

Minnesota Plumbing Board

NOTICE OF SUBMISSION OF RULES PROPOSED FOR ADOPTION WITHOUT A PUBLIC HEARING TO THE OFFICE OF ADMINISTRATIVE HEARINGS

Proposed Permanent Amendments to Rules Governing the Minnesota Plumbing Code, Minnesota Rules, chapter 4714

TO: ALL INTERESTED PERSONS

In accordance with Minnesota Statutes, section 14.388, subdivision 2, this Notice is being sent to all persons who have registered their name with the agency under Minnesota Statutes, section 14.14, subdivision 1a. This notice is also posted on the website of the [Minnesota Plumbing Board](#) ("Board").

PLEASE TAKE NOTICE that the above-cited rules proposed for adoption will be submitted to the Office of Administrative Hearings on June 25, 2021. A copy of the rule modification is attached to this notice.

All interested persons have five business days after the date of this notice to submit comments to the Office of Administrative Hearings via its eComments website at <https://minnesotaoah.granicusideas.com/discussions> or 600 North Robert Street, P.O. Box 64620 St. Paul, Minnesota 55164-0620. Comments are due on or by July 2, 2021.

Minn. Stat. § 326B.43, subd. 1, grants the Board statutory authority to prescribe minimum standards by rule and Minn. Stat. § 326B.435, subd. 2, grants the Board statutory authority to adopt the Plumbing Code.

The Board is using the good cause exemption process under Minnesota Statutes, section 14.388, subd. 1, clause (4), to make changes that do not alter the sense, meaning, or effect of a rule. The proposed rules meet the requirements of the Good Cause Exemption because they do not alter the sense, meaning, or effect of the Plumbing Code. There are no net substantive effects of the amendments to the Plumbing Code as explained in the Statement of Support for Adoption of Exempt Permanent Rules Amending Minnesota Rules, chapter 4714, which is posted on the Board's website.

The agency contact person is: Suzanne Todnem at Minnesota Department of Labor and Industry, c/o Plumbing Board, 443 Lafayette Road North, St. Paul, Minnesota 55155, telephone (651) 284-5851, email Suzanne.todnem@state.mn.us. For special accommodation you may contact the agency contact person. Questions concerning the rules should be directed to the agency contact person.

Date: June 22, 2021

/s/ Suzanne Todnem
Suzanne Todnem
Department of Labor and Industry
c/o Plumbing Board

1.1 **Minnesota Plumbing Board**

1.2 **Adopted Exempt Permanent Rules Relating to the Uniform Plumbing Code**

1.3 **4714.0712 TESTING.**

1.4 *[For text of subpart 1, see Minnesota Rules]*

1.5 Subp. 2. **Section 712.** UPC section 712 is amended by adding subsections to read as
1.6 follows:

1.7 **712.4 Negative Test.** Concrete manholes and sewer lines shall be tested by negative pressure
1.8 in accordance with ASTM Standards C1214-19 and C1244-17 or the Hydrostatic Test
1.9 Method in section ~~1107.2.3(B)~~ 1107.2(B).

1.10 **712.5 Finished Plumbing.** After the plumbing fixtures have been set and their traps filled
1.11 with water, their connections shall be tested and proven gastight and watertight by plugging
1.12 the stack openings on the roof and the building drain where it leaves the building, and air
1.13 introduced into the system equal to the pressure of a 1-inch water column. Such pressure
1.14 shall remain constant for 15 minutes or the duration of the inspection without the introduction
1.15 of additional air.

1.16 **712.6 Test Plugs or Caps.** Test plugs or caps for roof terminals shall extend above or
1.17 outside the end of the vent pipe to provide a visible indication for removal after the test has
1.18 been completed.

