

**IDAHO PLUMBING BOARD
VIDEOCONFERENCE MEETING/PUBLIC HEARING**

Thursday – May 18, 2017 – 9:30 a.m. (MDT)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello
1118 F St., Lewiston (Department of Environmental Quality)**

MINUTES OF THE MAY 18, 2017 MEETING

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

Chairman Matt Gardner called the meeting to order at 9:32 a.m. (MDT)

Board Members Present:

Matt Gardner, Chairman
Gilbert Pond, Vice-Chairman
Rick Garrett
Shaun Urwin

DBS Staff Members Present:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Patrick Grace, Deputy Attorney General
John Nielsen, Plumbing Program Manager
Larry Jeffres, Regional Manager, Region 1
Jeff Egan, Regional Manager, Region 3
Chuck Knapp, Regional Supervisor, Region 1
Adam Bowcutt, Regional Supervisor, Region 3
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

There were no new issues brought forth during open forum.

◆ **Approval of May 18, 2017 Agenda**

The Chairman called for a motion to approve the agenda.

MOTION: Shaun Urwin made a motion to accept the agenda as presented. Gilbert Pond seconded. Vote called. All in favor, motion carried.

◆ **Approval of October 6, 2016 Minutes**

The Chairman called for a motion to approve the draft minutes.

MOTION: Rick Garrett made a motion to approve the revised minutes. Shaun Urwin seconded. Vote called. All in favor, motion carried.

◆ **Approval of February 16, 2017 Minutes**

The Chairman called for a motion to approve the draft minutes.

MOTION: Gilbert Pond made a motion to approve the minutes as written. Shaun Urwin seconded. Vote called. All in favor, motion carried.

◆ **Negotiated Rulemaking**

This is the first of two hearings to discuss promulgation of rules specific to the Idaho State Plumbing Code (ISPC).

Cross Connection Control Manual – The standard for backflow preventions on plumbing systems is in the ISPC. Rather than have two reference manuals, it was discussed to remove the reference to the Cross Connection Control Manual (Manual), by the American Water Works Association, from IDAPA 07.02.04.012.01 *Cross Connection Control Manual*.

The Chairman clarified should the proposal pass; it does not mean every double check on every sprinkler system throughout the state of Idaho will need to be immediately removed/replaced.

There was concern removing the reference in rule would cause hardship with irrigation systems and require double check valves to be replaced with reduced pressure devices.

Discussion on double checks continued under agenda item 4b.1 (2017) *ISPC Section 603.5.6 Double Check Backflow Assemblies*.

The Chairman requested the topic *Cross Connection Control Manual* be placed as an action item on the agenda for the July 27th board meeting.

ACTION: The topic *Cross Connection Control Manual* will be added to the July 27, 2017 Plumbing Board meeting agenda as an action item.

(2017) Idaho State Plumbing Code (ISPC) Section 603.5.6 *Double Check Backflow Assemblies* – Section 603.5.6 *Double Check Backflow Assemblies* is the current code section of the newly adopted 2017 ISPC. Listed are four devices to protect potable water systems from backflow. If the reference to the Manual is removed from rule, double checks will still be the standard for backflow preventions on lawn sprinklers.

Stacy Stewart, Suez Water, questioned the removal of the Manual from the IDAPA rule, as well as why the Board would amend the plumbing code to allow double checks when the Manual provides water purveyors with the resources and guidelines for fixture protection. As explained by the Chairman, there is conflict with the Uniform Plumbing Code and double checks, Idaho is one of a few states where the Manual allows double checks in sprinkler systems, and streamlining the system eliminates cross-referencing with other manuals. It was also clarified water purveyors can still use the Manual as a reference guidebook even if removed from rule.

The DEQ's statute lists all backflow manuals, which water purveyors can still use as their standard. The responsibility of the DEQ, as it pertains to statute, stops at the meter. From the property line in, it falls under the purview of the plumbing code. Mr. Stewart provided an

example where the inside of a commercial building falls under the plumbing codes; however, the water purveyor is still in charge of the premise backflow assembly.

There was discussion on double checks and dual connections. At the request of Board Member Gilbert Pond, Tyler Parrish with the city of Meridian Water Division agreed to explore the possibility of a report on the types of assemblies found in Meridian that have passed/failed.

To consider placing double checks back into the plumbing code, Board Member Pond would like water purveyors to provide evidence; i.e., percentage of units that have passed/failed, and how they will protect the citizens of the state of Idaho.

At this time, the only real action is to consider removing the Cross Connection Control Manual from rule. Should it pass, no further discussion is required on double check backflow assemblies, unless someone wants to revisit it.

