



START ACTION NOTICE # 2019-04

1. TYPE OF ACTION:

Revise the *Regulations for State Energy Conservation Code* to adopt the 2018 International Energy Conservation Code (2018 IECC) and American Society of Heating, Refrigerating and Air-Conditioning Engineers Standard 90.1-2016 (2016 ASHRAE).

2. PURPOSE OF ACTION:

Delaware's Energy Conservation Code Act (16 Del.C. §7602) requires DNREC to adopt the most recent and/or highest available version of the International Energy Conservation Code (IECC), and the latest American Society of Heating, Refrigerating and Air-Conditioning Engineers/Illuminating Engineering Society of North America (ASHRAE/IESNA) energy standard. The regulations must also set out procedures for certification of compliance with these codes and standards to be utilized by the respective local governments. The Energy Conservation Code Act instructs DNREC to review the state energy codes triennially for potential updates to adopt newer versions of the IECC and ASHRAE energy code standards.

Since May 1, 2014, Delaware has required the 2012 IECC for residential buildings and ASHRAE 90.1-2010 for commercial and high-rise residential structures. In 2017, the Department convened the Delaware Energy Code Coalition to begin the triennial review of the available energy conservation codes and evaluate the impacts of adopting a newer version of the IECC and ASHRAE standards. The Coalition met eleven times between March 2017 and January 2019 to review newer versions of the IECC and ASHRAE standards. The Department, in consultation with the Codes Coalition, considered the 2015 and 2018 versions of the IECC standards and ASHRAE 90.1-2013 and ASHRAE 90.1-2016. The Department collected input through the Delaware Energy Code Coalition to inform the proposed draft regulations.

The modest increased cost of the more stringent energy conservation codes is offset by the benefits accrued to the building owners and occupants over the life of the building. Adopting the current version of the IECC and ASHRAE energy conservation codes will increase building sector energy efficiency, bring energy cost savings for building owners and occupants, increase occupant comfort, and reduce emissions in Delaware.

3. STATUTORY BASIS:

Delaware Energy Conservation Code Act pursuant to 16 Del.C. §7602.

4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE.

No, it is not required by federal statute or regulation.

5. DATE OF MOST RECENT REVIEW/AMENDMENT:  
(Please indicate if review was pursuant to 29 Del.C. §10407)

These regulations were established on May 1, 2014 and review was not pursuant to 29 Del.C. §10407.

6. LIKELY AFFECTED PUBLIC:

Delaware business owners, homeowners, municipal and county governments, code enforcement officials, residential and commercial builders.

7. PROPOSED SCHEDULE OF ACTIVITIES:

Initiate SAN: Spring 2019  
Complete Draft Proposal: Summer 2019  
Publication in the Monthly Register: Late Summer 2019  
Public Hearing: Early Fall 2019  
Effective Date: Fall 2019

8. REVIEW COMMITTEE:

The review committee will include Division of Climate, Coastal, & Energy staff. Additional guidance will be obtained from code enforcement officials, homebuilders, other affected parties, and participants at the public hearing.


9. RESPONSIBLE STAFF MEMBER:

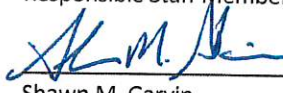
(name, physical address, phone and fax numbers, and e-mail address)

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10. APPROVALS:

 03/29/19  
Jessica C. Quinn Date  
Responsible Staff Member

 4/2/19  
Andrea Kreiner Date  
Director, Division of Climate, Coastal, & Energy

 4/4/19  
Shawn M. Garvin Date  
Secretary