

Meeting Minutes: Ad-Hoc Code Review & Rulemaking Committee

Date: Feb. 22, 2019
Time: 9:00 a.m.
Location: Minnesota Room, Department of Labor and Industry
443 Lafayette Road No., St. Paul, MN 55117-4344

Committee Members Present

Richard Becker
John Flagg
Rick Jacobs (chair)
Cathy Tran

Committee Members Absent

Mike Herman

DLI Staff & Visitors

Suzanne Todnem, General Counsel (DLI)
Brad Jensen (DLI)
Mike Johnson (J-Berd)
David Radziej (Metro PHCC)
Tom Pahkala (UA Plumbers Local 15)
Dave Wagner (Plumbing Board member)
Gary Schick (City of Rochester)
Alex Bartley (MDH)
Steve Tiedman (City of Brooklyn Park)
Nick Erickson (Housing First MN)
Bryan Mako (ADS)
Michael Radke (Victaulic)
Stephanie Menning (MN Utility Contractors)
Luis Franco (Laborers Union (LIUNA))
Gary Thaden (MMCA)
Dwight Engen (MN LECET)
Ruth Thompson (My Plumbing Training) –
via teleconference

1. Call to Order

The meeting was called to order by Chair Jacobs at 9:10 a.m. Introductions and housekeeping announcements were made. Attendance was taken; a quorum was met with 4 of 5 members present.

2. Approval of meeting agenda

A motion was made by Flagg, seconded by Becker, to approve the Agenda as presented. The vote was unanimous with 4 votes in favor; the motion carried.

3. Approval of previous meeting minutes

Tran suggested 5th paragraph under Special Business, Chapter 4, Item A be amended as follows, “Other national standards do not require an air gap only, and instead also allow the discharge line to be looped up and securely fastened to the counter or deck-mounted. For example, the 2015 and 2018 National Standard Plumbing Code. Two methods are allowed – the air gap fitting or the looped method.”

A motion was made by Tran, seconded by Flag, to approve the previous draft minutes as amended. The vote was 3 votes in favor, 1 abstention (Becker); the motion carried.

4. Regular Business

Approval of Expense Reports – Jacobs approved the expenses as presented.

5. Special Business

Reviewed RFAs submitted regarding chapter 6 of the 2018 Uniform Plumbing Code (UPC):

Chapter 6:

A. RFA PB0103 Proposal: Amend water pipe bury depth requirements.

David Wagner presented PB0103 to the committee. Wagner noted that in the current 2015 Minnesota Plumbing Code, the minimum bury depth required for water mains located outside of the utility right of way is not deep enough to prevent freezing. Wagner noted that St. Paul Regional Water Services (“SPRWS”) requires a minimum bury of depth of 7’-6” where possible. Wagner also noted where not possible, SPRWS allows insulation or other means in lieu of a 7’-6” bury depth.

Committee discussed proposed language from RFA and recommended amending the second-to-last sentence of the proposed language to read as follows “Building supply and yard piping shall be not less than 12 inches (305mm) below the maximum local frost depth in accordance with Section 312.6, or an alternative approved by the Authority Having Jurisdiction.

Committee discussed how maximum local frost depth should be determined, it was suggested a recognized committee or agency may have published historical maximum frost depth data.

Recommendation: The Committee agreed to recommend the proposed amendment as revised above with a recommendation that the full Board better define “maximum frost depth” or find a published source of maximum frost depth, to provide more consistency and predictability.

B. RFA PB0113 Proposal: amend part 609.11 to require water meters be located as close as possible to the point of entrance of the potable water supply pipe.

Wagner presented PB0113 to the committee. Wagner noted that the 2015 MN Plumbing Code only requires a minimum height for water meter installation, but does not address location. Wagner noted that utilities want to minimize the amount of piping before the water meter to prevent unmetered connections to the water main.

Committee discussed RFA and agreed with proposed language.

Recommendation: The Committee agreed to recommend the proposed amendment to part 4714.0609 as submitted in RFA PB0113

C. RFA PB0118 Proposal: Amend Table 604.1 and add NSF SE 17304 to the Referenced Standards chapter.

Mike Radke and Patrick Swapak from Victaulic presented RFA PB0118.

