

APA-1  
07/04

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control No. \_\_\_\_\_ Department or Agency Alabama Department of Economic and Community  
Affairs

Rule No. 305-2-4-.10

Rule Title: Residential Energy Code

\_\_\_\_\_ New XX Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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**Certification of Authorized Official**

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer \_\_\_\_\_

Date \_\_\_\_\_

(DATE FILED)  
(STAMP)

APA-2  
07/04

**ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS  
ALABAMA ENERGY AND RESIDENTIAL CODES BOARD**

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE:**

305-2-4-.10 “Residential Energy Code”

**INTENDED ACTION:** Amend Rule

**SUBSTANCE OF PROPOSED ACTION:** The Alabama Energy and Residential Codes Board, under the Alabama Department of Economic and Community Affairs, proposes to amend rule 305-2-4-.10, “Residential Energy Code.”

**TIME, PLACE, MANNER OF PRESENTING VIEWS:**

All interested parties may submit written comments, and if requested in advance, may personally appear before a representative of the Alabama Energy and Residential Codes Board/ADECA Energy Division. Written comments or requests to appear may be submitted to:

Heather Goggin  
ADECA Energy Division  
P.O. Box 5690  
Montgomery, AL 36103-5690.

Anyone desiring to comment in person must first submit their comment in writing as stated above, and shall be limited to ten minutes per person.

All comments must be received by the end of business on Friday, June 2, 2017.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

June 2, 2017

**CONTACT PERSON AT AGENCY:**

Heather Goggin, ADECA Energy Division  
401 Adams Avenue, Suite 560  
Montgomery, AL 36104  
(334) 242-5290 - Codes.Board@adeca.alabama.gov

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Claudia Kennedy Smith  
Alabama Department of Economic and  
Community Affairs, General Counsel

2. R403.3.4 Duct leakage (Prescriptive). The total leakage of the ducts, where measured in accordance with Section R403.3.3, shall be as follows:

(i) Rough-in test: The total leakage shall be less than or equal to 4 cubic feet per minute (113.3 L/min) per 100 square feet (9.29 m<sup>2</sup>) of conditioned floor area where the air handler is installed at the time of the test. Where the air handler is not installed at the time of the test, the total leakage shall be less than or equal to 3 cubic feet per minute (85 L/min) per 100 square feet (9.29 m<sup>2</sup>) of conditioned floor area.

(ii) Postconstruction test: Total leakage to the outside shall be less than or equal to 4 cubic feet per minute (113.3 L/min) per 100 square feet (9.29 m<sup>2</sup>) of conditioned floor area.