



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONSTRUCTION CODES COORDINATING BOARD**

**SPECIAL MEETING
Minutes of Thursday, June 23, 2011**

10:00am – 12:00pm
1100 4th Street, SW
Director's Conference Room, 5th Floor
Washington, DC 20024

Members Present	Members Not Present	Members of the Public
Paul Waters, Acting Chair	Curtis Clay	Julia Craighill
Alex Berley, Vice Chair		Fulya Kocak
Marc Fetterman		Dick Meyers
Robert Hershey		Dot Mynahan
Dave Hollinger		Matt Orlins
Ethan Landis		Nicole Whiteman
Rabbiah Sabbakhan		
Jill Stern		
Herbert Taylor		

Call to Order

Paul Waters called the meeting to order at 10:19 am and followed with a roll call of members present.

Review and approval of the meeting agenda with Amendments

1. Ethan Landis proposed adding a copy of the draft press release regarding the 2012 IECC for review and comment by the Board. Robert Hershey opposed the Board reviewing the press release until the Energy TAG had reviewed it.
2. Marc Fetterman stated that the Board previously talked about reviewing the press release; because there were questions concerning whether the Green and Energy TAGs should be involved.
3. Paul Waters stated that if the draft press release was to be distributed; the Board could review the document; but take no action. Once the Board members reviewed the document then a decision to send it to the Green and Energy TAGs could be discussed.

The meeting agenda was approved by the Board following a motion by Jill Stern which was seconded by Alex Berley.



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Review and approval of meeting minutes

The meeting minutes for Thursday, June 16, 2011, were deferred until the CCCC regular meeting on Thursday, July 21, 2011.

Draft DC Green Building Code – Presentation

Ethan Landis set the stage for the introduction of the draft DC Green code to the Board members.

1. Board members had previously received an email copy of version 4 of the draft DC Green code and an overview matrix outlining each section.
2. For the record there is currently a Green Technical Advisory Group (TAG) that was established under the CCCC. There are several members of the Green TAG that are present today. Ethan Landis is the Chair of the Green TAG and has been working in coordination with the TAG for over a year to review other Green documents, including the IGCC version 1 and the California Green code.
3. The Green TAG produced an initial draft DC Green code with input from many groups, including DCBIA, AOBA and the Mayor's Green Building Advisory Committee (GBAC). The document has gone through several versions and extensive comments were received on a recent version from DCBIA. The Green TAG reviewed these comments and incorporated many of them into a subsequent version. A draft was redistributed to the TAG, DCBIA and AOBA for further review and comments. No additional comments have been received from DCBIA but comments recently have been received from AOBA. The Green TAG will follow-up with AOBA's issues. One item concerns whether the draft DC Green code should be adopted now or await issuance of the 2012 IGCC.
4. The draft DC Green code was presented to the GBAC and the Green TAG received positive feedback/support to proceed with the document.
5. Paul Waters asked Ethan if any comments had been received from DCBIA following their review of the current draft DC Green code. Ethan Landis replied no. Robert Hershey asked Ethan Landis to distribute a copy of the AOBA comments to the Board.

The draft DC Green code has ten chapters. The purpose of the code is to establish minimum standards for Green building practices. Ethan Landis went over the following sections in the draft DC Green Code.

Section 402.3.2 – Stormwater Management

Section 402.3.3 – Greywater Systems

Section 404.1 – Renewable Energy Credit



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Section 502.2 – Post Construction Waste Recycling
Section 503 – Material & Waste Management
Section 601.1 – Water Heater Controls for Dwelling Units
Section 602 – Residential Energy Efficiency
Section 602.5 (Table) – Steel-Frame Ceiling, Wall and Floor Insulation
Section 602.5 – Air Leakage
Section 603 – Commercial Energy Efficiency
Section 702 – Fixtures, Fittings, Equipment, Appliances and Distribution Systems
Section 702.8.2 (Table) – Various Types of Water Distribution Pipe and Tubing
Section 706 – Non-Potable Water Requirements
Section 707 – Rainwater Collection and Distribution Systems
Section 708 – Graywater Systems
Section 709 – Systems for Flushing Water
Section 801 – Ozone Depletion and Global Warming Reduction
Section 802 – Indoor Air Quality and Exhaust
Section 806 – Material Emissions and Pollutant Control
Chapter 9 – Commissioning, Operation and Maintenance
Chapter 12 – Referenced Standards

Comments by Board Members

Paul Waters

To establish minimum Green building practices, the CCCB will need to decide whether to add a new code to the existing family of Construction Codes in DC. Members of the Board were asked to offer comments regarding Ethan Landis' presentation.