Radke/Swapak stated that grooved CPVC fittings were not allowed in the 2015 MN Plumbing Code but that the 2018 UPC states that grooved fittings for CPVC are an approved joining method.

Committee members and presenters discussed RFA PB0118 and agreed that the 2018 UPC allows grooved fittings for CPVC but were not familiar with the details of the standards listed for CPVC fittings in Table 604.1 or “SE” standards. Because “SE” standards are not nationally-recognized standards, the Committee members had reservations about adding it to the Referenced Standards chapter, which contains nationally-recognized standards. Committee members discussed if NSF SE 17304 should be added to Table 604.1. Committee agreed at this time they could not recommend adding a new standard to Table 604.1.

Recommendation : The Committee agreed they do not recommend the proposed amendment in RFA PB0118.

D. RFA PB0106 Proposal: Define “quick-acting valve,” used in section 609.10 of the 2018 UPC.

Mike Johnson presented RFA PB0106.

Johnson noted that he has seen inconsistent application of the requirements of section 609.10. Johnson noted that “Quick-Acting Valve” is too vague and suggested that a definition for Quick-Acting Valve be added to the Plumbing Code.

Committee discussed PB0106 and agreed it would be best handled when Chapter 2 (Definitions) is discussed. Committee asked Johnson if he would be willing to provide a proposed definition of “Quick-Acting Valve” when it is discussed during Chapter 2 discussions.

Recommendation: Committee will revisit PB0106 to consider adding a definition for “Quick-Acting Valve” when it discusses Chapter 2.

E. RFA PB0116/PB 0105 Proposal: Amend section 603.5.10 by adding an exception for 1- and 2-family dwellings.

Jacobs suggested committee review PB0116 and PB0105 concurrently because they are very similar RFA’s.

Steve Tiedman presented PB0116 to the committee. The submitter of PB0105 was not present.

Tiedman noted that the 2012 MN Plumbing Code allowed boilers that contain only water and located in 1- and 2-family dwellings were allowed to use a double check valve with an intermediate atmospheric vent (“DCIAV”) to provide backflow protection of the potable water supply but that the 2015 MN Plumbing Code no longer allows this type of backflow preventer. Tiedman stated that the annual testing that is required for an approved backflow preventer in this application is a financial burden for a number of home owners. Tiedman also stated that he is not aware of any reported incidents of backflow into the potable water system from a boiler in a 1- or 2-family dwelling.

The Committee discussed the proposed language of the two RFAs. Members of the committee also stated they were not aware of any reported backflow incidents involving a boiler in a 1- or 2-family dwelling but that even though there are not any reported cases, it does not mean it has not happened. It was discussed that the DCIAV type device is not field testable and therefore is not able to be verified if it is functioning properly after installation. Jacobs stated that the tolerance for backflow into the potable water system is zero.

Recommendation: Committee recommends rejecting the proposed amendment and using the language as written in the 2018 UPC.

F. RFA PB0114 Proposal: multiple proposals as follows:

Alex Bartley presented RFA PB0114 to the committee.

Bartley stated that the RFA is recommendations from the Minnesota Department of Health covering Chapter 6. MDH recommended keeping a number of the amendments from the 2015 MN Plumbing code, repealing some amendments, and keeping some sections of the 2018 UPC as written.

1. Section 603.2 Proposal: Keep the current Minnesota amendment in rule part 4714.0603, subp. 1 as is.

Recommendation: Committee agrees (no action necessary).

2. Section 603.5.18 – This section was renumbered to 603.5.17

Recommendation: Committee agrees part 4714.0603, subp. 4 should be amended to reflect the new UPC section numbering.

3. Section 603.5.21 – This is new to the 2018 UPC and the Bartley would like the Committee/Board to keep it.

Recommendation: Committee agrees (no action necessary).

4. Section 603.5.22 Proposal: Keep the current Minnesota amendment in rule part 4714.0603, subp. 5.

Recommendation: Committee agrees (no action necessary).

5. Section 604.1 Proposal: Do not amend this section, keep the 2018 UPC language

Recommendation: Committee agrees (no action necessary).

6. Section 604.11 Proposal: replace the current Minnesota amendment with the 2018 UPC language ie., repeal part 4714.0604.

The Committee agreed that the language in part 4714.0604 has been addressed in the 2018 UPC so part 4714.0604 should be repealed.