1.19 **4714.1107 TESTING.**

1.20 Subpart 1. **Section 1107.1.** UPC section 1107.1 is amended to read as follows:

1.21 **1107.1 Testing Required.** Building storm drainage systems that are new and parts of existing
1.22 systems that have been altered, extended, or repaired shall be tested in accordance with
1.23 section 712 to disclose leaks and defects, except as provided in section ~~1107.2.3~~ 1107.2.
1.24 Any section of the building storm sewer that passes through contaminated soils or
1.25 contaminated water must be air tested in accordance with section 712.3.

2.1 Subp. 2. **Section ~~1107.2.3~~ 1107.2.** ~~UPC subsection 1107.2.3 is~~ section 1107.2 and its
2.2 subsections are amended to read as follows:

2.3 **~~1107.2.3~~ 1107.2 Exceptions.**

2.4 (A) Testing is not required for:

2.5 (1) outside leaders;

2.6 (2) perforated or open drain tile; or

2.7 (3) portions of storm drainage system and sewers that are located more than ten feet
2.8 from buildings, more than ten feet from buried water lines, and more than 50 feet from
2.9 water wells, and that do not pass through soil or water identified as being contaminated.

2.10 (B) Building storm sewers shall be tested in accordance with section 712 or the
2.11 Hydrostatic Test Method from the City Engineers Association of Minnesota. The
2.12 Hydrostatic Test Method, provisions E2 and E3, as specified in Standard Utilities
2.13 Specifications for Watermain and Service Line Installation and Sanitary Sewer and
2.14 Storm Sewer Installation, written and published by the City Engineers Association of
2.15 Minnesota, 2018 edition, is incorporated by reference, is not subject to frequent change,
2.16 and is available in the office of the commissioner of labor and industry.

2.17 **4714.1601 GENERAL.**

2.18 *[For text of subpart 1, see State Register, volume 45, page 1007]*

2.19 Subp. 2. **Sections 1601.2 and 1601.3.** UPC sections 1601.2 and 1601.3 are deleted
2.20 in their entirety.

2.21 Subp. 3. **Section 1601.7.** UPC section 1601.7 is amended to read as follows:

2.22 **1601.7 Minimum Water Quality Requirements.** The minimum water quality for rainwater
2.23 catchment systems shall comply with the applicable water quality requirements for the

3.1 intended application as determined by the Authority Having Jurisdiction. Water quality for
3.2 nonpotable rainwater catchment systems shall comply with section 1602.9.6.

3.3 Subp. ~~2.~~ 4. **Section 1601.11.** UPC section 1601.11 is amended to read as follows:

3.4 **1601.11 Abandonment.** All rainwater catchment systems that are no longer in use and fail
3.5 to be maintained in accordance with section 1601.5 shall be considered abandoned.

3.6 Abandoned rainwater catchment systems are subject to sections 1601.11.1 and 1601.11.2.

3.7 **1601.11.1 General.** Every abandoned rainwater catchment system or part thereof
3.8 covered under the scope of this chapter, as amended in this code, shall be disconnected
3.9 from any remaining systems, drained, plugged, and capped per the requirements of this
3.10 code. Storm drainage systems of abandoned rainwater catchment systems must comply
3.11 with chapter 11, Storm Drainage, as amended.

3.12 **1601.11.2 Underground Tank.** Every underground water storage tank that has been
3.13 abandoned or otherwise discontinued from use in a rainwater catchment system covered
3.14 under the scope of this chapter, as amended in this code, shall be completely drained
3.15 and filled with earth, sand, gravel, or concrete or removed in a manner approved by
3.16 the administrative authority.

