



STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES
1500 Jefferson, Olympia, WA 98504

WASHINGTON STATE BUILDING CODE COUNCIL
Improving the built environment by promoting health, safety and welfare

MEETING MINUTES
WASHINGTON STATE BUILDING CODE COUNCIL
CONFERENCE CALL

DATE: February 10, 2012
MONITOR
LOCATION: DES Building, Room 2208
Olympia, Washington

Council Members Present: Ray Allshouse, Chair; Angie Homola, Vice-Chair; Jerry Mueller; Dave Kokot; Rod Bault; David DeWitte; Eric Vander Mey; Steve Simpson; Duane Jonlin; Jeff Peterson; Robert Koch; Tom Balbo

Council Members Absent: Mark Kulaas, John Chelminiak, David Peden

Visitors Present: Bob Eugene, Chuck Murray

Staff Present: Tim Nogler, Krista Braaksma, Joanne McCaughan, Peggy Bryden

CALL TO ORDER

Ray Allshouse called the meeting to order at 10:04 a.m. All were welcomed to the meeting and Roll Call was taken.

REVIEW AND APPROVE AGENDA

The agenda was approved with the following modifications: under Other Business, adding a request from the City of Chelan, an issue of CO alarm enforcement, and a report from Commerce Department on their Energy Code recommendations.

REVIEW OF MINUTES

The minutes of the January 13, 2012 meeting were approved as written.

PUBLIC COMMENT ON ITEMS NOT COVERED BY AGENDA

None were offered.

TAG REPORTS

Fire Code TAG

Dave Kokot reported the last Fire Code TAG meeting was on January 27. The TAG is proceeding very closely to the timeline originally set out. They have reviewed the existing amendments and have started going through the significant changes in the new code. He noted the Wildland Urban Interface will need a special sub-TAG. The next meeting is scheduled for Friday, February 17, 2012.

Building Code TAG

Tim reported on the Building Code TAG in Dave Peden's absence. The Building Code TAG has met several times and they are in the process of reviewing the amendments and how they apply to the 2012 code. The significant changes and code books are being distributed to the TAG members for their use. There haven't been any major issues in the new code to date. Meetings are scheduled for alternating Tuesdays through mid-May.

Residential Code TAG

Ray Allshouse reported the TAG has met twice and are proceeding with a similar process as the Building Code TAG. They are working and evaluating the existing amendments as they apply to the 2012 code. There are some areas where correlation is needed with the other codes, particularly in relation to the Energy Code. The next meeting is scheduled for February 23, 2012. Their schedule is to meet on alternating Thursdays at noon.

Energy Code TAG

Duane Jonlin reported February 9 was the last meeting for the modification of the 2012 IECC with the existing state amendments. He stated the expertise of the TAG was terrific as was the staff support and Kristyn Clayton who hosted these meetings to date. The general policy was to use the most stringent requirement in melding the 2009 WSEC and 2012 IECC. There were several items where the IECC was more stringent, but in general that was not the case. Duane noted the IECC contains a section in the commercial portion similar to Chapter 9 in the WSEC. It provides three options to choose in order to achieve additional energy conservation. Duane felt the amended document provides a four to eight percent energy savings over the 2009 WSEC,

which reduces the amount needed reach this year's target. He proposed each cycle reduce the code by the same percentage of energy savings to achieve the 2030 goal.

Duane said there were several items that need to be ratified by the TAG by e-mail in order to get the last things done where there wasn't time at the meeting. Those will be dealt with over the next few days.

Duane noted there was a problem maintaining a quorum with the Energy Code TAG due to the large membership. He wonders if there is a way that the bylaws could be modified so the quorum would be modified based on those who consistently attend the meeting. Tim noted the bylaws had been revised over the year and including additional subject matter experts expanded the TAG membership. These experts don't necessarily participate outside of their specific area creating this lack of attendance. Tim suggested that staff work with TAG chairs to look at some revisions.

Dave DeWitte asked Duane if the methodology on how the energy savings is to be achieved could be reviewed at a later meeting. Duane said discussions are underway for this and Chuck Murray will be presenting this to us later in this meeting. The concept was that individual proponents would not themselves do the calculations, but we will have a list of things needing to be submitted for documentation. Then someone will plug this information into the calculation to achieve the results so all are looking at the same information. Chuck said Duane described the cost benefit analysis we are working well. However the question of tracking broad population of building energy efficiency upgrades is a separate subject. Commerce is going to support that activity. This is a population weighted methodology for demonstrating changes from code to code. There are a couple of models to rely on. The utilities do this on a regular basis and he feels the Council could work with them to get this work done.

Duane felt the Council needs to get information out to proponents on what is needed for amendments. Tim suggested having a Special Council meeting to review the draft of the amended 2012 IECC. Friday, February 17 was recommended as the day for this meeting.

OUTCOME BASED CODES

Presentation by Preservation Green Labs

Ric Cochrane, Project Manager of Preservation Green Labs a field office for the National Trust for Historic Preservation, presented a report on a project for developing an outcome based energy code. The project deals only with existing buildings in Seattle. Mark Huppert, the Technical Director with Preservation Green Labs, and Jayson Antonoff, a climate change advisor with the City of Seattle assisted Ric with the presentation..

