



DEPARTMENT OF BUILDINGS

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November 20, 2000

Mr. Patrick J. Higgins
PJH & Associates, Inc.
305 East Patrick Street
Frederick, MD 21701-5614

Re: Geberit Concealed Tank Application Code IFGK-GD

Dear Mr. Higgins:

In response to your correspondence dated September 29, 2000, addressed to Mark Jahniewicz, Director of the Material & Equipment Acceptance Division of the Department ("MEA"), in which you ask for reconsideration of the above referenced MEA application, please be advised of the following:

1. After further consideration of the issues presented in your correspondence and supporting materials, we have concluded that the Geberit Tessera Concealed Tank & Carrier (Model Numbers 110.816, 111.816, and 110.826) (the "Tank") is appropriate for use;
2. Since the portion of the Tank installed behind the wall is considered an integral component of the Tank as a whole, it may be made of non-metallic materials such as plastic. See Technical Policy & Procedure Notice #2/98 ("TPPN 2/98");
3. The Tank does not require MEA approval. Materials which do not require regulation in the interests of public safety, health, and welfare do not require approval. See Building Code § 27-130. The current practice of the Department is to not regulate the design or construction of water closets unless such interests are implicated; and
4. The previous Departmental decision withholding approval for a similar water closet, as set forth in the letter sent to Mr. Alexander Lorenz by Anthony Lee on December 3, 1997, which was written prior to the issuance of TPPN 2/98, is hereby superceded.