

**From:** Guire, Shannon  
**To:** [Comegys, James;](#)  
**Subject:** FW: Energy Code vs. Security  
**Date:** Monday, March 30, 2009 8:54:00 AM

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I came across this info pertaining to security windows and the energy code. It was dated in 2005.

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**From:** DiSarro, Eric  
**Sent:** Thursday, May 19, 2005 4:44 PM  
**To:** Bodane, Richard  
**Cc:** MacPherson, Scott; Casso, Ron  
**Subject:** RE: Energy Code vs. Security

Mr. Bodane:

The Code states in section 102.2 "The provisions of this code shall not be deemed to nullify any provisions of local, state or federal laws or regulations."

This section provides for legitimate conflicts in policy, regulations, not to mention Law, regarding the code.

The current issue regards a legitimate, longstanding security policy of the Department of Corrections, namely their requirement for steel security windows which by their nature make it impossible to meet the energy code.

As the Authority having Jurisdiction I recognize that where these windows are required to be used the legitimate security needs of the Department of Corrections must be upheld.

It is my decision to continue to issue building permits and occupancy certificates for such installations. This decision is rendered with the understanding that:

1. OGS Division of Design has thoroughly investigated the problems in meeting the Energy Code when utilizing such steel security windows, and will continue to look for means to satisfy such energy code requirements.
2. For existing DCS projects replacement of such windows essentially in kind, with similar units, will be acceptable.
3. For new DCS work each project will be investigated in relation to then current energy conservation and window technology to make every reasonable attempt to meet energy code requirements.

Eric DiSarro, AIA  
Code Compliance Manager  
State Office of General Services

-----Original Message-----

**From:** Bodane, Richard  
**Sent:** Thursday, May 19, 2005 2:24 PM  
**To:** DiSarro, Eric  
**Cc:** MacPherson, Scott; Casso, Ron  
**Subject:** Energy Code vs. Security

A few months ago we spoke about the conflict between the Energy Code and DOCS need for security. The problem is specifically related to window replacement. In order to provide the required security in Medium and Maximum security facilities it is necessary to utilize steel frame windows and security glazing. This combination effectively precludes compliance with the Energy Code.

After looking into this you referred to a provision in the Energy Code that essentially says that the intent of the code is not to override other code, policy or legal restrictions. However it was worded, you seemed confident that this language was intended for situations similar to the problem we face in working with Corrections. At that time you promised to send us your blessings as "the Authority Having Jurisdiction", as well as a citation of the code provision.

Ron Casso has a window job that has been ready to send for bidding for quite a while. All we need is your "official" response. Please address this so we can send the project to bid.

-----Original Message-----

**From:** Bodane, Richard  
**Sent:** Tuesday, May 10, 2005 10:24 AM  
**To:** DiSarro, Eric  
**Subject:** RE: DOCS Windows

**Importance:** High

Any chance that we can get your e-mail? The troops are growing restless.

-----Original Message-----

**From:** Bodane, Richard

**Sent:** Thursday, April 07, 2005 10:19 AM

**To:** DiSarro, Eric

**Subject:** DOCS Windows

Just a reminder that you intended to send us an e-mail about the application of the energy code to windows when it conflicts with security needs of DOCS. I have mentioned your interpretation to some of the designers, but we would like to have the brief e-mail you offered to provide.

Thanks.