

## Plumbing Board Request for Action

PRINT IN INK or TYPE

<b>NAME OF SUBMITTER</b>		<b>PURPOSE OF REQUEST</b> (check all that apply): <input type="checkbox"/> New Code	
Renee Eddy		<input checked="" type="checkbox"/> Code Amendment <input type="checkbox"/> Repeal of an existing Rule	
The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at <a href="https://epubs.iapmo.org/2020/MPC/">https://epubs.iapmo.org/2020/MPC/</a>			
<b>Specify the purpose of the proposal:</b> If recommendation for code change for appurtenance or method (check all that apply)			
<input type="checkbox"/> Appurtenance (e.g., water conditioning equipment)		<input type="checkbox"/> Test Method	
<input checked="" type="checkbox"/> Other (describe) Include tankless in the code - this means expanding the code to support tankless			
<b>Does your submission contain a Trade Secret?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If Yes, mark <b>"TRADE SECRET"</b> prominently on each page of your submission that you believe contains trade secret information. Minnesota Statutes, section 13.37, subdivision 1(b), defines "trade secret" as follows:			
<p>"Trade secret information" means government data, including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the affected individual or organization, (2) that is the subject of efforts by the individual or organization that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.</p>			
Note that, although "trade secret" information is generally not public, the Board and its committees may disclose "trade secret" information at a public meeting of the Board or committee if reasonably necessary for the Board or committee to conduct the business or agenda item before it (such as your request.) The record of the meeting will be public.			
<b>Describe the proposed change.</b> The Minnesota Plumbing Code (Minnesota Rules Chapter 4714) is available here: <a href="https://epubs.iapmo.org/2020/MPC/">https://epubs.iapmo.org/2020/MPC/</a>			
<b>NOTE:</b>			
<ul style="list-style-type: none"> <li>• Please review the Minnesota Plumbing Code and include all parts of the Code that require revision to accomplish your purpose.</li> <li>• The proposed change, including suggested rule language, should be <i>specific</i>. If modifying existing rule language, <u>underline new words</u> and <del>strike through deleted words</del>.</li> </ul>			
Please list all areas of the Minnesota Plumbing Code that would be affected. Please consider the following update			
Chapter 5 Table 501.1 (2)			
<b>For Office/Committee Use Only</b> Proposal received completed? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Date Proposer notified of gaps:	Mode of notification (e.g., e-mail)	Date returned to Proposer:	Date materials re-received:
<b>Office Use Only</b>			
RFA File No. PB0180	Date Received by DLI 9/30/2024	Dated Received by Committee 10/3/2024	Date of Forwarded to Board
Title of RFA PB0180.RFA.Renee Eddy.Chapter 5.Rec'd 9.30.2024		:By	
Committee Recommendation to the Board: <input type="checkbox"/> Accept <input type="checkbox"/> Reject <input type="checkbox"/> Abstain			
Board approved as submitted: <input type="checkbox"/> Yes <input type="checkbox"/> No		Board approved as modified: <input type="checkbox"/> Yes <input type="checkbox"/> No	

**Need and Reasons For the Change.** Thoroughly explain the need and why you believe it is reasonable to make this change. During a rulemaking process, the need and reasonableness of all proposed rule changes must be justified; therefore, a detailed explanation is necessary to ensure the Board thoroughly considers all aspects of the proposal.

Thank you for the opportunity to provide an alternative methodology to include tankless water heaters in the code. In Table 501.1 (2) there is a focus on measuring the size of the water heater based on the First hour Rating. As tankless water heaters do not have a tank they are not held to the First Hour Rating criteria and in fact are not designed to address that requirement. Instead tankless water heaters focus on the amount of water delivered per minute / per hour. Therefore we would like to request an amendment to this table to support that reference. When using gallons per hour the units will be correctly sized for the application.

If your product/method standard(s) is not currently listed in a national code, your Request For Action will not be considered by the Board or its committees, however, you are welcome to present at any Board meeting during the Open Forum section of the Agenda.

The proposal must be accompanied by copies of any published standards, the results of testing, and copies of any product listings, as documentation of the health, sanitation and safety performance of any materials, methods, fixtures, and/or appurtenances. If none are available, please explain:

Table 501.1 (2) First hour Rating <sup>1</sup> and Average Gallons per hour <sup>3</sup>											
Number of Bathrooms	1 to 1.5			2 to 2.5				3 to 3.5			
Number of Bedrooms	1	2	3	2	3	4	5	3	4	5	6
First Hour Rating, <sup>2</sup> Gallons	38	49	49	49	62	62	74	62	74	74	74
Gallons per hour (Avg)	45			62				71			
For SI units: 1 gallon = 3.785 L											
<sup>1</sup> The first-hour rating is found on the "Energy Guide" Label											
<sup>2</sup> Solar water heaters shall be sized to meet the appropriate first-hour rating as shown in the table											
<sup>3</sup> Tankless water heaters shall be sized to meet the appropriate gallons per hour as shown in the table											

Please attach electronic scanned copies of any literature, standards and product approvals or listings. Printed or copyrighted materials, **along with written permission from the publisher to distribute the materials at meetings**, and email to [DLI.cclboards@state.mn.us](mailto:DLI.cclboards@state.mn.us)

**Primary reason for change:** (check only one)

<input type="checkbox"/> Protect public, health, safety, welfare, or security	<input type="checkbox"/> Mandated by legislature
<input type="checkbox"/> Lower construction costs	<input checked="" type="checkbox"/> Provide uniform application
<input checked="" type="checkbox"/> Encourage new methods and materials	<input type="checkbox"/> Clarify provisions
<input type="checkbox"/> Change made at national level	<input type="checkbox"/> Situation unique to Minnesota
<input checked="" type="checkbox"/> Other (describe)   Support consumer choice with providing sizing calculations based on unit performance	

