

Finlayson, Ian (ENE)

From: STRETCHCODE (ENE)
Subject: FW: Comments Opt-In Energy Code

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Good morning,

Before I begin, allow me to take a minute and tell you what I believe you have been doing well. I have been engaged in the home building industry since the mid 1970's when energy codes first made there debut. This was a result of the energy embargo in the middle-east. Currently and for the past 30+ years I have been and continue to work as a Certified Building Official for the Commonwealth of Massachusetts. I must say that I fully support energy efficiency based in simple conservation measures and national security interests.

First, for the longest time and after much frustration with the complexities of the codes and in particular the energy codes , I recommended that the regulators provide training and education, not only to provide training to the **regulators** like myself, which was the case for years, but to also train the **regulated** community meaning designers, architects, home builders and others.

Training and education is now being offered the way I recommended quite a few years ago and all for the better.

Secondly, identifying the HERS rating index and demonstrating incremental improvement is also very helpful. Providing alternative and options is also something that I advocated for and has made it into the codes again all for the better. I believe there are additional options that should also be included.

Having said that, let me offer some constructive criticism in the interest of public safety and compliance:

1. Once again, we are deviating from the most fundamental concept of a state wide uniform building code. The whole purpose of a state wide code was to consolidate the 351 cities and towns who in the past each had there own building code. Most of the building officials I interact with subscribe to this logic. Although we also believe in providing designers with options and alternatives to achieve compliance. We want one single code and NOT multiple building energy codes or fire codes. This simply diminishes what we are trying to achieve. This is not at all helpful especially with the swimming pool code, swimming pool industry folks will be disenfranchised when they are directed to other codes i.e. energy code designing and building swimming pools. In fact the ISPSC committee voted to keep the energy code provisions in the swimming pool code last year.
2. Have you considered Emergency and Stand-by power? How are you proposing to achieve building code emergency and stand-by power with-out utilizing fossil fuel? Please explain?
3. How are you proposing to provide temporary heat when the building is under construction. We are in New England and temporary heat while the building is under construction is crucial. Without temporary heat the building is compromised and the life safety systems such as the fire sprinkler systems may not be made operational jeopardizing public safety, until the permanent is complete and tested and inspected.

4. In my opinion, as well as many others, the energy code in particular is overly complicated. In the past, and specifically the CABO 1 & 2 family dwelling code was written at the 8th grade level. This was the official policy of CABO/BOCA at the time. I believe this was so that the average person could read understand and apply the code. CABO - Council of American Building Officials. We know with-out doubt that many HVAC contractors still to this day do not understand Appendix J, S and M load calculations of the energy codes, yet they are still doing business.
5. I would encourage you to provide simple cookie cutter examples of Home designs (emphasis added) for the benefit of the public. For example what are two or three examples of how a started home might be built? A ranch, cape, colonial, town-house, and perhaps tiny home. 3 - bedroom, 2 - bath building look like. Provide examples for each compliance path. Although, they made not build the exact home, they could use it as a template for design compliance for the home they are actually designing.
6. Finally, I must implore you to collaborate much, much more with the building official and construction industry. We are not working together sufficiently and I can provide numerous examples such as. 1. For instance when I enquire of the energy code experts how the energy code interfaces with certain requirements in the IEBC "existing building code" the response I have been getting is that they do not understand the IEBC and cannot opine. 2. We have run into serious design and construction flaws having to do with emergency lighting and means of egress, improper lighting controls because designers are following the energy codes exclusively and not the IBC, building code. And many many more inconsistencies with the other codes and standards.
- 7.

I will also note that this technology is not new rather it has been around since at least the 1970's and perhaps even before that, because I have it all documented. It appears that we are re-visiting these concepts and refining them, which is a good idea. I cannot help but notice that the energy codes do not factor in mass. One of the older strategies was to build large mass i.e. concrete or masonry floors, chimneys and the such so that when the mass warmed up by solar heat gain or bio-mass heat the mass would retain the heat and allow for diffusion during the evening-overnight hours.

I would be happy to lend my assistance to helping your industry, but you too need to recognize that you need our help and partner with us in a much more professional and productive manner. I am available and may be reached at the email and /or phone number provided.

Thank you kindly,

Eugene "Gene" M. Novak, Jr., CBO

District State Building Inspector

Department of Professional Licensure

Office of Public Safety & Inspections

617-590-3943

gene.novak@mass.gov