

## Energy Sub-Workgroup Meeting Summary

May 19, 2022 - 9:00 a.m. – 10:58 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

### ATTENDEES:

#### **VA Department of Housing and Community Development (DHCD) Staff:**

**Jeff Brown:** *Director, State Building Codes Office (SBCO)*

**Richard Potts:** *Code Development and Technical Support Administrator, SBCO*

**Paul Messplay:** *Code and Regulation Specialist, SBCO*

**Jeanette Campbell:** *Administrative Assistant, Building and Fire Regulations (BFR)*

#### **Sub-Workgroup Members:**

**Andrew Clark:** *Homebuilders Association of Virginia (HBAV)*

**Chelsea Harnish:** *Virginia Energy Efficiency Council*

**Eric Lacey:** *Responsible Energy Codes Alliance (RECA)*

**K.C. Bleile:** *Viridiant*

**William (Bill) Penniman:** *Sierra Club – Virginia chapter*

#### **Other Interested Parties:**

**Ben Rabe:** *New Buildings Institute*

**Jack Avis:** *Avis Construction, Virginia Contractor Procurement Alliance (VCPA)*

**Laura Baker:** *Responsible Energy Codes Alliance (RECA)*

**Matt Benka:** *Virginia Contractor Procurement Alliance (VCPA)*

**Michael Redifer:** *Representing himself, assisting Jack & Matt (VCPA) in the process*

**Neil Palmer:**

**Ross Shearer:** *Virginia citizen*

#### **Sub-Workgroup Members not in attendance:**

**Andy McKinley:** *American Institute of Architects (AIA), Virginia*

**Bettina Bergoo:** *Virginia Department of Energy*

**Brian Clark:** *Habitat for Humanity*

**Corey Caney:** *International Association of Electrical Inspectors (IAEI), Virginia*

**Ellis McKinney:** *Virginia Plumbing and Mechanical Inspectors Association (VPMIA)*

**Jeff Mang:** *Polyisocyanurate Insulation Manufacturers Association*

**Jim Canter:** *Virginia Building and Code Officials Association (VBCOA)*

**Maggie Kelley Riggins:** *Southeast Energy Efficiency Alliance*

**Steve Shapiro:** *Apartment & Office Building Association (AOBA), Virginia Apartment Management Association (VAMA)*

## **Welcome & Introductions**

Richard Potts: Welcomed the attendees and thanked them for their participation. DHCD staff was introduced. The proposals will be voted on by the Sub-workgroup members for support or non-consensus. If the Sub-workgroup is in support of a proposal, the proponent will be asked if they would like to add the Sub-workgroup as a co-proponent before submitting to the General Workgroup for consideration.

Sub-workgroup members introduced themselves.

## **Carried over proposals from May 12, 2022**

### **REC-R402.4-21**

Bill Penniman: This proposal is to bring air leakage level down to 3 air changes per hour (ACH). The air leakage level of 3 ACH has been around for many years, but not yet adopted by Virginia. There was some discussion since the last group meeting with Andrew Clark and his constituents, and while consensus was not reached, he hopes there will be more discussion before the General Workgroup meets in June.

Laura Baker: Her proposal (R402.4.1.2) does essentially the same thing. She does support this proposal to bring Virginia up to the 2021 IECC standards.

Richard: Asked for a vote, which resulted in thumbs up from Bill Penniman, Chelsea Harnish and Eric Lacey. Andrew Clark voted thumbs down and KC Bleile abstained. This proposal will be marked as non-consensus.

### **EC-C407.6-21**

Bill: This is a zero energy proposal, which provides the opportunity to activate the appendix. If the appendix is activated, there is a credit given. He asked Richard what would be the best way to further discussions and suggest language that might meet with consensus before the Workgroup meeting.

Richard: Use public comment on cdpVA and email to Sub-workgroup members.

Eric Lacey: The idea is to have language that would give the option of a net zero building, while not requiring it.

Ben Rabe: NBI was instrumental in getting the appendix into the code and wants it to move forward.

Richard: Hearing no further discussion, a vote resulted in Eric, KC and Bill showing thumbs up. Andrew Clark voted thumbs down and Chelsea abstained. Non consensus.

### **REC-R402.1.2(1)-21 and REC-R402.1.2(2)-21**

Laura: This proposal (1) brings wall insulation up to the 2021 IECC standards. She met with builders on Monday and is still open to further discussions before the Workgroup meeting in June.

