

In support of the Sierra Club proposals for EV charging readiness- REC-R1104.2.21, EC-405.10-21 and EC-C405.11.1-21.

Automobile manufacturers are rapidly moving their product lines to run on electricity. Most owners of electric vehicles want to charge the vehicles at home. Utilities are creating “time of use” programs for households to encourage charging at night. Charging at home is convenient and saves money.

Installing EV charging infrastructure after the drywall is up is difficult or even prohibitive. It’s important to include a chase or conduit and have space on the electric panel in the new construction of single homes, multifamily and commercial buildings.

There are 3 proposals for EV charging. I urge you to at least pass “EV capable” and “EV Ready.” “EV capable” which provides a chase or conduit and space on the electric panel. “EV ready “which would include the wiring to the parking space.

I know from personal experience that it is expensive to add this type of electrification. Wallboard needs to be punched, wire run, wallboard replaced and painted. There’s little cost to the builder to add some level of EV readiness to a home under construction before the drywall is closed.

EV’s will be the dominant vehicle of choice because of the savings in fuel and maintenance costs and because they are so much fun to drive! Electric vehicles are an advancement that will reduce local air pollution that harms our health. EV’s are also part of the tool kit for fighting climate change. We’re all seeing the damage being caused by the heating of our oceans and atmosphere due to the burning of fossil fuels. The BHCD should include EV charging facilities to the VA building code and adopt the 2021 IECC.



Publiccomment_codedevelopment, rr
<publiccomment_codedevelopment@dhcd.virginia.gov>

Fairfax County Public Comment in support of stronger Energy Codes in Virginia

Riat, Jay <Jay.Riat@fairfaxcounty.gov>

Mon, Oct 3, 2022 at 9:00 AM

To: "publiccomment_codedevelopment@dhcd.virginia.gov" <publiccomment_codedevelopment@dhcd.virginia.gov>

To the Board of Housing and Community Development,

Fairfax County is home to nearly 1.2 million of the 8.5 million residents in the Commonwealth of Virginia: approximately 14%. It is safe to say that Fairfax County plays a major role in the outcome of any decision at the state level.

Recognizing that we are at a crucial point in the fight against climate change and global warming, the Fairfax County Board of Supervisors supports actions that would require increased energy efficient construction with a goal of being net zero by 2035.

One of the actions for achieving this goal is through stronger energy conservation codes and regulations that are developed through the consensus process. Codes and regulations at the national level have recognized that requiring higher insulation R values and more energy efficient heating and cooling equipment directly correlates to reduced carbon emissions. Many jurisdictions around the country are even leading the way through actions such as banning the installation of natural gas burning appliances which have been found to significantly increase carbon emissions. This begs the question of why the consensus process allows Virginia to remain behind by allowing the weakening amendments found in the Virginia Codes.

Allowing for weakening amendments to the nationally developed codes to continue to show up in our Virginia adopted codes is in direct conflict with our goal of building safe and sustainable communities for generations to come. We strive to develop codes effectively through a consensus process that has proven effective in all other areas of the code. Fairfax County recognizes that if the Virginia energy codes continue to be weakened through the consensus process, then we may be headed to a place where actions to require more stringent energy requirements will be legislated for us.

HB2227 (<https://lis.virginia.gov/cgi-bin/legp604.exe?211+ful+HB2227H1directive>) is a directive that states: *"the Board of Housing and Community Development (the Board) shall consider adopting amendments to the Uniform Statewide Building Code (Building Code) to address changes in the IECC relating to energy efficiency and conservation. In doing so, the Board shall consider adopting Building Code standards that are at least as stringent as those contained in the new version of the IECC."*

For these reasons, Fairfax County is highly supportive of eliminating the weakening amendments to the Virginia Energy Conservation Code and allowing the adoption of the International Energy Conservation codes through the consensus process so that Virginia can play a significant role in reversing the effects of climate change.

Thank you.

Jay S. Riat, P.E., PMP, CBO

Chief Building Official

Director, Building Division

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ATTENTION: Release 4 of PLUS is scheduled for **October 31, 2022**. During the transition, all online application and review systems, including PLUS and the legacy systems (such as FIDO, ProjectDox and PAWS) will be **unavailable between October 21 and October 31**. PLUS will replace all legacy systems beginning October 31, 2022, for a more efficient and modernized permitting and review system. For more information go to [What is PLUS?](#)





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Supporting Single-Staircase Apartment Buildings, VA.R. Doc. R22-7022

Brian Bills <brian.w.bills@gmail.com>
To: publiccomment_codedevelopment@dhcd.virginia.gov

Wed, Oct 5, 2022 at 8:23 PM

To whom it may concern at DHCD,

I support the legalization of single-staircase building in Virginia. This will make housing more affordable, while still permitting thoughtful fire safety (e.g., external fire escapes could be required as a backup method of egress). Fire safety standards and technology has improved dramatically since 2nd staircases were required, and it's time to revisit the rules. Thank you for your consideration.