7. Section 604.10 – This section was renumbered from 604.9 and is unamended in Minnesota Rules. Therefore, no action necessary.

Recommendation: Committee agrees (no action necessary).

8. Section 607.3 Proposal: amend the 2018 UPC language

Committee discussed proposed language and agreed proposed language is necessary and reasonable for protection of drinking water from potential contamination from things falling into the opening.

Recommendation: Recommend this proposal to the Board as written.

9. Section 607.4 Proposal: amend the 2018 UPC language regarding tanks used in commercial settings.

Committee stated the last sentence of proposed language should be replaced with “Overflow pipe shall discharge through an air gap.”

Recommendation: Recommend the proposed language as amended.

10. Sections 609.6 and 611.0 through 611.3 Proposal: keep current Minnesota amendments.

Recommendation: Committee agrees (no action necessary).

11. Section 609.11 – This section was renumbered to 609.12 and is amended in part 4714.0609, subp. 2.

Recommendation: Committee agrees, part 4714.0609, subp. 2 should be amended to reflect the new numbering.

Summary Recommendation: Keep current Minnesota amendments to sections 603.2, 603.5.22, 603.5.23, 609.6 and 611.0 through 611.3; amend sections 603.5.21 and 607.3 as proposed; repeal rule part 4714.0604 and use language in section 604.2 as written in the 2018 UPC; amend section 607.4 of the 2018 UPC with language proposed in the RFA as modified above; changes due to renumbering from the 2015 MN Plumbing code to the 2018 UPC will be addressed at a later date as reflected above.

- G. RFA PB 0115 Proposal: multiple proposals as follows:

Tran presented RFA PB0115 to the committee.

Tran stated that some of the recommend revisions are related to renumbering, some of the recommendations mirror those proposed by MDH in RFA PB0114.

1. Section 601 – This section was renumbered to 602 and is amended in part 4714.0601.

Recommendation: Committee agrees, part 4714.0601 should be amended to reflect the new numbering.

2. Subsection 603.5.8 – This subsection was renumbered to 603.5.7 and is unamended in Minnesota Rules. Therefore, no action is necessary.

Recommendation: Committee agrees (no action necessary).

3. Part 4714.0604 Proposal: Delete rule part 4714.0604 in its entirety.

This proposal is consistent with the recommendation in RFA PB0114.

Recommendation: Committee agrees rule part 4714.0604 should be delete (aka repealed) and maintain their support of the proposed new language in PB0114.

4. Part 4714.0608 Proposal: repeal part 4714.0608 and use 2018 UPC language.

2018 UPC language covers what is in part 4714.0608 but also does more.

Recommendation: The Committee supports repeal of part 4714.0608.

5. Subsection 611.3.1 Proposal: add subsection 611.3.1 to rule part 4714.0611.

The added subsection clarifies the requirements for isolation valves for water conditioning equipment. It is necessary for repair or replacement of water conditioning equipment without disrupting the water supply to the plumbing fixtures in the building.

Recommendation: The Committee supports adding the subsection as proposed.

- H. RFA PB0100 Proposal: Amend Table 603.2 (and Referenced Standards chapter) to reference the 2017 edition of ASSE 1001.

Committee discussed possibility of deleting the language of “no valve downstream” from Table 603.2 for Atmospheric Vacuum Breakers. Removing this language from the table would not completely eliminate this requirement because the code language requires Atmospheric Vacuum Breakers to meet the requirements of ASSE 1001. The 2018 UPC references the 2008 edition of ASSE 1001. The 2017 edition of ASSE 1001 allows a valve downstream if the system is open to atmosphere. Updating the reference to the 2017 edition instead of the 2008 edition of ASSE 1001 could lead to the review of all the referenced standards which would defeat the purpose of adopting a model code.

Without looking at the 2017 edition of the ASSE 1001, the Committee could not determine if updating the edition referenced in the 2018 UPC would be appropriate.

Recommendation: Keep Table 603.2 and ASSE 1001-2008 as written in the 2018 UPC.

6. **Adjournment**

A motion to adjourn by Flagg, seconded by Becker. The vote was unanimous with 4 votes; the motion carried.

Respectfully submitted,

Richard Becker, PE

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