

2024 IECC Process/Appeals Summary

The International Code Council (ICC) Board of Directors recently concluded its review and decision-making process regarding the 2024 International Energy Conservation Code (IECC), significantly impacting future building energy conservation measures. The board's decisions were influenced by appeals from various stakeholders, including notable industry groups such as the American Gas Association (AGA), American Public Gas Association (APGA), The National Multifamily Housing Council (NMHC), Building Owners and Managers Association (BOMA) International, ICC Region VI, and the Air-Conditioning, Heating, and Refrigeration Institute (AHRI). These appeals centered around proposed provisions in the 2024 IECC that were perceived to potentially limit the use of natural gas in favor of electrically powered solutions in buildings.

Background:

The development of the 2024 IECC involved extensive input from a wide range of stakeholders across the building and energy sectors, aiming to improve energy efficiency in buildings while also considering the feasibility, technological capabilities, and economic impacts of the proposed measures. NPGA submitted a multitude of proposals at every opportunity for public input, but virtually all of them were rejected by the commercial and residential committees. The appeals process allowed stakeholders to challenge draft provisions that they believed could adversely affect their interests or the broader goals of energy conservation and sustainability. NPGA was not an appellant but did submit a letter of support for appeals related to alleged process violations. ICC Board of Directors conducted a thorough review of the appeals submitted by the aforementioned groups. These appeals specifically targeted provisions that would mandate or heavily favor the installation of electric-ready infrastructure in new constructions, potentially marginalizing gas-powered solutions for space heating, water heating, and cooking.

Decision on Provisions:

The Board decided to move the contested electric-ready provisions from the main body of the 2024 IECC to non-mandatory appendices or to be listed as "resource material." This effectively alters the status of these provisions from being required for compliance with the IECC to optional, allowing jurisdictions adopting the code to decide whether to implement these measures.

Appendix CG (All-electric Commercial) and Appendix RE (All-electric Residential):

Both these appendices aimed to set the foundations for all-electric energy use in commercial and residential buildings, respectively. The ICC Board decided to move these appendices to be listed as "resource material" rather than an integral part of the IECC. This shift was driven by concerns over significant risks of federal preemption based on existing case law, which could challenge or limit the enforceability of all-electric mandates at the local or state level. The "resource" classification implies that while the information and guidance in these appendices may inform or inspire building practices, they do not hold the weight of code requirements.

Appendix CD Section CD101.1 and Table CD101.1 (Prescriptive Glide Path to Net Zero):

This section proposed a detailed pathway for buildings to achieve net-zero energy consumption through prescriptive measures. The Board identified a potential conflict with federal regulations regarding minimum efficiency standards for equipment, prompting the movement of these provisions to "resource material." The concern was that adherence to this prescriptive path might not be feasible with currently available minimum efficiency equipment, thereby risking clashes with federal energy policy.

Appendix RG (Glide Path to Net Zero):

Appendix RG outlines a framework for gradually increasing the energy performance of buildings towards achieving net zero—a balance between the energy produced and the energy consumed by the building. Unlike CG and RE appendices, RG was retained within the IECC appendices but annotated with a cautionary note. This note underscores potential limitations in terms of compliance, particularly in specific climate zones where achieving net-zero energy performance with minimum efficiency equipment may pose challenges. This inclusion signals a recognition of the goal towards net-zero while acknowledging the practical hurdles in its universal application under current technological constraints.

Implications for the Gas Industry:

This decision is significant for the gas industry as it avoids the imposition of potentially restrictive mandates that could have limited the use of gas in residential and commercial buildings. By relocating the provisions to appendices, the ICC has maintained a level of flexibility in energy choice, allowing for the continued use of gas alongside other energy sources under the 2024 IECC.

Impact on Energy Choice and Efficiency:

The ICC's decision underscores a commitment to energy choice, recognizing the importance of allowing stakeholders and adopting jurisdictions the flexibility to determine the most appropriate and sustainable energy solutions for their needs. It also highlights the balance between advancing energy efficiency goals and maintaining economic and technological feasibility.

Acknowledgment of Stakeholder Engagement:

The decision reflects the impact of concerted stakeholder engagement throughout the IECC development process. The active participation and advocacy by the AGA, APGA, NPGA, and other organizations were instrumental in bringing key issues and concerns to the forefront, ultimately influencing the final outcome in favor of broader energy choice and flexibility.