



State of Idaho
DIVISION OF BUILDING SAFETY

C.L. "BUTCH" OTTER
Governor
C. Kelly Pearce
Administrator

Building a Safer Idaho

1090 East Watertower Street, Suite 150
Meridian, Idaho 83642
Main # 1-800-955-3044
Fax # 1-877-810-2840
dbs.idaho.gov

NOTICE OF RULEMAKING

Please be advised that the Idaho Heating, Ventilation and Air Conditioning (HVAC) Board has scheduled two public meetings, May 22, 2013, and July 10, 2013, to allow interested parties to recommend adoption and amendments to the 2012 International Mechanical Code, International Fuel Gas Code, and Parts V and VI of the International Residential Code.

The public meetings will be held at the Division of Building Safety (DBS) at 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642, and via videoconferencing at 1250 Ironwood Dr., Suite 220, Coeur d'Alene, Idaho 83814, and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. Attached to this notice is a copy of the tentative agenda for the May 22nd meeting. The Board will permit oral comments or presentations to be made to the Board by any interested individuals at that time. Additionally, a form with instructions is attached to this notice on which the Board is requesting you use to submit comments, questions, or recommendations. The form is also available on the DBS website (See "Negotiated Rulemaking" section on main page of website) and may be submitted electronically at neg.rules@dbs.idaho.gov. It also may be printed and sent via U. S. mail to DBS at 1090 East Watertower Street, Suite 150, Meridian, ID 83642. The deadline for submitting comments on that form is **July 1, 2013**. The Board respectfully requests that the deadline be adhered to in order that the Board is able to prepare and give due consideration to all comments and recommendations in advance of the July 10th meeting. The Board also requests that you provide any additional documentation that supports any comment or recommendation you may have.

Should you have any questions or concerns about this rulemaking process or the public meetings, please contact me or an appropriate member of the DBS staff at 208-334-3950, or the Chairman of the Idaho HVAC Board Dan Brizee at 208-733-2624 and dan@brizee.com. The Idaho HVAC Board looks forward to your participation in this process.

Sincerely,

C. KELLY PEARCE
Secretary, Idaho HVAC Board
Administrator, Division of Building Safety

c: Idaho Heating, Ventilation and Air Conditioning (HVAC) Board

Enclosure: (1) Notice of Intent to Promulgate Rules – Negotiated Rulemaking
(2) May 22, 2013 Idaho HVAC Board Agenda
(3) Negotiated Rulemaking Submittal Form and Instructions

TENTATIVE AGENDA

NOTICE OF PUBLIC MEETING

***IDAHO HEATING, VENTILATION AND
AIR CONDITIONING BOARD
VIDEOCONFERENCE MEETING***

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian, Idaho
1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho
2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho
dbs.idaho.gov – (208) 332-7137**

***Wednesday, May 22, 2013
9:30 a.m. – 3:30 p.m. (MT)***

(Note: Meeting Time is 8:30 a.m. PT)

- 9:30 a.m.** **CALL TO ORDER** – Dan Brizee, Chairman
- Roll Call & Introductions
 - Open Forum
 - HVAC Contractor and Journeyman Licensing and Testing – John Nielsen

CONSENT AGENDA

1. Approval of the May 22, 2013 Agenda
2. Approval of the February 13, 2013 Board Meeting Minutes

ACTION AGENDA

3. Administrative Appeals Hearing – Jerry Peterson
 - a. D & R Heating and Cooling – NOV HVC13-0001
 - b. Hobson Fabricating Corp. – NOV HVC1301-0002
 - c. Malad Heating and Cooling – NOV HVC13-0005

PUBLIC HEARING

4. Public Testimony
 - a. Adoption of the 2012 Codes
 - b. Changes to Supervision Requirements
 - c. Continuing Education
 - d. Restrictions on Natural Draft Appliances

Noon - **LUNCH BREAK** *(If needed)*
1:00 p.m.

INFORMATIONAL AGENDA

5. HVAC Program Manager Report – Jerry Peterson
6. Operational Report – Steve Keys
7. Administrator Report
 - a. Financial Report – C. Kelly Pearce and Kathleen Watkins
 - b. Administrator – C. Kelly Pearce

3:30 p.m. **ADJOURN**

All times, other than beginning, are approximate and are scheduled according to Mountain Time (MT), unless otherwise noted. Agenda items may shift depending on Board preference. 03/27/2013

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.07.01 - RULES GOVERNING INSTALLATION OF HEATING, VENTILATION, AND AIR CONDITIONING SYSTEMS, DIVISION OF BUILDING SAFETY

DOCKET NO. 07-0701-1301

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 54-5001, 54-5004 and 54-5005, Idaho Code.

MEETING SCHEDULE: A public meeting(s) on the negotiated rulemaking will be held as follows:

Public meetings are scheduled by the Idaho Heating, Ventilation and Air Conditioning (HVAC) Board for May 22, 2013 and July 10, 2013 at the Idaho Division of Building Safety located at 1090 E. Watertower, Suite 150, Meridian, Idaho 83642 at 9:30 a.m. (MDT), and via video teleconferencing at 1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho 83814, and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho HVAC Board on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meetings to be conducted at the above dates during which the Idaho HVAC Board will allow oral comments or presentations to be made.

A collaborative group, operating outside of the HVAC Board, is being formed to serve as a forum for the preparation of a proposal relative to the adoption of new editions of the mechanical codes. The Division of Building Safety and the Idaho HVAC Board encourages all interested parties to participate in this collaborative effort. For information regarding meetings of the collaborative group and other questions regarding the group, please contact Jerry Peterson, the mechanical program manager, at (208) 332-4003 or via email at jerry.peterson@dbs.idaho.gov.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Pursuant to Sections 54-5001 and 54-5004, Idaho Code, the Idaho HVAC Board has the authority through the promulgation of rules to adopt and amend mechanical codes which establish the heating, ventilation and air conditioning construction and safety standards in the state of Idaho. These codes include the International Mechanical Code, International Fuel Gas Code, and Parts V and VI of the International Residential Code. The HVAC Board desires to consider the adoption of the 2012 versions of these codes and amending provisions of these codes as it determines necessary through the negotiated rulemaking process. The Board seeks the participation of the affected industry, enforcement jurisdictions, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of amendments to these codes for application in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Steve Keys, Deputy Administrator – Operations, (208) 332-8986.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, or ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the Idaho HVAC Board by July 1, 2013. Forms may be submitted via email to neg.rules@dbs.idaho.gov.

DATED this 26th day of February 2013.

Steve Keys, Deputy Administrator – Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83542
Phone: (208) 332-8986
Fax: (877) 810-2840