

**NATIONAL
STANDARD
PLUMBING CODE**

**Policies and
Procedures**



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National Association**



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**All inquiries or questions relating to interpretation should
be forwarded to**

Code Secretary

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1.0 HISTORY

Since its founding as the National Association of Master Plumbers in 1883, the Plumbing-Heating-Cooling Contractors–National Association (PHCC–National Association) has maintained a serious interest in plumbing standards, codes and good plumbing design practices. The Association published the “Standard Plumbing Code” in 1933 and furnished revised editions until 1942.

PHCC– National Association participated in the development of special standards for wartime plumbing and later was represented on the National Plumbing Code Coordinating Committee, whose work ultimately resulted in the adoption of A40.8 as a standard or model plumbing code in 1955.

In 1971, the PHCC–National Association published the National Standard Plumbing Code (NSPC) in order to provide local and state governments, code administrative bodies and industry with a model code, designed to ensure the proper installation of plumbing systems.

It was maintained on a yearly basis, following the proven basic principals necessary to protect public health and safety. The format and the sequence of the A40.8 have been utilized to provide for the maximum safety and convenience of users.

In 1980 the Code Committee composition was changed to include not only members of the contracting and engineering communities, but also members of the inspection community. Contractors, engineers and inspectors now comprise the National Standard Plumbing Code Committee.

The National Standard Plumbing Code was developed to provide general guidelines for the installation and operation of properly designed, acceptably installed, environmentally safe and sanitary plumbing systems.

It is the result of years of experience of many individuals and organizations acquainted with the latest technology, and knowledgeable in the design, installation and inspection of plumbing systems.

The primary goal of the NSPC is to continue to protect public health and safety by adhering to the basic principles in reviewing the application of new materials and technical advances in the industry.

2.0 COMMITTEE COMPOSITION

Membership on the Committee shall not be conditioned upon membership in any organization. In order to safeguard the public and to ensure the proper installation of safe plumbing systems, the undue influence of various vested interest groups must be avoided.

In order to ensure an effective balance in developing the Code, the Committee shall consist of an equal number of members representing the following:

1. Engineering community acquainted with the latest technology, to ensure proper design.
2. Contractors, familiar with field conditions and possible difficulty encountered in the installation of the various systems involved.
3. Code officials, responsible for the inspection and approval of plumbing systems.

The Committee, subject to the appeals procedure listed in Section 8.0, shall have the final vote on all proposals submitted for consideration.

3.0 SCOPE OF THE COMMITTEE

Participation, without financial obstacles in the Code development process, is open to any and all persons or groups interested or affected by the issues or activities addressed by the Code.

There are no fees required by this code for the approval or acceptance of materials or methods. To avoid the appearance of any possible conflicts of interest, this code references standards prepared by third-party agencies.

This scope is not involved in the development of specific standards related to the installation, composition, dimensions, and/or mechanical and physical properties of materials, fixtures, devices, and equipment used or installed in plumbing systems.

For that same reason this scope is not involved in the testing, certification or listing of any materials, fixtures, devices, and equipment used or installed in plumbing systems.

Those critical responsibilities are left to the many agencies specifically established for, and involved in, the development of material standards, and the testing of the products involved in plumbing systems.

4.0 CODE DEVELOPMENT CYCLE

The PHCC–National Association has established an 18-month Code development cycle as outlined below. This procedure is designed to ensure that the Code remains current and reflects the latest developments in technology and materials.

1. At the start of each Code development cycle, notice of the NSPC Public Hearing shall be published in trade publications and trade journals. The notice shall advise all interested parties and groups that the NSPC Committee will be accepting any and all proposed Code changes on or before a predetermined submission date for that cycle.
2. A public hearing will be held during each 18-month code change cycle. Any person shall be granted time to address the Committee on any proposed Code change that has been properly submitted in accordance with the requirements set forth herein.
3. The proponent of a Code change shall be permitted time for presentation to the Committee, to provide the rationale for the proposed change.
4. Respondents to the proposed change shall be permitted time for response.
5. The comment period shall be concluded when, in the opinion of the Committee chairman, all original testimony has been heard.
6. All items that require a decision by the Committee, shall be voted upon. At least a two-thirds affirmative vote of the Committee members at the meeting (including the Chairman), where a quorum is present, is needed for adoption by the Committee. This two-thirds requirement applies to adoption of all Code changes and materials standards
7. The Committee chair will vote on Code change proposals, including material standards adoptions, only in instances where such vote would affect the result of the Committee vote.
8. The National Standard Plumbing Code will be published every three years. A NSPC Supplement will be published during the intermediate 18-month code change cycle.

