

**BEFORE THE NEVADA STATE OFFICE OF ENERGY DIRECTOR**

**COMMENT/REPLY COMMENT INFORMATION FORM**

Rulemaking to adopt, amend, or repeal )  
regulations pertaining to Chapter 701 )  
of the Nevada Administrative Code related )  
to the conservation of energy in buildings, )  
including manufactured homes, adoption )  
of 2009 IECC pursuant to Nevada Revised )  
Statutes 701.220. )  
\_\_\_\_\_ )

Please complete the following information and submit this form along with your comments<sup>1</sup>:

Date of Filing: 11-11-11

Method of Filing: via Email  U.S. Postal Mail  Fax

Name of Person Commenting: Mark Hauenstein, P.E. LEED A/P CxA

Name of Organization (if applicable): Technical Designs

Address: 1150 Selmi Drive, Suite 505, Reno, NV 89512

Phone Number: 775-329-5044

Fax Number: 775-329-1360

Email address: markh@technical-designs.com

Do you wish to be placed on the email service list for this matter to receive any further notices? (Mark One)

Yes  No

Note: Submitted comments are part of the public record for the rulemaking and may be posted on the web.

<sup>1</sup> Please refrain from making any changes to this form. Thank you.

November 11, 2011

Nevada State Office of Energy  
755 N. Roop Street, Suite 202  
Carson City, NV 89701

Attention: Stacey Crowley, AIA  
RE: Regulations Regarding Adoption of IECC 2009 Standards

Dear Stacey:

I would like to make three comments regarding the current legislation, proposed amendments, and comments currently on file with the State Energy Office:

- ♦ I find the comments submitted by RECA on October 21, 2010 quite compelling for several reasons and I would like to highlight the following statements in the letter from Governor Jim Gibbons, dated March 23, 2009 to the US Office of Energy:
  - It is my understanding that Governor Gibbons accepted Federal Funds in the amount of \$34,714,000.00 and that acceptance was conditional on adopting the latest version of the IECC. Additionally, written assurances to the US Department of Energy state that the Nevada legislation has already passed requirements to meet the new energy conservation measures. (Ref discussion of NRS 701.220 para 1). I find any discussion of not adopting the current (IECC 2009) code difficult to consider without returning Federal funding.
  - I find the statement in the Governor's letter quite challenging – “**The 2009 IECC references ANSI /ASHRAE/IESNA Standard 90.1-2007 as an option for compliance with the commercial portion of the code.**” As a 20 year member of ASHRAE and a practicing professional engineer, I find the IECC a codified document and the ASHRAE Standard a reference standard. ASHRAE Standard 90.1 contains both performance based and prescriptive based compliance methods, but within ASHRAE there are many variations under the performance based model to reach compliance. Although IECC allows for the use of a performance based model (IECC 2009, Section 502), the complexities of software programs, interpretation of insulation values, applying degree days, etc. could make the training and review costly for local jurisdictions to administer. Most jurisdictions now accept some form of ComCheck as a prescriptive compliance method. Somewhere in the current legislation, it should be clearly stated what form of documentation will be accepted for the prescriptive method (similar in fashion the California Title 24 standard forms). Additionally, if a project is submitted under the performance based model, there should be some provision for local jurisdictions to recoup the additional time and effort needed for this type of submission.
- ♦ The State of Nevada has already embraced the LEED review methods and standards as part of the Building Construction process. Within the LEED Optimized Energy credit, the USGBC has the technical expertise to review the project based on the ASHRAE performance based standard. Would it be possible within the current considered legislation, to allow projects submitted under the LEED program that meet the minimum LEED energy requirements, to be in compliance with NRS 701.220?

- ◆ We need to remember that much of the State of Nevada is a blank canvas and improved energy efficiency within the building industry means a larger possible development footprint given the same limited resources of water and energy. We also need to keep in mind that in looking at the overall life cycle of a building 20% of the cost is the upfront construction and 80% is operation and maintenance over the life of the building. Short sighted decisions to save a fraction on the initial 20% can have a profound impact on the remaining 80% of the cost.

Sincerely,

Mark Hauenstein, P.E. LEED A/P CxA  
Principal  
Technical Designs  
Reno. NV