Jill Stern

Adding a new code in DC would be a significant undertaking by the CCCB and would require extensive coordinated work. From an administrative standpoint she wanted to know how the CCCB would make it work; how would the Green code align with DCRA's permitting and enforcement? If the CCCB considers moving forward with a Green code, they should consider a two step process; the other codes would move forward now and the Green code would follow behind the other codes at a later time. There will be a lot of work to integrate the Green code into DC's other codes and this effort could delay the other codes from going forward.



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Rabbiah Sabbakhan

It is clear that the document will need to be thoroughly reviewed and integrated into permitting, inspections and enforcement.

Marc Fetterman

1. If the CCCB was to move a Green code forward; how much time would it take? Most of the 2012 ICC model codes have already been issued and by the time the DC City Council considers the 2009 codes on which the CCCB has almost finished work, it may be late 2011 or early 2012. At that point, DC would be an entire code cycle behind.
2. He asked Ethan Landis if anyone from DCRA was part of the Green TAG. He does not want to have another requirement like the financial bond in the Green Building Act of 2006 that cannot be utilized. In addition, how much time would it take for Rabbiah Sabbakhan to address any Chapter 1 issues and for Ethan Landis and Rabbiah Sabbakhan to coordinate permitting and enforcement provisions?

Dave Hollinger

1. As a member of the CCCB we will want to make sure that we stay in compliance with the Green Building Act of 2006 and make sure that we have the code completed by 2012.

Alex Berley

1. What involvement would DDOE have in the process? Since DCRA does not have a Green coordinator now, who will serve in this role? Does DCRA currently have money in their budget to hire people to implement the draft DC Green code?

Motion

Robert Hershey moved that the Board defer consideration of the draft DC Green code until the Board has completed work on the other codes. The motion was not seconded.

During discussion that following, Jill Stern asked Ethan Landis if there was a shorter version of the draft DC Green code, Ethan replied no.

Paul Waters suggested that Robert Hershey's motion be modified to include the Green TAG meeting with DCRA representatives designated by Rabbiah Sabbakhan and the Administration and Enforcement TAG to



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address Jill Stern's concerns. Once the groups addressed these issues, a plan and timetable for moving the draft DC Green code forward would be presented to the Board.

Robert Hershey agreed to modify his motion to include Paul Water's suggestions.

Ethan Landis asked Paul Waters to re-state the motion.

Paul Waters replied that the motion proposed would defer adoption of the Green code by the Board until the Green TAG had an opportunity to meet with the appropriate DCRA staff and work out concerns related to operational issues and to meet with the Administration and Enforcement TAG to work out administrative and enforcement issues raised by Jill Stern.

Robert Hershey added a clarification: The Board would move forward with the other codes now and put off consideration of the Green code until all matters regarding the Green code have been resolved.

Ethan Landis offered the following:

1. To put off the Green code is not fair; all the codes should move forward simultaneously. The Green code is part of the family of codes, the city has embraced Green building practices and to put Green last diminishes the importance of Green practices.
2. Requiring the Green TAG to work hands-on with DCRA and other TAGs to figure out how to adopt and implement this code is unique. The Green code has not been approved yet the Green TAG will have the responsibility to work with DCRA to address technical, logistical and educational issues.
3. The Green TAG invited DCRA to multiple meeting to make sure that any decisions / discussion were inclusive. DCRA chose not to participate. The Green TAG is being penalized and put at the end of the line. To go back and incorporate DCRA into the process at this time will be a lot of work for the all-volunteer TAG.
4. During a recent GBAC meeting, it was suggested that the Green fee being charged to obtain DCRA permits is too low. Are the Green fees collected being spent on Green or are they being reallocated?

Paul Waters summarized the motion to the Board: (1) to go forward with the codes as they are currently structured and (2) to coordinate the draft DC Green code with DCRA and the IP TAG. The motion was duly seconded and the Board voted. All voted in favor except Ethan Landis and Marc Fetterman who opposed the motion. The motion carried.