OPERATING PROCEDURES

5.0 CODE CHANGES

All proposed Code changes shall be received at the Code Committee office in Falls Church, Virginia, on or before the predetermined 18-month cycle deadline date and prior to the NSPC Public Hearing scheduled each year during each 18-month code change cycle.

1. All proposed changes shall be submitted on a form provided by the Code Committee.
2. The name of the proponent shall be given.
3. All information requested in the form shall be provided.
4. The section proposed to be revised shall be rewritten completely with new wording or change indicated.
5. All wording to be omitted shall be shown with a line drawn through the omitted words.
6. All new wording shall be underlined, and the reason for the changes and supporting information shall be given. (See attached form.)
7. If the Code change is a new section, the proposed new section shall be written with all the words underlined.
8. The reason for the added section and supporting information shall be given.
9. Upon receipt of the proposed Code changes, copies will be sent to the Committee for review as to proper format and sufficiency of required supporting information.
10. The review copies will be numbered and date stamped.
11. The Code Committee will hold a meeting prior to the Public Hearing in order to discuss and evaluate the effect any of the proposals will have on other Code requirements not addressed by the proponent.

12. If additional information is required of the proponent, the proponent shall be notified of the materials required.
13. Receipt of said required materials by the Committee is necessary before action can be taken on the proponent's proposed change.
14. Any revised submissions will contain the number of the original submission and a revised date.
15. The National Standard Plumbing Code office will prepare a loose-leaf binder with all submissions, in the order of the Codebook titled "Proposed NSPC Changes for the Pre-Public Hearing of (date of meeting)."
16. The National Standard Plumbing Code Committee will be provided new copies of all submissions, in the order of the Codebook, prior to the time of the Pre-Public Hearing.
17. All properly submitted Code changes shall be acted upon at the next Public Hearing.
18. If the above procedure cannot be followed by the proponent for any reason, the proponent may contact the Code Secretary at the above address, and after necessary correspondence, the Committee shall draft the proposal in the requisite format. NOTE: It should be realized that this substitute procedure may require at least two Committee meetings to allow for sufficient consideration of the proposed change. This need for due process may prevent the proposal from being acted upon at the next Public Hearing.

6.0 PUBLIC HEARING

An open Public Code Change Hearing will be held during each 18-month code change cycle, in which all members of the attending public with an interest in any proposal are guaranteed an opportunity to speak.

In the absence of clear Committee Operating Procedures, Roberts Rules of Order shall be utilized as the official procedural document.

Dates for Public Hearing meetings shall be established as required in Section 4.0 – Code Development Cycle.

All business to be conducted at the stated Public Hearing shall be listed in the agenda, which shall be publicly displayed at PHCC–National Association headquarters in Falls Church, Virginia.

There will be a standing motion to accept each proposed change, which must be seconded by a Committee member.

During discussion of a proposed Code change at the Public Hearing, amendments may be proposed to the Code change by members of the public or by members of the Code Committee. Approval of amendments is subject to vote by the Committee. Approval of proposed code changes as amended is subject to vote by the Committee.

The minutes of all public and private meetings shall be approved and signed by the NSPC Committee chair.

Each proponent who submitted a change is to have two minutes to speak when their change is brought to the floor. The next speaker will have one minute for rebuttal and then the proponent will have an additional minute to speak to those comments. After that time, the NSPC Chairman will control the questions and answers. Each proponent will be given the green light at the start of their two minutes and then at 30 seconds remaining they will be given the yellow light. On conclusion of his two minutes, the proponent is to be given the red light. For those speaking for one minute, they will be given the green light at one minute, the yellow light at 30 seconds and the red light at the conclusion of that minute.

Committee Voting Definitions

Accept: A proposal is accepted when it receives a 2/3 affirmative vote by the Committee for inclusion in the Code.

Defeated: A proposal is defeated if it fails to achieve a 2/3 affirmative vote for acceptance by the Committee.

Accept as Amended: A proposal is accepted as amended when an amendment is accepted by the Committee and the proposal, as amend-

ed, receives a 2/3 affirmative vote for inclusion in the Code. Proposed amendments can be made by anyone at the public hearing or in writing to the Code Secretary.