Sincerely,
Brian Bills
[2703 Kensington Ave #2, Richmond, VA 23220](#)
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THE APARTMENT AND OFFICE BUILDING ASSOCIATION
OF METROPOLITAN WASHINGTON

THE VIRGINIA APARTMENT MANAGEMENT
ASSOCIATION



Friday, December 2, 2022

Mr. Brett Meringoff, Chairman
Virginia Board of Housing and Community Development
600 East Main Street, Suite 300
Richmond, Virginia 23219

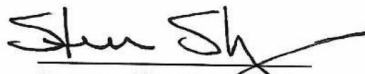
Chairman Meringoff,

My name is Steven Shapiro and I'm submitting the below comments on behalf of the Apartment and Office Building Association (AOBA) of Metropolitan Washington and the Virginia Apartment and Management Association (VAMA), who together represent the owners and managers of roughly 172 Million square feet of commercial office space and 630,000 residential rental units throughout the Commonwealth.

I appeared at your Oct. 3, 2022 meeting and testified on a number of proposals that were very important to our membership. My reason for writing today is to request the reaffirmation of the regulations as originally approved by the Board on Oct.3, 2022. We feel that the Board struck the appropriate balance between regulation and development for the betterment of the citizens of the Commonwealth.

Thank you for your consideration of our comments and please don't hesitate to contact me with any questions.

Sincerely,


Steven Shapiro, MPA

cc: Board of Housing and Community Development
Cindy Davis, Division of Building and Fire Regulations, Department of Housing and Community Development

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December 7, 2022

To: The Board of Housing and Community Development
From: William Penniman
Re: Proposals to be considered December 12, 2022

The Board of Housing and Community Development should modify its proposed code updates to make Virginia's building code at least as stringent as the 2021 International Energy Conservation Code, including incorporating proposals that I and others submitted to increase building energy efficiency.

As directed at the Board's October 3 meeting, the pending draft code proposal would fail to meet or exceed the stringency of the 2021 IECC despite numerous code proposals submitted by me and others that would clearly benefit residents and the public. As spelled out in our submissions, our proposals would carry out Virginia law, including H.2227, by saving residents money, improving health, resiliency and air quality and reducing accelerating climate harms. Updating standards to current IECC standards for wall insulation and air leakage standards is supported by DOE findings that full compliance with the 2021 IECC would reduce energy costs, usage and pollution by an average of 9%. Leaving residential envelope standards at 2009 levels is not supported by evidence or analysis. Our proposals for new construction to include readiness for EVs, solar and future electric appliances would entail very low construction costs (mainly conduits) while saving residents money over time and reducing pollution and climate damage. Requiring heat pumps when air conditioning is going to be installed would also save money for residents while greatly reducing energy use, energy bills and pollution. Failing to adopt these proposals will harm Virginians for the 70+ year lifetimes of newly constructed homes and other buildings. During those years, energy prices will continue to rise and pollution-driven health impacts and climate change will wreak havoc on Virginia, potentially forcing far more costly retrofits on residents and the public. Increasing energy efficiency is the first line of defense against those harms.

To make matters even worse, the Board's proposal would move energy efficiency standards backwards to 2006 levels for three broad categories of commercial buildings, which cover more than 120 types of buildings. There was neither a work-group consensus nor evidence to support such a radical change. Moving backward on building efficiency would do the opposite of Virginia's laws require.

The American Council for an Energy Efficient Economy (ACEEE) just published its 2022 state rankings for energy efficiency. <https://www.aceee.org/research-report/u2206> With respect to building energy efficiency, Virginia gets 3.5 out of 12 possible points. It gets 1 of 2 possible points for its residential building code; 3.5 out of 6.5 points for new construction; and no points for existing building energy efficiency. It is in the bottom half for residential energy code stringency and at the midpoint for commercial code stringency. If it pursues the proposals emanating from the Board's October 3 meeting, Virginia can expect to drop further in statewide rankings.

In short, the proposals emanating from the October 3 meeting are inconsistent with applicable legal standards, the record supporting the efficiency proposals that I and others submitted in the work group process, and the near and long-term interests of residents and the public. The public health, safety and welfare would not be served by the October 3 proposals. The Board should revise its proposals to make Virginia's code at least as stringent as the IECC before they are published in a proposed final rule.



