

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

Wednesday – May 16, 2012 – 9:30 a.m. (MT)

**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**

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting,
but is intended to record the significant features of those discussions.

Chairman Dan Brizee called the meeting to order at 9:30 a.m. (MT)

Board Members Present:

Dan Brizee, Chairman
Ted Sermon, Vice-Chairman
Jon Laux
Bruce Graham
Bill Carter
Russ Goyen

DBS Staff Members Present:

Steve Keys, Deputy Administrator, Operations
Patrick Grace, Deputy Attorney General
Jerry Peterson, HVAC Program Manager
Rod Freligh, Regional Manager, Region 1
Chris Jensen, Regional Manager, Region 3
Dave Decker, Financial Specialist
Renee Bryant, Administrative Assistant 2/Board Secretary

Board Members Absent:

Tim LaMott

DBS Staff Members Absent:

C. Kelly Pearce, Administrator

◆ **Open Forum**

No items or concerns were brought forth.

◆ **Approval of May 16, 2012 Agenda**

MOTION: Ted Sermon made a motion to approve the agenda as presented. Jon Laux seconded. All in favor, motion carried.

◆ **Approval of February 15, 2012 Board Meeting Minutes**

MOTION: Jon Laux made a motion to approve the minutes as written. Bruce Graham seconded. All in favor, motion carried.

◆ **Negotiated Rulemaking Process**

Senate bill 1366 passed the 2012 legislature and became effective April 5, 2012. The bill amends existing law to provide statutory procedures for negotiated rulemaking and to provide for notices of rulemaking to be placed on an agency's website. Deputy Attorney General Patrick Grace provided a brief explanation of the negotiated rulemaking process.

◆ **Public Testimony – Adopt and Amend 2012 International Mechanical Code (IMC), International Fuel Gas Code (IFGC), and Parts V and VI of the International Residential Code (IRC)**

The process to adopt and amend the 2012 IMC, IFGC, and Parts V and VI of the IRC is as follows: 1) Submit proposal to Legislative Services by the end of August 2012, 2) Legislative Services and Division of Financial Management review proposal; ensuring it is in accordance with the procedure, 3) proposal submitted to 2013 legislature for review, 4) if approved, proposal becomes effective July 1, 2013, and 5) local jurisdictions have soft implementation period to adopt the proposal with an effective date of January 1, 2014.

Pete Crow, IAPMO, provided positive aspects of the 2012 Uniform Mechanical Code (UMC). Should the Board wish to consider the adoption of the 2012 UMC, Mr. Crow offered to provide a full-detailed comprehensive presentation.

The majority who spoke were of the opinion the Board needs to rethink the three-year code cycle, slow down with the adoption of the 2012 IMC, IFGC, and Parts V and VI of the IRC, consider the UMC versus the IMC, and/or create a state mechanical code.

After lengthy discussion, the Board agreed: 1) Jerry Peterson will provide the Board documentation on all significant changes to the 2012 IMC, IFGC, and parts V and VI of the IRC, 2) board members will contact their colleagues in the trade for review of the significant changes, 3) industry to provide pros/cons and costs of changes, two paragraphs or less, to Jerry Peterson or Renee Bryant, and 4) DBS staff will incorporate comments into the July Board packet.

ACTION: Prior to the July 2012 Board meeting, Jerry Peterson will supply significant changes to the 2012 IMC, IFGC, and parts V and VI of the IRC to the Board, board members will contact industry colleagues for input on Mr. Peterson's documentation, and industry to provide comments to the DBS staff to be included in the July Board packet.

Justin Goodwin, City of Moscow Representative, explained when the 2009 code was adopted, the city of Moscow began testing plastic flue piping, to include ABS and PVC. When first implemented in new construction, there was a 50% fail rate. Now one in 25-30 new houses fail. Contractors in the Moscow area are in support of the test.

The city of Moscow proposed the following paragraph be added to IFGC section 503.4.1.2, and IRC section G2427.4.1.2: **Testing. All plastic pipe located within a dwelling used for venting flue gases be tested at five (5) psi for fifteen (15) minutes.**

◆ **Continuing Education**

A proposal designed to cover the costs the DBS incurs to review the qualifications of continuing education (CEU) instructors and content of courses was denied at the 2012 legislature.

One way to possibly remove the legislative objection is for DBS to provide free CEU training from its three office locations and/or online. Other CEU providers would have to go through the Division's approval process and pay a processing fee. HVAC contractors and journeymen would still have the right to attend a class of their choice; however, most CEU providers charge a fee to attend their classes.

Dan Brizee stated manufacturers provide training on their products at no cost.

The DBS requested, and the Board approved, to table this issue until the July 2012 meeting; allowing the Division to bring forth a proposal the Board can act upon.

MOTION: Ted Sermon made a motion to table the topic “Continuing Education” until the July 2012 Board meeting; bringing it back as an informational item. Jon Laux seconded. All in favor, motion carried.

◆ **Adoption of 2009 IRC Chapter 1 – Alternative Materials and Methods**

Local jurisdictions adopt the IRC in its entirety; whereas, the HVAC Board adopts only parts V (mechanical) and VI (fuel gas). The Division has no provisions to approve unlisted appliances. As an alternative way to account for the appliances, a proposal was presented that would add sections R104.11 “Alternative materials, design and methods of construction and equipment” and R104.11.1 “Tests” from chapter 1 of the 2009 IRC to IDAPA 07.07.01.006. This proposal to be submitted to the legislature separate from the carbon monoxide and solid fuel proposals.

