



# Minnesota Water Quality Association

*Representing the  
Water Quality Improvement Industry  
in Minnesota*

## Water Softener Assembly Could Be Prohibited Under Plumbing Code Proposal

When the Minnesota Plumbing Board meets December 10, the fate of the water conditioning industry in Minnesota will be decided. At that time they will accept Plumbing Code language suggested by MWQA – or reject it in favor of national code language in “UPC 2012.” UPC 2012 essentially prohibits assembly of water softeners by small businesses. It requires that all residential water conditioners installed in Minnesota be certified and tested to NSF/ANSI 44. To meet the standard, every water softener model must be manufactured to written standards and specifications and tested by a laboratory against those standards. The literature offered to the public must also be reviewed and approved by the laboratory or standards organization.

This is a drastic change in the Minnesota Plumbing Code – and inserts the State of Minnesota into the analysis of water softeners and consumer protection like it has never been before. To sell a water softener in Minnesota, it must be purchased from a large manufacturer – one who has the ability to develop a product line, select a few models for sale in Minnesota, and have them certified.

Surprisingly, the demand for this regulation does not come from the Department of Health or the Department of Labor and Industry. Neither has

articulated strong feelings in favor of the UPC 2012 water softening language. The demand is simply from a desire to standardize – to give up our Minnesota Code and accept a national code. In fact, the Department of Health and the Minnesota Pollution Control Agency have similar difficulty with the new code. They are suggesting many changes in areas where Minnesota has developed standards that are stronger, more practical or more appropriate for Minnesota.

The language developed by MWQA and accepted by a sub-committee of the Plumbing Board is a very significant increase in the regulation of our industry. It states that only a licensed Minnesota Water Conditioning Contractor or Plumber may assemble and take responsibility for a softener. If not, ANSI/NSF 44 will be required.

MWQA’s suggested language further requires all water softeners be labeled with the manufacturer or assembler’s name. It requires manufacturers and assemblers to certify that all the components have been tested to ANSI/NSF 61. While seemingly a minor requirement – it is not. The assembling dealer or plumber’s name will be on the unit for its life. Building officials will be able to ask about the materials of construction five years later – and whether a plumbing permit was issued.

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# MWQA Becomes First In State To Offer CEU for Water Conditioning



Minnesota Water Quality Association has taken the lead in offering Continuing Education Units (CEU) to water conditioning professionals for the first time. The session, presented at the annual MWQA meeting in October, was attended by more than 75 water treatment professionals. All obtained CEU credits required to meet state requirements to maintain their licenses. MWQA's goal is to make MWQA a provider for all required training for the required CEU in maintaining your license.

2014 will be a year focused on even a wider array of training topics. Training will be expanded to include approved CEU units for plumbers as well as setting up training sessions to provide assistance for those taking license tests for the first time.

As with all training topics, customer service is the underlying reason for any and all training. Being able to offer the best solutions for customers, in the most professional way, will always separate the Minnesota licensed contractors from all others. Looking forward to seeing you at the classes, and expanding our water treatment knowledge together in 2014.

## Thank You, Sponsors!

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Attendees were presented with certificates at the end of the seminar. New state regulations require proof of attendance via an online attendance system.



# WQA Modular Education Program Takes Practical Approach Toward Training



The Water Quality Association will soon be offering a new method for training and certifying water professionals. The Association's Modular Education Program (MEP), which will launch in 2014, is intended to mirror the precise POU/POE training needs of today's water treatment companies. The MEP was crafted with essential input from both certified and noncertified member personnel, along with a top learning design consulting company, Cognitive Advisors.

The MEP will combine theory with practice, with the goal of maximizing on-the-job performance. All material will be delivered online in "bite-sized" courses that are more manageable for full-time workers to integrate into their daily routine. Separate training plans will be available for employees at every level, including non-technical office staff, sales and marketing personnel, installers, service technicians and system designers.

"The new program will be more targeted toward solving realistic problems one might encounter in the field, beginning, in our Basics course, by addressing the precise questions a customer is most likely to ask," explains Dr. Tanya Lubner, WQA director of education and certification. "We've also included experiential testing requirements, showing that WQA-trained professionals can do more than pass a written test, they can actually do the job and do it well."

