

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Construction Codes

Name of person completing this form:

Tony Williamson

Phone number of person completing this form:

517-241-9303

E-mail of person completing this form:

WilliamsonT5@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2021-49 LR

Title of proposed rule set:

Construction Code - Part 10a. Michigan Energy Code

3. Purpose for the proposed rules and background:

The Michigan Energy Code Part 10a, which applies to buildings and structures, currently adopts the 2015 edition of the International Energy Conservation Code (IECC). The current Michigan Energy Code rules for commercial compliance are outdated and require revision to reflect the latest in accepted technology and materials. The rules currently being applied do not reflect the current technology or materials available to achieve efficient use of energy.

4. Summary of proposed rules:

The proposed rules provide the latest standards to protect the health and promote the safety and welfare of the State of Michigan residents by regulating the installation and inspection of energy within the state.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

The Morning Sun on February 1, 2024

The Oakland Press on February 1, 2024

The Mining Journal on January 31, 2024

6. Date of publication of rules and notice of public hearing in Michigan Register:

2/15/2024

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7. Date, time, and location of public hearing:

2/22/2024 01:00 PM at Michigan Library & Historical Center. First Floor Forum , Michigan Historical Center, 702 W Kalamazoo St, Lansing, MI 48915

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1307>

9. List of the name and title of agency representative(s) who attended the public hearing:

Tony Williamson, Rules Analyst, Bureau of Construction Codes
Shannon Maurer, Manager, Bureau of Construction Codes
Tracie Pack, Manager, Bureau of Construction Codes
Alesha Gensler, Division Director, Bureau of Construction Codes
Jonathan Paradine, Division Director, Bureau of Construction Codes
Keith Lambert, Deputy Director, Bureau of Construction Codes
Andrew Brisbo, Director Bureau of Construction Codes

10. Persons submitting comments of support:

Jan Culbertson, AIA Michigan & MI 2030 Districts
Jeffrey Ferweda, AIA Michigan
Grace Michienzi, Michigan Energy Innovation Business Council (EIBC)
Carlee Knott, Environmental Council (Bureau received 20 Recipients in support of same comments, See page 12 of written comments)
Mike Berkowitz, ELEVATE
Jami Des Chenes, Michigan Chemistry Council
Jane McCurry, Clean Fuels Michigan
Jeffrey Mang, Polyisocyanurate Insulation Manufacture Association (PIMA)
Justin Koscher, Polyisocyanurate Insulation Manufacture Association (PIMA)
Jose Reyna, GreenHome Institute
Lauren Reeg, Rocky Mountain Institute (RMI)
Eric Lacey, Responsible Energy Codes Alliance (RECA)

11. Persons submitting comments of opposition:

Isabella Gross, Midwest Energy Efficiency Alliance (MEEA)
Paige Knutsen, Midwest Energy Efficiency Alliance (MEEA)
Tim Mrozowski, Architecture Design Planning (A.I.A)
Charlie Pullum, Pullum Window Corporation

12. Persons submitting other comments:

Arn McIntyre, Performance Home Corporation
Nate Love, American Chemistry Council
Amy Schmidt, American Chemistry Council
Fabrice Smieliauskas, Representing Self
Sonya Pouncy, Detroit Chapter of ASHRAE

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1	Jan Culbertson (AIA Michigan & MI 2030 Districts)		Jan Culbertson supports the adoption of the proposed Michigan Uniform Energy Code, Part 10a with the inclusion of IECC Appendix CC.	Removing “, and Appendix CC,” adding “and” before appendix CA. Adding statement “The provisions contained in Appendix CB are specifically adopted and authorized as mandatory requirements. The provisions contained in Appendix CC are specifically adopted and authorized as permissive guidelines and shall not be mandated by an enforcing agency.” Removed “,Including appendix CB,”	R 408.31087

14. Date report completed:

6/3/2024