MOTION: Russ Goyen made a motion to incorporate the following sections from chapter 1 of the 2009 IRC into IDAPA 07.07.01.006: R104.11 “Alternative materials, design and methods of construction and equipment” and R104.11.1 “Tests”. Ted Sermon seconded. All in favor, motion carried.

This proposal will be submitted to the 2013 legislature independent of the Carbon Monoxide and Solid Fuel proposals.

◆ **Adoption of 2009 IRC Chapter 3 – Carbon Monoxide Monitors**

Section R315 “Carbon Monoxide Alarms” is in the building code, not the mechanical code. This works great for most jurisdictions; however, the Division provides inspections in areas that do not have a building inspector. Since carbon monoxide and smoke detector requirements are outside sections V and IV of the IRC, the DBS does not have a method of enforcement.

MOTION: Russ Goyen made a motion to add section R315 “Carbon Monoxide Alarms” from the 2009 IRC to sections V AND VI of the 2009 IRC. Ted Sermon seconded. All in favor, motion carried.

This proposal will be submitted to the 2013 legislature independent of the Alternative Materials and Methods and Solid Fuel proposals.

◆ **Adoption of 2009 IRC Chapter 10 – Solid Fuel**

This year the legislature approved solid fuel appliances as part of the HVAC regulatory system. The existing sections V and VI of the 2009 IRC do not have the complete list of code requirements for solid fuel appliances.

For clarity and inspection guidelines, Jerry Peterson requested the following sections from chapter 10 of the 2009 IRC be included in sections V and VI of the 2009 IRC: R1003 “Masonry Chimneys” (not an inclusive list); R1004 “Factory-Built Fireplaces”; Section R1005 “Factory-Built Chimneys”; and R1006 “Exterior Air Supply”.

MOTION: Russ Goyen made a motion to adopt the language as presented, not as a code reference but to include sections R1003, R1004, R1005, and R1006 from chapter 10 of the IRC to the beginning of section V of the IRC only. Ted Sermon seconded. All in favor, motion carried.

This proposal will be submitted to the 2013 legislature independent of the Alternative Materials and Methods and Carbon Monoxide proposals.

◆ **Pressure Testing for ABS/PVC Venting**

This topic was presented by Justin Goodwin under “Public Testimony – Adopt and Amend 2012 International Mechanical Code (IMC), International Fuel Gas Code (IFGC), and Parts V and VI of the International Residential Code (IRC)”

MOTION: Jon Laux made a motion that Carol Alexander’s proposal to require pressure testing for ABS/PVC venting be a temporary and proposed rule and for the Board to vote on it at the July 18th HVAC Board meeting. Ted Sermon seconded. All in favor, motion carried.

ACTION: The topic “Pressure Testing for ABS/PVC Venting” will be placed on the July Board meeting agenda as an action item.

◆ **Definition of Plumbing Systems – Liquid and Fuel Gas Piping**

A subcommittee comprised of two plumbing and two HVAC board members discussed the definition of plumbing systems. It was recommended the following subsections be added to the existing HVAC code 54-5015(c): (ii) Gas piping; and (iii) Piping for hydronic systems; piping for steam & hot water boiler systems. With the changes, the mechanical code stays in tact, the work to be installed remains under the mechanical codes, and plumbers can continue to install those systems, which they have been doing for years.

Occasionally plumbers install oil piping, which technically is not gas piping. Russ Goyen suggested subsection ii be changed from “gas” to “fuel” piping.

In statute, an HVAC license is called “certificate of competency”. It was a recommendation to change HVAC “license” to “certification” in section c.

Dan Brizee requested the proposal be brought back to the July meeting as an action item with the recommended changes.

ACTION: The Topic “Definition of Plumbing Systems – Liquid and Fuel Gas Piping” will be placed on the July 18, 2012 Idaho HVAC Board meeting agenda as an action item.

ACTION: The Division will make the requested changes; bringing the revised proposal to the July Board meeting.

◆ **HVAC Program Manager Report**

Training – For 2012, Jerry Peterson received approval from the National Environmental Health Association to provide code update and energy code classes to HVAC companies at their shops throughout the state of Idaho. The course will be approximately one hour in length.

◆ **Operational Report**

HVAC Program – Relative to the daily operations of the HVAC program, it continues to struggle. Most of the other programs have experienced an uptick financially in the last couple of months; however, HVAC seems to be going in the other direction.

Financials – Steve Keys briefly addressed the HVAC Board Fund FY 2012 financial statements as of March 31, 2012. The Division continues to lose jurisdictions as more and more of the cities and counties are taking over their programs.

Responsibilities of the Trades – The issue with regard to jurisdictions and job responsibilities between the HVAC and Plumbing trades is ongoing. Originally, the Division created a Memorandum of Understanding to eliminate the prospect of multiple licenses and permits required to perform a job not specifically defined in either trade rules.

Steve Keys offered to bring back an alternative proposal that would address the issue from a slightly different standpoint relating to licensure.

ACTION: For the July 2012 Board meeting, Steve Keys will bring an alternative proposal with regard to the responsibilities of the trades.

Purchases – The Division’s computers are over seven years old and many have begun to show issues. Within the next four years, new computers will be acquired.

MOTION: Ted Sermon made a motion to adjourn the meeting. Jon Laux seconded. Chairman Brizee adjourned the meeting at 12:48 p.m. (MT).

DAN BRIZEE, CHAIRMAN
HEATING, VENTILATION AND
AIR CONDITIONING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

07/10/12rb