

MINNESOTA PLUMBING BOARD

NOTICE OF INTENT TO ADOPT NEW EXPEDITED RULES WITHOUT A PUBLIC HEARING

Proposed New Rules Regulating Reduced Pressure Backflow Prevention Device Rebuilder and Tester Certifications, *Minnesota Rules*, Chapter 4716

Introduction. The Minnesota Plumbing Board (the “Board”) intends to adopt rules under the expedited rulemaking process following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until Wednesday, October 17, 2012.

Agency Contact Person. You must submit comments or questions on the rules to: Patricia Munkel-Olson at Minnesota Plumbing Board, c/o Department of Labor & Industry, 443 Lafayette Road N., St. Paul, MN 55155, phone (651) 284-5006, FAX (651) 284-5725, and *email* dli.rules@state.mn.us. TTY users may call the Department of Labor & Industry at TTY phone (651) 297-4198.

Subject of the Expedited Rules and Statutory Authority. The proposed expedited rules are about establishing certification requirements for backflow prevention rebuilders and backflow prevention testers. The proposed expedited rules apply to persons performing or offering to perform the installation, maintenance, repair, replacement, testing, or rebuilding of reduced pressure zone backflow prevention assemblies..

The statutory authority to adopt the rules is *Minnesota Statutes*, sections 326B.435, subd. 2(a)(5) and 326B.437 (d). The statutory authority to adopt the rules under the expedited rulemaking process is *Minnesota Statutes*, sections 14.389 and 326B.437 (d). A copy of the proposed rules is published in the State Register and attached to this notice as mailed. The proposed expedited rules may be viewed at:
http://www.dli.mn.gov/PDF/docket/4716_RPZ_docket.pdf.

Comments. You have until 4:30 p.m. on Wednesday, October 17, 2012, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. The Board encourages comment. Your comment should identify the portion of the proposed expedited rules addressed, any changes to the proposed rule, and the reason for the change. You are encouraged to propose any change desired. You must also be make any comments on the legality of the proposed rules during this comment period.

Modifications. The Board may modify the proposed expedited rules so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c), or if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in

the State Register, the Board will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the Board must publish a copy of the changes in the State Register. If the proposed expedited rules affect you in any way, the Board encourages you to participate in the rulemaking process.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

Adoption and Review of Expedited Rules. The Board may adopt the rules at the end of the comment period. The Board will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the Board submits the rules. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the Board to receive notice of future rule proceedings, submit your request to the contact person listed above.

31 August 2012

Date



John Parizek, Chair
Minnesota Plumbing Board