MEMORANDUM

TO: Regina Hanshaw, Ohio Board of Building Standards

FROM: Emily Kaylor, Regulatory Policy Advocate

DATE: March 14, 2016

RE: **CSI Review – Ohio Mechanical Code (OAC 4101:2-1-01 through 4101:2-15-01)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of 15 amended[1] rules submitted by the Ohio Board of Building Standards for its statutorily-required five-year review. It was submitted to the CSI Office on January 3, 2017 and the comment period closed on January 18. No comments were received during this time.

The Ohio Mechanical Code provides standards for the design, installation, maintenance, repair, and inspection of mechanical systems in buildings. Specific sections address definitions, indoor air and ventilation, exhaust systems, chimneys and fireplaces, boilers and other pressure vessels, refrigeration systems, and solar energy systems. Attached to the BIA is a summary of the changes made to the rules, generally to comply with the 2015 edition of the International Mechanical Code while also maintaining Ohio-specific revisions.

Only one comment was received during the Board's early stakeholder outreach, and the Board

[1] All 15 rules are being amended to the extent that the Legislative Service Commission requires the Board to rescind the rules and replace them with new rules of the same rule numbers.

updated the definition of boiler in accordance with the comment's suggestion. The BIA identifies building owners, design professionals, contractors, and building department personnel as the impacted business community. If they wish to obtain an updated publication of the rules, the businesses must pay the publishers approximately $100. There are many time and monetary costs tied to the construction requirements detailed in the rules, but since buildings greatly vary in design and build, these costs were not quantified. The Board listed the 16 specific rule changes that stakeholders indicated will lead to cost increases. These rules are necessary to ensure uniform construction standards across the state while maintaining safe and sanitary buildings with proper ventilation, heating, and cooling systems.

After reviewing the proposed rules and the BIA, the CSI Office has determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rule package is justified.

Recommendation

For the reasons explained above, the CSI office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio Board of Building Standards should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.