Tracer Wires/Yard Hydrant – In Section 603.5.7 *Outlets with Hose Attachments*, the proposal adds “freeze resistant sanitary yard hydrants” to the list of exempt hose bib connections that do not need a vacuum breaker.

A proposal was presented to the Board to add an exception to Section 604.10.1 *Tracer Wire*, where a tracer wire will not be required if the electrical wiring is in the same trench as the water line from the well to the structure.

Solar Plumbing Code – Board Member Pond would like the Board to consider adopting a solar code as it pertains to plumbing, even if it is sections from the International Association of Plumbing and Mechanical Officials’ (IAPMO) *Uniform Solar Energy & Hydronics Code*.

Mr. Pond stated there is not only an issue with safe drinking water, but also the possibility of explosions and burning applications since solar systems can get very hot. Board Member Pond further commented the mechanical code has two paragraphs that cover solar systems; however, does not address what is approved for materials, temperature ratings, etc., which are in the solar code.

The Plumbing Program Manager agreed there is more information in IAPMO’s solar code book; however, adopting it, even in portions, creates statutory issues. The mechanical code covers solar for heating. It also says potable water falls under the plumbing code. Therefore, if it is a potable water system going through solar, used for hydronics, it is all potable and covered under the plumbing code.

◆ **School to Registered Apprenticeship Program**

Currently, the Plumbing Board is the only regulatory body with statutory authority to oversee Idaho’s plumbing apprenticeship programs. Adding the Idaho Career & Technical Education (ICTE) as a partner with the Board would provide better oversight, as well as standardize materials taught throughout Idaho. The Plumbing Program Manager would like to add to Idaho Code § 54-2615 *Certificate of competency* a paragraph allowing plumbing apprentices

to take the journeyman exam upon completion of the required related-instruction approved by the Board and CTE, as well as worked the number of hours prescribed by the Board.

Wendi Secrist, ICTE, provided an overview of the current/future labor supply, identified ways to help create skilled workforce, and meet the needs of the industry. If approved to share authority over related training, ICTE would need to develop/update industry standards, conduct criticality survey, receive the Plumbing Board and State Board of Education's approval, and develop end of course assessments. In addition, ICTE would be able to provide a feedback loop for continuous improvement of the related training, a consistent placement testing process throughout the state, and move into a new phase of supporting the School to Registered Apprenticeship Program (STRAP) with its high school programs. Mrs. Secrist explained the cost to move forward to update the standards, create end-of-course assessments and review the pilot programs.

Irene Westrick, Boise School District, stated STRAP is ready for the Boise School District and is a three-year program that will begin in the 2017-2018 school year. The first year is a foundational class and explores all construction trades. In the second year, students choose which pathway they want to go into, and the third year students continue in the pathway of their chosen trade. The goal is by the time student's graduate from high school, they will be able to bypass the first year of an apprenticeship program.

The Chairman requested Mrs. Secrist provide her PowerPoint presentation to the Administrative Assistant 2 to be included in the July Board meeting packet.

ACTION: For the July 12, 2017 meeting, Mrs. Secrist's PowerPoint presentation will be included in the packet.

Chairman Gardner requested Wendi Secrist provide the Board with her contact information.

ACTION: Wendi Secrist will provide the Administrative Assistant 2 with her contact information.

◆ **Verifying Apprentice Work Hours**

At the February 2017 Board meeting, there was discussion to require apprentices to keep track of their work hours and have a contractor sign off on them once a week. The Plumbing Program Manager provided examples of forms local union 296 use to verify apprentice work hours.

Currently, the rule only requires an apprentice to have a minimum of 8,000 hours work experience. If the Board wants to require apprentices to use a form or logbook as verification, the rule would need to be changed.

Upon further discussion, the Board chose not to pursue the topic *Verifying Apprentice Work Hours*.

◆ **Idaho Code § 54-2602 Exceptions**

Addressed were two proposed changes to Idaho Code § 54-2602 *Exceptions for the certificate of competency*.

(a) Originally, the intent was for homeowners to be able to work on their own homes. However, property owners who are developers are performing the plumbing working on one or two family dwelling units that are not their primary or secondary residence. The proposal limits property owners to one and two family dwelling units, and accessory buildings, quarters, and grounds in connection with such dwellings used for non-commercial purposes.

As requested, the Plumbing Program Manager will modify the language; changing one and two family dwelling units from “extends to” to “includes”.

ACTION: The Plumbing Program Manager will change “extends to” to “includes” in subsection (a), and bring the revised proposal to the July 2017 Board meeting.

