



# PROPOSED RULE MAKING

## CR-102 (July 2022) (Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: August 23, 2022

TIME: 4:50 PM

WSR 22-17-153

**Agency:** State Building Code Council

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR** WSR 22-02-060 ; or

**Expedited Rule Making--Proposed notice was filed as WSR** \_\_\_\_\_; or

**Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

**Proposal is exempt under RCW** \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) WAC 51-56; Adoption and Amendment of the 2021 edition of the Uniform Plumbing Code

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
September 30, 2022	10:00 am	129 N 2 <sup>nd</sup> St; Yakima, WA 98901	Please access the meetings in-person, or via Zoom or Conference call. The Zoom link and phone are provided in the agenda at sbcc.wa.gov
October 14, 2022	10:00 am	1500 Jefferson St SE; Olympia, WA 98504	

**Date of intended adoption:** November 4, 2022 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: State Building Code Council  
Address: PO Box 41449; Olympia, WA 98504-1449  
Email: sbcc@des.wa.gov  
Fax:  
Other:  
By (date) October 14, 2022

**Assistance for persons with disabilities:**

Contact Annette Haworth  
Phone: 360-407-9255  
Fax:  
TTY:  
Email: sbcc@des.wa.gov  
Other:  
By (date) September 16, 2022

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The proposed rule adopts the 2021 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, with state amendments to incorporate proposed changes as adopted by the Washington State Building Code Council. The rules will provide increased clarity and life safety measures for building construction in Washington State.

**SUMMARY OF PROPOSED CHANGES**  
2021 UPC Amendments to WAC 51-56

WAC	Section	Changes in 2021	Rationale/Discussion
51-56		Replaces 2018 with 2021	Refers to the current model code.
51-56-003		Adds Appendix M to the adopted appendices.	<a href="#">21-GP2-038</a> proposed the adoption of Appendix M, Peak Water Demand Calculator, in the Washington state plumbing code. This appendix is proposed to be adopted as optional, not mandatory, allowing use of its provisions and guidance in the installation and sizing of potable water distribution systems within the state.
51-56-008		Modifies the implementation date.	The modification changes the implementation date to July 2, 2023.
51-56-0200	211.0	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
51-56-0300	301.3	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.

	312.6	Replaces the requirement for R-3 insulation with a reference to the Washington State Energy Code.	The proposed modification provides consistency with the energy code.
51-56-0400	408.4	Corrects section references and the water use for the shower.	Align the existing amendment with the model code language.
	411.2.1	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
	420.1	Deletes the existing amendment.	The existing amendment is no longer needed. The existing amendment eliminates some standards. New model code language is clearer.
51-56-0500	504.1	Corrects section references.	Incorporates renumbering in the model code.
	511.0	Deletes the existing amendment.	The existing amendment specifies that Section 511.00 is not adopted. The existing amendment is no longer needed because Section 511.0 is no longer in the UPC.
51-56-0600	603.4.9	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
	603.5.14	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
	606.5	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
	608.3	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
	608.5 (1)	Modifies the existing amendment.	Editorial modification; incorporates changes in the model code.
	608.5 (2)	Modifies the existing amendment.	This proposal is intended to provide a safe drainage of the T&P relief termination. Retaining full size and avoiding a reduction from crimping or crushing of the T&P line. A catastrophic event can occur with a crimped or crushed relief drain. ( <a href="#">21-GP2-021R</a> )
	608.5 (8)	Modifies the existing amendment.	Incorporates model code changes.
	609.9	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
51-56-0700	Table 703.2	Deletes the existing amendment.	The existing amendment is no longer needed; it is addressed in the model code.
51-56-0900	908.2.4	Deletes the existing amendment.	The existing amendment is in alignment with circuit venting indicating there is no required order of fixture placement. The deletion was recommended by the UPC TAG.
	911.1	Modifies the existing amendment.	The modification incorporates the newly adopted model code language.
	913.0 913.1 913.2 913.3 913.3.1 913.4 913.5 913.6 913.6.1 913.7 913.7.1 913.7.2 913.7.3 913.7.4	New sections pertaining to air admittance valves.	This proposal allows air admittance valves within the UPC. Section 913 is proposed as optional and will be effective if adopted by a local ordinance. <a href="#">21-GP2-057</a>
51-56-1100	1101.12.2 1101.12.2.1 1101.12.2.2 1101.12.2.2.1 1101.12.2.2.2 1103.0 1103.1 1103.2 1103.3 1103.4	New sections.	This proposal aligns the UPC with the requirements for rain loading on roofs in ASCE 7, and with the 2021 IBC rain load requirements. Without this change, secondary drainage systems could be undersized, which could result in damage to roofs and possibly, collapse. See detailed rationale here: <a href="#">21-GP2-100</a>

