



# EXHIBIT 58

## Home Builders & Remodelers Association of New Hampshire

*"Building New Hampshire's Future"*

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May 8, 2009

Donald P. Bliss, Chairman  
State Building Code Review Board  
New Hampshire Department of Safety  
33 Hazen Drive  
Concord, NH 03305

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Dear Chairman Bliss and Members of the Board:

On behalf of the Home Builders & Remodelers Association of New Hampshire we respectfully request that the New Hampshire Building Code Review Board accepts the proposed amendments to the 2009 International Energy Conservation Code (IECC) noted below.

**A. We recommend deletion of the following section.**

### **SECTION 404 ELECTRICAL POWER AND LIGHTING SYSTEMS**

**404.1 Lighting equipment (Prescriptive).** A minimum of 50 percent of the lamps in permanently installed lighting fixtures shall be high-efficacy lamps.

Reasons for recommendation:

1. There is not an adequate program at present for safely disposing of used bulbs which could result in an adverse environmental impact.
2. There is a very real possibility of personal hazard to a homeowner who is saving used lamps and then deciding to dispose of them the old fashioned way in the garbage can. One lamp does not contain all that much mercury but several of them add up to a significant amount. This is creating a household hazard unless disposal is strictly adhered to.
3. The added cost to new homes is not justified and we believe the consumer, given a choice, would choose not to purchase these bulbs.



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**B. We recommend changes to the following section.**

~~402.4.2.1 Testing option. Building envelope tightness and insulation installation shall be considered acceptable when tested air leakage is less than seven air changes per hour (ACH) when tested with a blower door at a pressure of 33.5 psf (50 Pa).~~

Requiring a blower door test for every new housing unit built, or remodeled, is problematic for the following reasons.

1. There are a limited number of qualified individuals in the state to conduct blower door tests. The recent addition of approximately \$23 million in federal stimulus funds (through the American Recovery and Reinvestment Act) to the state's Federal Weatherization Program will require blower door testing on up to 2,600 existing housing units that are eligible for the program in just the next three years. This, coupled with the fact that the new housing market is poised to recover to average levels of production in the state over the next few years would make it nearly impossible to secure enough inspectors.
2. Scheduling of these tests will present problems to builders, consumers, and inspectors alike who often have close deadlines for completion, final bank inspections, and loan closings before interest rate locks expire.
3. This added cost to new housing is uncalled for and will adversely impact the industry's ability to produce housing that is affordable to many New Hampshire Citizens.

**C. We recommend the following amendment:**

*Add a new Section as shown below:*

401.4 Compliance testing. Where testing is required to determine air leakage of duct systems, the code official shall be permitted to require random sample testing of no fewer than one in seven homes.

**Reason:** The purpose of this amendment is to revise the testing requirement of all ducts located outside the thermal envelope to require a random testing of ducts as seen necessary by the code official. As contractors become familiar with assembling air-tight ducts, the need to individually test each duct system is not necessarily required to satisfy code compliance. With this

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amendment, a code official is given the liberty to require random sample testing based on local conditions and installations. The Federal EPA Energy Star program, an above code IECC program, only requires duct testing on 1 out of every 7 homes, this is because EPA understands that once an installer understands how to seal a duct they continue to do it correctly on subsequent homes. This amendment will allow the code official to quickly determine compliance visually without doing cumbersome and expensive mechanical testing on every home. We encourage testing at minimum intervals to achieve compliance with the intent of the IECC.

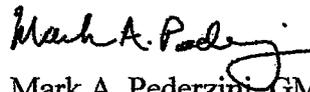
**D. We recommend the following.**

**402.4.3 Fireplaces.** ~~New wood burning fireplaces shall have gasketed doors and outdoor combustion air.~~

**Reason:** Gasketed fireplace doors add considerable expense. Our research shows the cost for a standard size door begins at \$1,000 plus the cost of installation. A custom size door would be thousands of dollars. This is an unjustified expense for the small amount of air leakage that the code addresses.

This association feels that these changes are in the best interests of New Hampshire citizens and respectfully ask for your consideration.

Sincerely yours,



Mark A. Pederzini, GMB, CGB, CAPs, CGP  
President