

May 6, 2013

Mr. Roland Risser, Program Manager
US/DOE Building Energy Codes Program
Office of Energy Efficiency and Renewable Energy
Forrestal Building, Mail Station EE-2J
1000 Independence Avenue SW
Washington, DC 20585-0121

Re: State certification of 2012 IECC/ASHRAE 90.1-2010 residential and commercial energy codes

Dear Mr. Risser:

In accordance with the provisions of Section 304(C) of the Energy Policy and Conservation Act (EPCA), as amended, states are required to file certification statements to DOE by May 17, 2013 that they have reviewed the provisions of their residential and building codes regarding energy efficiency and made a determination as to whether to update their code to meet or exceed the 2012 International Energy Conservation Code (IECC) and ASHRAE 90.1-2010 for commercial low-rise buildings.

The State of Georgia would like to request an extension of the deadline for complying with the certification requirements of updating from the current 2009 IECC to 2012 IECC and ASHRAE 90.1-2007 to ASHRAE 90.1-2010. The reasons for requesting this extension are: a) the 2009 IECC and ASHRAE 90.1-2007 became applicable on January 1, 2011 and have only been enforced statewide for approximately two years, b) the comprehensive training on enforcement of the 2009 IECC is still ongoing and additional time is need to train local building code officials and to complete the required compliance evaluations necessary to demonstrate 90% statewide compliance by 2017, c) the Department has an annual, open consensus process for amending the state codes as needed, d) the State's economy has been slow to recover from the recession and our construction industry and trades associations are not conducive to adopting a more stringent energy code at the present time.

The State intends to demonstrate it will make a good faith effort and significant progress toward meeting its certification obligations (42 U.S.C. 6833(c)) and (1) has a plan for response to the requirements stated in Section 304; and (2) has requested funding (within State funding procedures) to implement a plan that would respond to the requirements of Section 304 of EPCA.

(1) In 2014, the Department of Community Affairs (DCA) plans to appoint an Energy Codes Task Force to determine the appropriateness of revising, in full or in part, the portion of its residential and commercial building codes regarding energy efficiency to meet or exceed the energy efficiency provisions of the 2012 IECC and ASHRAE Standard 90.1-2010. (42 U.S.C. 6833(a)(5)(B)). The task force will be comprised of stakeholders from both public and private sectors including local building officials, design professionals, statewide energy suppliers, and representatives of the building construction industry and trades associations. The task force will meet as many times as necessary to complete this task. These meetings will be open to the public and conducted according to the Georgia State Administrative Procedure Act.

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The expected outcome of the task force will be to recommend the adoption the 2012 IECC with any approved state amendments and ASHRAE Standard 90.1-2010 as the new Georgia State Energy Code for Buildings. Furthermore, a public hearing will also be held to seek input from both the public and private sectors. The task force recommendations will then be forwarded to the State Codes Advisory Committee (SCAC) and the Board of Community Affairs and the Georgia Environmental Finance Authority (GEFA) for final approval. After which, the new State Energy Code will be adopted into state law by the Department and become mandatory and applicable statewide effective on January 1, 2016.

- (2) The Department will request funding from the Georgia Environmental Finance Authority (GEFA) to implement the code adoption process required to adopt the new 2012 IECC and ASHRAE Standard 90.1-2010 and to provide a comprehensive, statewide training program on the new State Energy Code requirements for local building code enforcement officials, homebuilders, commercial contractors, design professionals, construction industry and trades.

Our State Energy Code regulates the design and construction of new buildings for the effective use of energy in order to reduce consumption and save money and thereby improve environmental quality, stimulate sustainable economic development, and strengthen the quality of life for all Georgians. Therefore the reasons described herein, the Department would like to request an extension of three years, not later than January 1, 2016 to comply with the deadline for state certification requirements.

If we can be of further assistance regarding this request, please contact me at 404-679-4940 or Ted Miltiades, Director of Codes and Research at 404-679-3106 or at ted.miltiades@dca.ga.gov.

Sincerely,



Mike Beatty
Commissioner

MB/bt
cc: David Gipson, GEFA
Ted Miltiades, DCA
John Turner, DCA