

Plumbing Board Request for Action

PRINT IN INK or TYPE

NAME OF SUBMITTER	PURPOSE OF REQUEST (check all that apply): ☐ New Code
Cody Robinson	☒ Code Amendment ☐ Repeal of an existing Rule
The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at https://epubs.iapmo.org/2020/MPC/	
Specify the purpose of the proposal: If recommendation for code change for appurtenance or method (check all that apply)	
☐ Appurtenance (e.g., water conditioning equipment) ☐ Test Method	
☒ Other (describe) Ensure alignment with MPCA SSTS rules	
Does your submission contain a Trade Secret? ☐ Yes ☒ No	
If Yes, mark “ TRADE SECRET ” 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: “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. 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. Describe the proposed change. The Minnesota Plumbing Code (Minnesota Rules Chapter 4714) is available here: https://epubs.iapmo.org/2020/MPC/ NOTE: - Please review the Minnesota Plumbing Code and include all parts of the Code that require revision to accomplish your purpose. - The proposed change, including suggested rule language, should be <i>specific</i>. If modifying existing rule language, underline new words and strike through deleted words. Please list all areas of the Minnesota Plumbing Code that would be affected. 1501.7: Exception: Water treatment is not required for gray water used for subsurface irrigation. 1503.0 & 1504.0: The MPCA recommends that the Minnesota Plumbing Board not adopt Sections 1503.0 and 1504.0 of the Uniform Plumbing Code (UPC) in their entirety. 1505.1: ...and floor sinks, aboveground and subsurface irrigation , industrial 1506.X: Adopt a new provision stating that on-site treated nonpotable water systems must not discharge into or through an SSTS. Proposed language: <u>Prohibited Discharge to Subsurface Sewage Treatment Systems (SSTS):</u> <u>On-site treated nonpotable water systems shall not discharge, directly or indirectly, to a Subsurface Sewage Treatment System regulated under Minnesota Rules, chapters 7080 to 7083.</u> <u>Such systems shall be designed and constructed so that all treated nonpotable water remains within the internal plumbing of the structure or is discharged to a municipal wastewater collection system.</u> 1506.X: Include a provision clarifying that all components of an on-site treated nonpotable water system must remain within the dwelling or building footprint. Proposed language: <u>System Location:</u> <u>All components of an on-site treated nonpotable water system shall be located within the dwelling or building structure it serves. No tanks, treatment devices, or appurtenances associated with the on-site treated nonpotable water system may be installed outside the building footprint.</u>	

1506.X: Clarify that removal of any accumulated solids or liquids from within a plumbing-based reuse system constitutes septage and must comply with existing SSTS handling and disposal requirements. Proposed language: Sewage removal during Operation and Maintenance:

Any solids or liquids removed from an on-site treated nonpotable water system shall be considered domestic septage and be disposed according to Minnesota Rules, part 7080.2450, subpart 6.

Collection, transportation, and disposal shall be performed only by a licensed Subsurface Sewage Treatment System Maintainer in accordance with Minnesota Rules, part 7083.0770.

For Office/Committee Use Only Proposal received complete? ☐ Yes ☐ No

Date Proposer notified of gaps:	Mode of notification (e.g., e-mail)	Date returned to Proposer:	Date materials re-received:
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Office Use Only

RFA File No. PB0217	Date Received by DLI 10.17.2025	Dated Received by Committee 11.5.2025	Date of Forwarded to Board TBD
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Title of RFA
PB0217.RFA.Cody Robinson.Chapter 15.Rec'd 10.17.2025

Committee Recommendation to the Board: ☐ Accept ☐ Reject ☐ Abstain

Board approved as submitted: ☐ Yes ☐ No Board approved as modified: ☐ Yes ☐ 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.

1501.7: Recommend striking out language that references subsurface irrigation, which constitutes a soil-based discharge already regulated under Minn. R. chs. 7080 – 7083.

