

1 VIRGINIA BOARD OF HOUSING
2 AND COMMUNITY DEVELOPMENT

3

4 DATE: MAY 8, 2023

5 TIME: 10:00 A.M.

6 PLACE: Virginia Housing Center

7 4224 Cox Drive

8 Glen Allen, Virginia 23060

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10 *****ORIGINAL*****

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1 **IN-PERSON BOARD MEMBERS APPEARANCES:**

2 Brett Meringoff, Chair - Congressional District 10

3 Louie Berbert - Congressional District 2

4 Claudia Cotton - Congressional District 3

5 Sylvia Hallock - Congressional District 5

6 J.M. Snell,II - Congressional District 6

7 Mark Trostle - Congressional District 13

8 Keith Johnson - Congressional District 12

9 Sean Ferrell - Virginia Building Code Officials
 Association

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11 **Also present:**

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13 Kyle Flanders - DHCD Policy Division

14

15 Chase Sawyer - DHCD Policy Division

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17 **In-person public comment speakers:**

18

19 Glen Besa

20

21 Bob Shippee

22

23 Steve Shapiro

24

25 Lena Lewis

26

27 **ONLINE PUBLIC APPEARANCES:**

28

29 Abigail Johnson -- Congressional District 1

30

31 Mary Koban

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33 Andrew Klein

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35 Judy Gayer

36

37 Jon Ward

38

39 Ross Shearer

40

- 1 **Continuing:**
- 2 Rose Hendricks
- 3 Ivy Main
- 4 Natalie Pien
- 5 Frederick Krimgold
- 6 Susan Stillman
- 7 Bill Penniman
- 8 Monique Hanis
- 9 Jeff Mang
- 10 Gina Weatherup
- 11 Ben Rabe
- 12 Eric Lacey
- 13 Glenn Dean
- 14 Robert Glass
- 15 Dan Willham
- 16 Randy Grumbine
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1 MR. MERINGOFF: All right. Good
2 morning. My name is Brett Meringoff. I am currently
3 serving as the Chair of the Virginia Board of Housing
4 and Community Development. The Board is holding a
5 public hearing today to receive comments regarding the
6 proposed regulations. 10:05:27AM

7 At this point, it's my pleasure to
8 welcome the members of the Board of Housing and
9 Community Development and the Virginia Fire Services
10 Board that are present today, including a couple of
11 Board members who are participating virtually. 10:05:34AM

12 Let's start by -- I would like to
13 start by going around the room here. And to our
14 members here that are participating virtually and for
15 each member of the Board and the Fire Services Board to
16 introduce yourselves, so that the public is aware of
17 everyone that is here and present beginning with
18 Mr. Trostle. 10:05:52AM

19 MR. TROSTLE: Hi. I am Mark Trostle
20 from northern Virginia. I'm relatively new here.

21 MS. HALLOCK: Sylvia Hallock from
22 Crozet, Virginia, background in affordable housing with
23 Habitat for Humanity.

24 MS. COTTON: Claudia Cotton
25 representing the 3rd Congressional District in Hampton 10:06:03AM

1 Roads.

2 MR. BERBERT: Louie Berbert. I'm in
3 Virginia Beach. I work for a local builder there.

4 MR. GARBER: Scott Garber. I'm the
5 Fire Chief for the City of Staunton and a member of the
6 Virginia Fire Services Board. 10:06:11AM

7 MR. JOHNSON: Keith Johnson. Fire
8 Chief of Loudon County representing the Virginia Fire
9 Services Board and also [INAUDIBLE] Community Housing
10 Development.

11 MR. LITTLE: Ernie Little. Fire
12 Services Board. I represent the Virginia Fire
13 Prevention Association.

14 MR. MERINGOFF: Brett Meringoff. I'm
15 in Affordable Housing and representing the 10th
16 District in northern Virginia.

17 MR. HORN: Brian Horn. The Director
18 of Community and Housing Development.

19 Mr. FLANDERS: Kyle Flanders. I'm at
20 Policy Office at DHCD. 10:06:59AM

21 MR. SAWYER: Chase Sawyer. I'm also
22 from DHCD.

23 MR. GREGORY: Rick Gregory from
24 Goochland, Virginia.

25 MR. FARRELL: Good morning, 10:07:10AM

1 everybody. My name is Sean Farrell. I am the Director
2 of Regulatory Compliance representing the Virginia
3 Building and Code Officials Association.

4 MR. SNELL: And I am J. M. Snell.
5 I'm from Shenandoah Valley. I reside in Harrisonburg. 10:07:14AM

6 MR. MERINGOFF: Okay. Abby.

7 MS. JOHNSON: Yeah, Hi.

8 Abby Johnson representing District 1
9 for Energy Efficiency expert. Thank you.

10 MR. MERINGOFF: Okay. Great. 10:07:31AM

11 I think that is everyone who is
12 present at the moment. I just have a few more comments
13 to read and we will get to it.

14 So, before we begin to receive
15 comment, I would like to explain how the hearing will 10:07:44AM
16 be conducted. Anyone wishing to speak should sign in
17 at the registration desk near the door and enter their
18 name in the chat online.

19 Comments offered by a previous
20 speaker need not be repeated. The speaker may 10:08:01AM
21 establish a point simply by referring to the earlier
22 statement which expresses his or her position.

23 We ask that each speaker limit
24 remarks to two minutes due to the numerous people we
25 expect to speak of the various issues. 10:08:20AM

1 I will be holding a two-minute alarm.
2 If you hear the noise or hear me interject please
3 respect that and sum up your comments.

4 We welcome the submission of written
5 statements in such cases oral comments are not
6 necessary. The Board will review all written materials
7 that are submitted. If you have written statements
8 today, please submit them to staff. We will receive
9 public comment in this order.

10:08:36AM

10 First, the Virginia Statewide Fire
11 Prevention Code. Next. The Uniform Statewide Building
12 Code, and then the Virginia Amusement Device
13 Regulations. And last the Virginia Industrialized
14 Building and Safety Regulations.

10:08:49AM

15 We will first go to those in-person,
16 then go to those who are participating virtually
17 online.

10:09:08AM

18 I now open the public hearing and
19 call the first speaker.

20 MR. FLANDERS: Chair, I don't think
21 we have anyone registered for the Statewide Fire
22 Prevention Code.

23 Is there anyone present in the
24 audience or online for the Fire Code? Let me know now.

25 MS. Koban: Yes, for the Fire Code?

1 MR. MERINGOFF: Yes, Statewide Fire
2 Prevention Code.

3 MS. Koban: Yes, Mary Koban
4 representing Chemours. I would like to make some
5 public comments. 10:09:49AM

6 MR. MERINGOFF: Yes, please go ahead.

7 MS. Koban: Is it okay?

8 MR. MERINGOFF: Your two minutes
9 starts now.

10 MS. Koban: Okay. Good morning. 10:09:54AM
11 Yes, Mary Koban representing Chemours. Thank you for
12 allowing me to speak with you today about the fire
13 code.

14 As you may know, the American
15 Innovation and Manufacturing Act signed into law on 10:10:04AM
16 December 2020 mandates that the US EPA phased down the
17 consumption and production of hydro fluorocarbons or
18 HFCs including refrigerants.

19 This transition began on January 1,
20 2022 with a 10 percent reduction in GWP with another 40 10:10:18AM
21 percent reduction coming up right now in January 1,
22 2024. Therefore the industry will need to transition
23 to lower GWP refrigerants to handle this in the HVACR
24 industry.