Note: Sections not listed on the table above remain as adopted in 2018 UPC.

**Reasons supporting proposal:** RCW 19.27.031 and RCW 19.27.074

**Statutory authority for adoption:** RCW 19.27.031 and RCW 19.27.074

**Statute being implemented:** RCW 19.27.031 and RCW 19.27.074

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Type of proponent:**  Private  Public  Governmental

**Name of proponent:** (person or organization) State Building Code Council

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Stoyan Bumbalov	1500 Jefferson St SE; Olympia, WA 98504	360-407-9277
Implementation:	Stoyan Bumbalov	1500 Jefferson St SE; Olympia, WA 98504	360-407-9277
Enforcement:	Local Jurisdictions		

**Is a school district fiscal impact statement required under [RCW 28A.305.135?](#)**

Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**Is a cost-benefit analysis required under [RCW 34.05.328?](#)**

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name: Stoyan Bumbalov  
Address: 1500 Jefferson St. SE, Olympia, WA 98504  
Phone: 360-407-9277  
Fax:  
TTY:  
Email: [sbcc@des.wa.gov](mailto:sbcc@des.wa.gov)  
Other:

No: Please explain:

**Regulatory Fairness Act and Small Business Economic Impact Statement**

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

**(1) Identification of exemptions:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.  
Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- |                                                                                                           |                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(b)<br>(Internal government operations)         | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(e)<br>(Dictated by statute)                                                                                            |
| <input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(c)<br>(Incorporation by reference)  | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(f)<br>(Set or adjust fees)                                                                                             |
| <input checked="" type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(d)<br>(Correct or clarify language) | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(g)<br>(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_\_.

Explanation of how the above exemption(s) applies to the proposed rule: The proposed rule adopts by reference the 2021 Uniform Plumbing Code with new and existing amendments. Many of the existing amendments are modified to incorporate changes to the model codes or to clarify language. There are three significant changes to the model code with economic impact. However, the model code changes are exempt under RCW 19.85.025(3) and RCW 34.05.310 (4)(c) and are not part of this report.

**(2) Scope of exemptions:** *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)): The proposed rule adopts by reference the 2021 Uniform Plumbing Code with new and existing amendments. Many of the existing amendments are modified to incorporate changes to the model codes or to clarify language. There are three significant changes to the model code with economic impact. However, the model code changes are exempt under RCW 19.85.025(3) and RCW 34.05.310 (4)(c) and are not part of this report.
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

**(3) Small business economic impact statement:** *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. For the 2021 code adoption cycle, the Council received six proposals. The UPC Technical Advisory Group (TAG) recommended approval of three proposals as submitted or as modified. The Council approved four proposals to be included in the CR-102. Only one proposal was identified by the proponent and the TAG as having a cost (increase) for compliance on businesses. However, staff research showed that Proposal #[21-GP2-100](#) is necessary to avoid conflicts between the International Building Code and the Uniform Plumbing Code. It increases the construction cost compared to the existing requirements in UPC. However, both codes are applicable for new construction, and if there is a conflict between IBC and UPC, the more stringent requirement would apply. Therefore, the cost will be driven by the IBC with or without 21-GP2-100.
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name: Stoyan Bumbalov  
 Address: 1500 Jefferson St SE; Olympia, WA 98504  
 Phone: 360-407-9277  
 Fax:  
 TTY:  
 Email: [sbcc@des.wa.gov](mailto:sbcc@des.wa.gov)  
 Other:

**Date:** August 23, 2022

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**Name:** Tony Doan

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**Title:** Council Chair

**Signature:**

