



**MINUTES
MEETING OF THE
ICC INDUSTRY ADVISORY COMMITTEE**

*Monday, April 26, 2004 — 1:00 p.m. to 4:00 p.m.
American Forest & Paper Association
1111 19th Street, NW
Washington, D.C. 20036*

1. **Call to Order:** Chairman David Frable (U.S. General Services Administration) called the meeting to order at 1:00 p.m. and it was determined that a quorum was present.
2. **Approve Agenda:** A **motion** was made and seconded to approve the agenda as submitted. The motion carried.
3. **Self Introductions:** The Chairman asked for self-introductions of those present at the meeting. A list of those in attendance is included as Attachment A to the minutes.
4. **Approval of June 4, 2003 IAC Meeting Minutes:** A motion was made and seconded to approve the minutes of the September 29, 2003 IAC meeting held in Washington, DC. The motion carried.
5. **Staff Report on ICC Activities:** Staff reported on the following:
 - 5.1 **Board Action on IAC Recommendations:** No action required.
 - 5.2 **ICC Spring Meeting 2004:** A Report was given on May 16-20, 2004 ICC Spring Meeting.
 - 5.3 **Standards Development Activities:** The status of ICC Standards Development Activities as of May 3, 2004 is included as Attachment B. It was recommended that ICC should publish a notification of all new standards activities in the ICC newsletter or magazine in addition to posting a notification on the ICC web site.
 - 5.4 **I-Code Adoptions:** Staff reported on the status of I-Code adoptions and informed the IAC that future updates of the adoption status report will include the edition date of the code that was adopted.
 - 5.5 **Federal Activities:** Staff reported on the ICC Federal Agency Codes and Standards Forum initial meeting that was held on January 9, 2004. A copy of the January 9 meeting notes is included as Attachment C.

There was discussion on whether ICC could create an avenue for IAC members to participate in the discussions with the Federal agencies. It was recommended that ICC set up a contact/forum for standards developers to interact with Federal agencies as part of the ICC Federal Agencies Codes and Standards Forum.

Staff reported on a recent meeting with OSHA representatives with regards to having IBC egress requirements deemed equivalent to the OSHA means of egress requirements. This

would mean that OSHA would recognize the IBC means of egress requirements being equal to NFPA 101 means of egress requirements.

Chairman Frable requested that ICC develop an action plan with timeframes to ensure this endeavor is completed in a timely manner and does not drag on.

5.6 National Activities: A report was made on the following national activities:

- The Senate passed H.R. 1086, Standards Development Advancement Act of 2003. The Bill will provide a new degree of limited relief to SDOs under existing antitrust laws.
- HUD Fair Housing Accessibility Guidelines technical staff is reviewing the 2003 IBC to determine whether it provides safe harbor for the HUD Fair Housing Guidelines. It is anticipated that a safe harbor determination will result in the not too distant future.
- ATBCB submitted the revised ADAAG to OMB in January. It is expected that the final rule for the new ADAAG will be issued in the summer of 2004.
- H.R. 3980, Wind Hazard Reduction legislation has been introduced on the House. The purpose of the bill is to establish an interagency National Windstorm Impact Reduction Program to improve understanding of windstorm impacts, improve windstorm impact assessment, and develop and encourage implementation of mitigation measures to reduce those impacts.

5.7 Blueprint to the Future, A Long Term Business Plan for ICC: Those members of the IAC who were able to attend the ICC *Blueprint* to the Future meeting that was held in the morning were thanked for their participation. The Blueprint meeting was held from 10:00 am to noon and was attended by 26 members of the IAC and the IAC Secretary. The meeting was facilitated by AchieveGlobal executive consultant Jerry Keenan who has worked with ICC senior management, the ICC Board of Directors, and is helping with ICC strategic planning exercises. Those who were unable to attend and participate in the morning meeting were informed that there will be additional opportunity to provide ICC with their comments. ICC has a special email address, Blueprint@iccsafe.org, available to anyone who would like to send their thoughts and ideas to ICC. The meeting notes will be sent to all IAC members when they become available.

** A **motion** was made and seconded to adjust the schedule of the forums in Kansas on the *Blueprint* Plan so they do not conflict with the code development hearings. The motion carried.

6. Chairman's Report: Chairman Frable expressed appreciation for the good attendance at this meeting and thanked the IAC Task Group members for their efforts in preparing their reports to the IAC. Frable stated that he looks forward to the IAC members work at the ICC code development hearings to be held in May in Overland Park, KS.

