

**MICHIGAN STATE PLUMBING BOARD  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES**

P.O. BOX 30254  
Lansing, MI 48909

Mr. Robert L. Atkins, Kingscott Associates Inc.

**Petitioner**

**Appeal Docket No.**

CCC-PLBG-12- 011

vs

Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, Plumbing Division.

**Respondent**

**ORDER OF THE STATE PLUMBING BOARD**

**Background:**

On May 3, 2012, Mr. Andy Neuman, Assistant Chief of Plumbing Division, advised Mr. Andy Richter of Clark Construction Company of non-compliance that sewer clean outs were to be installed for the St. Johns High School sewer installations. Mr. Atkins requested an appeal to the code in his Application for Construction Code Appeal for St. Johns High School Sewer - Phase 3, 501 West Sickels St., St. Johns, Michigan. The designer stated they had designed the system in compliance with the Recommended Standards for Wastewater Facilities (commonly referred to as the Michigan 10 State Standards for Wastewater facilities). These 10 state standards are applicable for sewers on municipal property (commonly under the city streets right of way). They follow civil engineering design rather than plumbing code design.

**Procedural Findings:**

On consideration of the request dated June 19, 2012, from Mr. Robert L. Atkins, Kingscott Associates Inc., a hearing before the Michigan State Plumbing Board was held July 11, 2012, at the Upper Peninsula State Fairgrounds board meeting room, 2401 12<sup>th</sup> Avenue North, Escanaba, Michigan in accordance with the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, Section 125.1516.

Present were:

Mr. Robert L. Atkins	Representing	Kingscott Associates Inc.
Mr. David Jones, Board Chairperson	Representing	State Plumbing Board
Mr. Duane Branch	Representing	State Plumbing Board
Mr. Steve Busch	Representing	State Plumbing Board
Mr. Walter Maner	Representing	State Plumbing Board

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Mr. Curt McNitt	Representing	State Plumbing Board
Mr. Daniel Nixon	Representing	State Plumbing Board
Mr. Robert Konyndyk, Chief	Representing	Plumbing Division

**Issue:**

Do the installed manholes provide the same degree of access and cleaning of the sewers as the code required cleanouts? Mr. Robert L. Atkins, Kingscott Associates Inc., had designed the 8 inch sanitary sewer to have manholes every 400 feet and at change of directions rather than the required sewer cleanouts at major changes in direction and at every 100 feet per the Michigan Plumbing Code, 2009 Edition, Section 708.3.1.

**Findings:**

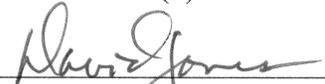
The petitioner stated that manholes would allow for line cleaning utilizing larger and more efficient drain line cleaning equipment. Further stated that the use of manholes would allow for mandrels to be pulled through the lines shortly after installation to assure the lines were circular rather than having excessive loads which would deform the line size. The Plumbing Division, acting as the enforcing agency, was seeking conformance to the code and rules clarifying the access process to the underground sewer. The code was changed by the rules process to allow cleanouts rather than the more expensive manholes for line access.

**Conclusions:**

Following a review of the submitted documentation, provided testimony, and division fact finding the board determined the design and installation would provide conformance equal to the intent of that prescribed in the code.

**Decision:**

**THEREFORE**, it is ordered that the request for relief from the requirements of the Michigan Plumbing Code, 2009 Edition, Section 708.3.1 be granted. Final approval of the sewer installation shall be conditioned upon the successful testing and video taping of the installation. A person aggrieved by this decision may petition the Construction Code Commission to review this decision in accordance with the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, Section 125.1516(2).

  
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 MICHIGAN STATE PLUMBING BOARD  
 David Jones, Chairperson

  
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 Date