



GOVERNOR'S OFFICE OF ENERGY

NOTICE OF INTENT TO ACT UPON A REGULATION

LCB File No. R126-13

Notice of Hearing for the Adoption of Regulations of the Governor's Office of Energy

The Governor's Office of Energy ("GOE") will hold a public hearing at 1:00 p.m. on January 9, 2014, at 5484 Reno Corporate Drive, Reno, Nevada 89511. The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment or repeal of regulations pertaining to Chapter 701 of the Nevada Administrative Code ("NAC") and relating to the adoption of regulations for the conservation of energy in buildings, including manufactured homes; namely, adoption of the 2012 International Energy Conservation Code, pursuant to Nevada Revised Statutes ("NRS") 701.220.

The following information is provided pursuant to the requirement of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

The proposed amended regulation is needed to implement the latest version of the *International Energy Conservation Code* ("*Code*"), issued by the International Code Council, and any amendments to the *Code* that will not materially lessen the effective energy savings requirements of the *Code* and are deemed necessary to support effective compliance and enforcement of the *Code*.

2. Terms or substance of the proposed amended permanent regulations or description of the subjects and issues involved.

Please see the attached proposed changes to the regulation.

3. Estimated economic effect of the proposed amended permanent regulations on the business which it is to regulate and the public

A. Adverse and Beneficial Effects.

An analysis of studies conducted by the US DOE and other states revealed that the adverse impacts would include some general costs for design and construction businesses during the transition period including small businesses and building owners. However, it is also believed that the degree of those impacts will diminish during the code cycle and as the rules become familiar and construction practices adjust. Where the code requirement would increase the cost of a service or material, small businesses may see decreased revenue. Further, some jurisdictions in Nevada have already adopted the 2012 IECC therefore the proposed regulation will have no effect on small businesses in those areas.

Beneficial effects would include increased business for energy efficiency auditors, builders

and retrofit contractors that are small businesses. An opportunity also exists for small businesses where a code requirement requires additional services or building materials, the businesses supplying those services and materials may see increased revenue. Further, small businesses required to install IECC compliance materials, fixtures, and other compliant items will see positive effects from energy efficiency, lowering utility costs.

B. Immediate and long-term effects.

The adoption of the latest version of the IECC will benefit the public and the construction industry generally in the near and long-term by increasing energy efficiency.

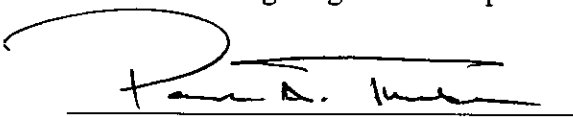
4. **The method in which comment was solicited from potentially affected small businesses.**
Technical advisory groups were formed in other states to include all sectors of the construction industry, regulatory community, code officials, and small businesses to review the 2012 IECC and the impact of the 2012 code to small businesses. An extensive review was conducted by these groups to address the code paragraph by paragraph. An analysis was conducted on the results from these studies from states with similar climate zones as Nevada.
5. **Estimated cost to agency for enforcement of proposed amended permanent regulations.**
It is undeterminable at this time if the proposed changes by the Governor's Office of Energy would present a significant increase in costs for enforcement in Nevada. However, there may be some additional administrative costs for local government building departments due to training and purchasing new versions of the code. Further, some local government entities in southern Nevada have already adopted the 2012 IECC; therefore the proposed regulation would have no effect on those entities.
6. **Regulations of other state or local governmental agencies which the proposed amended permanent regulations overlap or duplicate.**
The proposed amended permanent regulations may overlap regulations of local government entities who have already adopted the 2012 IECC. However, the regulations adopted by the director are required in order to implement the statewide minimum standard.
7. **If the regulation is required pursuant to federal law, a citation and description of the federal law.**
The regulation is not required pursuant to federal law.
8. **If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**
N/A.
9. **Whether the proposed regulation establishes a fee or increases an existing fee.**
N/A.

Persons wishing to comment on the proposed action of the Governor's Office of Energy may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form to the Governor's Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada 89701. Written submissions must be received at least ten working days prior to the above scheduled public hearing. If no person who is directly affected by this proposed action appears to request time to make an

oral presentation, the Governor's Office of Energy may proceed immediately to act upon written submissions.

A copy of this notice and the proposed permanent regulations to be amended will be on file at the Nevada State Library, 100 Stewart, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the proposed permanent regulations to be adopted and amended will be available at the Governor's Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada; and in all counties at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. The text of the proposed permanent regulations will include the entire text of any section of the Nevada Administrative Code, which is proposed for amendment or repeal. Copies will be made to members of the public upon request. A reasonable fee may be charged for copies if deemed necessary.

Under NRS 233B.064(2), when adopting any regulation, the Agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporation, and its reason for overruling the consideration urged against its adoption.


Paul Thomsen, Director

12/10/13
Date

PUBLIC HEARING AGENDA
For the Adoption of Permanent Regulations of the Governor's Office of Energy
LCB File Number R126-13

Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of order presented on the agenda or removed at the discretion of the chairperson.

Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend this meeting. Please call Emily Nunez at the Governor's Office of Energy at (775) 687-1850 ext. 7324 in advance so that arrangements may be conveniently made.

Please notify Emily Nunez at ehnunez@energy.nv.gov, or (775) 687-1850 ext. 7324 if you would like to request a written copy of the notice sent to you at no charge.

