DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE

Clearinghouse Rule Number: 08-055			Hearing Location: Madison, WI
Rule Number: Chapters Comm 62 and 81 to 84			Hearing Date: July 8, 2008
Relating to: Wisconsin Uniform Plumbing Code and Wisconsin Commercial Building Code			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Speaker 1	Jeffrey J. Beiriger Executive Director Plumbing, Heating and Cooling Contractors (PHCC) – Wisconsin Association 660 E. Mason Street Milwaukee, WI 53202	Supports the process and code package. The PHCC association and its members have been involved in the code process and appreciates having stakeholders at the table. Supports the section on water sizing for water softeners. Believes it strikes a balance between what is being installed and what is reasonable and economically feasible. The potential is there to oversize the piping going to the water softening equipment. By looking at normal water use patterns, the PHCC believes this can reduce cost to homeowners. Supports the change regarding waterless lavatories in Comm 62.	Support noted.
Exhibit 1	Hallet Jenkins E-mail	Expresses concern with Comm Table 82.22–1 relating to testing and submitting requirements for cross connection control assemblies. Because purveyors have to do more cross connection surveys, suggests that the table be changed so purveyors receive copies of all test reports for testable devices.	Concern noted. The Department will discuss having purveyors receive copies of all test reports at future code council meetings.
Exhibit 2	Don Hough Plumbing Fire/Water Consultant Department of Commerce Safety & Buildings, District 6 10541N Ranch Road Hayward, WI 54843	Opposes the proposed changes for Comm Table 82.40–3e relating to conversion of water supply fixture units to gallons per minute for water treatment devices serving an individual dwelling. Lists the following reasons for his opposition: • Changes in the table are based upon a survey of current occupant use of water fixtures and not specific mathematical formulas based upon potential flow rates, velocities, and peak demand of the plumbing fixtures. • Supporting data is not available as to how many water distribution systems have been installed and inspected in the last 5 years since this table was approved as an Alternate Plumbing System (August 6, 2002) product file no.: 20020250). • Table removes two-thirds of the water distribution systems ability to contain flow velocities to 8 feet per second, and provides required adequate pressure to plumbing fixtures when simultaneous use and high volume fixtures are creating peak demand on the water distribution system when converting from 35 to 40 wsfus. • Pipe and plumbing fixture manufacturers depend upon designers properly	Disagree. Comm Table 82.40–3e is based on metering data. There is no documentation to preclude using data from actual water use patterns.

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		calculating the water distribution system Hydraulic Shock potential and designing the water distribution system per industry accepted guidelines.	
Exhibit 3	Herman J. Delfosse Plumbing/POWTS Reviewer Cross Connection Control Consultant 1340 E. Green Bay Street Shawano, WI 54166	Suggests that Comm 82.34 (5) (a) 1. c. should read: "The wash compartment of a scullery sink shall discharge through a grease interceptor."	Agree. The proposal has been modified.
Exhibit 4	Jerry Thompson Plumbing Product Reviewer E-mail	**a.** Suggests that Comm 82.50 (3) (b) 5. be changed as follows: Remove "comply with ASSE 1016 and shall" because ASSE 1016 does not shut down with change in temperature. **b**. Requests an editorial change to update ASME A112.14.1 Standard to the current 2008 standard.	Agree. The proposal has been modified. Agree. The proposal has been modified.
Exhibit 5	Tom Kasper Department of Commerce Madison, WI E-mail	Opposes the proposed revision to Comm 62.2900 (1) relating to waterless sanitation. Cites sanitation issues, odors, additional maintenance and other reasons why the rule should be changed to provide a higher level of sanitation in public buildings and places of employment. Suggests the following code language to broaden the exception for the department to allow non-water-based toilets on a case-by-case basis, and to harmonize the lavatory and service sink requirements with the limited, waterless toilet exception: Comm 62.2900(1) Plumbing Fixture Alternatives (a) *Water Closets*. Systems or devices recognized under ch. Comm 91 may be substituted for water closets required under IBC chapter 29 <u>where the department determines that it is impractical to provide water closets</u>. (b) *Lavatories*. Waterless antiseptic cleansing provisions may be substituted for lavatories required under IBC chapter 29 where systems or devices under par. (a) are substituted for water closets. Where water-based water closets or urinals are used, water-based lavatories shall be provided in numbers to accommodate the number of people served by the water closets and urinals.	Agree in part. The proposal has been modified to restrict the installation of waterless toilets and waterless antiseptic cleansing provisions in lieu of water-based toilets and cleansing provisions.