25 Typically the lower GWP refrigerants 10:10:38AM

1 have different flammability class. Today I'm going to
2 share more about the 2L class.

3 The industry has been preparing for
4 this transition for over 10 years. The necessary
5 safety standards ASHRAE 34, ASHRAE 15, UL60332-5 2-40
6 and UL60335-2-89 have all been updated and include the
7 necessary updates to handle safety refrigerants with
8 different flammability, particularly refrigerants with
9 low flammability those called the 2L refrigerants.

10:10:52AM

10 Co-proposals were made last year
11 during Virginia's open code cycle. Unfortunately, the
12 Virginia code process -- Five code proposals: BF202,
13 BF608 Parts 1 and Part 2, BF-911 and BF5003 were heard
14 but not accepted. I believe it was because they were
15 submitted in through the Fire Code and not submitted
16 into the building code, but these are related to the
17 fire code.

10:11:11AM

10:11:37AM

18 Please refer to the Virginia Code
19 Hearing book Page 663. I've shared that book with
20 Kyle. I believe he can share that with you folks.

10:11:45AM

21 These codes are critically important
22 for storage handling and servicing of the new lower GWP
23 refrigerants. These codes were adopted by the ICC
24 during the recent code cycle and update the code for
25 requirements for 2L refrigerants. We ask that the

10:12:04AM

1 Committee review these codes and proposals and change
2 them. Specifically, these will allow the storage and
3 handling to be aligned with the ICC and also would be
4 aligned with the new flammability class GHS --

5 MR. MERINGOFF: Okay. Thank you.

10:12:14AM

6 MS. Koban: -- for harmonization
7 standards.

8 MR. MERINGOFF: Thank you. That's
9 two minutes. Thank you very much for your comment.

10 MR. FLANDERS: We have Andrew Klein,
11 would you like to speak to the fire code?

10:12:29AM

12 MR. KLEIN: Yes, I would. Thank you.

13 MR. MERIGOFF: Thank you. Go ahead.

14 Your two minutes starts now.

15 MR. KLEIN: Thank you. Andrew Klein
16 representing AHRI. As Mary had mentioned, we are in
17 the process now of switching to new refrigerants which
18 do have a slight flammability profile.

10:12:41AM

19 So, what this does this allows all of
20 the distributors and warehouses currently that have our
21 A1 refrigerants which do not have a flammability, uh,
22 to be replaced with these mildly flammables without
23 having to be a high hazard use.

10:12:56AM

24 So, right now we only have a single
25 classification for flammable gases. It's either

10:13:18AM

1 flammable or it's not. This puts two categories of
2 flammable gas in which is consistent with the GIS
3 classification.

4 So, A, it's about time we fully move
5 over, but B, it's very important that we at least move 10:13:32AM
6 over to the GIS classification for flammable gases.
7 And this is consistent verbatim with what was put into
8 the 2024, uh, both for fire and building codes since it
9 affects the MAQ table; and that's why it goes into the
10 fire and building code, but the fire code at least at 10:13:49AM
11 ICC is who handles those particular sections, so...

12 I will be sending in a written
13 comment as well with, uh, the exactly asking what I
14 would like you to do, but we'd like you to approve
15 those five code change proposals that Mary had 10:14:07AM
16 mentioned. Thank you.

17 MR. MERINGOFF: Thank you very much.
18 Do we have any more speakers?

19 MR. FLANDERS: Chair, I believe
20 that's it. 10:14:18AM

21 MR. MERINGOFF: Okay. That concludes
22 the comments for the Virginia Statewide Fire Prevention
23 Code.

24 So, we will move on to the Uniform
25 Statewide Building Code. 10:14:28AM

1 MR. FLANDERS: First, we have
2 Mr. Glenn Besa.

3 MR. MERINGOFF: Did anyone else sign
4 up?

5 MR. FLANDERS: Bob Shippee, he will
6 be next. Steve Shapiro.

7 MR. BESA: So, my name is Glen Besa.
8 I'm here to talk about climate change. I need to tell
9 you that by not bringing Virginia up to Code you may be
10 handicapping State and local government's ability to
11 compete with tens of million of dollars in grant funds
12 under the EPA's new Climate Pollution Reduction and
13 Grant Program because public deficiency is one of the
14 most effective ways to cut climate pollution.

10:15:00AM

15 I'd like to conclude by playing a 90
16 second excerpt from climate activist, Greta Thunberg,
17 speaking September 2019 to the UN Climate Summit is
18 relevant to what we have here today. So, I'm going to
19 play this for you if I can get it to play.

10:15:12AM

20 [AUDIO PLAYING.]

10:15:23AM

21 This is all wrong. I shouldn't be up
22 here. I should be back in school on the other side of
23 the ocean. Yet, you-all come to us young people for
24 hope. How dare you. You have stolen my dreams and my
25 childhood with your empty words. And yet I am one of

10:15:48AM

1 the lucky ones. People are suffering. People are
2 dying. And entire ecosystems are collapsing. We are
3 in the beginning of a mass extinction and all you can
4 talk about is money and fairy tales of eternal economic
5 growth. How dare you.

10:16:18AM

6 For more than 30 years, the science
7 has been crystal clear. How dare you continue to look
8 away and come here saying that you're doing enough when
9 the politics and solutions needed was still nowhere in
10 sight. You said you hear us and that you understand
11 the urgency. But, no matter how sad and angry I am, I
12 do not want to believe that because if you really
13 understood the situation and still kept on failing to
14 act then you would be evil and that I refuse to
15 believe.

10:16:35AM

10:16:59AM

16 [END OF AUDIO.]

17 MR. MERINGOFF: Thank you very much.
18 Kyle next speaker.

19 MR. FLANDERS: Our next speaker is
20 Bob Shippee and then Steve Shapiro and then Lena Lewis.

10:17:14AM

21 MR. SHIPPEE: Mister Chair and
22 Members of the Board, I am Bob Shippee. I am a Henrico
23 citizen. You know, that was an interesting excerpt
24 there. I really am going to talk about money. So,
25 independent analysis shows that simply, uh, we adopt

10:17:22AM

1 the 2021 IECC standards. Then occupants would save an
2 average net average of \$250 a month -- of a year.

3 \$250 a year probably doesn't sound
4 like a lot to some of you, but for people that are
5 struggling with increase in costs of lots of things in 10:17:42AM
6 daily life is meaningful. And that's 250 net per year
7 after the initial incremental cost of the measures to
8 adopt the standards.

9 So, I'll just urge you go ahead and
10 do that small action to save folks a little bit of 10:17:55AM
11 money on an annual basis. Thank you again. Bob
12 Shippee. S-h-i-p-p-e-e. Thanks.

13 MR. FLANDERS: Next we have
14 Mr. Steven Shapiro and Lena Lewis.

15 MR. SHAPIRO: Good morning. I'm 10:18:22AM
16 Steve Shapiro representing the Department of Office
17 Building Association of Metropolitan Washington and the
18 Virginia Department of Management Association.
19 Together we represent the owners and managers of
20 roughly 172 million square feet of commercial space and 10:18:34AM
21 630 thousand residential units throughout the
22 Commonwealth.

