BEFORE THE DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of ARM 24.301.161 incorporation by reference of the International Energy Conservation Code)

) NOTICE OF AMENDMENT

TO: All Concerned Persons

1. On December 24, 2020, the Department of Labor and Industry (department) published MAR Notice No. 24-301-350 regarding the public hearing on the proposed amendment of the above-stated rule, at page 2303 of the 2020 Montana Administrative Register, Issue No. 24.

2. On January 19, 2021, a public hearing was held on the proposed amendment of the above-stated rule in Helena. A few comments were received by the January 21, 2021 deadline.

3. The department has thoroughly considered the comments received. A summary of the comments and the department responses are as follows:

COMMENT 1: One commenter noted the lack of proposed changes relating to Section C for commercial standards for the installation of water piping and Section 403.3, hot water piping installation and asked if this would be addressed.

RESPONSE 1: The Building Codes Program (program) did not propose any modifications to these sections of the 2018 International Energy Conservation Code (IECC) and is adopting the sections as they appear in the code, in their entirety. Because no amendments to these sections were proposed, the program is unable to address the commenter's suggestions in a final notice. The program will consider these comments in future energy code adoptions.

COMMENT 2: Several commenters supported the amendment of ARM 24.301.161 exactly as proposed.

RESPONSE 2: The program appreciates all comments received and commenters' participation in the code adoption and rulemaking process.

COMMENT 3: Several commenters requested that the program adopt the IECC in full, eliminating state-specific amendments to the IECC that leave energy savings on the table. The commenters did support the amendments as proposed and noted their appreciation of the open process and good work done to get to this point. The commenters also supported the program accelerating the code adoption process within 12 months of a new code being issued by the International Code Council.
RESPONSE 3: The program appreciates all comments received during the rulemaking process and will consider moving more expeditiously on code adoptions as well as eliminating state-specific amendments when reviewing the next edition of the IECC for adoption.

4. The department has amended ARM 24.301.161 exactly as proposed.

/s/ DARCEE L. MOE      /s/ LAURIE ESAU
Darcee L. Moe         Laurie Esau, Commissioner
Rule Reviewer         DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State February 2, 2021.