

Illinois Energy Conservation Advisory Council Meeting Meeting Minutes December 3, 2015

Council Members In Attendance:

Lisa Mattingly, Chairman, Capital Development Board
Allen Drewes, Old Towne Custom Builders, Inc.
Bruce Selway, IL DCEO Office of Energy & Recycling
Bruce Maxey, AIA/BLDD Architects
David Wytmar, Groundwork, Ltd.
Don Plass, Building Code and Fire Academy
George Patterson, Bennett & Brosseau Roofing, Inc.
John Meek, Felmley-Dickerson Company
Tom Ayers, City of Rock Island
Ryan Nation, Hanson Engineers
Tom Buchheit, BRiC Partnership
Jason Huelsmann, Home Builders Association of Greater Southwest Illinois

Others in Attendance:

Tracy Butler, Home Builders Association of Greater Southwest Illinois
Isaac Elencave, MEEA
Darren Meyers, International Energy Conservation Consultants LLC
Jeff Mang, Polyisocyanurate Insulation Manufacturers Association (PIMA)
Chris McTaggart, Building Efficiency Resources
Brad Babcook, CIC IL
Jerry Grant, DuPage County
Nate Kleist, Energy Diagnostics
Sean Lintow, Sr., SLS Construction & Building Solutions
Bill McHugh, Chicago Roofing Contractors Association (CRCA)
Elizabeth Scanlan, City of Chicago
Tim Schmitz, International Code Council
Margaret Vaughn, CRCA
Bill Ward, Home Builders Association of Illinois
Don Nelson, D.R. Nelson and Associates
Troy Wormley, W.B.R. Roofing Inc., CRCA Board of Directors

Chairman Mattingly called the meeting to order at 1:32 pm.

Chairman Mattingly took roll call of the council members. She then asked for introductions of others in attendance.

Chairman Mattingly asked for approval of the April 20, 2015 meeting minutes. Mr. Ayers moved the minutes be accepted as submitted and Mr. Plass seconded. No nays were heard. Motion carried.

Chairman Mattingly explained that this meeting was to get feedback from our Council on issues that were raised with the Joint Committee on Administrative Rule (JCAR) during Second Notice. JCAR specifically asked that the Council evaluate the proposals raised by CRCA. However, CRCA withdrew their comments earlier in the day so Agenda Item #4 which was to discuss CRCA's proposals was removed from the agenda.

Discussion was then moved to Agenda Item #5, the effective date of the code. Mr. Ayers made a motion to disapprove extending the effective date from January 1, 2016 to July 1, 2016, meaning the effective date would remain January 1, 2016. Mr. Wytmar seconded the motion.

Mr. Plass stated that he sent a letter to JCAR regarding the effective date because there are many builders and code officials that do not know this is coming. There has not been a chance to provide training. He believes that extending the effective date will be for the betterment of implementing the code.

Mr. Selway stated that in the past DCEO has been able to do code training prior to the implementation date of a new code. DCEO has not been able to that this year because of the budget issues. Code officials and others will be better prepared to enforce the code if there is training available prior to the implementation date. There has been no free training from the state this year as there has been in the past.

Mr. Elencave asked if there was an overlap period which creates an effective date but allows for a grace period before enforcement of the code is actually required. He said that other states do this. He also asked what would prevent the effective date being moved again if training still wasn't available in the spring. Chairman Mattingly stated that if the effective date is in the current rules then it could not be changed expect through another rulemaking process.

Mr. Babcock stated that there may never be money for training.

Mr. Ayers stated that the State is currently on 2012 IECC and all the I-codes are tied together. In delaying the implementation of the 2015 IECC it could cause coordination problems in many jurisdictions.

Mr. Huelsmann stated that the biggest changes between the 2012 IECC and the 2015 IECC for the homebuilders, is the basement wall insulation. Most of the other changes are not that significant.

Mr. Selway stated that he believes imposing another code without training will continue to cause compliance problems.

Mr. Huelsmann said that many of the inspectors in his area have been trained and have no concerns about building to the 2015 IECC. The problem lies with the municipalities that are just not enforcing the code. Mr. Ayers stated that he thinks they are getting 50% compliance in his area. Mr. Huelsmann thinks it's less in his area. They both agree that going to the 2012 was difficult. The 2015 will be much easier.

Mr. Wytmar also agreed with this. He also said that being consistent with the three year cycle seems to work better. If we wait, then it puts us that much closer to the publication of the next code. Mr. Meek said January 1 seems to be reasonable. Mr. Drewes said all of the homebuilders in his area have been preparing and are ready to move on. Mr. Maxey stated that new codes are implemented on a regular basis and he feels the January 1 date is doable. Mr. Buchheit supported January 1 as well.

Ms. Scanlan stated that she is concerned about the January 1 effective. A lot of preparation goes into implementing the code. This won't happen by January 1 for Chicago because they can't get everything up and running by then.

A vote was called; there were two nays and eight ayes. The motion to disapprove extending the effective date from January 1, 2016 to July 1, 2016 passed.

Mr. Meyers spoke for the DCEO Energy Office. New information has become available since our last Council meeting on April 20, 2015. Addendum B has been added to RESNET 301 which is the HERS index. This Addendum does two things. It changes the title to a jointly promulgated standard with ICC being a sponsor to the standard. It also revises throughout the document the reference from HERS to ERI. Mr. Meyers believes this creates serious concerns from a legal standpoint. He stated that Addendum B makes our rules going to JCAR proprietary and excludes the use of EPA Energy Star and DOE's Builders Challenge.

Mr. Plass asked if these standards have been voted on. Mr. Meyers said that he hasn't been able to track the voting because it is not a transparent process. Mr. McTaggart commented that the RESNET website maintains all of these addendums. He went on to say that Addendum B has not yet been approved and voted on. There is concern that Section R406 of the IECC will become proprietary. The IECC doesn't reference RESNET, but in the proposal it changes HERS to mean ERI.

Mr. Ayers asked if the Addendum does pass and this becomes proprietary issue, could a clarification be issued or could we change the rules at that time. Chairman responded yes, it could be addressed at that time.

Mr. McHugh brought forward the code update cycle. Chairman Mattingly stated that this is a legislative matter and would need to be addressed by industry organizations.

Mr. Ayers thanked everyone who participated in this process and commented that he would like to see the International Code Council move to an extended adoption cycle.

Mr. McHugh asked if CDB would be able to comment on the update cycle and the possibility of extending it to JCAR. Chairman Mattingly stated no, that this was a statutory issue not a rule issue and it wouldn't be appropriate in that setting. Also, CDB would not be able to make any kind of statutory recommendations without approval from our executive staff and the Governor's office.

Discussion followed regarding the Council making a recommendation about the code adoption cycle.

Mr. Selway made a motion to discuss the issue of code adoption cycle at a meeting in the first half of January. Mr. Ayers seconded. The motion passed.

Mr. Plass asked if updating to the 2015 IECC was a federal requirement. Chairman Mattingly stated no. The only federal requirement was for states that received stimulus funds. They had to adopt the 2009 IECC for commercial and residential buildings.

Mr. Plass congratulated Bruce Selway for an award given for market transformation for Illinois related to energy.

Mr. Selway made a motion to adjourn. Mr. Hulesman seconded the motion. Meeting adjourned at 2:46 pm.