23 We applaud your action taken on
24 December 12th and believe that those decisions struck a
25 very fair compromise between life, safety, and 10:18:46AM

1 reasonable development in the Commonwealth.

2 We ask that you stay the course and
3 adopt the proposed regulations relative to the 2021
4 Uniform Statewide Building Code, Statewide Fire
5 Prevention Code, Amusement Device Regulations,
6 Industrialized Building Safety Regulations.

10:19:01AM

7 We again request that you oppose
8 Proposal Number 985, which if approved would place the
9 entire expense of then building emergency
10 communications systems on when we enter the building.

10:19:10AM

11 For example, approval of this
12 proposal could cause an existing building owner to
13 spend thousand of dollars to retrofit and upgrade a new
14 system if a new building is constructed. It now blocks
15 the signal of the pre-existing building.

10:19:22AM

16 We also again request the Board to
17 reject Proposal 1169 which will strike the exception
18 for the installation of fire extinguishers in Groups
19 A,D, and E equipment -- with quick response sprinklers
20 would now require the extinguishers regardless.

10:19:36AM

21 This exact same proposal has been
22 before the Board during the last four cycles, and it's
23 now back for the fifth time. Each time the Board has
24 rejected it based on a lack of data to support such a
25 move as well as potential for such a change to

10:19:50AM

1 encourage building occupants to remain in a burning
2 building and attempt to fight a fire rather than
3 evacuating.

4 Lastly, there were 21 commercial
5 energy related proposals in this cycle. Eighteen of 10:20:00AM
6 these were non-consensus during the work group
7 meetings. And our members are opposed to the changes
8 that eliminate all previous State amendments in favor
9 of adopting the 2021 International Energy Conservation
10 Code whether in whole or in part. 10:20:13AM

11 We commend the Board for striking the
12 correct balance between sustainable development and the
13 need to conserve energy. Thank you for allowing me to
14 speak to you today.

15 MR. MERINGOFF: Thank you. 10:20:22AM

16 MR. FLANDERS: Lena Lewis.

17 MS. LEWIS: Good morning. My name is
18 Lena Lewis. I am the Energy and Climate Policy Manager
19 for the Virginia Chapter of the Nature Conservancy. We
20 request that the Board consider amendments even if they 10:20:47AM
21 were labeled non-consensus from the work group process,
22 and I have a couple highlights I would like to
23 highlight here.

24 Today, first we recommend that the
25 Board adopt the 2021 IECC standard for wall insulation. 10:20:55AM

1 The standard is important because it would save
2 residents substantial money over the lifetime of the
3 mortgage and when compared to the cost of retro
4 fittings.

5 We also recommend that the Board 10:21:10AM
6 adopt amendment for ensuring residents of multi-family
7 housing have access to affordable electric vehicle
8 chargers. This is EC-C-405.10-21. Building codes must
9 keep up to support the best forward looking practices
10 allowing homes to be a part of affordable transition to 10:21:29AM
11 electric vehicles.

12 Even if today's residents are mostly
13 driving gas powered cars, the next residents will
14 likely be driving the EV's.

15 We understanding that adding EV 10:21:40AM
16 charges to the USBC involves a different way of
17 thinking about buildings that has been required in the
18 past. We ask the Board to embark on this new thought
19 process now. This transformation of the automobile is
20 already upon us. 10:21:55AM

21 Dominion Energy expects the number of
22 EV's in Virginia to double by the end of next year and
23 then double again by 2026. S&P Global Mobility
24 forecasts 40 percent of passenger cars in the United
25 States to be EV's by 2030, passenger car sales rather. 10:22:05AM

1 So, Virginia's building particularly
2 the parking lots of multi-family residential buildings
3 should be built with the anticipation that they will be
4 filled with EV's that need to be charged overnight.

5 And as been many building features adding in EV

10:22:24AM

6 charging capabilities is much less expensive when the
7 building is being built and before the parking lot
8 pavement is poured then doing so as a retrofit.

9 An analysis of data from the electric
10 utility PG&E shows that the cost in installing EV
11 chargers in a multi-family building is four to 12 times
12 more expensive as a retrofit than when the building was
13 built. Thank you.

10:22:31AM

14 MR. MERINGOFF: Thank you very much.

15 MR. FLANDERS: Mister Chair, I

10:22:54AM

16 believe that's it for in-person for the building code.

17 MR. MERINGOFF: Okay.

18 MR. FLANDERS: First online we have

19 Judy Gayer followed by Jon Ward followed by Ross

20 Shearer.

10:23:11AM

21 MR. MERINGOFF: Judy Gayer, your two
22 minutes begins now.

23 MS. GAYER: Sorry. I would like to

24 discuss the pros and cons of adopting the current

25 version of the IECC with none of the weakening

10:23:17AM

1 amendments included in the Board's final rule.

2 There are several pros. First, as
3 reported by the U.S. Department of Energy full
4 compliance with the IECC would benefit building
5 occupants. Research demonstrates that buildings
6 constructed to high efficiency standards save more
7 money for occupants overtime than they add to the
8 upfront cost.

10:23:34AM

9 Second, as reported by DO -- DOE as
10 well requiring full compliance with the IECC would
11 provide health, safety, air quality and climate
12 benefits for all Virginias over the 70-year course that
13 new buildings are generally in use.

10:23:43AM

14 Third, adopting the full IECC
15 wouldn't prevent builders from continuing to make
16 excellent profits. Builders already have to meet IECC
17 requirements when they work across the river in
18 Maryland, and if they didn't make enough profit they
19 wouldn't continue to build there.

10:23:56AM

20 It's also not an affordability issue
21 for buyers or occupants because homes in Maryland sell
22 in the same price ranges as in Virginia, even though
23 they meet IECC standards.

10:24:07AM

24 Fourth. The Board is required by
25 Virginia law to adopt energy efficiencies, at least as

10:24:21AM

1 stringent as the latest IECC unless we can show that
2 the incremental construction costs would exceed the
3 value of savings and other benefits over time.

4 If the Board wants to avoid
5 conforming to full IECC, it must demonstrate that in
6 fact the value of energy and savings and benefits are
7 less than added marginal cost. I don't believe the
8 Board could possible do that.

10:24:33AM

9 However, to my knowledge, the Board
10 hasn't even tried to do that, and that is a violation
11 of law.

10:24:44AM

12 So, on the pro side of adopting the
13 full IECC, we have greater affordability for building
14 occupants, better health, reduced emissions, reduced
15 contributions to climate change, and legal compliance.

10:24:54AM

16 On the con side, we have builders who
17 object to paying more upfront in construction costs,
18 even though they have to incur those same expenses when
19 they build across the river; and even though the
20 additional investment would be more than paid back in
21 public benefit.

10:25:05AM

22 Building represents an enormous
23 portion of all energy use and are a major contributor
24 to climate change; requiring builders to build homes
25 that are energy efficient is a key part of any plan to

10:25:12AM

1 address the climate crises, and we should do that.

2 Thank you for considering my comment.

3 MR. MERINGOFF: Thank you very much.

4 MR. FLANDERS: Next we have Jon Ward
5 followed by Ross Shearer and Rose Hendricks. 10:25:29AM

6 MR. MERINGOFF: Okay. Jon Ward, you
7 go ahead.

8 MR. WARD: Good morning. Thank you.
9 I'm presenting on behalf of the Falls Church Climate
10 Action Network. We strongly recommend that the Board 10:25:37AM
11 adopt the 2021 International Energy Conservation Code
12 for residential construction without weakening
13 amendments.