Accept in Part: A proposal is accepted in part when only one or more parts of the proposal receive a 2/3 affirmative vote by the Committee for inclusion in the Code.

Accept in Principle: A proposal is accepted in principle when the principle of a proposal is accepted by the Committee, but a different proposal addressing the same subject is accepted for inclusion in the Code. The proposal is accepted in principle based on the Committee action on another proposal.

Tabled: A proposal can be tabled by a 2/3 affirmative vote if the Committee cannot take conclusive action due to incomplete or missing data, lack of coordination, need for substantive changes, or other reason. The proposal remains tabled until the next year's public hearing, where if no action is taken again, it dies.

Withdrawn: A proposal can be withdrawn from consideration by the proponent, either in person at the public hearing or in writing to the Code Secretary.

Failed for Lack of a Second: A proposal fails if there is no second to accept the proposal.

7.0 CLOSED CODE MEETINGS OR PRIVATE SESSIONS BEFORE OR AFTER PUBLIC HEARING

All Committee meetings are to be conducted on a formal basis with an official agenda approved in advance by the NSPC Committee Chairman.

If a personal appearance before the Committee is desired, permission must be requested in writing 30 days prior to the meeting. Such a request must set forth the details of the business to be brought before the Committee.

Individuals invited or requested to address the committee, shall address the issue for which they are invited/ requested. Following such discussion, said individual is not permitted to participate in further committee discussion and will not be permitted to remain in the committee meeting. This restriction may be waived at the discretion of the chairman

The order of business at meetings other than the Public Hearing will be:

- A. Review of events since last meeting.
- B. Correspondence since last meeting.
- C. Consideration of items not previously completed or items up for reconsideration.
- D. Consideration of interpretations.
- E. Discussion about proposed Code Changes to be submitted to a public meeting under Committee auspices.
- F. Other business.

The Code Secretary will keep accurate minutes of all Committee meetings. The Chairman will review the draft minutes.

8.0 APPEALS

Directly and materially affected interests who believe they have been adversely affected by a final decision of the Committee involving a Code change, interpretation or material acceptance, or the lack thereof, shall have the right to appeal procedural actions or inactions of the Committee. An Appeals Panel will be established in such instances.

An appeal shall be filed in writing with the Code Secretary and shall be accompanied by the original submission and an official transcript of the relevant portions of the proceedings to which the appeal relates.

An appeal shall be filed within sixty (60) days of the issuance of a final decision of the Committee, inclusive of weekends and holidays. If the sixtieth day is a Saturday, Sunday or a federal holiday, then the next business day shall be considered the sixtieth day.

An appeal shall be considered timely filed if, and only if, the filing contains all of the aforementioned items and is postmarked with a United States postmark (Pitney-Bowes marks or other like marks are insufficient) on or before the last day for filing, including extensions, if any.

Extensions for appeals shall not be granted unless a written request for an extension is made to the Code Secretary stating the reasons therefore. The Code Secretary must receive requests for extensions at least five (5) days prior to the original expiration for the time for filing. The Code Secretary shall decide all requests for extensions within five (5) days of receipt of the request.

The Code Secretary shall not grant requests for extensions unless the Code Secretary, in his or her sole discretion, finds that reasonable cause exists.

Impending expiration of the time for filing shall not constitute reasonable cause, nor shall changes in personnel of the proponent. A finding that the procedures for the issuance of a final decision were not followed, or that after exercising due diligence the proponent was unable to obtain a transcript of the proceedings or other necessary materials, are examples of reasonable cause.

A grant of an extension shall be made in writing, signed by the Code Secretary and shall state explicitly the final date for filing. Proponents may not rely upon oral representations granting an extension. Grants of extensions may be delivered to the proponent by facsimile, or any other manner that the proponent may request for the delivery of a written instrument.

A decision to deny an extension shall be final and not subject to review.

A filing fee, as well as costs of the appeal, will be charged to the appellant. The cost of the appeal will be sent to the appellant thirty (30) days in advance of the appeal hearing. The appellant must pay all costs not later than two (2) weeks prior to the hearing. Appeal hearings will be conducted with regard to every properly filed appeal within six (6) months of filing.

The Committee shall select a group of nine (9) individuals representing contractor, engineer and inspection segments of the industry to serve as a pool of individuals who may serve on an Appeals Panel.

