

March 31, 2022

The Honorable Michael Cusick
Chair
Committee on Energy
New York State Assembly
Albany, NY 12210
CusickM@nyassembly.gov

The Honorable Jeffrey Dinowitz
Chair
Committee on Codes
New York State Assembly
Albany, NY 12248
Dinowij@nyassembly.gov

Re: New York Assembly Bill 8143 (SB 7176), the Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2021

Dear Chairmen Cusick and Dinowitz:

The Polyisocyanurate Insulation Manufacturers Association (PIMA) would like to take this opportunity to urge approval of AB 8143 by your committees. Adopting a building energy code that meets or exceeds the current model code is one of the most important and cost-effective policies available to states and cities for addressing the negative economic and environmental consequences of building energy waste – a sector that is responsible for 40% of total U.S. energy use. Therefore, the adoption and enforcement of building energy codes is instrumental to achieving New York’s climate goals. However, to get maximum benefit from this policy, it is important that New York State amend its Energy Law to remove obstacles that prevent the full use of its energy code.

The amendments recommended under the Governor’s legislative proposal titled: Advanced Building Codes, Appliance and Equipment Efficiency Standards Act of 2021, which was introduced as AB 8143 and SB 7176, would help the State use building energy codes to achieve its climate goals in a cost-effective manner. Although these bills have received some action, we hope the legislature will make passage of these bills a priority since other actions for improving the building energy code will be held up without the Energy Law first being improved.

The key provisions of this legislation related to the energy code include:

- Removal of outdated language related to exceptions for how the Energy Code applies to alterations in existing buildings, and instead allows the State Fire Prevention and Building Code Council (the Council) to adopt the same exceptions that are in the International Energy Conservation Code (IECC) or to modify those exceptions as needed. The current, outdated language in the Energy Law weakens the energy code requirements for lighting and roof alterations.
- Replacement of the current 10-year payback cost-effectiveness requirement with one that is based on the costs and benefits during a measure’s full life cycle and “secondary or societal effects, such as reduction in greenhouse gas emissions.” For measures that easily last 30 or more years (in buildings that last 50 or more years!), the requirements to only allow measures that have a 10-year or shorter payback severely limits the ability to achieve future improvements in the energy code. Also, without a

significant tax or fee on carbon, I believe that incorporating the social cost of carbon into regulatory decisions is important if New York hopes to implement policies that go beyond business-as-usual.

- Directing the Council, during its next code adoption cycle, to “use its best efforts” to adopt an energy code to “achieve energy savings greater than” what would be achieved by adopting the latest model energy codes.

PIMA is the trade association for North American manufacturers of rigid polyiso foam insulation – a product that is used in most low-slope commercial roofs as well as in commercial and residential walls. Polyiso insulation products and the raw materials used to manufacture polyiso are produced in over 50 manufacturing facilities across North America, including Montgomery, New York.

Thank you for the opportunity to submit these comments. Please contact myself (jkoscher@pima.org) and Jeff Mang (jeff@jcmangconsulting.com) should additional information be necessary.

Sincerely,



Justin Koscher
President