7. IAC Task Group on Floor Modifications Report: Task Group Chair, Tom Zaremba (Wired Glass Manufacturers) summarized the Task group report that was distributed with the agenda. A copy of the report is included as Attachment D. After considerable discussion Chairman Frable asked the Task Group to continue its work, addressing the comments made at this meeting. Frable requested the Task Group to provide a report that includes proposed modifications to the floor modification procedures at the next IAC

meeting. There were three main issues that required further study by the Task Group so a straw vote was taken on these items as follows:

- Should all modifications be required to be submitted to the Committee Chair in writing and announced by the Moderator before the first proposal on the agenda is called to the floor? **Straw vote – no**
- Should committee members as well as the audience be required to comply with the criteria stated in 2.(i), 2(ii) and 2(iii)? **Straw vote – yes**
- Should a minimum of 50 copies (as opposed to an “adequate number) and an overhead of the proposed modification be made available for the audience? **Straw vote – yes**

8. **IAC Task Group on Green Building Rating Systems:** Task Group Chairman, Bob Elliott (American Plastic Council) summarized the report of the Task Group. A copy of the report is included as Attachment E. The members of the IAC discussed the issues outlined in the report and it was agreed that the Task Group should continue its work and develop a “white paper” on each issue.

** A **motion** was made and seconded asking the Task Group to develop a draft white paper on each issue listed in the report, with a transmittal letter to the ICC Board, for review by the IAC at the next meeting in September, 2004. The motion carried.

9. **Other Business**

- 9.1 IAC members stated that the locations/directions for pre-hearing meeting rooms in Nashville were not posted, causing much confusion. The IAC asks that ICC make the locations of meeting rooms for future hearing clearer.
- 9.2 Some IAC members voiced concern that there were not any “no sooner than” times given for the start of code hearing in the Overland Park, KS code hearings and requested that the ICC provide this information.
- 9.3 Larry Perry (Building Owners and Managers Association) informed the IAC that there will be an ICC Ad hoc Committee on Existing Buildings meeting on July 15-16 to review provisions of the 2003 IEBC and proposed changes being considered in the 2003/2004 cycle code change proposals to better position the IEBC. The full scope of the Ad hoc Committee can be downloaded from the ICC web site.
- 9.4 Several IAC members expressed concern with the length of time between new editions of the I-Codes and the frequency of the code change cycle as the codes become more complex. Additionally, referenced standards are not always on the same cycle. Jim Rossberg (American Society of Civil Engineers) proposed that ICC consider going to a five year code cycle for the following reason: “I’m hearing on a routine basis from structural engineers around the country on the difficulties that they’re facing in keeping up with the pace of the changes to both codes and standards - by the time they get trained, get their computer programs changed, etc. they’re faced with more changes. Internally, the folks working on the codes and standards are, in reality, making changes to documents which haven’t really been used in practice so they’re not getting any real feedback from the profession. All of this ultimately also leads to an increased liability for structurals and increased losses - not due to actual failures of structures, but due to failure to keep up with national documents.”

** Chairman Frable decided to appoint a Five Year Code Cycle Task Group to study the pros and cons of going to a five year code development cycle and to report back to the IAC. Jim Rossberg, was appointed the Task Group Chair and volunteers were asked to sign on with the Chair.

12. Date and Location for Next IAC Meeting:

It was agreed that the next IAC meeting will be held in Reston, VA at ASCE Headquarters on September 13, 2004 at 1:00 pm Eastern time.

13. Adjourn: A motion was made, seconded and carried to adjourn the meeting at 3:35 pm Eastern time.

Richard P. Kuchnicki

Richard P. Kuchnicki,
IAC Secretary

May 10, 2004

Date

ATTACHMENT A

**Attendance of the
ICC Industry Advisory Committee Meeting
April 26, 2004**

Attendee

Representing

Members

John Schulte
Jonathan Humble
John Wiggins
Larry Perry
David Roodvoets
Dave Frable
Julie Ruth
Chris Jelenewicz
Jim Delahay
Christine Andrews
Michael Fischer

Eric DeVito
Michael Gardner
Jim Ranfone
Bill Fitch
Rob Elliott
Richard Kraus
Eli Howard
Bruce Hunn
Thom Zarembo
Marshall Klein
Jim Messersmith
Ed Sutton
Kenneth Bland
Jim Olshefsky
Mike Studer
Robert Treiber
James Koch