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		(c) *Service Sinks.* Other cleaning means may be provided where systems or devices under par. (a) are substituted for water closets.	
Exhibit 6	Jim Miller Department of Commerce Madison, WI E-mail	Opposes the proposed revision to Comm 62.2900 (1) relating to waterless sanitation and endorses the comments in Exhibit 5.	Agree in part. See response to Exhibit 5.
Exhibit 7	Steve P. Dobratz Department of Commerce Madison, WI E-mail	Opposes the proposed revision to Comm 62.2900 (1) relating to waterless sanitation and endorses the comments in Exhibit 5.	Agree in part. See response to Exhibit 5.
Exhibit 8	Mark Huiting and Chris Ignatowski	Recommend changing the minimum size for residential storm sumps in Comm 82.36 (8) (a) 4. a. from 16 inches to 30 inches.	Disagree. The 16-inch diameter is the minimum size listed in the state's current code. The Department has no basis to change the minimum diameter at this time.
Exhibit 9	Pat Casey Plumbers Local 75 Email	**a.** Points out that there is no need to add the word "the" before "drainage fixture units" in Comm 82.30 (3). **b.** Opposes the proposed change in Comm 82.30 (3) relating to load on drain piping to increase the current requirement by a factor of 4. Explains that the International Plumbing Code (IPC) and the Uniform Plumbing Code (UPC) differentiate between "intermittent" and "continuous flow" and not "fixture" and "device." Points out that for many years IPC has been 2 fixture units per 1 gpm and Wisconsin has been 1 fixture unit per 2 gpm. His preference is intermittent flow (7.5 gpm=1 dfu) and continuous flow (1 gpm=1dfu) or leave the code as it currently reads. **c.** Opposes the proposed dfu value for 1 1/2″ building drain listed in Comm Table 82.30–3 because it would permit less dfu on the building drain than on horizontal piping (Comm Table 82.30–2). Explains that this is inconsistent with IPC, and that the dfu value permitted for 2″ building drain should be increased. Prefers revising the table and included his suggested revision in Exhibit 9.	**a.** Agree. The proposal has been modified. **b.** Agree in part. The Department has revised proposal language to limit the definition of intermittent flow. c. Agree. Comm Table 82.30–2 has been modified.

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		d. Proposes modifying Comm Table 82.30–2. Explains that the maximum dfu permitted at each branch interval should apply to all drain stacks regardless of the number of branch intervals. Included his suggested revision in Exhibit. 9.	**d.** Agree. Comm. Table 82.30–2 has been revised to reflect the recommended changes.
		e. Opposes repealing Comm 82.30 (6) (a) 2. and (b) 5. relating to relief for stack offsets. Points out that this is not consistent with IPC. Recommends leaving Comm 82.30 (6) (a) 1. and 2. and (b) 1. to 5. as the code currently reads and changing "2" branch intervals to "5" branch intervals.	**e.** Agree in part. The proposal has been revised to reflect IPC offset language.
		f. Suggests that Comm 82.30 (11) (e) 2. relating to bedding and backfilling for sewers be rewritten to correspond more closely with NR 110.13 requirements.	**f.** Agree in part. The proposal has been revised to incorporate language from the current state code. See Exhibit 10, Comment h.
		g. Points out that by removing the words "or urinal" from Comm (13) (a) 1. e. relating to higher fixture drains not serving water closets then additional changes should be made in Comm 82.31 (17) (a) 1. b. which in turn would require updating the definition of a "wet vent" in Comm 81.01 (288).	**g.** Agree in part. The definition for "wet vent" in Comm 81.01 (288) has been revised. However, no revision is necessary for Comm 82.31 (18) (a) 1. b.
		h. Suggests that eliminating the word "stack" in Comm 82.31 (17) (b) 1. and 3. does not clarify the rules. Explains that the upstream pipe should not be required to be a stack and that the term "stack" should be removed. Adds that the changes identified for Comm 82.31 (17) (b) should also be applied to Comm 82.31 (17) (c) where similar language for vent "stack" and drain "stack" occur.	**h.** Agree. The proposal has been modified.
		i. Believes the proposed language in Comm 82.35 (3) (b) 2. a., (3) (c) 2.a. and (3) (d) 2.b.is unclear and needs clarification. Asks for clarification concerning Comm 82.30 (4) (d) and (5) (b) and (c) relating to conformance to NR 110.13 for certain items for building sewers and private interceptor mains sewers.	**i.** Agree. The proposal has been modified.

