

Request for Interpretation

PB 0162

Residential Water Conditioning Work



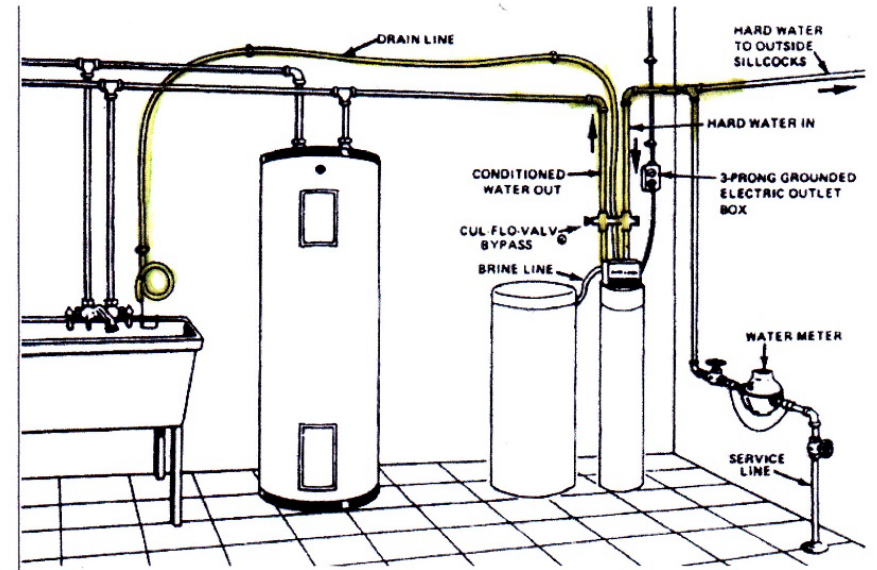
Request for Interpretation
PB 0162
Residential Water Conditioning Work

Request: Water conditioning contractors be allowed to do a full residential water softener installation.

Chronologically

- 1969 Water Conditioning Statute
- 2013 Minnesota Homegrown Plumbing Code
- 2015 Minnesota UPC Code
- 2017 Commercial Water Conditioning
- 2019 MWQA Conference
- 2020 Minnesota UPC Code
- 2022 RFI 156

1. Statute: May, 1969



"Measure Twice & Cut Once" - Retired U.A. Local 1 & 638

1969 Statute

~~council~~ *Upon the recommendation of the commissioner of administration, the governor shall sign and cause to be issued under the seal and attestation of the state auditor patents for the lands described in such certificate of purchase whenever the same are presented to him, with the further certificate of the secretary of the executive council commissioner of administration endorsed thereon certifying that the amount of principal and interest specified therein and all taxes due on the lands have been paid, and that the holder of the certificate is entitled to such patent.*

Approved May 31, 1969.

CHAPTER 898—S. F. No. 987

[Coded]

An act regulating the contracting and installation of water conditioning; and appropriating money.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [326.57] **Water conditioning; regulation; supervision by state board of health.** Subdivision 1. The state board of health shall, by regulation, prescribe minimum standards which shall be uniform, and which standards shall thereafter be effective for all water conditioning installations.

1969 Statute

Sec. 4. [326.60] Water conditioning contractors and installers must be licensed in certain cities or villages. Subdivision 1. In any city, village, borough, or town now or hereafter having a population of 5,000 or more according to the last federal or state census, no person, firm, or corporation shall engage in or work at the business of water conditioning installation or servicing after January 1, 1970, unless (a) at all times a person licensed as a water conditioning contractor by the state board of health shall be responsible for the proper water conditioning installation and servicing work of such person, firm, or corporation, and (b) all installations, other than exchanges of portable equipment, are actually made by a licensed water conditioning contractor or licensed water conditioning installer. Anyone not so licensed may do water conditioning work which complies with the provisions of the minimum standard prescribed by the state board of health on premises or that part of premises owned and actually occupied by him as his residence, unless otherwise forbidden to do so by a local ordinance.