Alternates

Denise Beach
Stanley Wolfson
Gerald Eisenberg
Jonathan Sargeant
Ray McGowan

Staff

Richard Kuchnicki

Plumbing, Heating & Cooling Contractors Natl. Assoc.
American Iron and Steel Institute
Underwriters Laboratories
Building Owners and Managers Assoc. Intl.
SPRI
U.S. General Services Administration
American Architectural Manufacturers Assoc.
Society of Fire Protection Engineers
National Council of Structural Engineers Assoc.
National Restaurant Association
Window and Door Manufacturers Assoc.,
National Sunroom Association, GICC
Responsible Energy Codes Alliance
Gypsum Association
American Gas Association
American Council of Independent Laboratories
American Plastic Council
American Petroleum Institute
Sheet Metal and Air Conditioning Contractors' Natl. Assoc.
American Society of Heating, Refrigeration & Air Cond. Engr
Wired Glass Manufacturers
Automotive Oil Change Association
Portland Cement Association
National Association of Home Builders
American Forest and Paper Association
ASTM International
American Institute of Building Design
National Fire Sprinkler Association
American Concrete Institute

National Propane Gas Assoc.
American Society of Plumbing Engineers
American Society of Mechanical Engineers
Cast Iron Soil Pipe Institute
National Fenestration Rating Council

ICC Staff

ATTACHMENT B

ICC Standards Development Progress Report

As of: 5/3/2004

Standard	Expected Completion	Last Action	Remarks	
Log Building	December 2004	Meeting March 4	See meeting minutes posted.	
Storm Shelter	January 2006	Meeting April 5, 6	Minutes posted for February meeting. See draft of parts posted by the task groups.	
Hurricane Resistant Construction	Summer 2006	Received comments on STD 10 Schedule Meeting 1	First meeting is July 12 in Atlanta. Location TBD	
Amusement Park	TBD			
Manufactured Housing	TBD	Extended public comment period to Nov. 15, 2004		

Other activities: Filed PINS for Residential Combination Sprinkler Standard. Presently considering the comments received.

ATTACHMENT C

Meeting Notes January 16, 2004

The first meeting of the ICC Federal Advisory Council (FAC) was called to order at 10:15 a.m. by Dave Conover of the International Code Council.

The objective and expected outcome of the meeting were presented as follows:

The objective of the meeting is to initiate operation of an Advisory Committee to the ICC composed of representatives of Federal agencies that can foster an enhanced working relationship between the ICC and the Federal government. The scope of future activities would include but not be limited to health and life safety in the built environment, acceptance of new building technology, and streamlining and unifying the building regulatory process.

The expected outcome of the meeting is a better understanding of the individual and collective needs of the Federal agencies with respect to building codes and standards and identification of initiatives that should be undertaken to meet those needs.

Individuals listed below introduced themselves.

1. Mr. Edward Campbell US DA
2. Mr. Robert Garrett CPSC
3. Dr. James Hill NIST BFRL
4. Mr. Kevin McIntyre NIST SSD
5. Mr. Gordon Fox NIST PD
6. Mr. John Ingargiola FEMA
7. Mr. Ed Laatsch FEMA
8. Mr. David Frable GSA
9. Mr. Jason McJury HUD OMHP
10. Mr. Shawn McKee HUD OMHP
11. Mr. Dana Bres HUD PD&R
12. Mr. David Hammes DOS OBO
13. Mr. John Leimanis DOS OBO
14. Mr. James Bisker DOE ES&H
15. Dr. John Voeller OSTP
16. Mr. Ken Faulstich VA
17. Mr. Patrick Alexander NARA
18. Ms. Barbara Bielaski OSHA
19. Mr. Clyde Messerly FDA
20. Mr. Patrick Quinlan DOE (NREL)
21. Mr. Larry Fleming USDA
22. Mr. James Merrill HHS/CMS
23. Mr. David Conover ICC
24. Ms. Sara Yerkes ICC

25. Mr. Richard Kuchnicki ICC
26. Mr. Ron Neinaber ICC
27. Mr. Greg Johnson ICC
28. Mr. John Darnall ICC

Each agency representative provided the following overview of their involvement in building-related codes and standards. Standards and codes activities in which they are involved are shown in *(parenthesis)* at the end of each agency summary.