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		j. Points out that to protect against scalding, an ASSE 1017 device as proposed in Comm 82.40 (3) (b) 1.b. does not give proper protection for multiple lavatories, wash fountains and shower heads. Proposes requiring an ASSE 1070 or 1069 to bring the state code up to date with current technology and nationally recognized standards.	**j.** Concern noted. The Department will discuss this proposal at future code council meetings.
		k. Recommends requiring an ASSE 1070 for items proposed in Comm 82.40 (3) (b) 5. that fall outside the scope of the ASSE 1016 standard. The ASSE 1016 device is specifically designed as the point-of-use application for shower or tub-shower combination only.	**k.** Concern noted. The Department will discuss this proposal at future code council meetings.
		l. Opposes exempting NPFA 13D 7.6, 8.1.3 and 8.6 from applying to Wisconsin' multi-purpose piping systems in Comm 82.40 (3) (e) 2. b.	**l.** Disagree. Because all one- or two-family homes in Wisconsin are required to have smoke detectors, Section 7.6 of NFPA 13D is not needed in Wisconsin. Also because fire sprinkler systems are optional there is no basis for prohibiting partial systems.
		m. Agrees that the proposed Comm 82.40 (3) (e) 2. d. relating to requiring warning signs for multipurpose piping systems that do not conform to NFPA 13D is moving in the right direction. Recommends adding the following language to the warning label: "This system should not be expected to prevent flashover. This system should not be relied upon to provide improved protection against injury, life loss and property damage.	**m.** Support noted. The Department will discuss this proposal at future code council meetings.
		n. Points out that if "vitrified clay" is removed from Comm Table 84.30–2 and Comm Table 84.30–6 then Comm 84.40 (16) "Vitrified Clay Pipe" should be repealed. Adds that both the IPC and UPC lists vitrified clay as an approved material for sanitary building sewer and storm building sewer.	**n.** Agree. The proposal has been modified to eliminate Comm 84.40 (16).

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Exhibit 10	Ken Pertzborn Department of Commerce Madison, WI	**a.** Proposes modifying the note in Comm 82.30 (3) (a) 2. to read "Note: Equipment with a timed discharge cycle(s) of 2 minutes or less may be considered as an intermittent flow device." Contends that equipment with lengthy discharge cycle(s) increase the probability of simultaneous use within the drain system, and therefore should be considered continuous. Based on his findings using Manning's and Flow Master software, assigning 2 drainage fixture units to each gallon per minute of discharge is more accurate conversion and will result in compliance with loading limitations in Comm 82.30 (5).	**a.** Agree. The proposal has been modified.
		b. Agrees with assigning an emergency drain pan a load value in Comm Table 82.30–1 (partial) and Comm Table 82.30–3 (partial) if and when it connects to the sanitary drain system. Disagrees with the minimum trap size because manufacturers do not produce drainage pattern fittings for pipe diameters less than 1 ¼-inch in diameter. In the past, the department has not considered these safety pans "plumbing" unless they acted as an approved receptor of indirect waste, and therefore, the drain, sizing and materials are not regulated. Believes that if emergency drain pans are listed in Comm Table 82.30–1 then they should be considered "plumbing" and additional issues should be addressed. Proposes exempting loading by revising the language in Comm 82.30 (4) (a) 2. to include emergency drain pan values, and recommends exemption language that includes all drain piping for emergency pans.	**b.** Agree. Emergency drain pan has been removed from Comm Table 82.30–1.
		c. Expresses concern that the line for 1½-inch diameter pipe in Comm Table 82.30–3 indicates a dfu loading value of 2 @ ¼ inch per foot pitch. Points out that this is in conflict with Comm Table 82.30–2 and recommends changing to 3 dfu's to be consistent.	**c.** Agree. Comm Table 82.30–3 has been changed to 3 dfu's to be consistent.

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		d. Expresses concern about 1) repealing of 82.30 (6) (a) 2. relating to the installation of relief vent for vertical stack offsets below two or more branch intervals; 2) repealing of 82.30 (6) (b) 5. relating to installation of vents for the drain stack, both up and downstream of a horizontal offset; and 3) increasing the requirement relating to tall drain stacks in Comm 82.31 (4) (a). Assumes these changes are to more closely reflect designs permitted in IPC. Recommends that if Wisconsin relaxes its venting requirements per IPC, then it should also adopt IPC's prohibition(s). Cites IPC 711.11, IPC 711.2 and IPC Table 710.1 (2).	**d.** Agree. The proposal has been modified to reflect IPC requirements.
		e. Disagrees with repealing Comm 82.30 (10) (a) 2. b. relating to minimum run time. Believes this is not an unreasonable requirement and that manufacturers would agree. Indicates that the code allows for small diameter sumps in par. (c).	**e.** Agree. The proposal has been modified and Comm 82.30 (10) (a) 2. b. has not been repealed.
		f. Suggests that to be consistent, the code language in Comm 82.31 (5) relating to properly connecting yoke vents and relief vents to other vents should be similar to the code language in Comm 82.31 (4), (6) and (7).	**f.** Agree. The proposal has been modified.
		g. Recommends incorporating current code language in Comm 82.30 (11) (e) 2. a. and b. relating to stable bottom. Suggests adding "and free of water" to "where the bottom of the trench can be maintained in a stable condition" to further define "stable condition." Points out that in subdivision paragraphs a. and b. there are conflicts in pipe bedding requirements. Recommends using the bedding requirements found in the current subdivision paragraph b. to reflect actual installation practices in the field.	**g.** Agree. The section has been modified to include current code language.
		h. Recommends adding the word "accessible" before "check valve" in Comm 82.30 (11) (f) 2. b. to be more consistent with subdivision paragraph c. relating to disconnect language.	**h.** Agree. The proposal has been modified.