Jayson shared how Seattle became interested in this and how the program took shape. The Department of Planning and Development is deeply committed to this program and have been in partnership with Preservation Green Labs for almost three years. Prior to working Preservation Green Labs, they worked with project proponents who were stymied by the existing code

requirements so they looked for new solutions that provided enhanced flexibility while achieving energy efficiency goals. Seattle is hoping to encourage innovation and take a more holistic view toward building energy use. They looked at outcome based codes as one way to achieve the goals Seattle has set. This would be a voluntary alternative pathway developers could use. They are gathering data on the performance of over 9,000 buildings in Seattle for use in target setting.

Mark referred to the second and third pages of the briefing report where he described how the company sees outcome based energy codes being applicable to primarily historical buildings. Seattle's suggested enforcement tools and incentives are as follows: 1) Bonds posted to satisfy requirements for mandatory energy use mitigation measures; 2) Tiered utility rates that are tied to achieving the metered, energy conservation target; 3) Property tax exemption tied to achieving more stringent energy conservation targets; and 4) Conservation financing tied to achieving the metered, energy conservation target.

Duane observed this would apply to a limited subset of buildings; it seems to be trading off existing building envelope deficiencies for good behavior on the part of building tenants and management. There should be some consequences for failure, but it also has to be set up in such a way that it is attractive to building owners and they want to go this path.

Jeff Peterson said in the give and take there is obviously some energy savings in not producing the steel, windows and plastics that go into the façades. Is that being taken into account into the energy savings modeling? Ric answered they studied using life cycle assessments between existing buildings and their reuse compared to demolition and new construction. They found the burden that demolition and new construction places in terms of carbon impact takes somewhere between 10 and 80 years to repay compared to the embodied energy saved by maintaining the existing structure that would have the exact same energy performance. Therefore, there is a substantial benefit to saving a building versus tearing it down and building a new one.

Tim said one of the issues that came out of this discussion is the status of the state law and the WSEC as it relates to multi-family buildings. Under state law, the Energy code is both the minimum and maximum requirement for residential buildings. In the past that has been defined as all Group R. Now it is split between one and two family and three stories or less multi-family. All others are considered commercial. The Council will need to address this issue.

LEGISLATIVE UPDATE

Angie Homola referred to a letter sent to Representative McCoy that was discussed in the last Legislative Committee. This letter was sent in response to HB 2689. The Committee wanted to convey to the Governor and the other representatives the Council process for the adoption of the IECC. Angie summarized the letter for the Council.

Angie commended the TAGs for all the work they are doing on a volunteer basis. During the Committee meeting there was a member of the community who questioned the Energy TAG make-up. In response to this, the 26 positions on this TAG were discussed.

Tim also reported on HB 2517 and HB 2518, which the Legislative Committee looked at last week. These bills were introduced by Representative Buys, who is an ex-officio member of the Council. These bills would exempt cold storage in refrigerated warehouses and industrial process from all the codes. There was a hearing held on these bills in order for the committee members to understand the issues. Tim testified on behalf of the Council that it was appropriate for the Legislature to set the scope of the Council's purview, but it was not appropriate to exempt industrial facilities from all life, health and safety regulations. He also testified the Council is looking at a proposal to amend the scope of the Energy Code similar to what was contained in these bills, but a bit more specific.

Dave DeWitte asked about the status of HB 2276, which could have profound impact on the Council. Tim said there was a hearing, but it has not moved. Staff will continue to monitor the bill.

STAFF REPORT

Tim reported on the lawsuit with BIAW. There was a hearing in federal court on February 9. Ann Essko, represented the Council. It could take up to 60 days for the appeals court to issue their verdict.

OTHER BUSINESS

City of Chelan

Tim indicated the City of Chelan asked the Council for an interpretation on the conflict between L & I requirements for worker's safety and the state code. Ray said these are two separate requirements and cannot be reconciled and they must meet the most stringent of each.

CO Alarms

Tim then reported on a CO alarm issue. The law requires the CO alarms be installed by January 1, 2013. The Fire Code provides for an inspection at the time a permit is issued. Some of property owners are interpreting this to mean alarms are not required until the inspection is called for. The Council needs to issue an interpretation to clarify this issue. The alarms are required by state law and building code enforcement is a separate issue.

Commerce Report

Chuck Murray of the Department of Commerce reported to the Council. The Department of Commerce was assigned by RCW 19.27A 150 in an advisory position to the Council in achieving the goal outlined in the Energy Code. The memo to be sent to the Council in this regard is not final, but Chuck gave a summary of it in five points. They are as follows:

- 1) Commerce will assist in the adoption of the IECC of 2012. This should yield some energy savings benefit.
- 2) Commerce will assist in the development of cost and benefit analysis methodology.

- 3) Commerce is not anticipating making any proposals for modifications that drive high percentage in building efficiencies. They will be limited to modifications needed between the combining of WSEC and the IECC.
- 4) Commerce recommends the Council pursue the development of a voluntary aspirational energy code. This would provide the building industry some direction.
- 5) Commerce will support the evaluation and progress towards the efficiency target. Commerce will work with the utilities, who already have methodologies in process to get a good description of that work.

Ray asked when this document may be expected. Chuck said this should be available by next week.

Duane asked if a voluntary aspirational code could it be made mandatory for an entire community. Chuck said it could be possible for non-residential buildings. Local jurisdictions can amend the code as long as it is more stringent than the state code. Chuck said the state of Oregon has already done something like this.

Jeff said the aspirational codes are a good way to encourage growth; however, basing these codes on the current code can create a bit of a “monster.”

ADJOURNMENT

The meeting was adjourned at 11:45 a.m.