

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	07/16/2019	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/16/2019

2. COMAR Codification

Title Subtitle Chapter Regulation

09 20 01 01-.06

3. Name of Promulgating Authority

Department of Labor, Licensing, and Regulation

4. Name of Regulations Coordinator

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5. Name of Person to Call About this Document

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6. Check applicable items:

X- New Regulations

X- Amendments to Existing Regulations

- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:

Under Maryland Register docket no.: --P.

 Yes **X-** No

410-230-6160

Title 09
DEPARTMENT OF LABOR, LICENSING, AND
REGULATION

Subtitle 20 BOARD OF PLUMBING

09.20.01 State Plumbing Code

Authority: Business Occupations and Professions Article, §§12-205 and 12-207,
Annotated Code of Maryland

Notice of Proposed Action

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The Board of Plumbing proposes to (1) amend Regulation .01; (2) repeal existing Regulations .02 and .03; (3) adopt new Regulations .02, .03, and .05; (4) recodify existing Regulation .03 to be Regulation .04; and (5) amend and recodify Regulation .05 to be Regulation .06; under COMAR 09.20.01 State Plumbing Code to reflect the Board of Plumbing's adoption of the 2018 editions of the International Plumbing Code, certain chapters of the International Residential Code, the International Fuel Gas Code, and the 2017 edition of the Liquefied Petroleum Gas Code.

This action was considered at a public meeting of the Board of Plumbing held on June 20, 2019, notice of which was given by posting on the Board of Plumbing's website, pursuant to General Provisions Article, §3-302(c)(3)(ii), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to reflect the Board of Plumbing's adoption of the 2018 editions of the International Plumbing Code, certain chapters of the International Residential Code, the International Fuel Gas Code, and the 2017 edition of the Liquefied Petroleum Gas Code.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Robin Bailey, Executive Director, Mechanical Boards, Department of Labor, 500 North Calvert Street 4th Floor, Baltimore, MD 21202, or call 410-230-6160, or email to robin.bailey@maryland.gov, or fax to 410-244-0977. Comments will be accepted through September 16, 2019. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Plumbing during a public meeting to be held on September 19, 2019, at 500 North Calvert Street, 3rd Floor, Baltimore, MD 21201.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 20
 - B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
No
 - C. If 'yes', state whether general, special (exact name), or federal funds will be used:
 - D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
No funds are necessary for implementation of the proposed action.
 - E. If these regulations have no economic impact under Part A, indicate reason briefly:
The purpose of the proposed action is to adopt updated codes, which are [published on a three-year cycle, for the safe and efficient provision of plumbing and gas services.
 - F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
Providers of plumbing and gas services may be required to purchase updated code books.
 - G. Small Business Worksheet:
- Impact Statement Part C — Legislative Information

Part C requests agencies to provide information required by the Department of Legislative Services in its report to the AELR Committee. Answer the questions in the space provided. Part C is not printed in the Maryland Register.

Small Business Analysis Worksheet

This worksheet is designed to assist the agency in determining if and how the proposal impacts small businesses. Quantify the number of affected small businesses and estimates of costs and benefits to small businesses if possible. State Government Article, §2-1505.2, includes the following definitions which are relevant to the analysis:

“Economic impact analysis” means an estimate of the cost or the economic benefit to small businesses that may be affected by a regulation proposed by an agency pursuant to Title 10, Subtitle 1 of this article.

“Small business” means a corporation, partnership, sole proprietorship, or other business entity, including its affiliates, that: (i) is independently owned and operated; (ii) is not dominant in its field; and (iii) employs 50 or fewer full-time employees.

1a. Intended Beneficiaries. Who are the intended beneficiaries of the proposed regulation? Are these intended beneficiaries primarily households or businesses?

Providers of plumbing and gas services and consumers of who rely on such service providers to for the safe and efficient provision of plumbing and gas services are the intended beneficiaries.

1b. Intended Beneficiaries: Households. If households are the primary intended beneficiaries, will the proposal affect their income or purchasing power such that the volume or patterns of their consumer spending will change? If so, what directions of change would you anticipate? Will these expected spending changes have a disproportionate impact on small businesses? Can you descriptively identify the industries or types of business activities that are impacted?

Homeowners will be affected by the proposed action to the extent that they rely on, and will have qualified plumbers and gas fitters provide services in compliance with updated codes.

1c. Intended Beneficiaries: Businesses. If businesses are the intended beneficiaries, identify the businesses by industry or by types of business activities. How will businesses be impacted? Are these Maryland establishments disproportionately small businesses? If so, how will these Maryland small businesses be affected? Can you identify or estimate the present number of small businesses affected? Can you estimate the present total payroll or total employment of small businesses affected?