AGENDA

(Action may be taken on those items denoted "Action")

1. Call to Order.
2. Public comments and discussions* - Members of the public may comment on any matter posted on this Agenda, which is before the Director of the Governor's Office of Energy for consideration or action today. Please clearly state your name and spell your name for the record. Each comment may be limited to 3 minutes.
3. Review of the proposed amended regulation intended to implement the provisions of NRS

701.220, which authorizes the Director of the Governor's Office of Energy to adopt the latest version of the International Energy Conservation Code (IECC).

4. The Governor's Office of Energy will receive testimony from all interested persons and consider and take action on the proposed adoption of amendments, additions and deletions to the Nevada Administrative Code pertaining to the Office of Energy. (Action)
5. Public comments and discussions* - Members of the public may comment on any matter posted on this Agenda, which is before the Director of the Governor's Office of Energy for consideration or action today. Please clearly state your name and spell your name for the record. Each comment may be limited to 3 minutes.
6. Adjournment. (Action)

**No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.*

This notice of hearing and agenda has been posted on or before 9:00 a.m. on the third working day before the hearing at the meeting location, the Governor's Office of Energy principal office at 755 N. Rook Street, Carson City, NV, the Governor's Office of Energy website at http://energy.nv.gov/Programs/Building_Energy_Codes/, the Legislative Counsel Bureau's website for Administrative Regulation Notices at <http://leg.state.nv.us/App/Notice/A/> and the following locations:

Location	Address	City
Carson City Library	900 N. Rook Street	Carson City, NV 89701
Churchill County Library	5553 S. Maine Street	Fallon, NV 89406
Douglas County Library	PO Box 337	Minden, NV 89423
Elko County Library	720 Court Street	Elko, NV 89801
Esmeralda County Library	PO Box 430	Goldfield, NV 89316
Eureka County Library	210 South Monroe Street	Eureka, NV 89316
Humboldt County Library	85 East Fifth Street	Winnemucca, NV 89445
Lander County Library	PO Box 141	Battle Mtn, NV 89820
LV – Clark County	833 Las Vegas Blvd, N.	Las Vegas, NV 89101
Lincoln County Library	PO Box 330	Pioche, NV 89043
Lyon County Library	20 Nevin Way	Yerington, NV 89447
Mineral County Library	PO Box 1390	Hawthorne, NV 89415
Nevada State Library	100 Stewart Street	Carson City, NV 89701
Nevada State Office of Energy	755 Rook Street Suite 202	Carson City, NV 89701
Pershing County Library	PO Box 781	Lovelock, NV 89419
Storey County Library	PO Box 14	Virginia City, NV 89449
Tonopah Public Library	PO Box 449	Tonopah, NV 89049
Washoe County Library	7100 Pyramid Lake HWY	Sparks, NV 89436
White Pine County Library	950 Campton St	Ely, NV 89301
Legislative Bldg – Carson City		
Legislative Bldg – Las Vegas		

**PROPOSED REGULATION OF
THE DIRECTOR OF THE OFFICE OF ENERGY**

LCB File No. R126-13

December 2, 2013

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1-3, NRS 701.220.

A REGULATION relating to energy conservation; adopting by reference the *2012 International Energy Conservation Code*; and providing other matters properly relating thereto.

Section 1. Section 4 of LCB File No. R024-11 is hereby amended to read as follows:

Sec. 4. 1. The [~~2009~~] 2012 *International Energy Conservation Code* is hereby adopted by reference.

2. On or before July 1, 2015, and on or before July 1 of every third year thereafter, the Director will review the most recent version of the *International Energy Conservation Code*, including any amendments thereto, and will adopt by reference the most recent version of the *International Energy Conservation Code* and prescribe by regulation such amendments to the most recent version of the *International Energy Conservation Code* as the Director deems necessary to support effective compliance with and enforcement of the *International Energy Conservation Code* in this State.

3. The Director will post on an Internet website maintained by the Office the notice of adoption of the most recent version of the *International Energy Conservation Code*, the date of adoption and any amendments to the *International Energy Conservation Code* adopted by the Director by regulation.

Sec. 2. Section 5 of LCB File No. R024-11 is hereby amended to read as follows:

Sec. 5. The ~~{2009}~~ 2012 *International Energy Conservation Code* and any amendments thereto published by the International Code Council may be obtained from the International Code Council, 25442 Network Place, Chicago, Illinois 60673-1254, by telephone at (800) 786-4452 or at the Internet address <http://www.iccsafe.org>, for the price of ~~[\$26.50]~~ **\$31** for members and ~~[\$35.50]~~ **\$41** for nonmembers. The combined ~~{2009}~~ 2012 *International Energy Conservation Code* and *ANSI/ASHRAE/IESNA Standard* ~~{90.1-2007 for Commercial}~~ **90.1-2010: Energy Standard for Buildings Except Low-Rise Residential Buildings** may be obtained from the International Code Council for the price of ~~[\$123.00]~~ **\$132** for members and ~~[\$137.00]~~ **\$147** for nonmembers. Supplemental materials to the ~~{2009}~~ 2012 *International Energy Conservation Code* may also be obtained from the International Code Council.

Sec. 3. This regulation becomes effective on July 1, 2015.