14 We believe the IECC has already
15 undergone stakeholder scrutiny at the national level to 10:25:49AM
16 ensure that its energy efficiency measures will pay for
17 themselves in a reasonably short period.

18 The U.S. Department of Energy has
19 already determined that adopting the 2021 Code would
20 save about nine percent energy cost and usage compared 10:25:58AM
21 to the 2018 Code.

22 Over the three years during which
23 this latest Code will be in effect, Virginians will
24 likely add forty thousand and eighty thousand new
25 single-family homes. 10:26:10AM

1 If this Board dilutes the 2021 Code
2 down to Virginia's 2018 levels, these 40 to 80,000
3 homes will be saddled with at least an extra 10 percent
4 in energy bills for decades. That amounts to wasting
5 the energy needed to fully heat and cool four thousand
6 to eight thousand homes for the next 60 years they will
7 be standing.

10:26:20AM

8 Sticking with the 2018 level Code
9 means burning more natural gas virtually, all of which
10 is imported into Virginia. Purchasing more electricity
11 from out-of-state coal fired power plants, covering
12 more land with solar panels, and if needed expanding
13 transmission capacity.

10:26:34AM

14 This unnecessary extra demand will
15 raise energy prices and those extra capital and
16 capacity costs get passed on to all residential utility
17 rate payers.

10:26:43AM

18 The extra greenhouse gas emissions
19 will worsen climate change affecting all Virginians,
20 especially those exposed to flooding, extreme rainfall,
21 and sea level rise.

10:26:53AM

22 If instead, you update ICC the Code
23 to match the 2021 IECC the industry will use local
24 skilled labor to build tighter buildings with less air
25 leakage and to build better and install better

10:27:04AM

1 insulated windows, doors, and walls. Better insulated
2 homes are also more resilient to the hotter days
3 brought on by climate change.

4 In conclusion, Virginia
5 municipalities like Falls Church are powerless to set
6 efficiency standards with the buildings with our
7 borders.

10:27:12AM

8 We urge the Board to help us reduce
9 the cost of living and the impacts of climate change
10 for all Virginians.

10:27:20AM

11 The Falls Church Climate Action
12 Network is asking the Board to adopt full residential
13 provisions of the 2021 IECC. Thank you for your time.

14 MR. MERINGOFF: Thank you.

15 MR. FLANDERS: Chair, next we have
16 Ross Shearer and Rose Hendricks and Ivy Main. Thank
17 you.

10:27:27AM

18 MR. MERINGOFF: Okay. Ross Shearer,
19 two minutes. You may go ahead.

20 MR. SHEARER: Good morning. I am
21 Ross Shearer in Vienna where I have lived for 40 years.
22 The legal authority of this Board is constituted as a
23 public service. A vocal minority of you understand
24 this implicitly having left an enduring record of
25 virtuous advocacy for the Public's best interests.

10:27:43AM

10:27:59AM

1 Thank you for your participation.

2 The decisions permitted to take place
3 in this cycle resemble an electrical short circuit. To
4 date, the Board is chosen to disapprove non-consensus
5 proposals valuable to the public, but opposed by some 10:28:15AM
6 stakeholders from the regulated construction industry,
7 while approving the non-consensus proposals harmful to
8 the public that some from the regulated warehousing
9 industry see.

10 The principle of checks and balances 10:28:28AM
11 is a thematic component of our democracy. So, in
12 Virginia when the consensus process allows use to
13 conflicting methods to favor the regulated an alarm
14 should have triggered, to alert all involved of the
15 incurrence of an internal inconsistency, but there was 10:28:44AM
16 no alarm or concern and quite the contrary.

17 In its, January 11th memorandum,
18 Justin Bell assured the Department that it make this
19 regulatory action. Thus having been so absolved no one
20 is on the hook for the offense of weakening the 10:29:00AM
21 formerly adopted energy conserving provisions for
22 warehouses, or for rejecting life saving residential
23 sprinklers and model energy conserving proposals.

24 The Departmental staff frequently
25 mentioned that Virginia's code development processes is 10:29:17AM

1 recognized nationally for its excellence. This cycle
2 results labor the inherent weakness of the stakeholders
3 consensus approach. That's jeopardizing that
4 reputation and the Commonwealth. Thank you for
5 listening.

10:29:33AM

6 MR. MERINGOFF: Thank you very much.

7 MR. FLANDERS: Chair, next we have
8 Rose Hendricks, Ivy Main, and Natalie Pien.

9 MR. MERINGOFF: Rose Hendricks, your
10 two minutes starts now.

10:29:45AM

11 MS. HENDRICKS: Thank you. My name
12 name is Rose Hendricks. I'm a resident of Falls Church
13 and a volunteer climate activist with Citizen Climate
14 Lobby.

15 I have spent the two last years
16 working to reduce the carbon emissions and improve the
17 efficiency of my own home including installing solar
18 panels and electric vehicle charger and replacing my
19 gas stove with an induction cooktop.

10:29:53AM

20 And although this is what the present
21 and future demands of us each of these has been
22 significantly more complicated and expensive than
23 needed because the homes electric readiness was not
24 considered when it was constructed in 2012.

10:30:02AM

25 I strongly urge you to adopt the 2021

10:30:19AM

1 IECC building standards for Virginians. As you know,
2 HB2227 mandates that the Board make the building code
3 consistent with or at least as stringent as the IECC
4 standards.

5 Adopting these standards will not 10:30:33AM
6 only help Virginia reduce its carbon footprint and
7 lower energy costs for homeowners and businesses, but
8 it will also improve the comfort, health, and safety of
9 residents.

10 By adopting the 2021 IEC standards, 10:30:43AM
11 Virginia can join a growing number of states and
12 municipalities across the country that have recognized
13 the importance of energy efficiency in reducing
14 greenhouse gas emissions and mitigating the impacts of
15 climate change. 10:30:55AM

16 So, I urge you to adopt the 2021 IECC
17 standards to build a more sustainable and resilient
18 future for Virginia. Thank you very much.

19 MR. MERINGOFF: Thank you very much.

20 MR. FLANDERS: Mister Chair, we have 10:31:07AM
21 Ivy Main followed by Natalie Pien and Frederick
22 Krimgold.

23 MR. MERINGOFF: Ivy Main, your two
24 minutes begins now.

25 MS. MAIN: Thank you. My name Ivy 10:31:18AM

1 Main. I live in McLean, Virginia, and I support
2 adoption of the full 2021 IECC.

3 After my husband and I moved into our
4 house, we had a home energy audit done which found
5 significant air leakage and other weatherization
6 failures. We spent thousands of dollars on retrofits,
7 but the house is still leaky because it wasn't tightly
8 built in the first place.

10:31:31AM

9 These failures have cost us thousand
10 of dollars more over the years we've lived here in
11 higher energy bills. The house still feels drafty.
12 The air quality has suffered because gas furnace ran
13 more often.

10:31:45AM

14 So, I was pleased when the General
15 Assembly passed the law in 2021 requiring the Board to
16 asses the public health, safety, welfare benefits of
17 adopting standards that are at least as stringent as
18 those contained in the IECC, including potential energy
19 savings and air quality benefits over time compared to
20 the cost of initial construction.

