



GOVERNOR'S OFFICE OF ENERGY

MINUTES
of the Hearing of the
GOVERNOR'S OFFICE OF ENERGY
on revisions to the International Energy Conservation Code (IECC) Adoption regulation
LCB file number R153-17

May 23, 2018

The Governor's Office of Energy held a public meeting on May 23, 2018, beginning at 1:00 PM, at the following location:

Elko City Hall – City Council Chambers
1753 College Avenue
Elko, NV 89801

- 1. Call to order:** The meeting was called to order at 1:02 PM by Director Angela Dykema.

This hearing is being conducted pursuant to NRS 701.220 subsection (5) to afford all interested parties a reasonable opportunity to comment upon proposed regulation R153-17 regarding the adoption of the most recently published version International Energy Conservation Code. Members of the public were asked to sign in and Director Dykema directed any person with written comments to provide them to Ms. Robin Isaacs, Governor's Office of Energy (GOE) staff. The Director identified that at the back of the room were handouts for today's hearing.

Introductions: Director Dykema introduced herself and Robin Isaacs, Program Manager who manages the building codes program.

Director Dykema explained the purpose of this hearing the process and the order of the hearing. Director Dykema also mentioned the 2018 IECC code trainings that are being held next month in Reno.

- 2. Public Comment and Discussion** (1st period): The Director opened item number 2 and asked if anyone in the room would like to provide public comment.

Melaunie Larreau with the City of Elko discussed her concerns with the enforcement of the codes at the local level. Ms. Larreau stated had a lot of people asks them, if the state adopts is there a law that requires all governing bodies to adopt as well and if there was any impact statement identifying the costs with adopting the 2018 codes. She said that there was something that came out of California stating that there were higher costs.

Director Dykema identified that the local jurisdictions are required by law to adopt the same standards as the State and they can adopt higher standards which may have been a reason for the additional costs. Director Dykema also said that we always include any impacts on our small business impact statement.

Ms. Larreau, Mr. Jeff Ford and Director Dykema discussed what authority the State has to enforce the adoption at the local level if there is a jurisdiction that does want to follow the State. The enforcement of the adoption is not something that is within the States purview, there is nothing that the Governor's Office of Energy can do to penalize the non-adoption. The enforcement must be done at the local county or city level and fortunately the State is seeing a move towards the 2018 adoption across the majority of the local jurisdictions.

Ms. Larreau also discussed how there must be amendments to the 2018, like in Salt Lake County, they adopted the 2015 with amendments because they simply can't build to the 2015 in some jurisdictions.

Mr. Jeff Ford asked when the State would be adopting this code.

Director Dykema stated that the amendment to adopt the most recent version is happening today. The Governor's Office of Energy will adopt the amendment under agenda item number 5 and then it will officially be adopted by the LCB.

Ms. Larreau discussed her concerns with the adoption of the family of I codes to be aligned together at the local level. She is concerned that with the adoption of the 2018 IECC there may be conflicts with the IFC or IBC code books, as well as the others. Ms. Larreau discussed how the State Fire Marshall adopts the IFC, the IBC and is currently on the 2012 and is concerned in the future adoptions. Director Dykema asked some clarifying questions and will be looking into whether the adoption of the 2018 IECC will conflict with the State Fire Marshalls adoption of the other building codes. There is a potential that when the Governor's Office of Energy adopts the most recent version of the Energy codes, the other codes won't be updated and adopted at the same time. There was discussion between Mr. Ford, Ms. Larreau and Director Dykema regarding how long the adoption of the Energy Codes has been in place.

Agenda Item no 2 was closed and agenda item no 3 was opened

3. Review of the Proposed Amended Regulation:

This hearing is held to propose 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; namely, adoption of the most recently published version of the International Energy Conservation Code, pursuant to NRS 701.220. We've provided in the handout materials, a copy of LCB file #R153-17 to reflect the following proposed changes:

- Section 1: Changes to the adoption of the most recently published version pursuant to NRS 701.220, unless notice is given that it is not suitable in this State; Also adds provisions from NAC 701.187 concerning the availability of the IECC and sets forth the process by which the Director may determine that a version is not suitable for this State.

There is an additional proposal for change in section 2 to remove the price, so it refers to as available so we don't have to revisit this every year going forward.

- Section 2: Repeals NAC 701.187 which has now been added to subsection 2 of NAC 701.185.

Agenda Item no 3 was closed and agenda item no 4 was opened

- 4. Adoption of Proposed Regulation:** The Director adopted LCB File Number R153-17 amending NAC 701 and the 2018 International Energy Conservation Code is hereby adopted in the State of Nevada.

Agenda Item no 4 was closed and agenda item no 5 was opened

- 5. Public Comment and Discussion (2nd period):** The Director opened agenda item number 5 and asked if anyone in the room would like to provide public comment. There was none provided.

The Director noted that this is the final of the three hearings required, the first held on May 10 in Reno, May 17 in Las Vegas and today the regulation is hereby adopted. The next steps will be to submit the proposed regulation to LCB for final adoption and upon approval the final adoption date will be July 1, 2018.

Agenda Item no 5 was closed and agenda item no 6 was opened

- 6. Adjournment:** Director Dykema adjourned the meeting at 1:21 PM