



International Code Council
500 New Jersey Avenue, NW
6th Floor
Washington, DC 2001

Monday, February 5, 2024

Subject: 2024 IECC Appeals

Attn: Appeals Board Members | ICC Board of Directors | Dominic Sims, CEO

I am writing in response to the appeals received for the 2024 International Energy Conservation Code (IECC) residential and commercial chapters of the code. It was an honor to serve as a member of the Residential IECC committee and the Residential Electric Power Lighting and Renewables Subcommittee (EPLR) for this cycle, and I took responsibility for assisting in developing a code that met the scope, intent, and policies of the International Code Council (ICC) very seriously.

The Southwest Energy Efficiency Project (SWEEP) is a non-profit organization founded in 2001 with the goal of advancing energy efficiency through six Southwest states. One of our focus areas is to assist states and municipalities in updating their building policies to align with their sustainability policies. We support this effort through state, local, and national code development. Over the past 16 years, I have personally been appointed to numerous ICC committees, including code action committees, code interpretation committees, and an IECC development committee for an earlier code cycle. During the 2024 cycle, I participated in various subcommittees and working groups with other stakeholders to create appropriate and beneficial code updates that will benefit the ICC, the IECC, and those constructing buildings and enforcing the energy code.

Throughout the two-year process of developing the 2024 IECC, many committee members, including myself, prioritized ensuring that our work aligned with the ICC policies for code development. On numerous occasions, ICC staff joined the committee and provided guidance and clarity on whether we performed the code development work correctly. Whenever the ICC staff provided suggestions or clear direction, we, as a committee, followed them diligently. As we progressed through the timeline, both subcommittees and the main residential committee continued to look for clarity that the development process met the ICC policies. At no time did we feel we were deviating from the ICC process that could create appeals as you have today.

Many appeals for the 2024 IECC address the current lack of requirements in the 2021 IECC for Electric Vehicle (EV) infrastructure, electric readiness, and all-electric buildings. SWEEP has

worked with many jurisdictions and states across the Southwest that have added electrification requirements into their building codes. They have had to develop their own code requirements; however, they prefer to adopt nationally vetted and standardized code language from an "I-code" instead of spending significant time and resources developing their local code requirements.

EV sales are advancing, and the market for EVs continues to grow. The EV makers continue to state their intentions to bring more EV models to market. EVs also save energy as they are more efficient than internal combustion vehicles (Motor Trend - <https://www.motortrend.com/news/evs-more-efficient-than-internal-combustion-engines/>). The efficiency of EVs is an appropriate addition to the energy code where EV owners prefer to charge their vehicles at home or work.

We ask the Appeals Board to reject the claim that specific strategies fall outside the scope of the 2024 IECC. The committee and subcommittee fell back on the ICC memorandum issued in February 2022, clarifying that measures to reduce greenhouse gas emissions can be integrated into both the main body of the code and optional appendices.

If the Appeals Board determines that the "omnibus" proposal violates ICC procedures, then it is essential to follow the correct process. The residential consensus committee should be called upon to individually vote on each element of the "omnibus" proposal. The appellants only contested the measures that strengthened the code, ignoring any scrutiny of those that potentially weakened it. If the Appeals Board decides that the "omnibus" proposal broke ICC procedures and does not allow the residential committee to assess each component separately, then both the strengthening and weakening measures should be removed from the residential 2024 IECC.

Retaining only the weakening amendments of the omnibus will be detrimental to building occupants and the climate. Numerous studies show energy efficiency in buildings saves lives (Harvard - <https://www.hsph.harvard.edu/news/press-releases/new-methodology-reveals-health-climate-impacts-of-reducing-buildings-energy-use/>)

We request that the ICC Appeals Board deny technical appeals related to efficiency enhancement, fuel source prioritization, consistency with other codes, and feasibility of implementation. These issues were thoroughly discussed by the 2024 IECC residential and commercial committees and are not relevant to procedural matters. As a result, the Appeals Board should not consider these subject-specific issues.

Thank you for your consideration and hearing these important points we bring to your attention.

Sincerely,

Jim Meyers

Director, Buildings Program

Southwest Energy Efficiency Project (SWEET)

jmeyers@swenergy.org

303-974-7243