National Electrical Manufacturers Association

The Association of Electrical Equipment
and Medical Imaging Manufacturers
www.nema.org

December 7, 2022

To: Virginia Board of Housing and Community Development
Cindy Davis – Deputy Director, Division of Building and Fire Regulations
Kyle Flanders – Senior Policy Analyst

Subject: Public Comment to the Proposed Regulations for the BHCD Meeting on December 12, 2022

NEMA has been an active participant in the 2021 Code Development Cycle and appreciates the opportunity to share our public comment on the Proposed Regulations. We first would like congratulate Ms. Davis and her team on a job well done. NEMA participates in code adoption activity in every state of the nation and two US territories. The process in Virginia is among the most inclusive, transparent, and efficient. We also continue to appreciate the use, functionality, and information provided on the cdpVA portal.

In general, NEMA supports all the workgroup recommendations and voting outcomes during the previous meeting on October 3, 2022 with the exceptions identified, as follows:

Book 4, Page 98, Item R.116. and Page 148, Item B.3.

These two amendments delete sections E3902.17 of the IRC and 210.8(F) of the NEC related to GFCI protection of outdoor outlets for dwellings. The substantiation provided by the proponent to these amendments has subsequently been addressed by the NFPA code development process. [Tentative Interim Amendment \(TIA\) 20-19](#) has added a new exception to this rule that NEMA is asking the Board to consider in lieu of deleting the entire section. This exception states: “*Exception No. 2: Ground-fault circuit-interrupter protection shall not be required for listed HVAC equipment. This exception shall expire September 1, 2026.*” In short, this exception would maintain the lifesaving GFCI requirements for all other outdoor outlets while eliminating the occurrence of unwanted tripping associated with listed HVAC equipment. Acceptance of this exception as an amendment to E3902.17 and 210.8(F) would resolve the concerns of the proponent and keeps the Virginia code aligned with the national consensus standard.

Book 4, Page 99, Item R.116.

NEMA urges the Board to delete this exception that implies that GFCI protection required by the IRC and the NEC somehow mitigates the hazard of arcing-faults on those branch circuits. This is a technical fallacy. GFCI protection can only mitigate unintended ground-faults that could result in shock or electrocution. AFCI protection detects arcing-faults on the branch circuit that could result in fire. There is no technical correlation between the two life and property safety technologies. By deleting this exception, the AFCI protection requirements in the Virginia code will be restored to the national consensus standard.

Book 4, Page 195, Section 102.2.2, Exception 3 and Page 199, Section 302.3

NEMA urges the Board to delete the term “repair” and the sentence “Battery-only powered devices shall be powered by a 10-year sealed battery” in both sections. Smoke alarms are not intended to be “repaired,” but designed to be replaced after ten years from the date of manufacture. The requirement

for sealed, ten-year devices may preclude important safety features, such as wireless interconnection and low frequency notification. In addition, research shows that sealed products may not actually last 10 years. According to a 2015 NFPA Study titled "Smoke Alarms in US Home Fires" 47% of the 10-year battery smoke alarms installed in 427 homes had dead batteries. A [study](#) of smoke alarms installed in Georgia found the mean survival time of sealed ten year devices was just over six years. Also, the ICC membership disapproved proposal EB80-19 for the 2021 edition of the International Existing Building Code. This proposal was seeking to permit battery operated smoke alarms (sealed ten-year) to replace existing AC/DC single-station smoke alarms in sleeping units of Group I and R occupancies. The ICC Fire Code Action Committee, UL and NEMA all testified in opposition to EB80-19.

NEMA sincerely appreciates the opportunity to participate in the Virginia code development process. Thank you again for your time and consideration of our public comment. Please take care and be safe.

Regards,

Bryan P. Holland

Bryan P. Holland, MCP, CStd.
Managing Director, Technical Field Representatives
NEMA Codes and Standards



Flanders, Kyle <kyle.flanders@dhcd.virginia.gov>

Public Comment for Inclusion in Record of December 12 BHCD Meeting

Joy Loving <jal_1998@yahoo.com>

Wed, Dec 7, 2022 at 5:24 PM

To: Kyle Flanders <kyle.flanders@dhcd.virginia.gov>

The Climate Action Alliance of the Valley endorses the December 7 comments from William Penniman.

In addition, we wish to emphasize that EV readiness is a real need for new housing. The EV market is expanding rapidly. It makes no sense not to establish the appropriate charging capability for housing whose residents will be driving EVs for much of most new houses' useful life.

Initial cost of doing so is minimal when compared with cost of retrofit. My son's brand new house, build in 2022 in North Carolina, includes charging infrastructure with no significant increase in total cost.

BHCD needs to address the realities that the building sector must step up and address the climate change impacts that mean we need fewer greenhouse gas emissions, and buildings that facilitate both adaptation and resilience for their occupants.

Thank you.

Joy Loving
Steering Committee Member
Climate Action Alliance of the Valley