1503.0 & 1504.0: The MPCA recommends that the Minnesota Plumbing Board not adopt Sections 1503.0 and 1504.0 of the Uniform Plumbing Code (UPC) because they create technical and administrative overlap with Minnesota Rules Chapters 7080 and 7081. These chapters already govern the design, permitting, installation, and performance of all soil-based wastewater treatment and dispersal systems. Sections 1503.0 and 1504.0 authorize plumbers to design and install subsurface irrigation fields and mulch basins that dispose of graywater into or onto soil. Under Minnesota Rules, any wastewater or graywater discharged to soil is an SSTS and must be designed by a licensed SSTS designer, installed by a licensed installer, and inspected by a local permitting authority under Minn. R. 7083.

Adopting these UPC provisions would duplicate and potentially conflict with the SSTS program's soil sizing methods (texture- and structure-based versus percolation rate), setback standards, and vertical-separation requirements. It could also result in unpermitted systems being installed by non-SSTS-licensed plumbers, creating enforcement ambiguity for LGUs and potential environmental risk.

1505.1: Recommend striking to prevent misinterpretation that on-site reclaimed or treated water may be applied to both ground surface and subsurface under the plumbing code. Surface discharge of sewage is currently regulated under the MPCA SDS/NPDES programs. Soil-based discharge is regulated as an SSTS under Minn. R. chs. 7080 – 7083.

1506.X: Prohibited Discharge to Subsurface Sewage Treatment Systems (SSTS) Justification: SSTS designs depend on predictable wastewater flow volume and composition. When graywater or other flows are internally treated and reused, the remaining wastewater stream (primarily blackwater) becomes more concentrated in organic matter, nitrogen, and solids. Introducing treated or concentrated reuse effluent into an SSTS can disrupt biological treatment, shorten system life, and require unanticipated operation and maintenance adjustments. Prohibiting such discharge ensures that nonpotable reuse systems remain separate from environmental treatment systems regulated under Minn. R. 7080 – 7083.

1506.X: System Location Justification: Allowing treatment units or tanks outside the building could blur the line between plumbing and wastewater infrastructure. Exterior treatment components would trigger siting, watertightness, and structural requirements governed by the SSTS program (e.g., 7080.2150 and 7080.2220). Restricting system location to inside the structure preserves DLI's jurisdiction over plumbing while preventing inadvertent creation of small-scale wastewater treatment systems subject to MPCA oversight.

1506.X Sewage removal during Operation and Maintenance Justification: If solids or residual liquids from reuse treatment units are removed for disposal, those materials pose the same environmental and human health risks as domestic septage. Minnesota Rules 7080.2450 subp. 6 and 7083.0770 require such material to be pumped, transported, and disposed of by a licensed SSTS maintainer in accordance with applicable local, state, and federal requirements. Explicitly referencing this requirement ensures consistent septage management practices and prevents improper disposal through unapproved means.

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:

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

Primary reason for change: (check only one)

☒ Protect public, health, safety, welfare, or security	☐ Mandated by legislature
☐ Lower construction costs	☐ Provide uniform application
☐ Encourage new methods and materials	☐ Clarify provisions
☐ Change made at national level	☐ Situation unique to Minnesota
☐ Other (describe)	

Anticipated benefits: (check all that apply)

☐ Save lives/reduce injuries	☐ Provide more affordable construction
☒ Improve uniform application	☐ Provide building property
☐ Improve health of indoor environment	☒ Drinking water quality protection
☐ Provide more construction alternatives	☐ Decrease cost of enforcement
☐ Reduce regulation	☐ 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.
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."
6. Provide a description of the classes of persons affected by a proposed change, who will bear the cost, and who will benefit.
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:
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. 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.

Submitter's Name		Submitter's Email Address	Submitter's Firm Name			
Cody Robinson		Cody.robinson@state.mn.us	Minnesota Pollution Control Agency			
Presenter's name, phone, and email if different						
Submitter's Mailing Street Address		City		State Zip Code		
520 Lafayette Road N		St. Paul		MN 55155		
Submitter's Phone		Submitter's Signature (original, electronic or typed)		Date		
651-757-2535		/s/ Cody L Robinson		10/17/2025		

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