Dave Frable (GSA) reported that GSA is the "landlord of the Federal government" and is also responsible for U.S. Courthouses. GSA followed the three regional model codes in the past. The GSA facility design standard outlines what codes are adopted and what additional provisions must be addressed for each project. GSA references the latest ICC Codes in addition to the means of egress provisions of NFPA 101 (Life Safety Code) and the National Electrical Code (NFPA 70). If the jurisdiction in which a GSA building is being constructed has adopted another code then GSA would consider allowing that code to be used. GSA is the building official and the authority having jurisdiction for all GSA design and construction programs, they do design reviews, and have 12 regional offices to conduct this work. *(ICC)*

Ken Faulstich (VA) reported that they have over 5,000 buildings and 100 million sq. ft. of floor area. Within VA there are three departments (hospitals and nursing homes, national cemeteries, and VA benefits administration (in GSA buildings)). They have a substantial construction budget and look at the mission of each facility to guide construction. They reference the Uniform Building Code (ICBO) and NFPA Standards for fire protection and also publish design manuals for their projects. They are looking at the latest building codes with respect to updating the codes and standards they reference. They have an advisory committee that is part of this process and have hired a consultant to do a comparison of the available codes. The advisory committee will be making recommendations soon. Their primary referenced code is the Life Safety Code (NFPA 101) due to a mandate from JAHCO to use that document.

Jim Merrill (HHS CMS) reported that they are responsible for Medicare and Medicaid programs. Jim indicated he was involved in the regulatory process associated with HHS CMS programs. All health care facilities that receive Medicare or Medicaid money must follow HHS CMS regulations that address fire protection, room size, etc. The statute requires use of the Life Safety code for certain facilities and then all other health care facilities via regulation. The current reference is the 2000 Life Safety Code. They are also the authority having jurisdiction and conduct a fire safety survey function for all 17,000 facilities through contracts with the states. Building codes are not in their regulations. A state can adopt their own safety codes and then HHS CMS can determine if those codes provide equivalent patient care to that provided by the HHS CSM adopted codes. HHS CMS is not involved too much with new construction, except they would look at performance design in lieu of prescriptive design. They also use GSA buildings. *(NFPA, AIA)*

Pat Quinlan (NREL for DOE) provided information on the DOE hydrogen initiatives. DOE is trying to accelerate the availability of an infrastructure to support hydrogen availability and use. Codes and standards are lagging behind technology development and DOE wants to align all Federal work supporting hydrogen. DOE has supported a "roadshow" and been visiting with code officials. They have also been supporting model codes and standards efforts through the ICC, NFPA and ASME. *(ICC, NFPA, ASME, other Federal agencies, international and IEEE).*

John Voeller (OSTP) indicated that his office does nothing with building codes but is interested in inter-

agency cooperation. He provided background on an interagency coordinating committee that is focused on coordination and cooperation. There is an infrastructure subcommittee headed by Jim Hill (NIST) of the Science and Technology Council. John covered the recent NCSBCS letter to the White House requesting support for building regulatory reform efforts.

Barbara Bielaski (OSHA) indicated that OSHA is responsible for developing and enforcing safety and health standards to protect workers. A number of OSHA's standards cover topics that are also covered by building-related codes. A number of OSHA's original standards were taken from consensus standards (some building related) and many have not been updated since 1971 due to the lengthy rulemaking process. For example, OSHA's electrical standard is based on codes from the late 1970's. OSHA has standards covering mechanical (piping systems, boiler code) and fire safety issues as well as requirements for the design of stairs, railings, and guardrails. OSHA's construction standards contain building design elements. She also stressed the importance of making sure workers can safely perform their jobs constructing buildings (e.g., anchors for window washing equipment and attachment points for fall protection equipment). Addressing worker safety issues in building codes would be helpful since it is sometimes difficult to add anchors and attachment points after a structure has been built). (*ANSI, NFPA, ASTM, UL, CGA, and many others*). Revised per BB on 2-17-04.

Ed Campbell (US DA) indicated that he was involved in policy at the US DA and focused on real property. US DA has \$ 8 billion in real property. He will recommend that others in US DA become involved with the ICC in the future.

Jim Bisker (DOE ES&H) indicated that his office is responsible for \$100 million in real property and that they have to address fire and building issues. They also manage all DOE laboratories (i.e. NREL, ORNL, PNNL, etc.). DOE order 420.1 requires compliance with local building codes and NFPA standards. DOE recognizes that states and localities have the authority to decide which codes and standards to adopt and requires DOE facilities to meet the codes adopted in the state in which the DOE facility is located. (*NFPA*).