Consumers of plumbing and gas services and plumbing and gas service providers will have confidence that such services are provided in compliance with updated code provisions, which will be consistent with State requirements and should, therefore, pass applicable code compliance inspections.

2a. Other Direct or Indirect Impacts: Adverse. Businesses may not be the intended beneficiaries of the proposal. Instead, the proposal may direct or otherwise cause businesses to incur additional expenses of doing business in Maryland. Does this proposal require Maryland businesses to respond in such a fashion that they will incur additional work-time costs or monetary costs in order to comply? Describe how Maryland establishments may be adversely affected. Will Maryland small businesses bear a disproportionate financial burden or suffer consequences that affect their ability to compete? Can you estimate the possible number of Maryland small businesses adversely affected? (Note that small business compliance costs in the area of regulation are the sum of out-of-pocket (cash) costs plus time costs — usually expressed as payroll, akin to calculations for legislative fiscal notes. Precise compliance costs may be difficult to estimate, but the general nature of procedures that businesses must accomplish to comply can be described.)

None.

2b. Other Direct or Indirect Impacts: Positive. Maryland businesses may positively benefit by means other than or in addition to changed consumer spending patterns. How may Maryland businesses be positively impacted by this initiative? Will Maryland small businesses share proportionately or disproportionately in these gains? Can you estimate the possible number of Maryland small businesses positively affected?

None.

3. Long-Term Impacts. There are instances where the longer run economic impact effect from regulations differ significantly from immediate impact. For example, regulations may impose immediate burdens on Maryland small businesses to comply, but the overall restructuring of the industry as a consequence of monitoring and compliance may provide offsetting benefits to the affected small businesses in subsequent years. Can you identify any long run economic impact effects on Maryland small businesses that over time (a) may compound or further aggravate the initial economic impact described above, or (b) may mitigate or offset the initial economic impact described above?

There is no long-term economic impact as the proposed regulations are expected to be periodically updated every three years to maintain and improve the efficient and safe provision of plumbing and gas services.

4. Estimates of Economic Impact. State Government Article, §2-1505.2 requires that an agency include estimates, as appropriate, directly relating to: (1) cost of providing goods and services; (2) effect on the work force; (3) effect on the cost of housing; (4) efficiency in production and marketing; (5) capital investment, taxation, competition, and economic development; and (6) consumer choice.

(1) There is no anticipated effect on the cost of providing goods and services; (2) There is no anticipated effect on the work force; (3) There may be a positive effect on the cost of housing as a result of the use of more efficient and energy-conserving materials and methods; (4) There may be a positive effect on efficiency in production and marketing from the use of more efficient and energy-conserving materials and methods; (5) There is no anticipated capital investment, taxation, competition, and economic development; and (6) There is no anticipated effect on consumer choice.

Attached Document:

Title 09 DEPARTMENT OF LABOR

Subtitle 20 Board of Plumbing

Chapter .01 State Plumbing Code

Authority: Business Occupations and Professions Article, §§12-205 and 12-207

Annotated Code of Maryland

.01 Incorporation by Reference.

A. In this chapter, the following documents are incorporated by reference, as modified by Regulation [.02—.05].02—.06.

B. Documents Incorporated.

(1) [2015 National Standard Plumbing Code Illustrated (National Association of Plumbing-Heating-Cooling Contractors)] 2018 International Plumbing Code (International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington, DC 20001).

(2) [National Fuel Gas Code, ANSI Z223.1, NFPA 54, 2015 Edition] 2018 International Residential Code, (International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington, DC 20001), Chapters 20—22, 24, 26—33, and 44 and Appendices A—E, I, and P.

(3) 2018 International Fuel Gas Code (International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington, DC 20001).

[(3)] (4) Liquefied Petroleum Gas Code, NFPA 58, [2014] 2017 Edition.

.02 Modifications to the International Plumbing Code.

A. Chapter 1, SCOPE AND ADMINISTRATION, omit PART 2—ADMINISTRATION AND ENFORCEMENT in its entirety.

B. Chapter 2 DEFINITIONS.

(1) Insert a new definition after the definition of “NONPOTABLE WATER”. The new defined terms is: “NSF. The standards of the National Sanitation Foundation.”

(2) Delete the definition of “Vent Stack” and replace it with: “Vent Stack. A device to provide positive pressure relief from the base of individual drain stacks having five or more branch intervals.”

C. Chapter 6 WATER SUPPLY AND DISTRIBUTION.

(1) In Section 603 WATER SERVICE, add new subsection 603.3 as follows:

“(a). Underground non-metallic water service piping shall be made detectable by the installation of tracer wiring that complies with Public Utilities Article, §12-129 of the Annotated Code of Maryland.

