



STATE OF WASHINGTON

**STATE BUILDING CODE COUNCIL**

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November 19, 2009

Joint Administrative Rules Review Committee  
2<sup>nd</sup> Floor John L O' Brien Building  
Representative Hasagawa, Chair  
PO Box 40600  
Olympia, WA98504-0600

RE: JAARC Request, October 14 2009

Dear Chair Hasagawa:

This letter is to inform you and the Joint Administrative Rules Review Committee of the status of State Building Code Council's (Council) consideration of your request dated October 14, 2009.

The Council held an adoption hearing on November 12 to consider adoption of the state building codes. This hearing was scheduled in January 2009 as a regular meeting to conclude the Council's rule making process.

The Council continued the adoption hearing, deferring action on the Washington state energy code to November 20. This action was taken to consider amendments to the proposed rule, WAC 51-11. The proposed changes to WAC 51-11 have not yet been adopted, and a range of amendments are being considered. Your request is being taken into consideration in this process.

The Council has considered the range of economic information submitted through the public process throughout the development of the proposed rule. The Council believes the estimates provided on the Small Business Economic Impact Statement filed on August 19 and published in the Washington State Register Issue number 09-16 represent a reasonable estimate of the cumulative costs of all the measures. The estimates were based on forecasts of the Northwest Power and Conservation Council and include several thousand data points from across the region. The study conducted by the Washington State Department of Commerce used these data as a basis of their analysis. The study of nonresidential buildings used 146 randomly selected commercial buildings from throughout the state of Washington in order to establish a baseline for WA construction practices. These studies include life cycle cost for the measures. We have attached copies of the studies for your review.

The Council is considering the Commerce studies and the cost information submitted by other constituents. The homebuilders established the high end of the range of estimates. These are also attached. The Council includes members of the construction industry, and manufacturers and suppliers, and they are considering the range of estimates in their decision.

The Council's Economic and Regulatory Assessment Committee received testimony that, based on previous energy code modifications, the kind of technology adoption required for building standard conformity is unusually employment intensive and promotes job creation among relatively high-waged, diverse groups of workers. We have attached the minutes from the October 23, 2009 committee meeting.

The Council staff will notify the committee immediately upon final action taken at the Council's November 20 meeting. If you have any questions please contact Tim Nogler at (360) 725-2969.

Sincerely

A handwritten signature in cursive script that reads "Peter DeVries". The signature is written in dark ink and is positioned above the typed name.

Peter DeVries  
Chair  
Washington State Building Code Council

cc Joint Administrative Rules Review Committee Members

State Building Code Council Members