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From: Karrer, Paul [PKarrer@ase.org]
Sent: Monday, December 07, 2009 4:51 PM
To: IRRRC
Subject: BCAP Comments to Pennsylvania IRRRC on Reg. 12-89 - Adoption of 2009 IECC and IRC - 12.07.09
Attachments: BCAP Comments to Pennsylvania IRRRC on Reg. 12-89 - Adoption of 2009 IECC and IRC - 12.07.09.pdf

Importance: High

Dear Commissioners,

Pursuant to the IRRRC hearing on Thursday, December 10, please accept these written comments from me on behalf of the Building Codes Assistance Project (BCAP). Attached are written comments on Regulation 12-89, regarding the update of the Pennsylvania Uniform Construction Code.

Should you have any questions or require further clarification, please feel free to contact me directly.

Sincerely,

Paul Karrer

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BCAP Dedicated to the adoption, implementation,
and advancement of building energy codes

Independent Regulatory Review Commission
State of Pennsylvania
333 Market Street, 14th Floor
Harrisburg, PA 17101

December 7, 2009

RE: Comments of the Building Codes Assistance Project (BCAP) in support of Pennsylvania's adoption of the 2009 International Energy Conservation Code (2009 IECC)

Dear Commissioners:

The Building Codes Assistance Project (BCAP) supports the adoption of Regulation 12-89, which would adopt the 2009 IECC as the minimum statewide energy code for residential and nonresidential construction in Pennsylvania. We believe that the 2009 IECC – without weakening amendments – should be a fundamental part of the Commonwealth's energy future.

BCAP strongly urges rulemaking to regulate the code as an effective means for Pennsylvania to comply with the latest national model energy codes, as well as align it with the requirements of the American Recovery and Reinvestment Act (Recovery Act). The successful adoption and implementation of the 2009 IECC qualifies Pennsylvania for almost \$100 million in allotted State Energy Program (SEP) federal stimulus funding from the U.S. Department of Energy (DOE) (<http://www.energy.gov/pennsylvania.htm>). Moreover, the code will benefit the Commonwealth for years to come by reducing building energy consumption and pollution, increasing utility system reliability, creating a more comfortable living and working environment for Pennsylvania's citizens, and saving homeowners and businesses money in reduced energy bills, thereby stimulating the local economy.

However, Regulation 12-89 would also adopt the 2009 International Residential Code (2009 IRC), which includes an alternative energy compliance path to the 2009 IECC. DOE has determined that this path is not equivalent to the 2009 IECC and thus does not meet the requirements of the Recovery Act (http://www.energycodes.gov/news/irc_iecc_arra.stm). To avoid confusion within the building community and ensure the Commonwealth remains eligible to receive full Recovery Act funding, BCAP urges the Commission to further clarify that the residential energy chapter (Chapter 4) of the 2009 IECC is the sole path to demonstrate compliance with the energy standards of the Uniform Construction Code. To address this issue, DOE recommends either **a)** deleting the energy chapter of the 2009 IRC (Chapter 11) and replacing it with a reference to the 2009 IECC, or **b)** strengthening the 2009 IRC through the adoption of the amendments laid out in its analysis.

Building energy efficiency should be a central component of Pennsylvania's efforts to secure a stable and prosperous energy future. BCAP welcomes the opportunity to work with the Commonwealth's appropriate agencies in any way we can to support Pennsylvania's incorporation of the 2009 IECC for residential and nonresidential construction. We offer our assistance to plan training and other implementation activities, should you so desire.

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REVIEW COMMISSION

Regards,

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*A joint initiative of the Alliance to Save Energy, the Natural Resource Defense Council, and
the American Council for an Energy Efficient Economy*