(i) The wire shall be an insulated copper tracer wire suitable for direct burial, at least 10 AWG, or equivalent. Insulation shall be 30 mil minimum thickness, HMWPE or HDPE polyethylene, and color-coded blue. The wire shall be installed in the same trench as the piping, tied or taped to the pipe every 5 to 8 feet in the 3 o'clock position or installed within 12 inches of the pipe in fill. One end of the wire shall terminate within five feet of the building served, at or above grade, accessible for use, and resistant to physical damage.

(b) Tracer wiring installations shall be tested by location with line tracing equipment upon completion of rough grading and again prior to final acceptance.”

(2) In Section 605 WATER SERVICE PIPE:

(a) In Table 605.3, under “Material,” delete “Type M” from “Copper or copper-alloy tubing”.

(b) In subsection 605.4 in the second sentence, add the words “and cold” after “hot”.

(c) In subsection 605.5, after the last sentence, add: “Push-Fit joints shall not be installed below grade.”

(3) In Section 606 INSTALLATION OF THE BUILDING WATER DISTRIBUTION SYSTEM, in subsection 606.2, number 2, after “sillcock,” add “hose bibb”.

(4) In Section 607 HOT WATER SUPPLY SYSTEM:

(a) In subsection 607.2, in the first sentence, delete “50” and replace with “75”.

(b) In subsection 607.3, add exceptions as follows:

Exception:

Instantaneous water heaters according to manufacturer’s instructions.

Hot water supply systems with water pressure tanks.

(5) In Section 608 ORITECTON OF POTABLE WATER SUPPLY, after Section 608.3.1, add new subsections as follows:

“(a) Connection to the potable water supply system for the following shall be protected against backflow:

(i) Operating, dissection, embalming and mortuary tables or similar equipment; in these installations, the hose used for water supply shall terminate at least 12 inches away from every point of the table or attachments;

(ii) Water closets equipped with flushometer valves or with flushing tanks with submerged float operated ball -cocks;

(iii) Seat-acting water closets;

(iv) Bed pan washers;

(v) Bidets;

(vi) Sterilizers with water supply connections;

(vii) Therapeutic baths with inlets below the rim of the fixture;

(viii) Water operating waste ejectors, such as used by dentists, undertakers and those who practice colonic irrigation;

(ix) Bathtubs with inlets below the rim of the fixture;

(x) Wash basins with inlets below the rim of the fixture;

(xi) Bar, soda fountain, or other sinks with submerged inlets;

(xii) Laundry trays with faucets below the rim;

(xiv) Sinks with faucets or water inlets below the rim and sinks with loose hose connections;

(xv) Dishwashing sinks or machines with water inlets below the rim;

- (xvi) Cuspidors with water supply connections;
- (xviii) Dental cuspidors with water supply connections;
- (xix) Hospital appliances generally, such as sterilizers, condensers, filters, stills, pipette washers, aspirators, and washers;
- (xx) Frostproof hydrants with underground bleed or automatic livestock watering devices;
- (xxi) Industrial vats, tanks, etc. of any description which have an inverted water supply connection, or a water supply connection below the top of the spill rim, or in which a hose filler is used;
- (xxii) Industrial water supplied process appliances with direct water connections;
- (xxiii) A rubber hose with hand control or self-closing faucets attached, as used in connection with baths, industrial vats, tanneries, etc.;
- (xxiv) Pressure water supplied sealing rings on sewage and sludge pumps;
- (xxv) Water supply for priming connections;
- (xxvi) Water supply (hot or cold) to laundry equipment;
- (xxvii) Condenser cooling connections for refrigeration and air conditioning machinery;
- (xxviii) Drains from fire sprinklers connected directly to sewers or wastes;
- (xxix) Steam tables;
- (xxx) Condensers;
- (xxxi) Stills;
- (xxxii) Aspirators;
- (xxxiii) Chlorinators;
- (xxxiv) Photographic developing tanks;
- (xxxv) Laboratory water faucets and cocks with serrated nipples or hose connections; and
- (xxxvi) Any other fixture or installation creating a similar hazard.

(b) Fixture inlets or valved outlets with hose attachments which may constitute a cross-connection shall be protected by an approved vacuum breaker installed at least 6 inches above the highest point of usage and located on the discharge side of the last valve. Fixtures with integral vacuum breakers manufactured as a unit may be installed in accordance with their approval requirements."