10:31:56AM

10:32:09AM

21 Adopting the full IECC will prevent
22 others from going through what I did and save home
23 owners far more money over time than the incremental
24 cost of building to a higher standard.

25 Given these savings and air quality

10:32:21AM

1 benefits, the BHCD does not have the option to
2 disregard the IECC. It's clear from the law that the
3 Board must adopt the efficiency measures of the full
4 IECC because the savings over time from adopting the
5 full model code exceed the marginal cost of meeting the 10:32:37AM
6 higher standards. The Board cannot legally adopt a
7 lesser standard. Thank you.

8 MR. MERINGOFF: Thank you very much.

9 MR. FLANDERS: Natalie Pien,
10 Frederick Krimgold, and Susan Stillman. 10:32:46AM

11 MR. MERINGOFF: Natalie Pien, your
12 two minutes begins now. I believe you're on mute.

13 MS. PIEN: Thank you. Hello. My
14 name is Natalie Pien, and I'm a member of the Sierra
15 Club Great Falls group. Thank you for the opportunity 10:33:18AM
16 to share my thoughts to adopt all of the updated IECC
17 recommendations.

18 I'm concerned that the requirements
19 of HB2227 approach on May -- March 30th 2021 have not
20 been met. The law states that upon each publication by 10:33:34AM
21 the international Code of new version of the
22 International Energy Conservation Code, IECC, the Board
23 of Housing and Community Development shall consider
24 adopting amendments to the Uniform State Building Code
25 to address changes in the IECC related to energy 10:33:50AM

1 conservation.

2 Virginians deserve all the energy
3 efficiency as documented in the US DOE report cost
4 effectiveness of the 2021 IECC for residential
5 buildings in Virginia.

10:34:05AM

6 In particular, the economic benefits
7 will address the energy burden experienced by
8 Virginia's low-income households, rural households, and
9 people of color.

10 Today neither Government programs nor
11 the investor-owned utility programs are sufficient to
12 alleviate this burden. Virginia's building code must
13 be improved to solve this equity problem.

10:34:14AM

14 Because my husband and I have
15 electrified our home, we enjoy better health by
16 breathing cleaner air free from gas leaks and pollution
17 from gas stoves. We have a cleaner conscience too
18 knowing that our home is no longer powered by fossil
19 gas.

10:34:27AM

20 Our home does not create the demand
21 for fossil fuels it did once. The building code must
22 be updated to reduce the fossil fuel demand from all
23 homes and to create healthier homes and to reduce
24 greenhouse emissions.

10:34:34AM

25 Today I urge the Board to fulfill its

10:34:51AM

1 HB2227 legal requirements to, quote to assess public
2 health, safety, and welfare benefits, adopting
3 standards that are as least as stringent as those
4 contained in the IECC, including potential energy
5 savings and air quality benefits over time compared to
6 the initial cost. 10:35:05AM

7 These benefits have been well
8 documented by the US DOE study. It's way past time for
9 Virginia to update its energy efficiency code. Thank
10 you for your serious consideration. 10:35:13AM

11 MR. MERINGOFF: Thank you.

12 MR. FLANDERS: Mister Chair, we have
13 Frederick Krimgold followed by Susan Stillman and then
14 Bill Penniman.

15 MR. MERINGOFF: Okay. Frederick
16 Krimgold, your two minutes starts now. 10:35:21AM

17 MR. KRIMGOLD: Hello. I'm Fred
18 Krimgold. I am the former associate Dean for the
19 research for the College of Architecture and Urban
20 studies at Virginia Tech; and a former consultant to
21 the World Bank on disaster risk reduction and building
22 regulation for resilience. 10:35:44AM

23 I would like to address specifically
24 the provisions related to insulation, wall, and ceiling
25 insulation, and air infiltration. I believe that in 10:36:10AM

1 both cases we need to at least meet the standard of the
2 2021 IECC, and in fact we should accept the IECC
3 without exceptions.

4 Beyond that, I think that it's
5 important that the air infiltration issues relates not 10:36:38AM
6 only to comfort, but also to the health and resistance
7 to the impacts of the expected future climate change.
8 And the insulation issues also relate to occupant
9 health and comfort.

10 I think it's extremely important that 10:37:01AM
11 we recognize that failure to take into account these
12 measures in new construction will definitely cost
13 homeowners and the Commonwealth a growing amount of
14 money related to expected damage. That is related to
15 damages anticipated by responsible scientific opinion 10:37:25AM
16 and the intergovernmental panel on climate change.

17 Lastly, I would suggest that approval
18 of these measures will aid the building industry and
19 the home builders by allowing them to market improved
20 economy, health, and safety to future homeowners in 10:37:52AM
21 Virginia. Thank you.

22 MR. MERINGOFF: Thank you very much.

23 MR. FLANDERS: Mister Chairman, next
24 we have Susan Stillman, Bill Penniman, and Monique
25 Hanis. 10:38:00AM

1 MR. MERINGOFF: Susan Stillman, two
2 minutes starts now.

3 MS. STILLMAN: So, thank you. My
4 name is Susan Stillman and I live in Vienna, Virginia.
5 Virginia's building code is woefully behind the current 10:38:12AM
6 IECC set in 2021. Our neighboring State Maryland
7 adopted the IECC a year after it was released, homes
8 built to the Code in Virginia are less expense to
9 operate over the life of the home because they are
10 better insulated and have less air leakage. 10:38:32AM

11 Virginian's pay a heavy price in
12 utility cost because our Code is not up to the most
13 recent standards.

14 The price of electricity goes up year
15 over year. And my last gas bill there was a note from 10:38:43AM
16 the fossil gas company that in addition to the
17 volatility of the price of fossil gas that we've seen
18 over the last few years the price of fossil gas is
19 expected -- predicted to increase.

20 While having a mortgage one can 10:38:54AM
21 afford is important, having predictable operating costs
22 to heat, cool, and cook are important too.

23 Many Virginians are installing solar
24 so they can reduce the risk of increases in the price
25 of electricity. 10:39:11AM

1 New homes should have the conduit in
2 place and the appropriate circuit box so that
3 installing solar is easy and inexpensive to do. This
4 should happen at the time of construction. We are
5 talking about conduit, not a huge expense to the
6 builder. By the same token, conduit infrastructure and
7 circuit box infrastructure should be EV charging and
8 induction and cooktop ready.

10:39:21AM

9 I spent a lot of money getting the
10 wiring for my induction cooktop. This should not be
11 the case in building homes going forward.

10:39:34AM

12 Putting the infrastructure to future
13 proof homes during construction is the right time to do
14 it. Well insulated residences are more comfortable to
15 live in and less expensive to operate over the life of
16 the home.

10:39:44AM

17 Virginia's Building Code needs to
18 meet the current IECC. Our citizens deserve nothing
19 less.

20 MR. MERINGOFF: Thank you very much.

10:40:01AM

21 MR. FLANDERS: Mister Chair, we have
22 Bill Penniman, Monique Hanis, Jeff Mang.

23 MR. MERINGOFF: Bill Penniman, you
24 may go ahead.

25 MR. PENNIMAN: Good morning. Thank

1 you. As you know, I have actively participated in
2 workgroup and rulemaking processes throughout the 2021
3 cycle. Tomorrow I will submit written comments on
4 behalf of five organizations whose members include over
5 thirty thousand residents of Virginia.