Bob Garrett (CPSC) indicated that the focus of CPSC is to reduce the risk of injury and property damage from consumer products such as smoke detectors, ground fault circuit interrupters, use of stairs and swimming pools. Their involvement with the ICC and other codes and standards organizations is on a point-by-point basis related to specific products and issues (CO detection, smoke detectors, etc.). CPSC wants to promote home safety designs and is looking for ways they can interact with other organizations to achieve their goals. (*UL, NFPA, NEMA, ASTM, ASME, ANSI*).

Jason McJury (HUD) reported that the HUD mission is home ownership. His office is responsible for the regulation of manufactured housing throughout the U.S. They have adopted a design and construction standard for these homes and in 2006 will start to regulate the installation of such homes. They currently reference the 1993 National Electrical Code and other private sector standards. HUD is on a 2-year cycle and is using an advisory committee to recommend updates to their codes. His office is also the administrator for the HUD Minimum Property Standards (MPS) that must be satisfied when HUD underwrites the mortgage insurance. The MPS was last updated in 1994 and references the CABO One and Two Family Dwelling Code. They recognize that current practice does not align well with the HUD MPS and referenced a study by the National Institute of Building Sciences that recommended HUD drop the MPS and refer to voluntary sector codes and standards. (*NFPA, ASCE, ICC*).

Gordon Fox (NIST) reported that NIST has 2.5 million sq.ft. of facilities and his office is the authority

having jurisdiction for those buildings. They contract for architect and engineer services and currently reference the BOCA codes and National Electrical Code in their design guidelines. They want to get their engineering staff to become more comfortable with more contemporary codes and standards. (*Use ICC, ASHRAE and BOCA*).

Kevin McIntyre (NIST) advised that he was the Executive Secretary to the Interagency Committee on Standards Policy (ICSP). Kevin mentioned OMB Circular A 119 and the National Technology Transfer Act of 1995, both of which encourage Federal agencies to participate in the development of and reference codes and standards developed in the voluntary sector. The ICSP meets four times per year to discuss policy issues regarding the government use of standards. The ICSP is supportive of the effort of the ICC to bring together the Federal agencies with respect to building codes and standards. He envisions the Federal agency group brought together by the ICC forwarding issues to the ICSP for consideration. He indicated that the ICSP would be meeting in early February and that he envisions this ICC group acting as an unofficial working group of the ICSP on building codes and standards issues.

Larry Fleming (US DA) indicated that the Rural Housing Service of the US DA has components associated with utility service, business service loans, and rural housing service (RHS). The RHS provides loans for housing in areas with a population less than 25,000. The RHS field office adopts the prevalent code in their area and applies it as a requirement for the housing being financed. If there is no code, which is the case in many rural areas, the RHS selects the codes based on what is prevalent in the state. RHS is also looking for accessibility issues to be addressed in the code so they do not need to rely on ADAGG. Dick Kuchnicki provided an update on the ADAGG situation and the model building code and ANSI standard addressing accessibility issues. (*ICC A117, ASTM, NFPA*).

Jim Hill (NIST) provided an update on the Building Fire and Research Lab (BFRL) and said they were focused on research that provided the basis for development of standards. He indicated he was the chair of an interagency working group on facilities and structures. He said that BFRL and the interagency working group supported regulatory reform and wanted to focus the contribution of technology to help regulatory reform. Dave Conover also noted the contribution that NIST had made in energy codes and standards in the early 70's. (*ASTM, ASHRAE, ASME, ISO/IEC*).

Clyde Messerly (FDA) reported that FDA has facilities and labs that must comply with building regulations. FDA looks to the local authority having jurisdiction and contracts out all architect and engineer services. If there is a conflict between the design and the local codes the FDA steps in and works with the local officials such as the fire department to ensure that the FDA facility is acceptable.

Patrick Alexander (NARA) indicated that the NARA owned 13 buildings and set standards for the presidential libraries. They follow the local building code and National Electrical Code. They also set standards for Federal records storage. (*NFPA*).