(e) The proposal clarifies the type of, and who can, work on plumbing systems on premises owned or operated by an employer who regularly employs maintenance personnel.

The Board agreed for the Plumbing Program Manager to submit both legislative ideas to the Governor’s office for review.

ACTION: The topic Idaho Code § 54-2602--*Exceptions* will be placed on the July 27, 2017 Plumbing Board meeting agenda as an action item.

◆ **Idaho Code § 54-2616 License Fees**

The Plumbing Program Manager tabled this topic to refine the proposed fee schedule for license renewals.

◆ **Idaho Code § 54-2606(d)(e) Bond Requirements**

The draft proposal replaces the \$2,000 compliance bond a contractor must retain with proof of \$300,000 liability insurance.

There has been confusion on why an individual has to pay an annual fee of \$36 to keep their contractor license inactive. The Plumbing Program Manager would like to change the statute to reflect a one-time inactivation fee of \$36 with no annual fee. To reactivate, the contractor would have to meet all requirements and pay a \$30 processing fee.

Board Member Rick Garrett stated the statute should stay status quo on bonds since there was not a consensus of the Board to move forward with liability insurance. However, Mr. Garrett would like to see the removal of the annual fee for inactive licenses. For clarification, the Chairman asked for a motion.

MOTION: Rick Garrett made a motion for the Board to take action on Idaho Code § 54-2617, as it pertains to inactive licenses, at the July 27, 2017 Board meeting. Specifically,

removing the sentence “Each inactive certificate of competency shall be issued for a period of one (1) year.” Shaun Urwin seconded. All in favor, motion carried.

ACTION: The topic *Idaho Code § 54-2617--Inactive Licenses* will be placed on the July 27, 2017 Board meeting agenda as an action item.

After further discussion, the Board asked, and Administrator Chris L. Jensen agreed, to have an expert from the insurance industry address the pros and cons of liability insurance and compliance bonds at the July Board meeting.

ACTION: At the July Board meeting, the Division will provide a specialist in the insurance trade to discuss the benefits of insurance and bonds.

◆ **Compliance Program Report**

On behalf of the Compliance Supervisor, the Plumbing Program Manager addressed the Compliance Program Report under the Plumbing Manager Report.

◆ **Plumbing Manager Report**

Plumbing NOVs/Civil Penalties Issued Report – The Plumbing Program Manager addressed the report; providing a brief explanation of the process to collect penalty fees.

The Chairman noted an offender by the name of “Mathewa” and wondered if it was an actual company name or typographical error. The Plumbing Program Manager will research the issue.

ACTION: The Plumbing Program Manager will review the Plumbing NOVs/Civil Penalties Issued Report for accuracy of offenders; bringing the results back to the July Board meeting.

State Verification Report – The intent of the report is to provide statistics on activities inspectors perform besides inspections.

Idaho State Plumbing Code (ISPC) – As far as the DBS is concerned, the 2017 ISPC/2015 Uniform Plumbing Code is in effect; however, the way the statute reads, the Division cannot begin to enforce the code until January 1, 2018. The Plumbing Program Manager has traveled around the state providing code update classes and advised attendees they could begin to use the updated code. The new code is available for purchase at iapmo.org.

Committee Meetings – The Program Manager recently attended the International Association of Plumbing and Mechanical Official’s Technical Committee meetings in California on proposed changes to the plumbing and mechanical codes.

◆ **Administrator Report**

Financial Report – Addressed was the Idaho Plumbing Board Fund FY 2017 financial statement as of April 30, 2017.

Permits – The Division is issuing well over 200 permits daily.

Personnel – The 2017 legislature authorized the Division to hire six additional inspectors after July 1, 2017. Tanisha Townsend is the new supervisor over the Customer Resource Team.

Change in Employee Compensation – The Division of Financial Management approved a program the DBS put together to raise inspector base pay from \$18.31 to \$21.00. This becomes effective immediately and puts the Division more competitive in the field.

Legislation – Approved were the following proposed statute and rule changes during the 2017 legislative session:

- Codes – 2017 National Electrical Code, 2017 ISPC, 2015 International Building Code, 2015 International Existing Building Code, and 2015 International Energy Conservation Code (commercial only).
- Logging Safety – Numerous logging safety rules; bringing the Logging Safety Program up to current standard.
- Public Works – Clearer statutory language on what constitutes “acting in the capacity of a construction manager”.

◆ **Adjournment**

Chairman Gardner adjourned the meeting at 12:53 p.m. (MDT).

MATT GARDNER, CHAIRMAN
IDAHO PLUMBING BOARD

RON WHITNEY, DEPUTY ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

09/20/2017rb