6 A few of the basic messages in those
7 comments. One, comply with Virginia law that proposed
8 final rule must be revised to adopt the full IECC and
9 to adopt several additional proposals that we've
10 submitted that will save energy and benefit residents 10:40:46AM
11 for decades.

12 As other speakers have noted in,
13 current Virginia law requires that standards be at
14 least as stringent as the full IECC whenever this
15 energy savings air quality and other benefits exceed 10:41:00AM
16 over time incremental cost of construction. Minimizing
17 cost of construction is relevant only if it is
18 consistent with the national codes.

19 Full compliance with each update to
20 the IECC since 2006 for residential and commercial 10:41:21AM
21 codes has consistently been shown by the Department of
22 Energy and National Laboratory to save energy and money
23 for occupants year after year compared to the prior
24 IECC.

25 The 2021 IECC would produce energy 10:41:38AM

1 savings of 17.9 percent across all climate zones in
2 Virginia. It would save statewide residents would save
3 7.2 million dollars in the first year and over time
4 they would save over eighty-three hundred-dollars each
5 initial cost are taken into account.

10:42:00AM

6 Full IECC compliance will enhance
7 housing affordability under Virginia law and federal
8 policies. Affordability is measured by total housing
9 costs including utilities as well as mortgages and
10 rents. That's exactly what the DOE and the Pacific
11 National Laboratory examine when they find that the
12 IECC will reduce residents costs for decades.

10:42:19AM

13 MR. MERINGOFF: That's two minutes,
14 sir. You may conclude, but that's been over two
15 minutes.

10:42:36AM

16 MR. PENNIMAN: Okay.

17 So, the other thing I would say is
18 that it's critical that you remove the proposed
19 rollback of commercial categories FSNU which are
20 totally unsupported by the evidence and
21 totally contradictory the law. Thank you.

10:42:50AM

22 MR. MERINGOFF: Thank you.

23 MR. FLANDERS: Mister Chair, Monique
24 Hanis, Jeff Mang, and Gina Weatherup.

25 MR. MERINGOFF: Monique Hanis, your

10:42:58AM

1 two minutes begins now.

2 MS. HANIS: Thank you and good
3 morning. I am Monique Hanis and I'm speaking from the
4 perspective of a 32-year resident of Arlington,
5 Virginia. That has renovated and improved energy
6 efficiency on two homes over the years. 10:43:15AM

7 I also represent the Climate and
8 Clean Energy Working Group that is part of the Virginia
9 Grassroot Coalition. This is an umbrella group of 50
10 organizations and 15,000 engaged advocates across the
11 Commonwealth. 10:43:31AM

12 I urge the Board to strengthen
13 building codes to make Virginia a leader, particularly
14 in energy efficiency. I think there are three good
15 reasons for setting stronger across the board building
16 codes and energy efficiency standards for all
17 buildings, homes, commercial properties, schools, and
18 other public buildings. 10:43:45AM

19 First, we drive the greatest term
20 energy savings impact for all Virginians whether we're
21 renters, homeowners, customers of Virginia based
22 businesses, and all of us who pay taxes to maintain our
23 public buildings. 10:44:00AM

24 Second, by creating a level playing
25 field for builders and contractors, we can improve our
10:44:15AM

1 buildings of all types when they're being built or
2 renovated rather than making thicker insulation, energy
3 efficient systems -- lighting systems. Excuse me. And
4 better heating and cooling systems and optional
5 afterthought. This is something I've learned first
6 hand. It's usually more and much more expensive to
7 improve later.

10:44:32AM

8 Third, I believe this will make
9 Virginia a more competitive building market leader,
10 support our economy and the building industry.

10:44:46AM

11 Bottom line. I feel this is the
12 right action to take now that will pay back decades to
13 come. Thank you for your consideration for hearing me
14 out.

15 MR. MERINGOFF: Thank you.

10:44:56AM

16 MR. FLANDERS: Next, Chair, we have
17 Jeff Mang followed by Gina Weatherup and Ben Rabe.

18 MR. MERINGOFF: Jeff Mang, your two
19 minutes begins now.

20 MR. MANG: Okay. Thank you.

10:45:10AM

21 Jeff Mang representing the
22 Polysocyanurate Insulation Manufacturers Association,
23 PIMA. So, first of all, thank you for this opportunity
24 to comment and for the remote option.

25 In General, PIMA would urge the

10:45:40AM

1 adoption of the IECC's -- the unamended IECC, but I'd
2 like to focus on comments, specifically on the Appendix
3 CD. That was adopted. PIMA urges the Board to delete
4 the weakening envelope require -- provisions proposed
5 for Groups F, S, and U buildings under that appendix. 10:45:52AM

6 I'm not familiar with Groups F and U,
7 but applying these weaker envelope requirements to the
8 storage or warehouse category would have a very
9 negative, very large negative impact.

10 Warehouses represent about 25 percent 10:46:10AM
11 of new construction and 75 percent of those buildings
12 where both are heat and cooled. Nationally almost 12
13 billion dollars is spent each year on the energy used
14 in warehouses and under this amendment the cost would
15 go up for Virginia. 10:46:29AM

16 The Appendix CD is an option. It's
17 not needed. Under the current IECC, buildings would
18 have condition spaces and low energy buildings are
19 already exempted from the envelope requirements.

20 And under the ASHRAE 90.1 standards, 10:46:45AM
21 which is an alternative compliance path under the IECC,
22 the envelope requirements for semi-heated spaces are
23 already much less stringent than they are under the
24 base code requirements.

25 In addition, the proponents recent 10:47:01AM

1 statement for this amendment addressed only the upfront
2 cost savings and provided no information about the
3 impact on full building life cycle costs.

4 The requirements for these building
5 categories have been in place under the model energy 10:47:17AM
6 code for quite some time now. So, I think this
7 rollback which diverges significantly from the national
8 model code should be supported by a more complete life
9 cycle cost analysis. So --

10 MR. MERINGOFF: Thank you. Very 10:47:37AM
11 much.

12 MR. MANG: Okay. Thank you very
13 much.

14 MR. MERINGOFF: Thank you very much.

15 MR. FLANDERS: Mister Chairman, we 10:47:37AM
16 have Gina Weatherup, Ben Rabe, Eric Lacey.

17 MR. MERINGOFF: Gina Weatherup, you
18 may go ahead.

19 MS. WEATHERUP: Good morning. My
20 name is Gina D'Andria [sic]. I am a small business 10:47:48AM
21 owner, a parent, a homeowner in Fairfax County, and I
22 recently started volunteering with the Citizens Climate
23 Lobby.

24 I'm here to give you a very brief
25 personal story. You see I just purchased my first all 10:48:02AM

1 electric vehicle or EV, and it's been really exciting
2 to drive it around and show off my new car. And before
3 I purchased it, I read about EV's and I talked to EV
4 owners for more than a year. And we ultimately made
5 the decision to buy it based on the availability of my
6 chosen vehicle. As a result, we wound up making a
7 purchase before actually adding the charging
8 capabilities to our home.

10:48:20AM

9 Well, three weeks after purchasing my
10 EV, after multiple times driving the one mile to plug
11 my car in and finding all the charge is taken, I
12 realized the enormous inconvenience it is to have to
13 add one more errand which requires advance planning and
14 has no guarantee of success.

10:48:32AM

15 As I have said, I run a business. I
16 own a home, a parent. I volunteer. I have a lot to
17 do. I should have a plug in my home.