Richard: Since Bill has a similar proposal (2), the group can discuss both at the same time.

Bill: Agrees with Laura, Virginia is behind and this would catch up to the 2021 IECC. He's also open to discussion.

Andrew Clark: This proposal garners the most concern from the home builder industry. There's a cost estimate in the proposal of about \$735, but builders think it's more like \$10-15k. There was some discussion about redesigning homes, which is a secondary concern. DOE data shows homes built after 2000 are affordable for people and the energy cost burden is not on them. This proposal would be costly.

Ben: The homes would be energy efficient for lower-income people to purchase down the road.

Richard: Hearing no further discussion, (1) and (2) will be marked non-consensus.

### **REC-R402.4.1.2-21**

Laura: This is the proposal that's similar to Bill's R402.4 with incremental improvements and some requirements being relaxed.

Richard: Hearing no further discussion, a vote resulted in thumbs up from Bill, Eric and Chelsea. Andrew voted thumbs down. Non-consensus.

### **REC-R403.3.3-21**

Eric: This proposal eliminates the exception for duct testing for leakage in air-conditioned space. It would be required, but would allow twice the amount of leakage in conditioned space than in non-conditioned space. The

building cavities can be used as ducts in certain circumstances, as per the Virginia Residential Code.

Andrew: Supports this proposal.

Richard: Hearing no further discussion, a vote resulted in all thumbs up from the Sub-workgroup members. This proposal will be supported by the Sub-workgroup.

#### **REC-R1104.2**

Bill: This proposal is the first of three for EV readiness and applies to single-family, two-family and townhouse dwellings. It would require wiring for charging stations, leaving the option to owners to install chargers if wanted. There's been some resistance from utilities in providing all the energy required. He would be ok with just having a space without wires as an alternative.

Andrew: There's non-consensus now, but he hopes to get consensus before the Workgroup meeting. If pending projects already have a load letter from the electrical power provider, it may cause a problem for them if this proposal is adopted.

Bill: If only the conduit was installed with no wiring, it wouldn't affect the load letter.

Andrew: Dominion is one piece of it, but there are co-ops to consider as well.

Bill: It does give the customer an option to make their life easier and cheaper if there's a space available, and he decides later to add a charging station.

Andrew: Asked if this can go forward with no vote from the Sub-workgroup so that there's not a non-consensus decision.

Richard: This can go forward as 'no decision' from the group.

Jeff Brown: The summary will capture discussions and say that the stakeholders are still working on it. The summary won't indicate support or non-support.

Andrew: That would be a good solution for all the EV proposals.

Bill: Agreed.

Richard: If there is additional language or public comment, notify DHCD so it can go in as a floor amendment in the Workgroup meeting.

Andrew: After the June Workgroup meeting, but before the BHCD meeting, can there be other changes?

Jeff: No changes can be made to the proposals after the workgroup meetings, but if there's an agreement worked out, it can be provided to DHCD and will be included in the information given to the BHCD for consideration when they review the proposals at their September meeting.

#### **EC-C405.10**

Bill: This proposal is for multi-family units. There was some discussion at the last meeting, and he amended the language based on feedback. He added EV ready and EV capable spaces in addition to EV installed spaces. He changed some numbers to show 10% EV installed, 10% EV ready and the rest EV capable. He also added language about load management maximum total. He would like to continue discussions with stakeholders before the Workgroup meeting, with no vote from the Sub-workgroup today.

#### **EC-C405.11.1**

Richard: This EV-related proposal will go forward with no vote from the Sub-workgroup, while stakeholders continue discussions.

{Break: 10:00-10:05}

#### **EC-C403.7.7**

Richard: This proposal is from Richard Grace, who is not in the meeting today. It clarifies the language to prevent dampers from being installed where there's a grease duct serving a Type 1 hood. Hearing no further discussion, a vote resulted in abstentions from Eric, Chelsea and Andrew. Since there was no support or non-support, this will go forward with no position from the Sub-workgroup.

**EC-C405.13(3)**

Ben: He would like to continue discussions with stakeholders before the Workgroup meeting, with no vote from the Sub-workgroup today.

**EC-C405.13(2)**

Ben: He would like to continue discussions with stakeholders before the Workgroup meeting, with no vote from the Sub-workgroup today.