Subd. 2. A water conditioning contractor license shall be issued only to a person who has demonstrated skill in planning, supervising, and servicing water conditioning installations. A water conditioning installer license shall only be issued to a person other than a water conditioning contractor who has demonstrated practical knowledge of water conditioning installation.

1969 Statute

Sec. 5. [326.61] **Definition of water conditioning installation.** Subdivision 1. "Water conditioning installation" as used in section 1 to 10 means the installation of appliances, appurtenances, and fixtures designed to treat water so as to alter, modify, add or remove mineral, chemical or bacterial content, said installation to be made in a water distribution system serving a single family residential unit, which has been initially established by a licensed plumber, and does not involve a direct connection without an air gap to a soil or waste pipe.

1969 Statute

Sec. 5. [326.61] **Definition of water conditioning installation.** Subdivision 1. "Water conditioning installation" as used in section 1 to 10 means the installation of appliances, appurtenances, and fixtures designed to treat water so as to alter, modify, add or remove mineral, chemical or bacterial content, said installation to be made in a water distribution system serving a single family residential unit, which has been initially established by a licensed plumber, and does not involve a direct connection without an air gap to a soil or waste pipe.

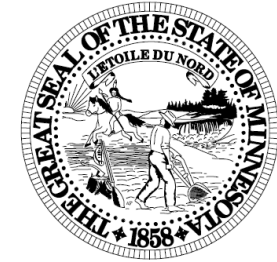
1969 Statute

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2. Homegrown Plumbing Code

- 2015

Minnesota Code 2003



4715.5100 DEFINITIONS.

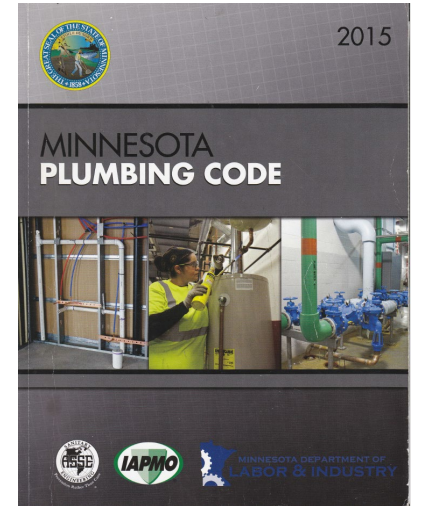
Subpart 1. **Commissioner.** "Commissioner" means the commissioner of health.

Subp. 2. **Disinfect.** "Disinfect" means to destroy pathogenic bacteria and other harmful organisms.

Subp. 3. **Installation.** "Installation" as defined in Minnesota Statutes 1978, section 326.61, subdivision 1 includes:

- A. the connection of any water conditioning equipment to an existing water distribution system;
- B. the connection of the line carrying conditioned water to a water distribution system, or raw water to points not needing conditioned water;
- C. the connecting of drain and overflow lines which drain the equipment; and
- D. the providing of an air gap between the drain and overflow lines and the receiving building receptor.

3. Minnesota 2015



611.0 Water Conditioning Equipment.

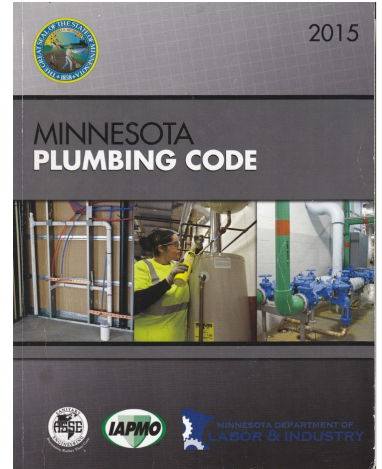
611.1 Application. Water conditioning equipment shall comply with the requirements in this section.

611.1.1 Definition. “Water conditioning equipment” means any appliance, appurtenance, or fixture, or combination thereof, designed to treat potable water, so as to alter, modify, add, or remove any minerals, chemicals, or bacteria contained in the water. Water conditioning equipment includes but is not limited to ion exchange water softeners, backwashing water filters, oxidizing water filters, cartridge filters, chemical feed cartridges, ultraviolet lights, and equipment for reverse osmosis, ultrafiltration, nanofiltration, pH adjustment, nitrate and arsenic removal, and adsorption onto activated carbon.