10:48:45AM

18 Now, I know separate from even
19 purchasing the actual charging it's going to cost me
20 fifteen hundred-dollars just to run the actual wiring.
21 And I'm lucky enough to be in a home whose electric
22 panel doesn't need to be expanded or upgraded in any
23 way. I look around me and I see new homes being built
24 all the time.

10:49:04AM

25 It's 2023, the new homes being built

10:49:19AM

1 should have the capabilities the at home-charging
2 stations already built in. As you've already heard
3 from others, it's far cheaper. And I imagine far
4 quicker to install the required wiring or a conduit and
5 space on the circuit box that support EV charging
6 during construction than it is to retrofit, as so many
7 of us are already choosing to do. We invest those --
8 that money and those resources because we can, but not
9 everyone can.

10:49:33AM

10 Electric vehicles are not going away.

10:49:48AM

11 And the cheapest way to ensure that people can easily
12 charge their transportation is to build buildings that
13 are prewired for charging stations, both homes and
14 businesses. These require new residences to be built
15 to make EV charging a normal part of your lives. Thank
16 you very much.

10:50:00AM

17 MR. MERINGOFF: Thank you very much.

18 MR. FLANDERS: Mister Chair, we have
19 Ben Rabe followed by Eric Lacey followed by Glenn Dean.

20 MR. MERINGOFF: Ben Rabe, your two
21 minutes begins now.

10:50:13AM

22 MR. RABE: Thank you. This is Ben
23 Rabe from New Buildings Institute, and we help
24 jurisdictions from around the country adopt the
25 building code as a tool to meet their climate goals.

10:50:23AM

1 As many of you know, we introduced a
2 slew of proposals in order to improve Virginia's
3 building code. Given that we are at a late state in
4 this process, I'd like to focus on primarily on three
5 recommendations at this point.

10:50:42AM

6 We recommend starting with an
7 unamended version of the 2021, which prioritizes
8 removing the weakening weatherization and envelope
9 requirements that many other folks have mentioned, and
10 consider strengthening amendments to meet the stage
11 climate and goals including electric ready amendments
12 and EV charging.

10:50:57AM

13 As I said, we introduced a number of
14 other proposals that we think are all very strong, but
15 these I think will get the most benefits to Virginia
16 residence at this time. Thank you.

10:51:11AM

17 MR. MERINGOFF: Thank you very much.

18 MR. FLANDERS: Mister Chair, we have
19 Eric Lacey followed by Glenn Dean followed by Mary
20 Koban speaking on statewide building codes.

10:51:27AM

21 MR. MERINGOFF: Eric Lacey, your two
22 minutes begins now.

23 MR. Lacey: Thank you members of the
24 Board. Thank you, Mister Chair, for taking the time to
25 listen to our public comments and again thank you for

10:51:38AM

1 the remote option.

2 I'm Eric Lacey the Chair of the
3 Responsible Energy Codes Alliance, and we are a
4 coalition of building products and equipment
5 manufacturers trade associations and efficiency and 10:51:44AM
6 environmental advocates, and we've been involved in
7 this process for many years.

8 But, we do appreciate the hard work
9 of the Board and all the work groups and the progress
10 that we're making towards adoption of the IECC. I 10:51:56AM
11 appreciate that stakeholders are willing to get
12 together to find reasonable compromises.

13 Now, while I think we made really
14 good progress, um, this cycle there's still a few
15 really important amendments that needs to be made here, 10:52:07AM
16 in order to get a full benefits of the 2021 IECC, but
17 also to help facilitate tax credits for homeowners and
18 builders and to make sure that federal grants are
19 directed towards the Commonwealth.

20 And I just want to make a quick note 10:52:22AM
21 about these federal dollars. They were raised earlier,
22 but I think this is a important point. One and a
23 quarter of billion tax dollars are being allocated to
24 code adoption and implementation over the next decade
25 or so, and this is through the Bipartisan Infrastructure 10:52:36AM

1 Act and the Inflation Reduction Act.

2 As a taxpayer in Oakton, Virginia,
3 I'm urging the Board to make the necessary adjustments
4 to the USPC to make sure that those federal dollars are
5 directed towards our own Commonwealth rather than just 10:52:50AM
6 forfeiting our tax dollars to other states that are
7 already on track for adoption of the 2021 IECC.

8 I do think it's worth a second and
9 third look at the codes to make sure that we are as
10 compliant as we can be, to help to ensure that those 10:53:02AM
11 dollars are -- are landing here in the Commonwealth
12 rather than going somewhere else.

13 We've submitted more extensive
14 written comments to the Board on Friday, and we
15 detailed three weakening amendments that we think need 10:53:18AM
16 to be fixed before the rule is finalized.

17 The first one is a new Appendix CD
18 which Jeff Mang spoke about. This needs to be deleted
19 or fixed. It applies to the 2006 IECC requirements to
20 some building types. This is going to create some 10:53:27AM
21 conflicts. Whatever you think about the energy savings
22 it's a mismatch. But, we do think that the energy
23 savings differences are huge, and we are going to lose
24 a lot of energy as a result of these amendments.

25 The other two amendments, the wall 10:53:42AM

1 insulation requirements are two codes cycles behind
2 now. And we think the envelope air leakage
3 requirements can be tightened up a little bit more. We
4 made good progress on this, and we appreciate the home
5 builders working with us on this, but we think we can
6 go that next step and come up to full Code compliance.

10:54:00AM

7 MR. MERINGOFF: Thank you.

8 MR. Lacey: Thank you.

9 MR. FLANDERS: Mister Chair, we have
10 Glenn Dean followed by Mary Koban followed by Robert
11 Glass.

10:54:06AM

12 MR. MERINGOFF: Okay. Glen Dean, go
13 ahead.

14 MR. DEAN: Good morning. I'm Glenn
15 Dean representing myself. I am speaking on the subject
16 of residential sprinkler systems, in particular for
17 single family homes.

10:54:16AM

18 Given all the true and blatantly
19 false rhetoric over the pass cycles, I suggest the
20 entirety of the Board direct and set up through its
21 codes and standards committee the establishment of a
22 balanced subcommittee for this upcoming code cycles
23 specific to residential sprinkler systems.

10:54:29AM

24 By balanced, I mean that it is to be
25 comprised of members of the Board who are opposed to

10:54:43AM

1 such systems. An equal number of Board members and
2 support and an equal number of Board members who know
3 nothing about these systems beyond the concept. These
4 members should activity participate in all the properly
5 advertised meetings, but not to the exclusion that
6 other Board members who want to witness the debate
7 firsthand.

10:55:03AM

8 As for the purpose of rooting out
9 what is false, what is true about residential supplier
10 sprinkler systems. Based on the statutory language of
11 3699 of the Code of Virginia stating, in part, quote,
12 provisions of the building Code of and modifications
13 thereof shall be such as to protect the health, safety,
14 and welfare of the residents of the Commonwealth,
15 provided that the building is constructed should be
16 permitted to be constructed rehab and maintain at the
17 least possible cost consistent with recognized
18 standards for health, safety, energy conservation, and
19 water conservation, end quote.

10:55:12AM

10:55:26AM

20 I emphasize the legislative hierarchy
21 of shall versus should and then, quote. It is
22 compulsory of the Board as a whole to give serious and
23 unbiased consideration of this important and serious
24 provision within the model code. Thank you.