WQA will communicate more about the new MEP as the launch date draws closer. Questions about WQA's education and professional certification programs can be directed to Tanya Lubner at [tlubner@wqa.org](mailto:tlubner@wqa.org).

*Thanks to Larry Deutsch, Director of Communication at the national WQA, for this article.*

## Members Step Up to Assist MWQA's Legal Efforts

MWQA would like to thank the following dealers and suppliers who have pledged and/or donated during MWQA's second fund drive. Donations were solicited for MWQA's legal fund, and are used solely for expenses toward the plumbing code revisions in Minnesota. Contact Lori Jansen at MWQA if you need documentation for tax purposes.

*Thank you!*

**Haferman Water Conditioning, Burnsville**  
**Finken Water Solutions, St. Cloud**  
**aba Water Systems, Plainview**  
**Northland Water, Rosemount**  
**Commers Water, Minneapolis**  
**Sterling Water, Sauk Center**  
**Arrowhead Water, Cloquet**

# OSHA Making Changes to Hazard Labeling, MSDS

OSHA has revised its Hazard Communication Standards (HCS) to align with the United Nations Globally Harmonized System (GHS). What does this mean for those of us that may handle Hazmat or Chemical products?

We are all familiar with MSDS (Material Safety Data Sheets), and the requirements that go along with this in our work areas. MSDS is being replaced with SDS (Safety Data Sheets) and a new set of identifying pictograms with this change. The new SDS requirements will improve worker understanding of the hazards associated with chemicals in the workplace. These changes will be implemented beginning with employee required training, which was to be completed by December 1. The phasing in of all requirements is to be completed by June 1, 2016.

Contact your business insurance representative or local OSHA representative to obtain the required training material as well as to learn more about the upcoming changes. You can also visit OSHA's website at [www.osha.gov/dsg/hazcom/index.html](http://www.osha.gov/dsg/hazcom/index.html)

This website has a wealth of information to assist employers with the required training.

## *December 10 Plumbing Board Meeting to Address Water Conditioning Proposals*

The State Plumbing Board will hold a special PUBLIC meeting on Tuesday, December 10, at 9:30. This meeting will focus on review of proposed amendments to the Uniform Plumbing Code for possible adoption in Minnesota. (See article, page 1)

MWQA will have a strong presence at this meeting and is asking members to show their support of MWQA's proposals by attending. The meeting will be held at the Minnesota DLI offices in the Minnesota Room. Directions are available on the DOLI website at: [www.dli.mn.gov/Direct.asp](http://www.dli.mn.gov/Direct.asp)



## 2014 MWQA Board Meeting Dates

MWQA Board meetings are open to any member, and are normally held at Unco Data Systems in Minnetonka, Minnesota. Meetings begin at 9:30 and end by 11:30 a.m.

Friday, Dec. 13, 2013

January 24

February 21

March 28

April 25

May 16

June 20

July 25

August 15

September 19

October 17

November 21

December 19

Dates may change as other events are added to MWQA's calendar, so contact Lori Jansen at [info@mwqa.com](mailto:info@mwqa.com) prior to each meeting if you plan to attend.

# WQA Offers Guidance on Federal Lead-Free Legislation

The Water Quality Association is helping its member companies with important guidance regarding the new federal lead-free legislation. The three-year transition period for the Reduction of Lead in Drinking Water Act, enacted on January 4, 2011, will end on January 4, 2014, at which time all of the changes will become law. The Act covers the use and introduction into commerce of lead pipes, plumbing fittings or fixtures, solder and flux. In anticipation of these changes, the U.S. Environmental Protection Agency (EPA) has released a summary of the requirements of the lead ban provisions and some answers to frequently asked questions regarding the law.

**WQA is urging its member companies to seek legal counsel for all compliance-related questions that are not explicitly addressed in the information or references from the EPA provided in this article. Here are some additional points to keep in mind:**

## Applicability

Point-of-use and point-of-entry devices are subject to the Act's requirements. However, standalone, non-plumbed appliances or devices are not. The requirements of the law apply to residential and nonresidential facilities with plumbing that supplies water for human consumption, except for pipe that is used in manufacturing or industrial processing.

