

NOTICE OF PROPOSED CHANGES TO UPDATE THE ENERGY EFFICIENCY CODE
FOR SCHOOLS IN THE REGULATIONS OF THE
DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT

BRIEF DESCRIPTION: The proposed amendment would adopt updated energy efficiency standards for school construction and renovation.

The Department of Education and Early Development (DEED) proposes to adopt regulation changes in Title 4 of the Alaska Administrative Code, dealing with energy efficiency standards for construction and renovation of school facilities. Under current regulation, the 2010 edition of the energy efficiency code of the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE) Standard 90.1 is adopted. The proposed amendment of 4 AAC 31.014(a) adopts the 2016 edition of ASHRAE Standard 90.1.

The *ASHRAE Standard 90.1, Energy Standard for Buildings Except Low-Rise Residential Buildings (2016 Edition)* that is proposed to be adopted by reference is available for review in the DEED Commissioner's Office located at 801 W 10th Street, Suite 200, Juneau, Alaska 99801. To schedule a time to review the standards please call (907) 465-2800 or email deed.commissioner@alaska.gov.

The Department of Education and Early Development invites the public to submit written comments during the written comment period, which begins with the date of this notice and ends on Tuesday, August 25, 2020, at 4:30 p.m. The written comment period closes in advance of the meeting of the State Board of Education and Early Development at which the board will consider the adoption of the proposed regulations. This allows the Department of Education and Early Development an opportunity to prepare changes based on written comment and to distribute any proposed changes to the board for its consideration prior to the meeting.

You may comment in writing on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the Commissioner's Office, Department of Education and Early Development, Attn: Regulations Review, 801 West Tenth Street, Suite 200, PO Box 110500, Juneau, Alaska 99811-0500. You also may submit written comments by facsimile at (907) 465-4156; by electronic mail to rochelle.lindley@alaska.gov and online at the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>. Written comments also may be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link.

All written comments must be received not later than 4:30 p.m. on August 25, 2020.

After the written comment period has ended, you may submit oral comments to the State Board of Education and Early Development at a hearing to be held by the board on September 16, 2020, by audio-conference. The teleconferencing facilities will be operated from the Department of Education and Early Development Commissioner's Office Conference Room, 801 West Tenth Street, Juneau, AK 99801. The hearing will be held from 8:40 a.m. to 10:40 a.m. but may be extended. To mitigate the spread of the COVID-19 virus, in-person attendance will not be permitted.

You may submit oral comments at this hearing, during this time only, using a call-in number to be provided for an Internet platform that has not yet been selected. DEED is currently considering a change in the online platform to be used for its teleconferenced State Board meetings, so the call-in information is not yet available. The call-in information, when it becomes available, will be published in a supplemental notice. The call-in information will also be included in the public notice for the September 16, 2020 meeting, which will be published in the *Anchorage Daily News* and the State of Alaska Online Public

Notice System approximately 10 days before the September 16, 2020 meeting. The call-in information may also be obtained when it becomes available by calling the Office of the Commissioner at (907) 465-2802.

You may submit written questions relevant to the proposed action to Rochelle Lindley at rochelle.lindley@alaska.gov or the Department of Education and Early Development, Attn: Rochelle Lindley, PO Box 110500, Juneau, Alaska 99811-0500. If a question is relevant to the proposed change in the regulations and the question is received by August 15, 2020, which is ten days before the end of the public comment period, the department will make a good faith effort to answer the question before the end of the public comment period. The Department of Education and Early Development will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>. The Department of Education and Early Development may, but is not required to, answer written questions received after the ten day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Rochelle Lindley at (907) 465-6535 or rochelle.lindley@alaska.gov not later than August 15, 2020, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System, on the website of the Department of Education and Early Development at <https://education.alaska.gov/regs/comment.cfm>, and by contacting Rochelle Lindley at rochelle.lindley@alaska.gov or 907-465-6535.

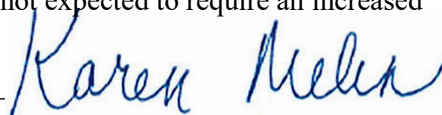
After the public comment period ends, the Department of Education and Early Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 14.07.020, AS 14.07.060, AS 14.11.132

Statutes being implemented, interpreted, or made specific: AS 14.11.013, AS 14.11.014, AS 14.11.015

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: 7/21/20



Karen Melin, Deputy Commissioner