

DOCKETED

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on 15-Day Language for 2022 Energy Code Revised Express Terms

Additional submitted attachment is included below.

Docket No. 21-BSTD-01
California Energy Commission
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Re: Comments on 15-Day Language for 2022 Energy Code Revised Express Terms (TN #238848) and Reference Appendices (TN #238837) and Response to CalCERTS Comments

Dear Commission Staff:

The following comments are submitted on behalf of the National Energy Management Institute Committee (NEMIC) on the 15-day language for the 2022 Energy Code Revised Express Terms (TN #238848) and Reference Appendices (TN #238837). These comments also respond to the July 12, 2021 comments submitted by CalCERTS, Inc. (TN# 238811) regarding their rebuttal to NEMIC's June 21, 2021 comments on the 45-day language proposals (TN# 238383).

I. Response to 15-Day Language

In response to the 15-day language proposals, NEMIC asks for reconsideration of its June 21, 2021 comments, which are in the docket at TN # 238383. These comments identified three issues that should be addressed regarding mechanical acceptance testing for multi-family residences:

- (1) The proposed amendment to Section 10-103(a)4B to exclude Certificates of Acceptance recorded by an ATTCP lack justification or clarity – it is unclear what this change means to ATTCPs;
- (2) Multi-family dwelling unit acceptance test NA7.18.1 and NA7.18.2 should be amended to require all verification to be performed by certified acceptance testers not HERS Raters – the proposed mixed approach is unnecessary, creates confusion and relies on technicians that are not experienced in the types of HVAC systems found in multifamily buildings.
- (3) Applying the less accurate HERS leakage test method to multifamily residential buildings will result in increased energy loss compared to using

the more reliable method set forth in the California Mechanical Code § 603.10.1.

The issues raised in these comments remain unaddressed by the 15-day language. NEMIC respectfully requests that the Commission reconsider these comments.

II. Response to CalCERTS Comments (TN# 238811)

On July 12, 2021, CalCERTS submitted comments opposing NEMIC's position on the above issues. The CalCERTS comments are based on their claim that dwelling unit ventilation fan tests and leakage tests are identical to single family home fan and leakage tests. This statement fails to account for the very different complexities of dwelling systems installed in multi-family high-rise buildings. For example, even where dwelling units in high-rise buildings have individual heating and air conditioning units, they also often have common ventilation shafts, central fresh air shafts and common exhaust shafts. This inaccurate assumption underscores why it is important to ensure that experienced and trained acceptance testers perform this work instead of HERS testers. Unlike HERS testers, acceptance testers must have "at least three years of professional experience and expertise in mechanical controls and systems" in addition to training on a much broader and sophisticated range of HVAC acceptance tests.

In addition, the CalCERTS letter entirely ignores the limitations and documented inaccuracy of the HERS leakage test method. The cost-effectiveness of this less accurate method may outweigh greater accuracy when it comes to the energy that would be lost in a single family home. But in a large high-rise multi-family building, the energy potentially wasted is much greater. CalCERTS provides no rationale for not requiring usage of the more reliable method set forth in the California Mechanical Code § 603.10.1.

Finally, CalCERTS expressly acknowledges that the delegation of testing and verification in multi-family building between acceptance testers and HERS Raters is "complex and can be confusing." It is precisely for this reason that all multi-family acceptance tests should be performed by certified acceptance testers. There is no benefit to carving out a portion of this work for HERS Raters when it would be more easily and more accurately performed by certified acceptance testers.



III. Conclusion

NEMIC thanks the Commission for the opportunity to provide comments on these proposals.

Sincerely

John Hamilton

