

DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE
(Energy Excerpts and Draft Responses)

Clearinghouse Rule Number: 06-120		Hearing Location: Madison	
Rule Number: Chapters Comm 14 and Comm 60 to 66		Hearing Date: December 21, 2006	
Relating to: Fire Prevention Code and Commercial Building Code			
Speaker	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
112	Ingrid McMasters, LC, IESNA KJWW Engineering Consultants Madison, WI	Proposes that Wisconsin adopt a similar method relating to the energy code and calculation of lighting loads similar to California Title 24, which allows the use of current power limiters installed with line voltage track. Believes this will allow establishments like restaurants and retail establishments to have more flexibility in their lighting placement while still limiting the power consumption of the track. Includes sample cut sheets of the current power limiting device and applicable pages from the Title 24 Nonresidential Compliance Manual. Indicates this change would require an additional definition of “current power limiting device” under Comm 63.1005 and modification of Comm 63.1045 (4a) to assimilate Title 24.	Agree, the proposed rules have been changed to incorporate this flexibility.
165	Ross DePaola Integrated Energy Services/WESTLab Madison, WI	Explains he is a member of the Energy Conservation Code Council and is a representative for Clean Wisconsin and commends the Department on the decision to adopt the International Energy Conservation Code (IECC) 2006 edition. This represents the very latest energy national efficiency codes available to the states. Indicates that he is concerned on the IECC code requirements relative to lighting. Indicates with the adoption of the 2006 IECC comes he allowance to use an alternate compliance method ASHRAE 90.1-2004. This creates two paths for designers of lighting system to choose to achieve compliance but the methods are not equal. The current Wisconsin code relating to lighting control requirements come from California’s Title 24 standard, which he believes is better than the IECC or the ASHRAE 90.1 standard. Noted that many of the Wisconsin based requirements recommended by the Energy Code Council to maintain the lighting controls were not included in the final draft. Suggests the following recommendations from the Energy Code Council relating to lighting be adopted: Comm 63.0505 (2) (b) 1. Retain current definition of “effective aperture.” Create parity between the lighting control requirements of the IECC and ASHRAE 90.1 and create Wisconsin based requirements to achieve this.	Agreed, definition has been added. The differences are not significant from an energy perspective to warrant both options to be exactly the same.

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	DePaola continued	<p>IECC section 505.2.2.1 requires luminaries be dual-switched to provide uniform lighting reduction for all spaces. However, the ASHRAE 90.1 requirements do not have similar requirements. Suggests that a Wisconsin based requirement be created to keep both alternatives the same for dual-switching lighting controls.</p> <p>Create a Wisconsin based requirement to include a cap on the total amount of additional lighting that may be claimed under ASHRAE The total area of displays may not exceed 50% of the floor area.</p> <p>IECC section 505.3.1.4 requires that track lighting be calculated at a minimum of 30W/linear foot of track. New devices called “current limiter” may be installed as an integral part of the track itself and may serve to limit the wattage loaded on the track like localized circuit breaker. These devices may also be viewed as important safety devices since they prevent overheating and overloading of circuits. Suggest inserting language under Comm 63.0505 similar to that of California’s Title 24 standard for 2005.</p> <p>Suggests that the lighting exceptions to the application of the lighting code be consistent with ASHRAE 90.1 since it is more extensive. Indicated there was a recommendation at the Energy Code Council meeting to also include additional exceptions, such as lighting for amusement and attraction areas in theme parks.</p> <p>Suggests including the modification as recommended by the Energy Code Council to create an “upper limit” on the amount of glazing allowed in these types of buildings to restrict the possibility that buildings could be built with excessive glazing and still claim to be energy efficient.</p>	<p>Dual switching is required under Comm 63.0501 (4) of the public hearing draft of rules.</p> <p>The differences are not significant from an energy perspective to warrant both IECC and ASHRAE to be exactly the same.</p> <p>Agree, see agency response under comment #112.</p> <p>Agree, additional exceptions have been added to reflect changes for the 2009 edition of the IECC.</p> <p>The elimination of window area restrictions was studied by the federal DOE for their proposed IECC revisions. The study concluded that eliminating window area restrictions will not have a detrimental impact on energy and such restrictions appear to have little effect on the actual window areas.</p>
194	Jon Cechvala Wisconsin Health Care Engineering Association Madison, WI	Similar comment to #191 Comm 63.0503 (7), Suggests there should be size requirements for economizers. Small units should be exempt and suggests 10,000 cfm or larger?	Information provided to the department indicates that the Btu triggers requiring economizers are cost-effective in energy savings under the proposed rules.
219	Randall R. Dahmen Madison, WI	IBC 1204.1, indicates this code section has not been amended to correspond with modification associated with Comm Table 64.0309. IEBC 709.2 Level 2 Alterations. Explains the code requires that in mechanically ventilated spaces, existing mechanical ventilation systems that are altered, reconfigured, or extended shall provide not less than 5 cfm per	The matter is addressed under treatment SECTION 78 in the public hearing draft. Agree, the proposed rules have been changed to eliminate this option which would appear to result in creating situations less healthy than existing conditions.

