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From: Isaac, Cliff <CIsaac@nchba.org>
Sent: Wednesday, February 21, 2024 3:49 PM
To: Liebman, Brian R
Cc: Burgos, Alexander N; Millis, Chris
Subject: [External] NCRRC meeting Item 230314 Item B-1
Attachments: Letterto NCRRC-02212024.pdf

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Mr. Liebman: Good afternoon. Please see the referred letter concerning Item B-1. This item contains Appendix AT, which directly conflicts Session Law 2023-103, that prohibits further energy conservation and efficiency amendments to the NC Residential Code until 2026. This was brought to my attention through communication between your office and NCDOT that I just reviewed.

I ask that the NC Rules Review Commission reject this item.

Respectfully,

Cliff Isaac, PE

Director of Codes and Construction

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February 21, 2024

North Carolina Rules Review Commission
1711 New Hope Church Road
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RE: 2024 NC Residential Code (NCRCC agenda 230314 Item B-1)

Dear Commission Members:

It has come to my attention through communication from North Carolina Department of Insurance (NCDI) and the NC Rules Review Commission (NCRRC) that Appendix AT is included in the future 2024 NC Residential Code (NCRC).

The proposal for the 2024 NCRC included code provisions (rules) that were submitted to the NCBCC in March 2023, before House Bill 488 was introduced and passed in the fall of 2023. Appendix AT being contained within the future 2024 NCRC as it is part of Appendix RB from the proposed 2024 NC Energy Conservation Code. Appendix AT violates Session Law 2023-108, which prohibits further energy conservation and efficiency amendments to the North Carolina Residential Code until 2026, and should be deleted from the proposed 2024 NCRC.

If such an Appendix were to be adopted in the 2024 NCRC, a fiscal analysis should have included the additional requirements, and would cost more than \$80 per residential dwelling unit per NCGS 143-138(a)(a1)(1). To my knowledge, these requirements were not met.

As a result, we ask that the Rules Review Commission reject Item B-1 based upon NCGS 150B-21.9(a)(1) because it is not within the authority delegated to the agency by the General Assembly per Session Law 2023-103.

Respectfully,

Cliff Isaac, PE
Director of Codes and Construction