Any device installed prior to the Act's effective date—January 4, 2014, will be granted "grandfather" status. Pipes, fittings and fixtures installed prior to the effective date may also be repaired without losing said status. Provided that the piece remains in place, or is returned to the same location after being temporarily removed for repair, it will remain exempt from the provisions of the Act.

## Calculating Lead Content

The Act defines a product as "lead-free" if it contains lead levels no higher than 0.25%. Solder and flux are evaluated separately and cannot exceed 0.2% in lead content.

The average lead content in a product is calculated as follows: for each wetted component, the percentage of the lead in the component is multiplied by the ratio of the wetted surface area of that component to the total wetted surface area of the entire product. The weighted percentage of lead from each wetted component is added together, and the sum of these weighted percentages constitutes the weighted average of lead content in the product.

## Additional Resources

The EPA is also offering an informational handout to help companies identify products that are certified as lead-free. [Titled "How to Identify Lead-Free Certification Marks for Drinking Water System & Plumbing Materials,"](#) it explains the new law and details of the certification marks, in addition to other crucial information.



WQA offers lead-free testing and certification through its Gold Seal program. For more information on product testing and certification, call Tina Donda, WQA global business development manager, at (630) 929-2533 or [tdonda@wqa.org](mailto:tdonda@wqa.org).

Member companies with questions regarding lead-free implementation are encouraged to contact WQA's Regulatory and Technical Affairs Department by calling (630) 505-0160 or sending an email to Kimberly Redden at [kredden@wqa.org](mailto:kredden@wqa.org).

# Water Softener Assembly

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Jeff Hill, Chair of Governmental Affairs for MWQA, acknowledges the problem. “It pains business to accept additional regulation. But too much of the plumbing and water conditioning industry operates outside of the proper process. The response of the regulatory community to low compliance is often to increase the level of regulation, increasing the burden on those attempting to comply and further discouraging compliance from those unwilling. We would all be better served by a system with a higher level of compliance, a higher level of understanding of Code, and a higher level of understanding of our industry by regulators.”

Mike McGowan, the Water Conditioning member of the Plumbing Board, said, “A significant problem with UPC 2012 is the halt to innovation. The number of businesses successfully treating tough water problems in Minnesota has always been amazing – and their approach is widely varied. The approach to iron, manganese, hydrogen sulfide, etc. is a good example. From tough water on farms across Minnesota to large estates in the suburban Twin Cities, treatment varies by contractor, by water type and by dwelling size. Contractors are successfully innovating with multiple technologies -- multi-bed softening, fine mesh resin, air pump oxidation, oxidative media, counter flow regeneration, ozone and more. While the customers may be satisfied, we are a long way from agreement on a standard treatment that can be defined by a national board.”

The Water Quality Association was involved in the development of ANSI/NSF 44. It does serve as a tool for consumers to select equipment, and many manufacturers use it that way. It is unlikely, however, that those developing the standard intended that the plumbing code would require all water softeners be built and tested and literature approved by laboratories to that one standard.

One Plumbing Board member who favored the UPC 2012 language complained of small companies that do not properly size equipment. He hopes the UPC 2012 language will eliminate his bad competitors. MWQA does not feel, however, that the State of Minnesota is positioned to select the proper piece of equipment for each application. When MDH was in charge of plumbing they were very clear – they are here to protect public health. While DLI is more engaged in the business of consumer protection, the Department has not yet laid the groundwork in water treatment for that effort.

Industry members know there are problems consumers have with water treatment devices. Unfortunately, the proposed code language does not support consumer protection in this area. Non-traditional devices (magnets and exotic metals) are not regulated by this proposal. Since they make no claims that can be easily tested in a laboratory, no standards have been developed beyond health protection. Fraudulent technologies can give themselves a name other than water softeners, and be exempt from ANSI/NSF 44. In fact, many consumer frauds have been tested for safety – and proudly display their NSF label. MWQA language will at least allow building officials and consumers to see a label, noting the technology claimed and the party responsible for the construction of the device.

December 10 will be definitive. Stay tuned.

*Note: Tuesday's meeting is open to the public. See information and directions to DLI on page 4.*

*You can always find MWQA on Facebook, or join the conversations on LinkedIn. Just search for “Minnesota Water Quality Association” and like or join our page.*