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	Dahmen continued	<p>person of outdoor air and not less than 15 cfm of ventilation air per person, or not less than the amount of ventilation air determined by the ASHRAE 62. Questions why Comm 64.0403 (6) (a) 1. requires 7.5 of outside? IECC chapter 4, indicates this chapter fails to address HVAC system controls in low rise residential units. Explains that HVAC controls are required in both low rise residential and commercial buildings under the 2000 IECC and believes for enforcement and effective energy management, the requirements of IECC 503.2.4 should be incorporated into IECC chapter 4</p> <p>Comm 63.0404, explains the draft clearly recognizes the use of REScheck computer program for demonstration of building envelope compliance but does recognize COMcheck-EZ. Recommends an amendment to recognize the use of COMcheck-EZ computer program under chapter 5.</p> <p>IECC Table 503.2.8 references steam, hot water, chilled water, brine or refrigerant. States the code fails to define the temperatures at which these are to be recognized.</p> <p>IECC 505.6, indicates this requirement fails to include language that would allow for enforcement. Explains IECC 505.5 clearly identifies how compliance can be achieved for interior lighting and believes similar enforcement language was not carried over for exterior lighting. Suggests that an amendment be included for exterior lighting for enforcement purposes.</p> <p>Comm 63.0505 (1) includes a wrong cross-reference. Indicates (3) does not exist.</p> <p>IFGC 303.3, indicates the use of unvented room heaters under 3. and 4. Explains Comm 65.0621 specifically prohibits the use of this equipment. Suggests that an amendment be included to delete these references.</p> <p>Comm 65.0630, explains the draft does not include the language proposed to go with the new section. Assumes that since the draft does not include any new language that the existing language currently associated with Comm 65.0630 will still be maintained</p> <p>IFGC 304.5 addresses two methods for combustion air from within the building which are acceptable for use with fuel gas appliances. Believes all fuel gas equipment installed in new commercial buildings will be required to either be 1) direct vent sealed combustion, thus no internal building</p>	<p>The 2006 edition of IECC chapter 4 reflects the study and proposals of the federal Department of Energy.</p> <p>The proposed rules have been changed to include a note referencing COMcheck for determining building envelope compliance.</p> <p>The exceptions under IECC 503.2.8 and the dictionary would establish the parameters for the various fluids.</p> <p>The IECC provisions and the ASHRAE provisions for exterior lighting are basically identical. The compliance with 505.6 is interpreted to be achieved similar to IECC 505.5.</p> <p>The proposed rules have been changed to correct the error.</p> <p>The reference to 3. and 4. are currently deleted under s. Comm 65.0303 (2); no change is proposed for this rule.</p> <p>Treatment SECTION 206 only amends the introduction of the renumbered Comm 65.0630, the remainder of the rule remains unchanged.</p> <p>The IFGC provisions already allow openings to connect spaces in order to provide for combustion air. It is only when it is "known" or when the designer chooses a more conservative approach, that the combustion air</p>

