X (Trench Drains) – The Board agreed with proposed amendment 2 as presented.</li> <li>Section 1009.4 (Relief Vent) – The Board agreed with proposed amendment 3 as presented.</li> </ol>	Accept
2.	<a href="#">PB0142</a>	Jason Kruger	1107.2	Thermoplastic piping materials requirements, add section 1107.2	<p><b>Proposal:</b> The proposed change would add deflection testing requirements to Chapter 11, Storm Drainage. Thermoplastic piping materials deflect in response to loading. Such deflection is by design and proper installation is necessary to ensure the pipe has not deflected more than 5%, typical, as compared to the actual inside diameter of the pipe. If deflection exceeds 5%, structural concerns can include shear cracking and buckling deflection, the point at which the pipe no longer sustains increasing or constant load without increasing deflection. The requirement needs to be explicitly defined apart from the thermoplastic pipe ASTM standard references.</p>	10/15/19	<p>The Board accepted the proposal with the following modification to D. Inspection Reporting, item #1: “Provide a copy of the documented inspection to the <u>administrative authority engineer and municipal official</u> upon ...”</p> <p>Discussion: Tran said the RFA is specific to storm drainage. Jennifer Shaff addressed the Board. The market has changed and there are many more types of piping that are less stiff. If there is a stiff pipe there is good compaction around smaller pipes. Tran</p>	Modify

Line #	PB #	Submitter	Rules affected	Brief Title	Proposal in RFA	Date reviewed by PB	PB Action	(A)ccept (R)eject (M)odify
							added that this adds to the integrity of the pipe. Jacobs clarified that this would apply to outside of the building. Erickson said that this falls under the jurisdiction of the Plumbing Code to the property line. Weum said that MnDOT’s language says “C. Retest 7 days ...” The Board decided to leave at 30 days as presented.	
3.	<a href="#">PB0143</a>	Jason Shank	417.6, 214.0	hot and cold water dispensers	<p><b>Proposal:</b></p> <ol style="list-style-type: none"> <li>417.6: Add language</li> <li>214.0 -L: Add language</li> <li>Table 1401.1: (Move from 1<sup>st</sup> table to 2<sup>nd</sup> table)</li> </ol> <p>Standard Number: ASSE 1023-<del>2019</del> 1979            Standard Title: <u>Electrically Heated or Cooled Water Dispensers</u> <del>Hot Water Dispensers</del>  <del>Household Storage Type Electrical</del>            Referenced Section: <del>301.1.2, 301.2</del> 417.6</p>	10/15/19	<p>Discussion: John Parizek addressed the Board (president of ASSE International). IAPMO will be publishing the 2020 at the beginning of 2020. The reason the RFAs were presented is because product standards and references will be in the new UPC but the Plumbing Board may not look at amending these sections until 2024. The products would be left by the wayside. He has concerns. The standards have been vetted through the ASSE process, will be in the national UPC, and he would like to see them included in MN amendments. There isn’t a proper definition for low pressure water dispensers. It isn’t referenced in the code. 417.6 would reference the standard. Todnem said the Board could accept the proposal now but remove from rulemaking if IAPMO does not approve.</p> <p>The Board accepted the proposal as presented.</p>	Accept
4.	<a href="#">PB0144</a>	Jason Shank	421.2, Table 1401.1	Temperature limiting devices for public lavatories	<p><b>Proposal:</b></p> <p>Devices that conform to ASSE 1070/ASME A 112.1070/CSA B125. 70 or water heaters that conform to ASSE 1084 are appropriate for lavatory</p>	10/15/19	<p>Parizek addressed the Board. This could be an alternate for a 1070 or 1084 water heater. This language will be in the 2021 UPC. The language presented directly</p>	Accept

Line #	PB #	Submitter	Rules affected	Brief Title	Proposal in RFA	Date reviewed by PB	PB Action	(A)cept (R)eject (M)odify
					applications. ASSE 1084 requires water heaters to have appropriate Class B or Class C electric control protective measures per UL 607301 to control the output temperature for point of use applications. This limits the water temperature when set to 110°F (43 °C) from the default of 120°F (49 °C), just as one would set an ASSE 1070 mixing valve. Also, CSA 8125.3 was harmonized into ASSE 1070 for temperature limiting devices. The text now shows the appropriate reference.		reflects language that will be in the 2021 UPC.  The Board accepted the proposal as presented.	
5.	<a href="#">PB0145</a>	Jason Shank	611.1.2, chpt. 2, Table 1401.1	Add ASSE 1087 - 2018, update various water conditioning NSF standards	<b>Proposal:</b> 1. 611.1.2 Manufacture and Assembly 2. Table 611.1.2 3. 203.0 -C- 4. 218.0 -P- 5. Table 1401.1	10/15/19	John Parizek retracted the RFA and said he would re-submit with modifications.	Retracted
6.	<a href="#">PB0146</a>	Jason Shank	611.1.1, chpt. 2	Move and modify section 611.1.1 to chapter 2	<b>Proposal:</b> The language is correct but is located in the wrong section. Proposed change moves it into Chapter 2 with the rest of the definitions.	10/15/19	John Parizek addressed the Board and the proposal was accepted as presented.	Accept
7.	<a href="#">PB0147</a>	Jason Shank	Table 1401.1	Add ASSE 1082 - 2018, water heater standard	<b>Proposal:</b> The 2018 UPC separated standards that are referenced in the body of the code from those that are accepted but not referenced. In anticipation of that adoption, this proposed change follows suit. ASSE 1082 is a new standard for water heaters that have safe and sufficient controls that control the output water temperature. The standard was developed with the output temperature and flow tolerances found in ASSE 1017 for distribution mixing valves. It is not appropriate to use a water heater that conforms with ASSE 1082 for point-of-use applications, but it is appropriate to use it for an entire premises or	10/15/19	John Parizek addressed the Board. Not acceptable for plumbing use but for water temperature in the building. Developed a standard that will allow water heaters to control temperature. He wants to include the standard. It is not point of use. Include in the second table.  The Board accepted the proposal as presented.	Accept