611.1.2 Manufacture and Assembly. Water conditioning equipment shall: (1) be manufactured as a complete system; or (2) be assembled as a complete system by a licensed plumbing contractor or licensed water conditioning contractor, using various types of water conditioning equipment. Wetted surface materials used in water conditioning equipment shall comply with ANSI/NSF 61 standards, or the equipment shall comply with the applicable NSF standards as listed in Table 1401.1.

611.1.3 Labeling. All conditioning equipment shall be labeled by;

- (1) the manufacturer of equipment manufactured as a complete system; or
- (2) the licensed plumbing contractor or licensed water conditioning contractor who assembled the complete system so as to clearly identify the type of equipment and name and address of the manufacturer, licensed plumbing contractor or licensed water conditioning contractor.





4. 2017 Commercial Water Conditioning

2017



Subd. 3. **Water conditioning installation.** "Water conditioning installation" means the installation of appliances, appurtenances, and fixtures designed to treat water so as to alter, modify, add or remove mineral, chemical or bacterial content, said installation to be made in a water distribution system serving:

(1) a single family residential unit, which has been initially established by a licensed plumber, and does not involve a direct connection without an air gap to a soil or waste pipe; or

(2) a multifamily or nonresidential building, where the plumbing installation has been initially established by a licensed plumber. Isolation valves shall be required for all water conditioning installations and shall be readily accessible. Water conditioning installation does not include:

- (i) a valve that allows isolation of the water conditioning installation;
- (ii) piping greater than two-inch nominal pipe size; or
- (iii) a direct connection without an air gap to a soil or waste pipe.

5. MWQA Conference 2019

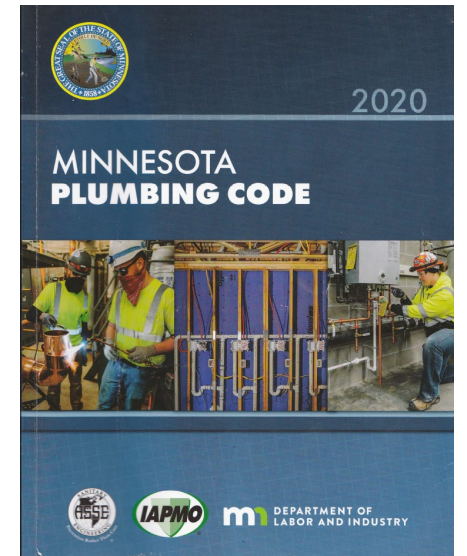
MWQA Conference 2019

Questions...

- Integral bypass
- Raw water piping



6. Minnesota 2020



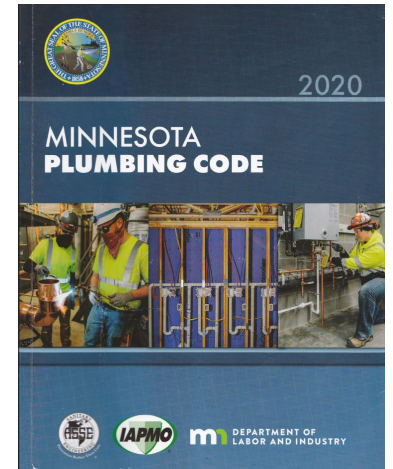
2017

611.0 Water Conditioning Equipment.

611.1 Application. *Water conditioning equipment shall comply with the requirements in this section.*



611.1.1 Manufacture and Assembly. *Water conditioning equipment shall: (1) be manufactured as a complete system; or (2) be assembled as a complete system by a licensed plumbing contractor or licensed water conditioning contractor, using various types of water conditioning equipment. Wetted surface materials used in water conditioning equipment shall comply with ANSI/NSF 61 standards, or the equipment shall comply with the applicable NSF standards as listed in Table 1701.1.*



2022



7. RFI Isolation & Bypass

2022

Plumbing Board
c/o Department of Labor and Industry
443 Lafayette Road North
St. Paul, MN 55155-4344
www.dli.mn.gov