D. Chapter 7 SANITARY DRAINAGE.

(1) In Section 703 BUILDING SEWER, add new subsections that read as follows:

"(a) Building Sanitary Sewer Tracer Wiring. Underground building sanitary sewer non-metallic piping shall be made detectable by the installation of tracer wiring that complies with Public Utilities Article, §12-129 of the Annotated Code of Maryland.

(b) The wire shall be an insulated copper tracer wire suitable for direct burial, at least 10 AWG, or equivalent. Insulation shall be 30 mil minimum thickness, HMWPE or HDPE polyethylene, and color-coded green. The wire shall be installed in the same trench as the piping, tied or taped to the pipe every 5 to 8 feet in the 3 o'clock position or installed within 12 inches of the pipe in fill. One end of the wire shall terminate within five feet of the building served, at or above grade, accessible for use, and resistant to physical damage.

(c) Tracer wiring installations shall be tested by location with line tracing equipment upon completion of rough grading and again prior to final acceptance."

(2) In Table 710.1(2), replace the language of note "b." with "The size of the drain stack should be maintained full-size to its stack vent to provide the air associated with the high velocity drain flow that the vent stack is relieving at its base."

E. Chapter 8 INDIRECT/SPECIAL WASTE.

(1) In Section 802 INDIRECT WASTES, subsection 802.1.4, after final sentence, add "No outside deck drain or surface water drain shall enter sanitary sewer."

F. Chapter 9 VENTS.

(1) In Section 904 OUTDOOR VENT EXTENSIONS, subsection 904.3, after "outdoors," delete the remainder of the sentence.

(2) In Section 905 VENT CONNECTIONS AND GRADES, subsection 905.1, substitute the following text: "Individual vents, common vents, branch vents, and circuit vents should not be connected to vent stacks. They should connect to stack vents, other atmospheric vent piping, or be extended to an outdoor vent terminal. Air admittance valves may be used where permitted as set forth in Section 918."

(3) In Section 918 AIR ADMITTANCE VALVES:

(a) In subsection 918.3, omit second sentence;

(b) Omit subsection 918.3.1 in its entirety.

(c) In subsection 918.3.2, after "vent terminal for" omit, "vent stacks or"; and

(d) In subsection 918.8, omit the third sentence: "Air admittance valves shall not be used to vent sumps or tanks except where the vent system for the sump or tank has been designed by an engineer." The revised paragraph should read as follows:

"Air admittance valves shall not be installed in nonneutralized special waste systems as described in Chapter 8 except where such valves are in compliance with ASSE 1049, are constructed of materials approved in accordance

with section 702.5 and are tested for chemical resistance in accordance with ASTM F1412. Air admittance valves shall not be located in spaces utilized as supply or return air plenums. Air admittance valves shall not be installed on outdoor vent terminals for the sole purpose of reducing clearances to gravity air intakes of mechanical air intakes.”

G. Chapter 11 STORM DRAINAGE.

(1) In Section 1101 GENERAL, add new subsection 1101.10 as follows:

“(a) *Building Storm Sewer Tracer Wiring.* Underground building storm sewer non-metallic piping shall be made detectable by the installation of tracer wiring that complies with Public Utilities Article, §12-129 of the Annotated Code of Maryland.

(b) The wire shall be an insulated copper tracer wire suitable for direct burial, at least 10 AWG, or equivalent. Insulation shall be 30 mil minimum thickness, HMWPE or HDPE polyethylene, and color-coded green. The wire shall be installed in the same trench as the piping, tied or taped to the pipe every 5 to 8 feet in the 3 o'clock position or installed within 12 inches of the pipe in fill. One end of the wire shall terminate within five feet of the building served, at or above grade, accessible for use, and resistant to physical damage.

(c) Tracer wiring installations shall be tested by location with line tracing equipment upon completion of rough grading and again prior to final acceptance.”

H. Chapter 12 STORAGE PIPING AND STORAGE SYSTEMS

(1) In Section 1202 MEDICAL GASES, subsection 1202.1, omit Exception 2.

.03 Modifications to the International Residential Code.

A. Chapter 1, SCOPE AND ADMINISTRATION, omit PART 2—ADMINISTRATION AND ENFORCEMENT in its entirety.

B. Chapter 2 DEFINITIONS.

(1) Insert a new definition after the definition of “NOSING”. The new defined terms is: “NSF. The standards of the National Sanitation Foundation.”

C. Chapter 29 WATER SUPPLY AND DISTRIBUTION.

(1) In Table P2906.4, omit “Type M” under “copper or copper-alloy tubing”.

(2) In subsection P2906.4, add new subsection that reads as follows:

“P2906.4.2 Underground non-metallic water service piping shall be made detectable by the installation of tracer wiring that complies with Public Utilities Article, §12-129 of the Annotated Code of Maryland.