John Leimanis and Dave Hammes (DoS) said that their agency acted as the GSA for foreign embassies. They are responsible for over 250 posts around the world that other federal agencies occupy as part of the U.S. mission in other countries. They use a design build methodology and a Directors challenge to use building codes as a baseline for their criteria. They now have guidelines that they are adapting to work with codes and standards that they intend to adopt as 25-30% of what is in their guidelines is in the codes and standards already. They intend to adopt certain codes and standards by reference and then reduce the criteria in their guidelines to only the additional criteria above the minimum codes and standards they feel is warranted. The DoS acts as the authority having jurisdiction. Acceptance of foreign products and

standards is an issue because they would be prevalent in various countries but might not comply with the adopted codes and standards DoS adopts from the U.S.

Dana Bres (HUD) provided information on the Partnership for Advancing Technology in Housing (PATH) Program. The focus of this program is to make housing more affordable and to demonstrate technologies. They also want to change the codes to recognize and accept new housing technology. He noted insulated concrete forms and structural insulated panels as examples. PATH also assists product developers on codes and standards and technology acceptance issues. They also work to streamline the building regulatory process through codes and land use planning. He mentioned a regulatory barriers project at HUD and an NAHB program to focus on quality programs in housing that would reduce the need for building inspections by state and local government. (*ASHRAE, ICC*).

Ed Laatsch (FEMA) reported that their programs focus primarily on mitigation of disasters. He said that the National Flood Insurance Protection (NFIP) program was not well represented in building codes and there was no definition of flood resistant building materials in the codes. For this reason FEMA supported the development of a test protocol that could be used as guidance in determining if a product was flood resistant. This was envisioned to be used as a pre-standard to test products for flood resistance. (*ICC, NFPA, ASCE, ISO*).

John Ingargiola (FEMA) continued to outline FEMA's activities. He said that losses drive activities to mitigate. This is one reason why FEMA is involved with building codes and standards. He noted the NFIP for flooding. John also covered the National Earthquake Hazards Reduction Program (NEHRP) that was also focused on making building codes more responsive to seismic issues. He also mentioned Executive Orders covering flood plain management. FEMA would like the ICC Codes to be consistent with the NFIP and does assist with the development and deployment of technical guidance on the code provisions. On the wind issue FEMA transfers research and field experience to codes and guidelines via documents such as the storm shelter standard now under development. Physical security and manmade hazards are also an issue that FEMA addresses as part of the Department of Homeland Security (DHS). He reported that work on performance designs would likely lead to the next generation of codes. He also mentioned the FEMA multihazard loss risk assessment program that assesses damage and loss avoidance.

Shawn McKee (HUD) mentioned the manufactured housing design standards and that HUD would be regulating the installation of manufactured housing in 2006. He said a consensus committee was formed to develop installation standards and that the ANSI A 225.1 standard was being used as a starting point for those standards. The standard would be provided to HUD for review when complete.

Dave Conover next presented an overview of the ICC (attachment 1) and each agency indicated the codes and standards organizations with which they participated (added above in *italics* for convenience).

The group next discussed the needs of the agencies that the ICC could help address. Those are presented below. Action items that would come from this discussion of needs are also noted in *italics* as directed through an action item given to the ICC by the group.

- How ICC code change process works (information on participation etc.) *ICC needs to provide information to the Federal agencies on how the ICC code change process works.*
- Information on relationship with NFPA. *ICC needs to provide information to the Federal agencies on the relationship between ICC and NFPA.*

- Multiple codes is a problem (gas, fire, building, etc.) for a Federal agency that needs to choose which raises a litigation issue by choosing one over the other - need one code as multiple codes cause agencies to pick the most restrictive code.
- Open line of communication between NFPA and ICC must start now - recommend that ICC start the process - delineation of authorities between ICC and NFPA.
- Address means of egress issues first when moving to one code.
- Comfort with the old codes - training and education to help make the transition and include educational information to help an agency be the AHJ. *ICC should find creative ways to train Federal agency staff on legacy and new ICC codes.*
- Special education for new agencies becoming involved as the AHJ (code admin 101). *ICC needs to provide training for the agencies on the administrative aspects of code enforcement.*
- Information on code adoption by state and local government and what does that mean - implementation, enforcement and consistency - field research and information (are we really having an impact?) as locals may have responsibility for success of a federal program/interest. *ICC needs to consider assessment of state and local programs to determine the degree to which codes are being adopted, implemented and enforced.*
- Education, outreach, etc. to ensure what is achieved in the field actually tracks with the written text (i.e. ISO grading)
- Cost/benefit associated with code enforcement, compliance, increased stringency, etc. of entire picture. Standardized methodology for conducting assessments (e.g. FEMA HAZMAS) of codes, building construction, etc.
- Bring “governmental members” to bear on communities that are taking a slow approach to adoption of more recent codes - get ALL locals engaged to adopt and implement codes - ICC needs to take this action (benefits of codes) also deal with major cities (information on major city codes). *ICC needs to work to get all state and local agencies to adopt and implement codes.*
- Supplemental resources to help with plan review, inspections, etc. (contacts for support) at a reasonable rate. *ICC needs to review available services and costs to ensure they meet the needs of Federal agencies.*
- Structural and other registration boards need to know and communicate information on new codes and standards to those taking their tests from their registration boards. *The ICC needs to communicate with engineering boards on the importance of codes and ensuring that those seeking registration are up to date on building codes and standards.*
- Use of international products and new technologies with respect to codes, standards and conformity assessment (acceptance in the U.S. and how to deal with them). *The ICC needs to provide guidance to building regulators on the appropriate means of evaluating and accepting non-U.S. building products.*

