

Notice of Agency Rule-making Proposal

AGENCY: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Plumbers' Examining Board

CHAPTER NUMBER AND TITLE: Chapter 4, Installation Standards (amended)

PROPOSED RULE NUMBER *(leave blank; to be assigned by Secretary of State)*:

BRIEF SUMMARY: The Plumbers' Examining Board proposes to amend Chapter 4 of the board's rules by updating the standards for plumbing installations in the State of Maine from the 2009 edition to the 2015 edition of the International Association of Plumbing and Mechanical Officials Uniform Plumbing Code. The text of the proposed rule may be obtained from www.maine.gov/professionallicensing.

Date, time and location of PUBLIC HEARING *(if any)*: None scheduled

COMMENT DEADLINE: June 24, 2016 at 5pm

CONTACT PERSON FOR THIS FILING *(include name, mailing address, telephone, fax, TTY, e-mail)*: Catherine Carroll, Board Administrator, 35 State House Station, Augusta, ME 04333, Catherine.M.Carroll@maine.gov, (207) 624-8605, TTY users call Maine Relay 711

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT *(if different)*:

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES *(if any)*:

STATUTORY AUTHORITY FOR THIS RULE: 32 MRS § 3403-B(1)

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:

AGENCY WEBSITE: www.maine.gov/professionallicensing

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: holly.doherty@maine.gov

* Check one of the following two boxes.

The summary provided above is for publication in both the newspaper and website notices.

The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rule-making notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____
(authorized signature)

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION

395 PLUMBERS' EXAMINING BOARD

Chapter 4: INSTALLATION STANDARDS

Summary: This Chapter adopts standards for plumbing installations in the State of Maine.

1. PLUMBING INSTALLATIONS

- A. The Plumbers' Examining Board adopts and incorporates herein by reference the International Association of Plumbing and Mechanical Officials Uniform Plumbing Code, ~~2009~~ 2015 edition, as the standard for plumbing installations in the State of Maine, subject to the exclusions and amendments set forth in this chapter.

The above Code, hereinafter referred to as "the UPC," may be purchased from:

International Association of Plumbing and Mechanical Officials
5001 E. Philadelphia Street
Ontario, CA 91761-2816
Telephone: (909) 472-4100 or 1-800-85-IAPMO
Webpage: www.iapmo.org

- B. All plumbing installations must comply with the UPC (except as excluded or amended in this chapter); Title 32, Chapter 49 of the Maine Revised Statutes; and the rules of the board. Plumbing installations must also comply with all applicable statutes or rules of the State and all applicable ordinances, orders, rules and regulations of local municipalities.

- C. Exclusions and Amendments

(1) Chapter 1, Administration

~~a. The board does not adopt chapter 102.3.2, Penalties.~~

~~b. a.~~ a. The board amends ~~e~~Chapter ~~103.1.2~~ 104.2, Exempt Work, by adding ~~103.1.2.3~~ 104.2.3 and 104.2.4 as follows:

~~103.1.2.3~~ 104.2.3 Installation of domestic heating appliances by master oil burner technicians and propane and natural gas technicians licensed pursuant to Title 32, Chapter ~~33~~ 139 of the Maine Revised Statutes ~~and propane and natural gas installers pursuant to Title 32, Chapter 130 of the Maine Revised Statutes.~~

104.2.4 The work excluded from the definition of "plumbing" in Title 30-A, Chapter 185, Section 4201(3).

b. The board amends Chapter 104.3.1, Construction Documents, as follows:

Construction documents, engineering calculations, diagrams, and other data may be required to be submitted in two or more sets with each application for a permit.

- c. The board does not adopt Chapter 104.3.2, Plan Review Fee.
- d. The board does not adopt Chapter 104.3.3, Time Limitation of Application.
- e. The board does not adopt Chapter 104.4.3, Expiration.
- f. The board does not adopt Chapter 104.4.4, Extensions.
- e. g. The board repeals and replaces ~~Chapter 103.4.1~~ 104.5, Permit Fees, which includes 104.5.1, 104.5.2, and 104.5.3, as follows:

~~103.4.1~~ **104.5** Permit Fees

~~103.4.1.1~~ **104.5.1** Any person who begins any work for which a permit is required by the Code without first having obtained a permit shall, if subsequently eligible to obtain a permit for that work, pay double the permit fee for such work. However, this provision shall not apply to any emergency work when it can be proved to the satisfaction of the LPI that such work was necessary and that it was not practical to obtain a permit before the commencement of the work. In all emergency cases, a permit must be obtained within four (4) working days or a double permit fee shall be charged.

~~103.4.1.2~~ **104.5.2** For the purpose of this section, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of existing plumbing systems in relocated buildings shall be based on the number of plumbing fixtures that requires a permit to be issued.

