



DECEMBER 2010

Public Hearing on the Proposed Energy Efficiency Amendments to Connecticut Building Code

Public Act 09-192, approved July 8, 2009 (Act), amended Section 29-256a of the Connecticut General Statutes to require the State Building Inspector and the Codes and Standards Committee to revise the State Building Code (Code). In accordance with the Act, proposed revisions to the Code have been prepared (Proposed Revisions), and they are noticed for public hearing on December 8, 2010, at 9:00 a.m. at the offices of the Department of Public Safety in Middletown, Connecticut.

The Proposed Revisions include replacing the Code's current energy code, the 2006 International Energy Conservation Code (IECC), with the 2009 IECC. This update to the IECC is intended to meet the energy conservation requirements of Public Act 09-192 and to qualify Connecticut for energy grant funding available under the American Recovery and Reinvestment Act of 2009.

The State Building Inspector and the Codes and Standards Committee will respond to the comments received at the public hearing on the Proposed Revisions before submitting them to the Office of the Attorney General for review. Thereafter, the Legislative Regulation Review Committee will conduct a final review of the Proposed Revisions prior to adoption.

PUBLIC ACT 09-192

The Act requires revisions to the Code to change the requirements for new construction of, or major alterations to, certain commercial and residential buildings of specified minimum size. Under the Act, such construction must

[M]eet or exceed optimum cost-effective building construction standards concerning the thermal envelope or mechanical systems, including, but not limited to, indoor air quality and water conservation, and the lighting and electrical systems of the building.

The Act also requires that such revisions

[R]eference nationally accepted green building rating systems, including, but not limited to,

the Leadership in Energy and Environmental Design rating system, the Green Globes USA design program, as established by the Green Building Initiative, the National Green Building Standard, as established by the National Association of Home Builders, or an equivalent rating system approved by the State Building Inspector and the Codes and Standards Committee.

Under the Act, compliance with the new Code requirements must be demonstrated at the time of application for a certificate of occupancy.

PROPOSED REVISIONS TO THE CODE

In response to the Act, the Proposed Revisions amend the Code to replace Connecticut's current energy code, the 2006 IECC, with the 2009 IECC. The Proposed Revisions exceed the Act in that virtually all new construction and major renovations to residential and commercial buildings will be subject to the 2009 IECC, and not only buildings of a specified minimum size. Certain low-energy buildings will be exempt from the building thermal envelope provisions of the Code. Residential buildings subject to the Proposed Revisions include detached one- and two-family dwellings and townhouses, as well as Group R-2, R-3, and R-4 buildings three stories or less in height. Group R-2 includes buildings that offer permanent housing to occupants in large numbers, such as apartments and dormitories. Group R-3 includes single-family detached houses and duplexes, and Group R-4 includes certain assisted living and residential care facilities.

With respect to the Act's requirements that the Code reference a nationally recognized energy efficiency program, the Proposed Revisions to the Code allow for "above code programs." In other words, the Code official or other authority having jurisdiction may deem a national, state, or local energy efficiency program to exceed the energy efficiency required by the Code. Any building approved, in writing, by such an energy efficiency program will be in compliance with the Code, provided that the requirements of Chapters 4 and 5 of the 2009 IECC are met by all buildings.

As background, in an analysis of the impacts of the 2009 IECC on residential construction in Connecticut conducted by the United States Department of Energy (DOE), it is estimated that an average new home constructed in compliance with the 2009 IECC will save \$235 per year or reduce total energy use by 13 percent per year (determined using recent fuel prices and includes heating, cooling, and lighting for a two-story, single-family home with a conditioned floor area of 2,400 square feet). See "Impacts of the 2009 IECC for Residential Buildings at State Level," prepared by Pacific Northwest National Laboratory for the U.S. Department of Energy Building Energy Codes Program (Sept. 2009), *available at* <http://tinyurl.com/23uzs3f>. According to the DOE residential study, the most notable changes in the 2009 IECC "are improved duct sealing and efficient lighting requirements."

In a similar analysis, the DOE considered the impacts of ANSI/ASHRAE/IESNA Standard 90.1 on commercial construction. See "Impacts of Standard 90.1-2007 for Commercial Buildings at State Level," prepared by Pacific Northwest National Laboratory for the U.S. Department of Energy Building Energy Codes Program (Sept. 2009), *available at* <http://tinyurl.com/26nrdj9>. According to the DOE, "[m]any states adopt the ANSI/ASHRAE/IESNA Standard 90.1 for commercial buildings rather than the IECC and therefore 90.1-2007 is examined for commercial buildings... The 2009 IECC permits compliance with Standard 90.1-2007 as one option for complying with the IECC for commercial buildings." In addition, "Standard 90.1-2007... is the baseline energy standard established in the American Recovery and Reinvestment Act of 2009."

According to the DOE commercial study, "Standard 90.1-2007 would improve energy efficiency in commercial buildings in Connecticut. The analysis of the impact of Standard 90.1-2007 resulted in energy and cost savings," varying between 3 percent and 5 percent depending on the building prototype (nonresidential versus residential).

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