MEMORANDUM

TO: Regina Hanshaw, Ohio Board of Building Standards

FROM: Emily Kaylor, Regulatory Policy Advocate

DATE: March 14, 2016

RE: **CSI Review – Ohio Plumbing Code (OAC 4101:3-1-01 through 4101:3-15-01)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of 13 amended[1] and 2 new rules submitted by the Ohio Board of Building Standards for its statutorily-required five-year review. It was submitted to the CSI Office on January 3, 2017 and the comment period closed on January 18. No comments were received during this time.

The Ohio Plumbing Code provides standards for the design, installation, maintenance, repair, and inspection of plumbing systems in buildings. Contained in the rules are sections addressing definitions, fittings and fixtures, water heaters, drainage and waste, piping and storage, and liquid seal requirements. Changes are made to comply with the 2015 edition of the International Plumbing Code while also maintaining Ohio-specific revisions so that the code applies properly to our state's construction needs.

The Board did extensive early stakeholder outreach on these rules and thoroughly details the

[1] The 13 rules are being amended to the extent that the Legislative Service Commission requires the Board to rescind the rules and replace them with new rules of the same rule numbers.

changes made in the BIA and attached documents. The BIA identifies building owners, design professionals, contractors, and building department personnel as the impacted business community. If they wish to obtain an updated publication of the rules, the businesses must pay the publishers approximately $100. There are many time and monetary costs tied to the construction requirements detailed in the rules. The Board identifies 8 specific rule changes that will lead to a cost increase in construction. There are also costs for the section related to air and water testing of plastic pipe, specifically noting that water testing will take more time and money but is safer and more accurate. However, the Board also notes that some changes to the rules allow for regulatory alternatives and new materials for construction that should reduce costs in some circumstances. These rules are necessary to ensure uniform construction standards across the state while maintaining safe and sanitary buildings.

After reviewing the proposed rules and the BIA, the CSI Office has determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rule package is justified.

Recommendation

For the reasons explained above, the CSI office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio Board of Building Standards should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.