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	Dahmen continued	<p>combustion air would be required, or 2) designed with outside air louvers per IFGC 304.6. Requests the code address conflict by creating an amendment recognizing 4% openings to the space in which fuel gas equipment is located under IFGC 304.5 as an option to having greater than 0.4 air changes per hour.</p> <p>Comm 65.0400 requires application of NFPA 54 for gas piping and gas piping installations and is still retained in combination with the existing Comm 65.0700, which defines that ANSI Z223/NFPA 54-2002 be the base reference. Identifies the following concerns: 1) Comm 65.0700 is an amendment to 2000 IFGC chapter 7. References in the 2006 IFGC are now contained in IFGC chapter 8, thus Comm 65.0700 should be renumbered Comm 65.0800, and 2, why was NFPA-54-2006 not chosen since this the most recent edition available to the public?</p> <p>IFGC chapter 7, believes that plan submittal for gaseous hydrogen system will be required after the implementation of the 2006 codes of the ICC codes and under Comm 40.10. Asks how the fees will be defined and believes the double submittal was not intended. Suggests that an amendment be made deleting IFGC chapter 7, which would maintain the current status for gas systems plan submittal and inspection requirements.</p> <p>Comm 64.0403 (6) and (8), believes the elimination of the 7.5 cfm/person of outside air is controversial and detrimental to the future of Wisconsin's energy reserves and energy independence since the IMC requires 15-20 cfm/person. References a letter from Gene Strehlow, Committee Chair of ASHRAE Technical Committee 9.1 relating to this same issue.</p> <p>Suggest the current requirement of 7.5 cfm of outside air per person in commercial buildings be maintained, unless a code listed exception is met.</p> <p>Comm 64.0403 (8) (b) 1. c., suggests the following sentence be added to the current amendment: "Where a supply system serves only one room the required minimum air change may be achieved by circulation within the room at the required rate." Feels this addition will clarify current interpretations by the Department.</p>	<p>determination is limited to only one method.</p> <p>The rules are to be amended to reference the correction 2006 IFGC citations. The 2002 edition of NFPA 54 is also adopted by reference under ch. Comm 40. The standard references for both the WCBC and ch. Comm 40 will be updated together in the future.</p> <p>When plans are required to be submitted is addressed under s. Comm 61.30. The proposed rules do not include revisions for Comm 61.30 requiring the submission of plans for gaseous hydrogen systems. Therefore, the status quo is in effect where gaseous hydrogen plans are reviewed under ch. Comm 40.</p> <p>The current rules already have a pronounced effect on energy by requiring mechanical ventilation over natural ventilation for most occupancies. The current rules allowing just 7.5 cfm per person have been criticized in contributing to air quality problems especially in schools. The latest IECC provisions require Energy Recovery Ventilation systems in certain situations.</p> <p>The proposed rules having been changed to be consistent with the IMC.</p>

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	Dahmen continued	<p>IMC 502.14 addresses the need for a source capture for a vehicle repair area. Explains the Department currently recognizes the use of tail pipe exhaust system through the Q & A section on the web page. Suggests that Comm 64.61 (3) (b), which was a code requirement prior to July 1, 2002 be referenced.</p> <p>IMC 502.14, Exception 3., believes this requirement is in conflict with Comm Table 64.0403 relating to “enclosed parking garage”, footnote d. Suggests eliminating IMC 502.14, Exception 3.</p> <p>IMC 602.2.1, indicates this section defines the test standard to which plenum materials are to be tested. Requests that currently approved alternate standard also be referenced within the code text.</p> <p>IMC 607.5.5, believes this section has not been amended to reflect the proposed IBC/Comm 62.0716 (1), which states smoke dampers are not required with NFPA 45 systems. Requests that a modification be done to the wording under the Wisconsin amendment to reference NFPA 45, which also recognizes that fire dampers are not required in such systems.</p> <p>IMC chapter 13 Fuel Oil Piping and Storage, indicates this chapter will be adopted but believes it is unclear how this chapter will be used in reference to Comm 10, Flammable and Combustible Liquids Code. Asks the following questions: 1) Are plans required to be submitted when fuel oil tanks are installed or removed? 2) What will the cost be for plan review? 3) Are the commercial building inspectors required to inspect since IMC chapter 13 will be adopted in the Commercial Building Code.</p>	<p>The proposed rules having been changed to be consistent with the IMC.</p> <p>The suggestion is unnecessary in light of the proposed rules having been changed to be consistent with the IMC.</p> <p>The proposed rules have been changed to reference the alternate standard.</p> <p>Agreed, the proposed rules have been changed to coordinate the two code provisions.</p> <p>The necessity for submitting alteration plans is addressed under s. Comm 61.30. The fees for building plan review are established under ch. Comm 2. Construction projects falling under the scope of the WCBC are subject to inspections; no specific types of inspection are required under the WCBC.</p>