- Reduce time lag from new technology introduction to prescriptive requirements appear in the code. *The ICC needs to educate product developers on the code change process, how to secure technology acceptance and the benefits of having criteria for their product specifically in the code.*
- Some agencies may not be code users but may be making code changes and do not know how to effectively submit and support changes. *The ICC could develop a document that outlines how to develop a code change and secure its approval for use the Federal agencies.*
- Could the Federal agencies become the proponent of some changes to the ICC and agencies work together to submit code changes together to affect areas in the code with common interest?
- Most members come from local perspective and the Federal group could more effectively represent society as whole at the national level (voice for national consensus) - speak to code changes.
- OMB circular directs agencies to use consensus codes and standards - have ICC help agencies review their criteria to see how the agency could most effectively use those codes and standards in addition to the unique criteria needed by the agency (meld agency design guides, specs, more stringent criteria etc. to work clearly with base codes and standards). *The ICC should offer to assist agencies update their building related provisions to most effectively use voluntary sector codes and standards.*
- Next generation codes and standards to address emerging issues and possible multiple tiers of minima in the code based on risk (e.g. seismic/lifelines in the IBC).
- Need to recognize what standards, etc. other agencies are currently doing or planning to do (share information). *Through the Federal group the ICC could establish a reporting mechanism to collect and report on Federal activities related to building codes.*
- Web site such as WBDG at NIBS - use as a basis for keeping up to date on agency R&D that might go into codes/standards, agency actions with respect to code and standards, etc. - place to keep updated. *The above reporting mechanism could be implemented via the Internet.*
- Partner up with other organizations and associations to get localities to adopt contemporary codes and get localities and states without codes to adopt codes (reason-if they did makes it easier on fed agencies - agencies in rulemaking - first one does much of the work in getting the ball rolling). *The ICC is doing this and should provide information on those activities to the Federal agencies.*
- Education to agencies on the codes (101 and technical requirements) and use that as feedback mechanism back to ICC from the agencies - explain what will be covered in the session. *The ICC should be responsive to the individual and collective needs of the Federal agencies.*

From the discussion on the items above the following action items (and due dates) were also identified.

- The agencies are to go back and discuss with others in their agencies what was discussed during the meeting and provide further feedback to ICC and also advise ICC staff if the agency wants have ICC come to the agency for more detailed discussions (2/29)
- ICC to write up meeting notes and circulate along with list of attendees, contact information, etc. (1/25)

- Scope out a 1 day session on codes 101 and codes overview for agency review and comment (1/25)
- Identify agencies that did not participate in the meeting and communicate with them on the actions at the meeting (2/1)
- Come up with other action items that were suggested in the needs and put those actions in the meeting notes (1/25)

The group discussed the name of the committee and agreed that Federal Advisory Committee was not desired. The group agreed to be referred to at the "ICC Federal agency codes and standards forum" with ICC providing Secretariat services. They all agreed that the next meeting would be July 12th (11:30 to 3:30). The meeting was adjourned at 3:15 p.m.

ATTACHMENT D

IAC TASK GROUP

PROPOSED MODIFICATIONS TO ICC FLOOR MODIFICATION PROCEDURES

5.2.2 Modifications: Modifications to proposals may be suggested from the floor by any person participating in the public hearing. The person proposing the modification is deemed to be the proponent of the modification.