~~103.4.1.3~~ **104.5.3** Permit fees shall be charged for the following permits.

- (1) Fixture fee, per fixture.
- (2) When only new water distribution and/or drainage pipes are installed or relocated in a building, but no fixtures installed.
- (3) Testable backflow prevention assembly.
- ~~(3)~~ (4) A hookup fee shall be charged for the connection of a mobile home, which bears the Housing and Urban Development (HUD) seal or

a modular home, which bears the Manufactured Housing Board seal to a building sewer.

~~(4)~~ (5) A hookup fee shall be charged for connection to a public sewer when piping is installed outside the jurisdiction of the sanitary district. A hookup is considered a fixture when calculating the fee.

~~(5)~~ (6) Relocated mobile homes, modular homes or any other similar structures shall be considered as new conventional stick built structures. A plumbing fixture fee shall be charged based on this section.

~~d. The board does not adopt chapter 103.4.2, Plan Review Fees.~~

~~e. The board adopts Chapter 103.5.1, Inspections, General, with the following amendment:~~

~~(i) Plumbing systems for which a permit is required by this code shall be inspected by the Authority Having Jurisdiction.~~

~~No portion of any plumbing system shall be concealed until inspected and approved. Neither the Authority Having Jurisdiction nor the jurisdiction shall be liable for expenses entailed in the removal or replacement of material required to permit inspection. When the installation of a plumbing system is complete, an additional and final inspection shall be made.~~

~~f. The board does not adopt Chapter 103.5.6, paragraphs 4 and 5, Reinspections.~~

~~g. The board does not adopt Chapter 103.7, Unconstitutional.~~

~~h. The board does not adopt Table 1-1, Plumbing Permit Fees.~~

h. The board does not adopt Table 104.5, Plumbing Permit Fees.

i. The board amends Chapter 105.2.6, Reinspections, by deleting the following paragraph:

To obtain reinspection the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with Table 104.5.

j. The board amends Chapter 105.3, Testing of Systems, by adding 105.3.4 as follows:

105.3.4 Allowing the testing of plastic schedule 40 DWV (drainage waste and vent) piping systems with 5 psi (pounds per square inch)

maximum of air. For safety purposes, when testing with air, a listed 6 psi relief valve is required.

Co-extruded ABS (Acrylonitrile Butadiene Styren) and PVC (Poly Vinyl Chloride) schedule 40 (cellular core) piping systems with referenced standards ASTM F1488 and ASTM F 891 shall not be tested with air.

PVC and CPVC (Chlorinated Poly Vinyl Chloride) building supply and water distribution piping systems shall not be tested by air.

k. The board does not adopt Chapter 105.4, Connection to Service Utilities.

l. The board does not adopt Chapter 106.3, Penalties.

m. The board does not adopt Chapter 107.0, Board of Appeals.

n. The board does not adopt Chapter 107.1, General.

o. The board does not adopt Chapter 107.2, Limitation of Authority.

(2) Chapter 2, Definitions

~~a. The board does not adopt Chapter 205.0, Confined Space.~~

a. The board does not adopt the following definitions:

(i) Chapter 203.0: Anesthetizing Location; Appliance, Low-Heat; Appliance, Medium-Heat; Appliance Categorized Vent Diameter/Area; Appliance Fuel Connector.

(ii) Chapter 205.0: Category 1; Category 2; Category 3; Category 3 Medical Vacuum Systems; Chimney; Chimney, Factory Built; Chimney, Masonry; Chimney, Metal; Chimney Classifications; Chimney, High-Heat Appliance-Type; Chimney, Low-Heat Appliance-Type; Chimney, Medium-Heat Appliance-Type; Chimney, Residential Appliance-Type; Confined Space.

(iii) Chapter 206.0: Direct-Vent Appliances.

(iv) Chapter 207.0: Effective Ground-Fault Current Path; Excess Flow Value (EFV).

(v) Chapter 208.0: Flammable Vapor or Fumes; Flue Collar; Fuel Gas Quick Disconnect; Fuel Gas Vent; Fuel Gas Venting System.

(vi) Chapter 209.0: Gas Piping; Gas Piping System; General Care Areas; Governing Body; Grounding Electrode.

(vii) Chapter 214.0: Levels of Sedation; Deep Sedation; General Anesthesia; Moderate Sedation; Liquid Petroleum Gas (LP-Gas) Facilities.

(viii) Chapter 215.0: Medical Air; Medical Gas; Medical Gas Manifold; Medical Gas System; Medical Support Gas; Medical Surgical Vacuum; Medical Surgical Vacuum System.