10:55:42AM

25 MR. MERINGOFF: Thank you very much.

10:55:59AM

1 MR. FLANDERS: Chair, next we have
2 Mary Koban speaking to the USBC. Robert Glass, Dan
3 Willham.

4 MR. MERINGOFF: Mary Koban, go ahead.

5 MS. Koban: Again, Mary Koban 10:56:11AM
6 representing Chemours. I'm just going to touch on this
7 just to make sure we are clear. During the Virginia
8 code proposal process five codes proposals: BF202,
9 BF608, Parts 1 and Part 2 and BF911 and BF 5003 were
10 heard. They were heard but not excepted because they 10:56:29AM
11 were submitted into the fire code and should have been
12 submitted into the building code. So, we apologize for
13 that error in admission there supporting that.

14 So, please refer to the Virginia Code
15 Hearing book Page 663. We noted before that these 10:56:45AM
16 codes are critically important for air conditioning
17 heating ventilation and refrigeration industry to meet
18 the AIM Act. And we know that these are also for
19 commercial and residential applications. Without these
20 codes being approved, folks who are out there handling 10:57:00AM
21 servicing and storing refrigerants will have a very
22 difficult time moving forward with lower GWP
23 refrigerants for servicing these applications, due to
24 the upcoming AIM Act against next phase down. Thank
25 you. Bye. 10:57:14AM

1 MR. MERINGOFF: Thank you very much.

2 MR. FLANDERS: Mister Chair, we have
3 Robert Glass followed by Dan Willham.

4 MR. MERINGOFF: Robert Glass, your
5 two minutes now. 10:57:25AM

6 MR. GLASS: Yes. Yes, good morning.
7 My name is Robert Glass with [INAUDIBLE] Technologies.
8 I would like to first start by saying ditto for Mary
9 Koban and for the information that she noted.

10 The second thing I want to go ahead 10:57:40AM
11 and address is the need to update some of the standards
12 that are noted in the reference sections of the
13 building code, particularly the ULCSA 60335-2-40.

14 In the updates here it notes the 2019
15 edition, which was the latest edition at the time 10:57:59AM
16 proposals were originally submitted to the Board. But,
17 subsequent to that the standard has been updated to the
18 2022 edition, and the 2024 IMC and IRC through the
19 Group B Code cycle has updated and adopted the 2022
20 edition of the safety standard. 10:58:24AM

21 It's critical that be updated because
22 computer room air conditioners that use A2L refrigerants
23 are not addressed in any other standard only the 2020
24 edition.

25 And in addition there are additional 10:58:40AM

1 updates to all equipment using A2L refrigerants. Also,
2 the note for ASHRAE 34 and ASHRAE 15, they are both
3 noted as the 2019 editions. Those also need to be
4 updated to the 2022 editions because new A2L
5 refrigerants are addressed in the ASHRAE 34, 2022 and
6 the ASHRAE 15 2022 addresses updated requirements for
7 all equipment that are using A2L refrigerants.

10:59:03AM

8 Again, those have been approved and
9 adopted by ICC for 2024 IMC and the ASHRAE 15 2022 for
10 the IRC.

10:59:24AM

11 So, I would like the Board to go
12 ahead and consider and we - I will go ahead and submit
13 comments to provide the chapter verse on where these
14 updates are needed. Thank you so much for your time.

15 MR. MERINGOFF: Thank you.

10:59:36AM

16 MR. FLANDERS: Chair, we have Dan
17 Willham.

18 MR. MERINGOFF: Dan Willham, your two
19 minutes begins now.

20 MR. WILLHAM: Good morning. My name
21 is Dan Willham, Fairfax County Deputy Building
22 Official, and I would like to speak in support of the
23 non-consensus changes that eliminate weakening of the
24 Virginia -- Virginia Energy Code Amendments, especially
25 those that allow reduced wall insulation and a higher

10:59:44AM

10:59:58AM

1 infiltration for blower door tests.

2 The Fairfax County Board of
3 Supervisors supports actions that would require
4 increased energy efficient construction. Approximately
5 14 percent of Virginia residents reside in Fairfax 11:00:10AM
6 County, and this would support our community wide
7 energy and climate action plan or CCAP that is unique
8 in that it was developed by the community, for the
9 community, with input from dozens of organizational
10 business and civic leaders as well as individual 11:00:33AM
11 residents. And we would like to support all of the
12 previous comments that support to this.

13 And also, note that there is more to
14 our affordability than a first cost. More importance
15 should be placed on the affordability of owning a home 11:00:52AM
16 or a building after the purchase. Thank you.

17 MR. MERINGOFF: Thank you very much.

18 MR. FLANDERS: Mister Chair, that's
19 the last speaker registered for the building code at
20 this time. 11:01:02AM

21 MR. MERINGOFF: Okay.

22 Then that concludes the public
23 comments for the Uniform Statewide Building Code. And
24 we will move on to the Virginia Amusement Device
25 Regulations. 11:01:12AM

1 MR. FLANDERS: Chair, we don't have
2 anyone registered that I'm aware of online or
3 in-person.

4 MR. MERINGOFF: Okay.

5 In that case, we will move on to the 11:01:28AM
6 Virginia Industrialized Building Safety Regulations.

7 MR. FLANDERS: Okay. We have one
8 speaker registered in-person, Randy Grumbine.

9 MR. MERINGOFF: Okay.

10 MR. FLANDERS: Randy Grumbine. 11:01:46AM

11 Mr. GRUMBINE: Mister Chair, good
12 morning. Randy Grumbine representing the Virginia
13 Manufacturing Modular Building Association.

14 Just a couple of comments. We do not
15 have objections to the proposed amendments to the IBC 11:01:56AM
16 section. We do have some bills however are concerned
17 with adoption of the 2021 IECC not being able to find a
18 way to comply with building some models, especially in
19 the more climate restricted regions, such as Bath and
20 Highland counties. So, we do have a concern about 11:02:21AM
21 those proposals of the '21 -- 2021 adoption of the
22 IECC. Thank you.

23 MR. MERINGOFF: Thank you very much.

24 MR. FLANDERS: Mister Chair, I don't
25 believe we have anyone else registered to speak. 11:02:38AM

1 MR. MERINGOFF: Okay. And that
2 concludes the public comment.

3 And I will close the public hearing.

4 Are there any other persons wishing
5 to speak regarding the issues for which this public
6 hearing was convened? Okay. Not hearing anyone. Then
7 the hearing is now concluded.

11:02:53AM

8 All comments will be taken under
9 advisement by the Board. I would like to reemphasize
10 that any written statements received will be considered
11 by the Board.

11:03:11AM

12 Thank you very much. That concludes
13 the public hearing.

14 MR. FLANDERS: Mister Chair, I put
15 the link for the public comment e-mail in the chat
16 online and public comments can be submitted through
17 tomorrow.

11:03:26AM

18 MR. MERINGOFF: Okay. Thank you very
19 much. Yes, written comments can be submitted through
20 tomorrow. Thank you very much, Kyle.

11:03:38AM

21 That concludes the public hearing.

22 [MAY 8, 2023: 11:05 A.M.]

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CERTIFICATE OF COURT REPORTER

I, Andrea Pegram, hereby certify that I transcribed the above-styled Board of Housing and Community Development hearing on May 8, 2023, to the best of my ability.

Andrea Pegram

Andrea Pegram
Court Reporter