Once an appeal is filed, the group of nine (9) Appeals panelists shall select three (3) members, one of whom shall be from each segment of the industry (contractor, engineer and inspection) to serve an Appeals

Panel. The selection of the three (3) Appeals panelists shall occur within ninety (90) days of the appeal being filed with the Code Secretary, and none of the panelists may be current members of the NSPC Committee. Should a vacancy occur in the Appeals Panel, the remaining members of the pool shall select an appropriate replacement. The Appeals Panel shall set a date to hear appeals sixty (60) days from the selection of the panel.

The Appeals Panel shall notify all parties believed to be directly and materially affected by the appeals hearing, as well as all parties who expressed an interest, either through attendance at a hearing or the submission of written comments, in the Committee action that is the subject of the appeal. Any parties wishing to participate in the hearing must notify the Appeals Panel at least ten (10) days prior to the hearing. The appellant shall be allowed fifteen (15) minutes to present his/her case.

A five (5) minute period shall be allotted to other parties who have previously notified the Appeals Panel of their desire to address the topic under review.

The Appellant shall then be given five (5) minutes to respond to the comments of others. Members of the Appeals Panel may engage in open discussion and question participants at their discretion. The Appeals Panel shall review the procedures and the Committee actions regarding the action under appeal as to conformance with these procedures but not on the technical merits of the subject matter.

The Appeals Panel shall meet in private and base its decision on a majority vote. The Appeals Panel shall render its decision to the Appellant in writing on NSPC letterhead within thirty (30) days, stating findings of fact and conclusions and reasons therefore.

9.0 FREE CODE INTERPRETATIONS:

The NSPC provides complimentary Code interpretation service at no cost to all Code users. It is not unusual for manufacturers, designers, code officials, installers, and others to be confused, on occasion, by the meaning or intent of specific Code requirements.

Informal Code Interpretations

NSPC staff can readily address most Code interpretation requests, often working with a member of the NSPC Committee as needed to ensure accuracy. This service is provided during normal business hours.

Formal Written Interpretations

In some instances a caller may seek a Formal Written Interpretation from the Committee.

Formal Written Interpretations shall be requested in writing, including all necessary details and clear sketches, and should refer to the specific edition of the NSPC and Code Sections where interpretation is requested.

Requests involving a total installation layout will not be answered. If the matter is in contention between engineers, contractors, or the Authority Having Jurisdiction, the names and addresses of all involved shall be included. The Committee cannot arbitrate disputes and is limited to explanations of the intent of specific Code provisions.

Formal Written Interpretations shall be official only when answered with a written official response, provided on official NSPC letterhead.

The NSPC Committee members and the NSPC Code Secretary shall answer all requests within a thirty day period of time. If the consensus is not conclusive, the Committee shall initiate a conference call to resolve the matter and finalize the request within the parameters of the thirty-day time period.

10.0 ACCEPTANCE OF STANDARDS

A standard shall be considered approved for a specific plumbing use if it is cited in Table 3.1.3, Standards for Approved Plumbing Materials, Equipment, and Practices or cited in other appropriate sections of the Code. NSPC Committee policy is to evaluate material standards on the basis of material conformance with general Code requirements, that the material is defined by an acceptable consensus standard, consistent field performance, and/or actual experience.

As of May 2006, standards that affect products and materials must have been developed by a consensus process with public review. Proposed standards affecting products and materials that have not been developed by a consensus process will not be approved.

11.0 MATERIAL STANDARDS POLICIES

Whenever a new standard is proposed for addition to Table 3.1.3, Standards for Approved Plumbing Materials, Equipment, and Practices, or other appropriate sections of the Code, the proponent suggesting the new standard listing shall provide the Code Secretary with sufficient copies of the standard for Committee review. Standards shall cover the proposed use of the material, equipment, or practice in the Code.

Standards listed in Table 3.1.3 shall be updated during each code change cycle by proposed changes by the Code Committee. If an updated standard creates a conflict with the Code, the Code requirements shall prevail.

12.0 NATIONAL STANDARD PLUMBING CODE (NSPC)

The NSPC Committee shall review and approve the Code before it is made public. If the Code Secretary receives no response within two weeks after the Committee member receives the NSPC for review, this shall be considered an abstention by the member. The printing of the Code shall not be initiated prior to approval by the NSPC Committee.

NOTES



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