**Anticipated benefits:** (check all that apply)

<input type="checkbox"/> Save lives/reduce injuries	<input type="checkbox"/> Provide more affordable construction
<input checked="" type="checkbox"/> Improve uniform application	<input type="checkbox"/> Provide building property
<input checked="" type="checkbox"/> Improve health of indoor environment	<input checked="" type="checkbox"/> Drinking water quality protection
<input checked="" type="checkbox"/> Provide more construction alternatives	<input type="checkbox"/> Decrease cost of enforcement
<input type="checkbox"/> Reduce regulation	<input type="checkbox"/> Other (describe)

**The Following Information is Optional. This Information can Assist in Evaluating a Request for Action and in Rulemaking and Should be Provided if Known.**

**Economic impact:** (explain all answers marked "yes")

1. Does the proposed change increase or decrease the cost of enforcement?  Yes  No If yes, explain

2. Does the proposed change increase or decrease the cost of compliance?  Yes  No If yes, explain  
Include the estimated cost increase or decrease, and who will bear the cost increase or experience the cost decrease:

3. Are there less costly or intrusive methods to achieve the proposed change?  Yes  No If yes, explain

4. Were alternative methods considered?  Yes  No If no, why not? If yes, explain what alternative methods were considered and why they were rejected.  
Evaluated whether or not the First Hour Rating metric could be applied to tankless and there just does not appear to be a way to do that.

5. If there is a fiscal impact, try to explain any benefit that will offset the cost of the change. If there is no impact, mark "N/A."  
N/A

6. Provide a description of the classes of persons affected by a proposed change, who will bear the cost, and who will benefit.  
There should be no additional costs and in some cases the cost will be less - for builders, contractors and consumers. The benefit for consumers will be having access to a more efficient water heating technology - saving cost, energy and reducing emissions.

7. Does the proposed rule affect farming operations? (Agricultural buildings are exempt from the Minnesota Building Code under Minnesota Statutes, Section 326B.121.)  Yes  No If yes, explain

Are there any existing Federal Standards?  Yes  No If yes, list:  
By adding this definition there will be no need to modify the standards. The listed standards remain the same.

Are there any differences between the proposed change and existing federal regulations?  Yes  No  
 Not applicable  Unknown If yes, describe each difference & explain why each difference is needed & reasonable.

Minnesota Statutes, section 14.127, requires the Board to determine if the cost of complying with proposed rule changes in the first year after the changes take effect will exceed \$25,000 for any small business or small city. A small business is defined as a business (either for profit or nonprofit) with less than 50 full-time employees and a small city is defined as a city with less than ten full-time employees.

During the first year after the proposed changes go into effect, will it cost more than \$25,000 for any small business or small city of comply with the change?  Yes  No If yes, identify by name the small business(es) or small city(ies).

Will this proposed plumbing code amendment require any local government to adopt or amend an ordinance or other regulation in order to comply with the proposed plumbing code amendment?  Yes  No, If yes, identify by name the government(s) and ordinances(s) that will need to be amended in order to comply with the proposed plumbing code amendment.

Additional supporting documentation may also be attached to this form. Are there any additional comments you feel the Committee/Board may need to consider? If so, please state them here:

**Information regarding submitting this form:**

- Submissions are received and heard by the Committee on an “as received” basis. **Any missing documentation will delay the process, and your proposal will be listed as the date it was received “Complete.”**
- **Submit any supporting documentation to be considered**, such as manufacturer’s literature, approvals by other states, and engineering data electronically to [DLI.CCLDBOARDS@state.mn.us](mailto:DLI.CCLDBOARDS@state.mn.us). Once your Request For Action form has been received, it will be assigned a file number. Please reference this file number on any correspondence and supplemental submissions.
- For copyrighted materials that must be purchased from publishers, such as published standards, product approvals or testing data, listings by agencies (IAPMO, ASSE, ASTM, etc..) you may send (or email) two copies, *along with written permission from the publisher to distribute the materials at meetings*, via U.S. Mail to: Plumbing Board, c/o Department of Labor and Industry, 443 Lafayette Road No., St. Paul, MN 55155-4344.
- For materials that must be submitted by U.S. Mail, please include a copy of your “Request For Action” form originally submitted and reference your assigned RFA file number.

**Information for presentation to the Committee and/or Board:**

- Limit presentations to 5 minutes or less.
- Be prepared to answer questions regarding the proposal and any documentation.

**Information regarding Committee and/or Board function:**

- The Plumbing Board or designated Committee.

**I understand that any action is a recommendation to the Plumbing Board and is not to be considered final action.**

NAME	EMAIL ADDRESS	FIRM NAME
Renee Eddy	reddy@rinnai.us	Rinnai America

NAME, PHONE NUMBER AND E-MAIL ADDRESS OF PRESENTER TO THE COMMITTEE (if different):

MAILING STREET ADDRESS	CITY	STATE	ZIP CODE
103 International Drive	PeachTree City	GA	30269

PHONE	SIGNATURE (original or electronic)	DATE
412-596-1411	Renee Eddy <small>Digitally signed by Renee Eddy                      DN: cn=Renee Eddy, o=Rinnai America, ou=Innovation, email=reddy@rinnai.us, c=US                      Date: 2024.08.28 19:32:14 -04'00'</small>	August 28, 2024

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