Line #	PB #	Submitter	Rules affected	Brief Title	Proposal in RFA	Date reviewed by PB	PB Action	(A)cccept (R)eject (M)odify
					when distributing to multiple fixtures and appurtenances. The purpose of this standard is to eliminate the need for competing control devices in a plumbing system when the temperature output can be appropriately controlled by these types of water heaters.			
8.	<a href="#">PB0148</a>	Jason Shank	408.3, Table 1401.1	Tub and shower combination temperature control valve	<b>Proposal:</b> The temperature limiting function does not necessarily need to be performed by the same device that controls the water temperature from a showerhead. Rather than having to adjust each control valve, this gives installers and designers the option of using other devices for that function. Devices that conform to ASSE 1070/ASME A 112.1070/CSA B125.70 or water heaters that conform to ASSE 1084 are appropriate for bidet applications. ASSE 1084 requires water heaters to have appropriate Class B or Class C electric control protective measures per UL 607301 to control the output temperature for point of use applications. This limits the water temperature when set to 110°F (43 °C) from the default of 120°F (49 °C), just as one would set an ASSE 1070 mixing valve.	10/15/19	John Parizek said proposal reflects language that will be present in the UPC 2021.  The Board accepted the proposal as presented.	Accept
9.	<a href="#">PB0149</a>	Jason Shank	409.4, Table 1401.1	Water temperature control to bathtubs	<b>Proposal:</b> Devices that conform to ASSE 1070/ASME A112.1070/CSA 8125.70 or CSA B125.3, or water heaters that conform to ASSE 1084 are appropriate for point of use bathtub or whirlpool bathtub applications. ASSE 1084 requires water heaters to have appropriate Class B or Class C electric control protective measures per UL 607301 to control the output temperature for point of use applications. This limits the water temperature to 120°F (49 °C), or the setpoint whichever is lower.	10/15/19	John Parizek said proposal reflects language that will be present in the UPC 2021.  The Board accepted the proposal as presented.	Accept

Line #	PB #	Submitter	Rules affected	Brief Title	Proposal in RFA	Date reviewed by PB	PB Action	(A)cept (R)eject (M)odify
10.	<a href="#">PB0150</a>	Jason Shank	410.3, Table 1401.1	Water temperature control to bidets	<b>Proposal:</b> Devices that conform to ASSE 1070/ASME A112.1070/CSA B125.70 or water heaters that conform to ASSE 1084 are appropriate for bidet applications. ASSE 1084 requires water heaters to have appropriate Class B or Class C electric control protective measures per UL 607301 to control the output temperature for point of use applications. This limits the water temperature when set to 110°F (43 °C) from the default of 120°F (49 °C), just as one would set an ASSE 1070 mixing valve. Also, CSA B125.3 was harmonized into ASSE 1070 for temperature limiting devices. The text now shows the appropriate reference.	10/15/19	John Parizek said proposal reflects language that will be present in the UPC 2021.  The Board accepted the proposal as presented.	Accept
11.	<a href="#">PB0151</a>	Jason Shank	416.2, Table 1401.1	Emergency eyewash and shower equipment water temperature control	<b>Proposal:</b> There is a new ASSE standard for water heater serving emergency fixtures, ASSE 1085. This standard requires the water heater to control the temperature to a tepid range as required for emergency fixtures. ASSE 1085 water heater provide the equivalent level of protection as an ASSE 1071 thermostatic mixing valve. ASSE 1071 valves are commonly used to prevent scalding and provide comfort to users of emergency fixtures. The valves and water heaters provide a fail-safe mechanism to still provide cold water if either the hot water flow fails or if the heating element fails. ASSE 1071 devices are required to be installed by the model codes. This updates the MN Code to the current safe plumbing practices.	10/15/19	John Parizek addressed the Board and the proposal was accepted as presented.	Accept