



DNREC Virtual Public Hearing

Proposed Revisions to:

**7 DE Admin. Code 2101 “Regulations for
State Energy Conservation Code” (Docket #
2025-R-CCE-0008)**

Welcome. Any visual content that is part of this hearing will appear in this window.

Computer Audio: Use the **audio connections menu** to turn audio on or off.

Telephone Audio: DIAL-in Number: 1-646-931-3860

Meeting ID: 827 7203 4542

Comments will be accepted using the DNREC Comment form, via email, or by USPS mail as noted on the hearing event page (<https://de.gov/dnrechearings>)

Proposed Regulatory Action

- Adopt the 2024 International Energy Conservation Code (IECC) with zero net energy capable amendments for residential buildings.
- Adopt the 2024 IECC/American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 90.1-2022 for commercial and high-rise residential buildings.
- Adopt Appendix RE: EV Charging Infrastructure and Appendix CB: Solar-Ready Zone with amendments to align with corresponding statutory requirements.

Statutory Requirements

- 16 Del. C. §7602
 - Requires the State Energy Office to conduct a triennial review of the State Energy Code.
 - Requires all new residential building construction to be zero net energy capable as of December 31, 2025.
- 16 Del. C. §7605
 - Solar-ready zone requirements for new commercial buildings.
- 16 Del. C. c. 80
 - EV charging infrastructure requirements for new residential buildings.

Stakeholder Engagement

- Stakeholder engagement with the interested persons list has been continuously maintained through frequent updates and active dialogue.
- Preliminary stakeholder engagement with builders, nonprofits, and municipalities indicated support for adopting the 2024 IECC opposed to the 2021 IECC.
 - Home Builders Association of Delaware - November 26, 2024
 - Green Building United - December 2, 2024
 - New Castle County - December 3, 2024
 - City of Lewes - December 17, 2024
 - City of Newark - December 20, 2024
 - Sierra Club - February 20, 2025
 - K Hovanian Homes - March 13, 2025
- The February Code Collaborative meeting reaffirmed stakeholder support for adopting the 2024 IECC.

Stakeholder Engagement

- The May Code Collaborative meeting reviewed the proposed energy code in the draft regulation and offered stakeholders an opportunity to provide feedback.
- Feedback from this meeting informed revisions to the draft regulation, including:
 - Removing the requirement for an ERI value of zero after factoring in on-site power production.
 - Removing the amendment that required two additional measures to achieve credits in the 2024 IECC Table R408.2.
 - Removing the appendices that are not supported by statutory requirements.

Regulatory Process To Date

- The Start Action Notice underwent Division Directors' review, received the Secretary's signature, and was distributed to the interested persons list.
- A Deputy Attorney General from the Environmental Unit in the Civil Division of the Department of Justice conducted a legal review of the draft regulation.
- The Deputy Secretary reviewed and approved of the draft regulation.
- Legal Notice advertising the public hearing was made available on the DNREC website, the Public Meeting Calendar, and published in both *The News Journal* and *Delaware State News*. Spanish and Haitian Creole translations of the Legal Notice were also posted on the DNREC website.
- The proposed regulation, the Register Notice, and the Regulatory Flexibility Analysis and Impact Statement were published in the *Register of Regulations*.

Corrections: Register Publication

- The Register Notice published in the *Register of Regulations* on July 1, 2025, incorrectly states that the proposed regulation includes the adoption of the following appendices:
 - Appendix RB, Appendix RD, Appendix RE, Appendix RJ, Appendix RK, Appendix CB, Appendix CG, Appendix CH, Appendix CI, and Appendix CJ.
 - **The regulation proposes the adoption of only Appendix RE and Appendix CB.**
- The proposed regulation published in the *Register of Regulations* on July 1, 2025, inadvertently omits measure number R408.2.1.4 (reduced air leakage) from Table R408.2.
 - **The final proposed regulation will include R408.2.1.4 in Table R408.2, as written for Climate Zone 4 in the 2024 IECC.**

Exhibit List

- Exhibit 1: Delaware Code Collaborative PowerPoint, dated February 20, 2025
- Exhibit 2: Start Action Notice approved by the Department Secretary on April 26, 2025
- Exhibit 3: Delaware Code Collaborative PowerPoint, dated May 19, 2025
- Exhibit 4: National Cost-Effectiveness of the Residential Provisions of the 2021 IECC PNNL Report
- Exhibit 5: National Cost-Effectiveness of the Residential Provisions of the 2024 IECC PNNL Report
- Exhibit 6: State Public Meeting Calendar Legal Notice, dated June 13, 2025
- Exhibit 7: Public Hearing Event Page posted on the DNREC website on June 16, 2025
- Exhibit 8: English Online Public Notice posted on the DNREC website on June 29, 2025

Exhibit List (Continued)

- Exhibit 9: Spanish Online Public Notice posted on the DNREC website on June 29, 2025
- Exhibit 10: Haitian Creole Online Public Notice posted on the DNREC website on June 29, 2025
- Exhibit 11: Affidavit and Legal Notice published in *The News Journal* on June 29, 2025
- Exhibit 12: Affidavit and Legal Notice published in *Delaware State News* on June 29, 2025
- Exhibit 13: Register Notice, Regulatory Flexibility Analysis and Impact Statement Form, and Proposed Amendments to 7 DE Admin. Code 2101, published in the *Register of Regulations* on July 1, 2025
- Exhibit 14: DNREC Public Hearing PowerPoint presented on July 22, 2025



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Thank you for joining us. We will accept comments on this matter through Wednesday, August 6, 2025.

Comments may be submitted in writing

Via online form at <https://de.gov/dnrecomments>, via email to

DNRECHearingComments@delaware.gov, or USPS mail:

Theresa Smith, Hearing Officer

DNREC – Office of the Secretary

89 Kings Highway, Dover, DE 19901

The full verbatim transcript will be posted when it becomes available.

For more information, find the event page for this hearing on the DNREC Public Hearings page at

<https://de.gov/dnrehearings>