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Motion

Ethan Landis proposed a motion to the Board that a deadline of October 1, 2011, with the opportunity of a thirty-day extension, be established to move the draft DC Green code forward. The motion was duly seconded and the Board discussed the motion.

Robert Hershey opposed the motion and stated that the timeframe was not realistic.

Jill Stern would like to see a specific timeline / plan established and what DCRA comments will be.

The Board voted and the motion did not pass.

Jill Stern asked Board members if a “Working Group” could be established to identify what are the issues/concerns that need to be addressed. Rabbiah Sabbakhan agreed with Jill Stern’s proposal.

Motion

Jill Stern made a motion to have the Board establish a Working Group composed of Paul Waters, Rabbiah Sabbakhan, Ethan Landis, Robert Hershey, herself and anyone else who would like to participate. The Working Group would consider what changes need to be made to the draft DC Green code in order to harmonize it with Chapter 1 12A and DCRA permitting and enforcement processes.

The motion was seconded by Rabbiah Sabbakhan. The Board voted and the motion passed unanimously.

Continuation of Revisions to Draft Construction Code Supplement 2011 12 DCMR A

a. Chapter 1 – Administration and Enforcement

All section edits will be reflected in a revised copy that will be distributed to Board members, prior to the June 30, 2011 CCCB Special meeting. The Board continued with the review of:

Section 119 – Administrative Plumbing Provisions

Section 120 – Administrative Mechanical Provisions

Section 121 – Administrative Electrical Provisions

Paul Waters, Jill Stern and Rabbiah Sabbakhan had a roundtable discussion concerning the re-insertion of these sections. It was noted that the licensing requirements under section 105.1.6 replace portions of 119, 120 and 121. It was recalled that DCRA was to develop Administrative Guidelines that would be available in the Permit Center and on line for each of these trades outlining specific requirements for



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Plumbing, Mechanical and Electrical. Rabbiah Sabbakhan agreed that these sections would not be re-inserted but remain as “Reserved” sections.

Marc Fetterman reminded the Board of a previous request he had made to explain the Green Building Act of 2006 in Chapter 1 of the Building code. The Green Building Act of 2006 will affect more private building projects in DC beginning on January 1, 2012.

Paul Waters asked Marc Fetterman if he had specific language the he wanted to develop and use. Marc Fetterman suggested, at a minimum, that the Board reference the Green Building Act of 2006 in Chapter 1 and include it as an appendix within 12 DCMR.

b. Chapters 2 – 34

The Board was not able to go thru Chapters 2 – 34. Alex Berley suggested that each TAG Chair re-review Chapters 2-34 as they relate to their TAGs and email their comments/changes so the Board can go through this long document as efficiently as possible.

The Board confirmed a Special meeting on June 30, 2011 to review and discuss Chapters 2-34. All comments / amendments should be sent to Paul Waters or held until the meeting.

Comments by Member of the Public

Matt Orlins - Mr. Orlins read DC Code, Title 6-1412-Subsection B, to the Board members. He informed the Board of his understanding that there is a requirement that Green practices be included with each revision of the Construction Codes.

Paul Waters commented that, from the Board’s perspective, these requirements are being met by the CCCB “Greening” the codes.

Nicole Whiteman – Ms. Whiteman stated that there were issues concerning existing DC statutory language in DCMRs that might need to be addressed as part of adopting a Green code. Further discussion on how to resolve potential conflicts is recommended.

Jill Stern asked Ms. Whiteman if there had been any discussion concerning how the Green code could be implemented from the administrative and enforcement standpoint. Ms. Whiteman stated that there had been no discussion and she would follow-up with Ethan Landis. Ethan Landis informed Jill Stern that the Green TAG did not feel comfortable making administrative and enforcement decisions without input from DC Government employees. The Green TAG had asked Gerald Keys to provide advice on how to move forward but no guidance had been received before Gerald Keys left DCRA employment in February 2011.



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Fulya Kocak – Ms. Kocak would like to see the Board move forward on adopting a Green code with a timeline that includes specific dates for completion.

Paul Waters recommended that Ms. Kocak propose a timeline to Ethan Landis and Ethan Landis could share the proposal with the Board.

Adjourned

The Meeting adjourned at 12:10pm, following a motion by Robert Hershey which was seconded by Ethan Landis.

Next meeting is scheduled for Thursday, June 30, 2011 – 10:00am – 12:00pm