(ix) Chapter 216.0: Nitrogen, NF (Oil-Free, Dry).

(x) Chapter 218.0: Patient Care Room; Basic Care Room; Critical Care Room; General Care Room; Patient Medical Gas; Proportioning System for Medical Air USP.

(xi) Chapter 221.0: Scavenging; Service Piping; Station Inlet; Station Outlet.

(xii) Chapter 222.0: Transition Gas Riser; Type B Gas Vent; Type BW Gas Vent; Type L Gas Vent.

(xiii) Chapter 224.0: Vacuum System-Level-1; Vent Connector, Gas.

(xiv) Chapter 225.0: Waste Anesthetic Gas Disposal (WAGD); Wet Procedure Locations.

~~b. The board does not adopt Chapter 207.0 Excess Flow Valve (EFV).~~

~~e. The board does not adopt Chapter 208.0, Flammable Vapor or Fumes.~~

~~b.~~ b. The board amends Chapter 220.0, Roughing-In, as follows:

(i) The installation of all parts of the plumbing system that can be completed prior to the installation of fixtures. This includes drainage, water supply, vent piping, and the necessary fixture supports.

~~e. The board does not adopt Chapter 223.0, Unconfined Space.~~

(3) Chapter 3, General Regulations

~~a. The board does not adopt Chapter 313.12.3, Ratproofing.~~

~~b. The board does not adopt Chapter 314.7, Hangers and Supports.~~

~~e. The board adopts Chapter 316.2.2, Unions, with the following exception:~~

~~(i) Approved unions shall be permitted to be used in drainage piping when accessibly located in the trap seal or between a fixture and its trap in the vent system, except underground or in wet vents, at any point in the water supply system.~~

~~d. The board does not adopt Chapter 320.0, Medical Gas and Vacuum Systems.~~

a. The board does not adopt Chapter 312.12.3, Tub Waste Openings.

b. The board does not adopt Chapter 312.13, Exposed ABS Piping.

c. The board does not adopt Chapter 312.14, Exposed PVC Piping.

d. The board does not adopt Chapter 313.7, Gas Piping.

e. The board amends Chapter 315.1, as follows:

Approved unions shall be permitted to be used in drainage piping when accessibly located in the trap seal or between a fixture and its trap in the vent system, except underground or in wet vents and at any point in the water supply system.

f. The board does not adopt Chapter 319.0, Medical Gas and Vacuum Systems.

g. The board does not adopt Chapter 319.1, General.

(4) Chapter 5, Water Heaters

a. The board **only** adopts the following ~~two~~ sections of Chapter 5. All other sections of Chapter 5 the board does not adopt.

~~(i) Chapter 506.4, Indirect Fired Water Heaters, which includes 506.4.1 and 506.4.2.~~

~~(ii) Chapter 508.0, Other Water Heater Installation Requirements, which includes 508.1, 508.2, 508.3, 508.4 and 508.5.~~

(i) Chapter 501.1, Applicability.

(ii) Table 501.1(1).

(iii) Chapter 505.1, Water Heaters.

(iv) Chapter 505.2, Safety Devices.

(v) Chapter 505.4, Indirect-Fired Water Heaters.

(vi) Chapter 505.4.1, Single-Wall Heat Exchangers.

(vii) Chapter 507.1, Dielectric Insulator.

(viii) Chapter 507.4, Ground Support.

(ix) Chapter 507.5, Drainage Pans.

(x) Chapter 507.24, Installation Instructions.(5) Chapter 6, Water Supply and Distribution

- a. The board does not adopt Chapter 612.0, Residential Fire Sprinkler Systems.

(6) Chapter 7, Sanitary Drainage

- a. The board amends Chapter 705.5.2, Solvent Cement Joints, as follows:

Solvent cement joints for PVC pipe and fittings shall be clean from dirt and moisture. Pipe shall be cut square and pipe shall be deburred. Where surfaces to be joined are cleaned and free of dirt, moisture, oil and other foreign material, apply primer in accordance with ASTM F656.

- b. The board does not adopt Chapter 713.5, Permits.

- c. The board does not adopt Table 721.1.

~~(5)~~ (7) Chapter 9, Vents

- a. The board adopts Chapter 906.0, Vent Terminations, with the following amendments:

- (i) 906.1, Roof Terminations. Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than two (2) feet above the roof nor less than one (1) foot from any vertical surface.
- (ii) 906.3, Use of Roof. Vent pipes shall be extended separately or combined, of full required size, not less than two (2) feet above the roof or fire wall. Flagpoling of vents shall be prohibited except where the roof is used for purposes other than weather protection. Vents within ten (10) feet (3,048 mm) of any part of the roof that is used for such other purposes shall extend not less than seven (7) feet (2,134 mm) above such roof and shall be securely stayed.
- (iii) 906.7, Frost or Snow Closure. Where frost or snow closure is likely to occur in locations having minimum design temperature below 0°F (-17.8°C), vent terminals shall be not less than two (2) inches (50 mm) in diameters, but in no event smaller than the required vent pipe. The change in diameter shall be made inside the building not less than one (1) foot (305 mm) below the roof in an insulated space and terminate not less than two (2) feet above the roof, or as required by the Authority Having Jurisdiction.