**EC-C502.3**

Ben: This proposal is about additional energy efficiency credits for alterations. He was hoping to get feedback from Andrew.

Andrew: Hasn't looked at it yet.

Richard: Asked Ben if he wanted to have a vote or no-vote from the Sub-workgroup today.

Ben: Asked Andrew if he would abstain from voting today and voice his opinion at the Workgroup meeting if he reviews the proposal before then.

Andrew: He is willing to abstain from voting today and review the proposal before the Workgroup. He also asked if this proposal could go forward with no vote from the group today, as they are doing with the EV ones.

Jeff: Either option works.

Richard: Advised that the Sub-workgroup could vote in support today, with Andrew abstaining, and the proposal would go to the Workgroup with the support of the Sub-workgroup. However, if Andrew reviews the proposal and decides to vote in opposition to it at the Workgroup, it would go to the BHCD as non-consensus.

Ben: Asked for a vote.

Richard: The vote resulted in 4 thumbs up from Chelsea, Eric, KC and Bill. Andrew abstained. This proposal will go forward as supported by the Sub-workgroup.

**RB113.1-21**

KC: This proposal is intended to clarify the existing code by adding the words "provisions and" to item #6. It was originally brought up by one Code Official, and KC has also asked other Code Officials, who support this.

Andrew: Would like to meet with KC on Monday to discuss the proposal further.

Richard: No vote or decision from the Sub-workgroup today. Discussions with stakeholders will continue.

**EB805.2**

Ben: This proposal is for duct testing requirements in alterations. He was waiting for Andrew to review it, but he would like to proceed with a vote if Andrew hasn't had a chance to review it yet (same as proposal-EC-C502.3).

Andrew: Agrees, and will abstain from voting today.

Richard: The vote resulted in 4 thumbs up from Chelsea, Eric, KC and Bill. Andrew abstained. This proposal will go forward as supported by the Sub-workgroup.

**EB805.3**

Ben: Same as EB805.2 for additions instead of alterations.

Richard: A vote resulted in Chelsea, Eric, KC, Bill giving thumbs up. Andrew abstained. This proposal will be supported by the Sub-workgroup.

**EB805.3(2)**

Ben: This is a commissioning requirement, which is already in new buildings, but this is for alterations.

Richard: A vote resulted in Chelsea, Eric and Bill giving thumbs up. Andrew and KC abstained. This proposal will be supported by the Sub-workgroup.

### **EC-C1301.1.1 withdrawn in favor of EC Appendix CB**

Richard: This proposal was going to be presented last week, but Matt was not able to join the meeting. The DHCD staff has the same proposal, due to legislature directing the BHCD to consider it.

Matt: This simplifies building construction and will help to make Virginia more competitive.

Jack: Appendix CB limits it to the building envelope. A metal building would require R19 in the roof with R5 insulation block and R13 in the walls. Added B group (or areas with large warehouse but only a few offices), which would have to meet current code requirements.

Richard: This proposal and 1301.1.1(2) (from the DHCD staff) are for building use exceptions. EC401.2(2) is a companion proposal to appendix CB, which triggers use of the appendix. However, it can be removed because it's not needed.

Michael Redifer: It was to trigger the use of the appendix, but its cleaner the way DHCD did it. Withdraw 401.2(2).

### **EC-C1301.1.1(2) consensus to not support**

### **EC-C401.2(2) withdrawn in favor of EC Appendix CB**

Richard: This will be withdrawn; added Section 402.1.6 to the IECC instead.

### **EC-Appendix CB move forward with no decision**

Eric: This is better than the wider exception. Occupancy classifications are broad, covering buildings that are multi-purpose use. He's a "no" right now, and would still like to work on it because it's not specific enough. Also, it only brings the code up to the 2006 IECC standards, which is not enough.

KC: Agrees with Eric. Particularly, utility and miscellaneous occupancies are too broad. Also non-consensus.

Bill: Is also a "no" right now. In favor of continuing to work on it.

Matt: Will continue to work on it, and welcomed others to join the discussions.

Richard: No vote or decision from the Sub-workgroup today. Discussions with stakeholders will continue.

### **Next steps**

Richard: Thanked everyone for their time and participation. The General Workgroup meeting for energy proposals will be June 9<sup>th</sup>. Any existing building code proposals discussed will be heard in the General Workgroup meeting on June 8<sup>th</sup>.