1. *Submission and Written Copies.* All modifications must be submitted to the Committee Chair in writing and announced by the Moderator before the first proposal on the agenda is called to the floor. The modification proponent is responsible for timely submitting the proposed modification and ensuring that adequate copies are available for the Moderator, Committee, and interested parties in attendance at the hearing. If a modification clearly meets all of the criteria listed in 5.2.2(i) through (iii), the Chair may waive the requirement that it be submitted and announced before the first proposal on the agenda is called to the floor.
2. *Criteria.* The Chair shall rule modifications in or out of order before they are discussed on the floor. In ruling on a modification, the Chair shall consider whether the proposed modification:
 - (i) changes the scope or intent of the original proposal;
 - (ii) contains too much content or complexity to allow a proper assessment of its impact on the original proposal or the code;
 - (iii) proposes substantive changes to sections of the code that would not be changed by the original proposal; and,
 - (iv) was available in writing, with adequate copies, and announced before the start of the hearing.
3. *Testimony.* When a modification is offered from the floor and accepted by the Chairman, a specific floor discussion on that modification is to commence in accordance with the procedures listed in Section 5.5.1.

April 9, 2004

**ICC Industry Advisory Committee Task Group
Green Building Rating Systems**

March 19, 2004 Task Group Meeting Notes

The Task group met on March 19, 2004 at the American Plastics Council corporate offices, 1300 Wilson Boulevard, Arlington, VA. The following were present:

Robert Elliott, Task Group Chair
Richard Kuchnicki, IAC Secretary
Kenneth Bland, American Forest & Paper Association
Ed Sutton, National Association of Home Builders
Jonathan Sargeant, Cast Iron Soil Pipe Institute
Peyton Collie, Sheet Metal and Air Conditioning Contractors' Association

Chairman Elliott opened the meeting at 10 a.m., and asked for self introductions. Elliott stated the charge of the Task Group is to address the impact of Green Building Rating Systems on construction in the U.S.

The following points were made during the Task Group discussion:

- NIST BEES program which compares building products costs about \$4,000 to get a product listed.
- The U. S. Green Building Council (USGBC) LEED rating system does not recognize BEES.
- USGBC does not allow industry participation so is not an open consensus process.
- USGBC web site lists what states have adopted LEED.
- Task Group is concerned with ICC draft MOU with USGBC. Although there was no final MOU that was adopted the USGBC has been reporting it as a “done deal”.
- Wood industry has developed the Sustainable Forests Initiative (SFI) but SFI is not recognized by LEED.
- LEED has a bias against plastics products.
- The IAC Task group should focus on what impact LEED has on the building official and on building codes.
- A significant number of local Home Builder Associations (HBAs) have developed Green Building programs and rating systems for their members to voluntarily promote and market green building in residential construction.
- NAHB is developing a model set of green building guidelines to assist its members and HBAs in establishing voluntary green building programs.
- NAHB is concerned that LEED is undertaking the development of a residential rating system for green building that will not be compatible with existing HBA programs and its model set of guidelines.
- Based past experience with the LEED rating system for commercial buildings, NAHB is also concerned that communities may try to mandate and enforce the resulting LEED residential rating system.

- Codes already address green building criteria in a number of areas.
- What are the IAC’s concerns: USGBC approaching building officials and promoting LEED; ICC endorsing LEED; ICC/GBC MOU draft;
- What are the IAC’s alternatives: develop a “white paper”; develop alternative rating systems; tell ICC how we feel; identify the issues that should be brought to ICC’s attention.
- Why should an organization—USGBC—that restricts membership, is not part of the code-developing community and does not use clearly-defined open consensus procedures be allowed by the ICC to provide CEUs to code officials?

After completion of the Task Group discussion it was agreed to recommend to the IAC that the following issues be brought to the attention of the ICC Board of Directors:

1. **USGBC strategy with respect to building officials meetings:**
 - **Influence (sell building official on how great LEED is)**
 - **Message**
2. **The building department as the enforcement/agent of green building rating systems.**
3. **ICC’s endorsement (MOU) with the USGBC - not appropriate to promote non-consensus standards.**
4. **Is there a technical criterion in LEED that conflicts with the I-Codes?**
5. **Explore the “greenness” of current I-Codes.**
6. **Is LEED a “national consensus standard” as claimed by USGBC?**
7. **Economic impact of GB rating systems on consumers.**