3.17 **4714.1602 NONPOTABLE RAINWATER CATCHMENT SYSTEMS.**

3.18 *[For text of subparts 1 to 8, see State Register, volume 45, page 1007]*

3.19 Subp. 9. **Subsection 1602.9.4.** UPC subsection 1602.9.4 is deleted in its entirety.

3.20 **4714.1701 REFERENCED STANDARDS.**

3.21 Subpart 1. UPC Table 1701.1 is modified to add the following:

STANDARD NUMBER	STANDARD TITLE	APPLICATION	REFERENCED SECTIONS
ASSE 1084-2018	Water Heaters with Temperature Limiting Capacity	Appliances	407.3, 409.4, 410.3
ASSE 1085-2018	Water Heaters for Emergency Equipment	Appliances	416.2
ASTM Standards C1214-19	Concrete Pipe Sewerlines by Negative Air Pressure (Vacuum) Test Method		712.4
ASTM Standards C1244-17	Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test Prior to Backfill		712.4
CSA B125.3-2018	Plumbing Fittings	Fittings	409.4, 410.3
Hydrostatic Test Method (City Engineers Association of Minnesota) - 2018	Standard Utilities Specifications for Watermain and Service Line Installation and Sanitary Sewer and Storm Sewer Installation	Storm Drainage	1107.2.3(B) <u>1107.2(B)</u>

Subp. 2. UPC Table 1701.1 is modified by amending the following:

STANDARD NUMBER	STANDARD TITLE	APPLICATION	REFERENCED SECTIONS
ASME A112.3.1-2007	<u>Stainless Steel Drainage Systems for Sanitary DWV, Storm, and Vacuum Applications, Above- and Below-Ground</u>	<u>Piping</u>	<u>418.1, 423.1, Table 701.2, 705.7.2, 1102.1</u>
ASME A112.6.3-2001	<u>Floor and Trench Drains</u>	<u>Fixtures</u>	<u>418.1, 423.1</u>

5.1	ASME A112.6.9-2005	Siphonic Roof Drains	DWV Components	1106.2.3, 1106.2.8
5.2				
5.3	ASME A112.18.1 -	Plumbing Supply Fittings	Fittings	408.3, 417.1, 417.2,
5.4	2018 / CSA B125.1 -			417.3, 417.4, 417.6,
5.5	2018			603.5.19
5.6	ASPE Standard 45	Siphonic Roof Drainage	Roof Drainage	1106.2.2 1106.2.5,
5.7				1106.2.9, 1106.3.1,
5.8				1106.3.2
5.9	ASSE 1023-2019	Electrically Heated or Cooled	Appliances	417.6
5.10		Water Dispensers		
5.11	<u>NSF 14-2016</u>	<u>Plastics Piping System</u>	<u>Miscellaneous</u>	<u>301.2.3, 604.1, 611.3</u>
5.12		<u>Components and Related</u>		
5.13		<u>Materials</u>		
5.14	<u>NSF 42-2015</u>	<u>Drinking Water Treatment</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
5.15		<u>Units - Aesthetic Effects</u>		
5.16	<u>NSF 44-2015</u>	<u>Residential Cation Exchange</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
5.17		<u>Water Softeners</u>		
5.18	<u>NSF 53-2015</u>	<u>Drinking Water Treatment</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
5.19		<u>Units - Health Effects</u>		
5.20	<u>NSF 55-2016</u>	<u>Ultraviolet Microbiological</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
5.21		<u>Water Treatment Systems</u>		
5.22	<u>NSF 58-2015</u>	<u>Reverse Osmosis Drinking</u>	<u>Appliances</u>	<u>611.1, 611.2, 611.3</u>
5.23		<u>Water Treatment Systems</u>		
5.24	<u>NSF 61-2016</u>	<u>Drinking Water System</u>	<u>Miscellaneous</u>	<u>415.1, 417.1, 604.1,</u>
5.25		<u>Components - Health Effects</u>		<u>604.9, 606.1, 607.2,</u>
5.26				<u>608.2, 611.1.1</u>
5.27	<u>NSF 62-2015</u>	<u>Drinking Water Distillation</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
5.28		<u>Systems</u>		

Unless amended above, all other entries in UPC Table 1701.1 are not amended.

[For text of subparts 3 and 4, see Minnesota Rules]

EFFECTIVE DATE. These amendments are effective December 17, 2021, or five working days after publication of the amendments' notice of adoption in the State Register, whichever is later.