SIERRA CLUB
LONE STAR CHAPTER

Sierra Club is opposed to HB 3215 (Energy Efficiency Standards): It could undermine energy building code standards in Texas

Under Chapter 388 of the Health and Safety Code, the State Energy Conservation Office adopts statewide energy code. In 2015, due to legislation (HB 1736) and subsequent rulemaking, the State of Texas adopted the energy chapter of the International Residential Code and the 2015 International Energy Conservation Code, as adopted by the International Code Council. Builders in certain areas of Texas – including non-attainment areas and affected counties -- must comply with these codes, as well as local amendments. To provide some flexibility, builders that meet certain Energy Star requirements, or meet Energy Rating Indexes can show compliance.

Under HB 3215, the bill would expand the types of ways that builders can comply with the codes, adding two types of tests, known as:

2) Standard 301 of the American National Standard for

the Calculation and Labeling of the Energy Performance of Dwelling

and Sleeping Units using an Energy Rating Index, commonly cited as

ANSI/RESNET/ICC 301; and

(3) Standard 380 of the American National Standard for

Testing Airtightness of Building, Dwelling Unit, and Sleeping Unit

Enclosures, Airtightness of Heating and Cooling Air Distribution

Systems, and Airflow of Mechanical Ventilation Systems, commonly

cited as ANSI/RESNET/ICC 380

While the ERI path appears to be an updating of an existing code, we are concerned that Standard 380 – which is a simple blow door test, would be used to show compliance with the overall energy code if this bill became law. The blow door test is useful for testing airtightness, but it should not be use as a compliance tool for the overall energy code.

Thus, we are concerned that HB 3215 could undermine the Residential Energy Code in the State of Texas. The bill could allow builders to use ANSI/RESNET/ICC Standard 380 as a compliance method. This is problematic because Standard 380 is simply a consistent, uniform methodology for evaluating the airtightness of a home. Standard 380 does not address things like insulation levels, window performance, HVAC efficiency and everything else in the Energy Code. It also does not specify how "tight" a home has to be. It simply tells you how to blower door test a house. It doesn't even set a limit on how "leaky" a house can be. In Texas, a home can be no "leakier" than 5 air changes per hour in climate zone 2 or 3 air changes per hour in climate zones 3 & 4. Conceivably, a builder could build a home and not install any insulation at all. The builder could install single pane windows. There would be no Energy Code requirements whatsoever. All a builder would have to do is blower door test the house and it would be in compliance with the Residential Energy Code in Texas if allowed by a city.

Thus, it could undermine the real air quality and energy efficiency benefits of the 2015 energy code, and subsequent updates to the code. It could allow builders to actually circumvent local codes at a time when many cities and the state are looking at adopting new codes. In fact, it is widely expected that SECO will be updating the code and considering the 2021 IECC later this year for potential adoption. Allowing cities to use a simple test of airtightness to measure compliance with the overall code would undermine Texas's real progress and could allow buildings that are not energy efficient and resilient to climate extremes like Uri.