Plumbing Board Request for Interpretation

PRINT IN INK or TYPE

| | |
|-----------------------------------------------------------------|-----------------------------------------------------------------------|
| NAME OF SUBMITTER Minnesota Water Quality Association | Rule(s) to be interpreted (e.g., 4714.0330) Statute 326B.50 |
|-----------------------------------------------------------------|-----------------------------------------------------------------------|

The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at www.dli.mn.gov/CCLD/PlumbingCode.asp

Has a request for interpretation been submitted to Department of Labor and Industry (DLI) staff, either as a verbal request or a written request? Yes No

If "No," contact DLI staff at 651-284-5898. The DLI is responsible for administration and interpretation of the Minnesota Plumbing Code, and all requests must be processed and provided a DLI interpretation before being referred to the Plumbing Board. This form is intended to be used to request an interpretation from the Plumbing Board only as a resolution of dispute with DLI interpretation.

| | | |
|----------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------|
| Code/Rule to be interpreted: MN Code p. 204, 326B.50 Subd. 3 (1) | Name of DLI employee gave interpretation: Brad Jensen | Date interpretation originally requested: 10/5/2023 |
|----------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------|

Provide a copy of the DLI interpretation with this request (a copy must be provided as reference).

| | |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| Is there a local dispute with an Inspector of other official? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | If Yes, state the name or type of official |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|

State the circumstances of the initial dispute:

DLI interpretations on the DLI web site, DLI presentations at the Building Officials Conference and at MWQA conferences (2021 & 2023) and an October 2023 meeting with Mr. Jensen indicate that Water Conditioning Contractors are prohibited from installing bypasses in single family homes. (<https://www.dli.mn.gov/workers/plumber/water-conditioning-licenses-basics>). MWQA disagrees.



2024

8. Today

2024



What is water conditioning work?

A water conditioning system is designed to treat water to alter, modify, add or remove mineral, chemical or bacterial content, in a water distribution system. Water conditioning work includes the installation and servicing of water conditioning systems.

Water conditioning does not include:

- a valve that allows isolation of a water conditioning installation;

2024

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(1) a single family residential unit, which has been initially established by a licensed plumber, and does not involve a direct connection without an air gap to a soil or waste pipe; or

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A water conditioning system is designed to treat water to alter, modify, add or remove mineral, chemical or bacterial content, in a water distribution system. Water conditioning work includes the installation and servicing of water conditioning systems.

Water conditioning does not include:

- a valve that allows isolation of a water conditioning installation;

9. Requested Interpretation

- 2015

Possible Interpretation A - Minnesota Code after Statute

4715.5100 (Minnesota Code through 2015)

- A. the connection of any water conditioning equipment to an existing water distribution system;
- B. the connection of the line carrying the conditioned water to the water distribution system, or raw water points to not needing condition water;
- C. the connecting of drain and overflow lines which drain the equipment; and
- D. providing of an air gap between the drain and the overflow lines and the receiving building receptor.

Possible Interpretation A - New Language, based on Statue with additional detail.

Subd. 3. **Water conditioning installation. (Proposed)**

"Water conditioning installation" means the installation of appliances, appurtenances, and fixtures designed to treat water so as to alter, modify, add or remove mineral, chemical or bacterial content, said installation to be made in a water distribution system established by a licensed plumber and not involving a direct connection without an air gap to a soil or waste pipe.

(1) Water conditioning installation in a single family residential unit, includes inlet, outlet and drain plumbing; valves for isolation, by-pass, or shut off; plumbing to supply conditioned or unconditioned water to any existing service outlet; and an unconditioned water faucet in the proximity of the water conditioning equipment. A water conditioning installation does not include new fixtures or the replacement or repair of existing fixtures; or

(2) Water conditioning installation in a multifamily or nonresidential building, includes inlet, outlet and drain piping of 2" nominal pipe size or less and an unconditioned water faucet in the vicinity of the equipment. Water conditioning installation in a multifamily or nonresidential building does not include valves required by Minnesota plumbing code that isolate the installation from the building distribution system. A multifamily or non-residential water conditioning installation does not de-pressurize or drain the water distribution system.

Request for Interpretation

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