



STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
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BILL HASLAM  
GOVERNOR

JULIE MIX McPEAK  
COMMISSIONER

July 18, 2013

Mr. Roland Risser, Program Manager  
ATTN: Building Energy Codes Program  
Office of Energy Efficiency and Renewable Energy, EE-2J  
U.S. Department of Energy,  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585-0121

***Re: Certification of Building Codes Regarding Energy Efficiency***

Dear Mr. Risser:

The State of Tennessee, Department of Commerce and Insurance, Division of Fire Prevention certifies that it has adopted the 2006 International Energy Conservation Code (IECC) for one and two family dwellings and townhouses and non-State owned commercial buildings, and the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2007 for State buildings. These referenced standards were adopted through the formal rulemaking process pursuant to the procedures adopted by the Tennessee Secretary of State, and became effective on June 27, 2010. See TENN. COMP. R. & REGS. 0780-02-02-.01(1)(d) and 0780-02-23-.02(1)(b).

The State of Tennessee requests an extension of the deadline for complying with the certification requirements of Section 304 (C) of the Energy Policy and Conservation Act (EPCA), as amended, to update from the 2006 IECC and ASHRAE 90.1-2007 standards to the 2012 IECC and ASHRAE 90.1-2010 editions. The reasons for requesting such extension are as follows:

1. The 2006 IECC and ASHRAE 90.1-2007 standards became effective on June 27, 2010 and enforcement for new buildings began in July 2011. The 2006 IECC was the first statewide residential building code adopted in Tennessee. These standards have only been enforced within areas of the State of Tennessee for approximately two (2) years.
2. Additional time is needed to review the revised energy efficiency codes and to provide notice, conduct hearings and receive public comments regarding the adoption of such codes for residential and commercial buildings. Moreover, since the 2012 edition of the IECC is currently available, the State wishes to consider adoption of the most recent edition of the IECC instead of considering the older 2009 edition.

3. The development and implementation of a comprehensive training program for enforcement of the 2012 IECC and ASHRAE 90.1-2010 is anticipated to take an additional eighteen (18) months. Initial training courses, regarding the 2012 IECC, for building code inspectors employed by the State and local jurisdictions have already been initiated through the State Energy Program (SEP)-American Recovery and Reinvestment Act (ARRA) grant funded by the U.S. Department of Energy.

Therefore, in order to hold public hearings for reviewing and adopting the proposed codes, and to implement training courses for State and local jurisdiction building code inspectors adequately, the State of Tennessee requests the deadline for updating its building codes regarding energy efficiency be delayed until March 31, 2015.

The State of Tennessee intends to demonstrate that it has made a good faith effort and significant progress toward meeting its certification obligations under 42 U.S.C. 6833(c). As of July 2011, the State of Tennessee has made essential advancements towards the implementation of state residential and commercial building energy efficiency codes. Our office currently reviews the design and construction of new buildings for the effective use of energy thereby reducing consumption, preserving our resources, minimizing environmental impact, and strengthening the quality of life for our citizens.

Should you have any questions on this matter, please contact Gary West, Assistant Commissioner for Fire Prevention, at (615) 532-5747 or [Gary.West@tn.gov](mailto:Gary.West@tn.gov).

Sincerely,



Julie Mix McPeak  
Commissioner

JMM/db

cc: Mark Cate, Chief of Staff, Governor's Office  
Robert J. Martineau, Commissioner, TDEC  
Steven Majchrzak, Deputy Commissioner, C&I  
Nancy S. Jones, Deputy Commissioner & General Counsel, C&I  
Gary L. West, Assistant Commissioner, C&I  
Molly Cripps, Director, TDEC Office of Energy programs