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PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

March 6, 2002

Mr. Robert E. Nyce, Director
IRRC
333 Market Street, 14th Floor
Harrisburg, PA 17101

Dear Mr. Nyce:

We are writing to comment on the Department of Labor and Industry's Final Rulemaking on the Training and Certification Regulations of Code Administrators for the Uniform Construction Code. We have two outstanding concerns that we have discussed with L&I. L&I has indicated that our concerns will be addressed in pending regulations for the Administration and Enforcement of the UCC.

We do not entirely understand the purpose of the certification category "building code official" in Section 401.7(18) and we have asked L&I for clarification on this issue. It is not entirely clear from the regulations who will be required to obtain this certification. L&I has indicated that they will provide us with additional information on this issue.

Also, there is a technical oversight in Section 401.11(a) concerning third party agencies. This subsection states who may contract with a third party agency for services and municipalities were inadvertently left out. It is imperative that municipalities be able to contract with third party agencies to administer and enforce the UCC and the act itself gives them this authority. Confusion could result with this omission in the regulations. We have contacted L&I with our concern and they have indicated that they will address this issue in the Administrative and Enforcement portion of the regulations.

We are not asking that these Training and Certification regulations be denied because L&I has indicated that these issues will be addressed in future regulations that will be necessary before the UCC goes into effect. We felt that these concerns should be brought to your attention at this time and we will be sure to keep you informed of their status when the Administration Regulations are proposed.

Thank you for consideration of our comments on this important issue.

Sincerely,

Elam M. Herr
Assistant Executive Director

EMH:tmh

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