

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF ENERGY AND CLIMATE
2000 Division of Energy and Climate

2101 Regulations for State Energy Conservation Code

1.0 Purpose and Statutory Authority

- 1.1 The purpose of these regulations is to provide the Department of Natural Resources and Environmental Control's determination of the most recent and/or highest available version of the International Energy Conservation Code and the latest ASHRAE/IESNA standard. The goal of establishing these regulations is to provide a statewide building energy conservation code.
- 1.2 These regulations provide rules of practice and procedures for certification of compliance with these codes and standards to be utilized by the respective local governments.
- 1.3 16 **Del.C.** §7602 provides the authority for adopting the State Energy Conservation Code. These regulations are promulgated under the authority of 16 **Del.C.** §7602.

23 DE Reg. 1036 (06/01/20)

2.0 Definitions

For purposes of these regulations, the following words and phrases shall have the meanings set forth below.

"ASHRAE" means the ANSI/ASHRAE/IES Standard 90.1-2016: Energy Standard for Buildings except Low-Rise Residential Buildings published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.

"Department" means the Department of Natural Resources and Environmental Control, the Division of Climate, Coastal, & Energy or the Delaware Energy Office, as appropriate.

"DET verifier" means a certified Duct and Envelope Tightness verifier. A certified DET verifier shall be a certified Home Energy Rating Systems (HERS) rater, or be a certified Home Performance with ENERGY STAR contractor, or be a Building Performance Institute (BPI) Heating Professional to perform duct tightness testing or a BPI Building Analyst or Envelope Professional to perform building tightness testing, or successfully complete a course that is approved by the Department of Natural Resources and Environmental Control.

"IECC" means the 2018 International Energy Conservation Code published by the International Code Council, Inc.

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3.0 Incorporation by Reference

- 3.1 The 2018 International Energy Conservation Code (IECC), published by the International Code Council, Inc., is hereby adopted and incorporated by reference as the Delaware Residential Building Energy Conservation Code and is an enforceable part of the Delaware Building Codes.
- 3.2 The American Society of Heating, Refrigerating and Air-Conditioning Engineers Standards (ASHRAE) 90.1-2016: Energy Standard for Buildings except Low-Rise Residential Buildings and the commercial provisions of the 2018 International Energy Conservation Code are hereby adopted and incorporated by reference in their entirety as the Delaware Commercial Building Energy Conservation Code and is an enforceable part of the Delaware Building Codes.

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4.0 Implementation and Enforcement

- 4.1 All buildings must meet all requirements of the applicable referenced code six months after date of promulgation.
- 4.2 All projects may utilize the new applicable reference codes at any time after the date of promulgation, provided such choice is stated on the construction documents.
- 4.3 Procedures for certification of compliance and standards to be utilized by respective local governments are those specified in the IECC at Chapter 1 ("Scope and Administration") and in the ASHRAE at Chapter 4

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("Administration and Enforcement") as enforceable parts of the Delaware Building Codes pursuant to subsections 3.1 and 3.2 herein.

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5.0 Certified duct and envelope tightness (DET) verifier.

Testing for duct and building envelope tightness shall be conducted by a certified DET verifier.

17 DE Reg. 1086 (05/01/14)

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