P2906.4.2.1 The wire shall be an insulated copper tracer wire suitable for direct burial, at least 10 AWG, or equivalent. Insulation shall be 30 mil minimum thickness, HMWPE or HDPE polyethylene, and color-coded blue. The wire shall be installed in the same trench as the piping, tied or taped to the pipe every 5 to 8 feet in the 3 o'clock position or installed within 12 inches of the pipe in fill. One end of the wire shall terminate within five feet of the building served, at or above grade, accessible for use, and resistant to physical damage.

P2906.4.2.2 Tracer wiring installations shall be tested by location with line tracing equipment upon completion of rough grading and again prior to final acceptance.”

(3) In subsection P2906.21, after the last sentence add, “Push-fit joints shall not be installed below grade.”

(4) Create new section P2914, PRIVATE POTABLE WATER SUPPLY SYSTEMS, that reads as follows:

“(a) 2914.1 General Requirements. Water well construction in the State of Maryland is regulated under authority of Title 9, Subtitle 13, of the Environment Article of the Annotated Code of Maryland and Chapter 26.04.04 of the Code of Maryland Regulations (COMAR). Additionally, non-community potable water systems are governed by COMAR Chapter 26.04.02. These regulations are herein adopted by reference.

(b) 2914.2 Quantity of Water Required.

(i) The quantity of water required shall be subject to the requirements in COMAR 26.04.04.04.p, which are adopted herein by reference.

(c) 2914.3 Secondary Water Supply Sources. Where the available primary source of water meets the requirement of subsection P2914(1)(a), one of the following secondary water supply sources shall be provided:

(i) a pressure storage tank of sufficient size; or

(ii) a gravity storage tank of sufficient size and a pressure booster pump system.

(d) 2914.4 Well Terminals. Well terminals shall be subject to the requirements of COMAR 26.04.04.07.5, which are adopted herein by reference.

(e) 2914.5 Interconnections.

(i) There shall be no connections between a private potable water supply system and a public water supply system.

(ii) No private water supply system shall serve more than one property unless approved by the Authority Having Jurisdiction.”

D. Chapter 30 SANITARY DRAINAGE.

(1) In Section P3003 MATERIALS, subsection P3002.2, add new subsections as follows:

“(a) *Building Sanitary Sewer Tracer Wiring.* Underground building sanitary sewer non-metallic piping shall be made detectable by the installation of tracer wiring that complies with Public Utilities Article, §12-129 of the Annotated Code of Maryland.

(b) The wire shall be an insulated copper tracer wire suitable for direct burial, at least 10 AWG, or equivalent. Insulation shall be 30 mil minimum thickness, HMWPE or HDPE polyethylene, and color-coded green. The wire shall be installed in the same trench as the piping, tied or taped to the pipe every 5 to 8 feet in the 3 o'clock position or installed within 12 inches of the pipe in fill. One end of the wire shall terminate within five feet of the building served, at or above grade, accessible for use, and resistant to physical damage.

(c) Tracer wiring installations shall be tested by location with line tracing equipment upon completion of rough grading and again prior to final acceptance."

E. Chapter 31 VENTS.

(1) In Section P3114 AIR ADMITTANCE VALVES, subsection P3114.8, omit the first sentence.

F. Chapter 32 TRAPS.

(1) In Section P3201 FIXTURE TRAPS, subsection P3201.2, omit subsection P3201.2.1.4 Barrier-type trap seal protection device.

[.03] .04 Limit on Lead Content.

A.—H. (text unchanged)

.05 Modifications to the 2018 International Fuel Gas Code.

A. Chapter 1, SCOPE AND ADMINISTRATION, omit PART 2—ADMINISTRATION AND ENFORCEMENT in its entirety.

[.05] .06 Modifications to the Liquefied Petroleum Gas Code, NFPA 58.

A. Chapter 1, SCOPE AND ADMINISTRATION, omit PART 2—ADMINISTRATION AND ENFORCEMENT in its entirety.

[A.] B.—[C.] D. (text unchanged)

[D.] E. Chapter 4 GENERAL REQUIREMENTS.

(1) [On page 58-14,] under Section 4.4 Qualification of Personnel, add new subsection 4.4.5 as indicated below:

"4.4.5 Persons installing LP-Gas service within the scope of this Code shall be qualified for the installation and operation of the containers, piping, and associated equipment for delivering LP-Gas to a building or structure for use as its fuel gas by being certified for Certification Areas 1.0, 4.1, and 4.2 of the Certified Employee Training Program (CETP) of the National Propane Gas Association."