~~(6)~~ (8) Chapter 11, Storm Drainage

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- a. The board does not adopt Chapter ~~1101.5~~ 1101.6, Subsoil Drains-, which includes:
- (i) Chapter 1101.6.1, Discharge.
- (ii) Chapter 1101.6.2, Sump.
- (iii) Chapter 1101.6.3, Splash Blocks.
- (iv) Chapter 1101.6.4, Backwater Valves.
- (v) Chapter 1101.6.5, Open Area.
- b. The board does not adopt Chapter ~~1101.6~~ 1101.7, Building Subdrains.
- c. The board does not adopt Chapter ~~1101.7~~ 1101.8, Areaway Drains.
- d. The board does not adopt Chapter ~~1101.8~~ 1101.9, Window Areaway Drains.
- e. The board does not adopt Chapter ~~1101.9~~ 1101.10, Filling Stations and Motor Vehicle Washing Establishments.
- f. The board does not adopt Chapter ~~1101.10~~ 1101.11, Paved Areas.
- ~~g. The board does not adopt Chapter 1102.5, Subsoil Drains.~~
- ~~h. The board does not adopt Chapter 1106.3, Size of Roof Gutters.~~
- ~~i. The board does not adopt Table 11-3, Size of Gutters.~~
- ~~(7)~~ (9) Chapter 12, Fuel Piping. The board does not adopt Chapter 12, Fuel Gas Piping.
- ~~(8)~~ (10) Chapter 13, Health Care Facilities and Medical Gas and Vacuum Systems. The board does not adopt Chapter 13, Health Care Facilities and Medical Gas and Vacuum Systems.
- ~~(9)~~ Chapter 16, Nonpotable Water Reuse Systems.
- ~~a. The board does not adopt Part I, Gray Water Systems, in its entirety.~~
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STATUTORY AUTHORITY: 32 MRSA §3403-B(1)

EFFECTIVE DATE:
April 28, 1997

EFFECTIVE DATE (ELECTRONIC CONVERSION):
December 20, 1997

PROVISIONAL ADOPTION (MAJOR SUBSTANTIVE):

January 15, 2002 – filing LR-2002-2

FINAL ADOPTION:

September 17, 2005 – by action of the Legislature, Resolve 2005 c.81 approved (signed by the Governor) June 3, 2005, effective September 17, 2005

AMENDED:

May 11, 2010 – filing 2010-178

Rule-Making Fact Sheet

(5 MRS § 8057-A)

AGENCY: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Plumbers' Examining Board

NAME, ADDRESS, PHONE NUMBER, E-MAIL OF AGENCY CONTACT PERSON:
Catherine Carroll, Board Administrator, 35 State House Station, Augusta, ME 04333, (207) 624-8605, Catherine.M.Carroll@maine.gov

CHAPTER NUMBER AND RULE TITLE: Chapter 4, Installation Standards (amended)

STATUTORY AUTHORITY: 32 MRS § 3403-B(1)

DATE, TIME AND PLACE OF PUBLIC HEARING: None scheduled

COMMENT DEADLINE: June 24, 2016 at 5pm

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: To update the edition of the plumbing code that has been incorporated by reference into the rule.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? YES NO

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (PRIMARY SOURCES): The existing rule, the professional judgment of the Board and Board inspector, and the 2015 edition of the International Association of Plumbing and Mechanical Officials Uniform Plumbing Code.

ANALYSIS AND EXPECTED OPERATION OF THE RULE: The board proposes to amend Chapter 4 of the board's rules by updating the standards for plumbing installations in the State of Maine from the 2009 edition to the 2015 edition of the International Association of Plumbing and Mechanical Officials Uniform Plumbing Code.

FINDINGS UNDER CRITERIA CONTAINED IN EXECUTIVE ORDER 20 FY 11/12:
(A) The rule will not negatively impact job growth or creation; (B) There are no fees included in the rule; (C) There is no cost to the public in terms of time and money required to comply with the rule; (D) No other state laws or rules already address the subject matter of this rule; (E) There are no relevant federal standards.

ESTIMATED FISCAL IMPACT OF THE RULE: None.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED:

BENEFITS OF THE RULE:

Note: If necessary, additional pages may be used.