

STATE OF CALIFORNIA

Energy Resources Conservation
And Development Commission

In the matter of,)
)
Energy Commission Decision on the) EXECUTIVE DIRECTOR
Application of the National Energy Management) RECOMMENDATION TO
Institute Committee (NEMIC) to Certify) APPROVE THE NATIONAL
Nonresidential Mechanical Acceptance Test) ENERGY MANAGEMENT
Technicians and Employers Pursuant to Section) INSTITUTE COMMITTEE
10-103-B of the Building Energy Efficiency) AS A NONRESIDENTIAL
Standards) MECHANICAL ACCEPTANCE
) TEST TECHNICIAN
) CERTIFICATION PROVIDER
)

March 6, 2015

I. Executive Summary

On August 7, 2014 the National Energy Management Institute Committee (NEMIC) submitted an application to demonstrate it meets the requirements of Section 10-103-B(c) of the Standards to become an Acceptance Test Technician Certification Provider (ATTCP). Pursuant to Section 10-103-B(f) of the Standards, Energy Commission staff has reviewed and validated the information received in NEMIC's application and deemed it complete on February 26, 2015. Energy Commission staff has published a detailed Staff Evaluation Report concerning the NEMIC application and finds that the application fully complies with all requirements under Section 10-103-B(c), and accordingly is presenting this application to the Commission for approval. The Staff Evaluation Report has been included in the backup materials to this agenda item.

As provided in the NEMIC application, the applicant will launch and maintain a website that will be available to enforcement agency personnel and the public within 90 days of Energy Commission approval. This website is a critical component of the compliance strategy for the applicant and serves as the main portal for public complaints and local building department outreach. While Energy Commission staff agrees with the applicant that the proposed database with web-access will satisfy the requirements of Section 10-103-B(c), the fact that this website is not already launched means that these requirements are not satisfied. Staff recommends that this be a condition of approval for the NEMIC application.

Based upon thorough review and consideration of the NEMIC application and Staff Evaluation Report, I recommend that the Energy Commission confirm these findings and approve NEMIC as an authorized ATTCP, subject to the Condition of Approval as described in Section IV of this recommendation.

II. Background

Section 10-103-B of the Building Energy Efficiency Standards (Standards)¹ implements new requirements for Nonresidential Mechanical Acceptance Test Training and Certification as of July 1, 2014. The requirements apply to Nonresidential Mechanical Control Acceptance Test Technicians (ATTs) and Acceptance Test Employers (ATEs), and the Providers who certify them.

Acceptance Testing includes a set of functional tests to ensure that nonresidential mechanical control systems are working as designed after they are installed. Since 2005, commercial mechanical systems installers have been required to perform Acceptance Testing on newly installed systems.

To ensure that Acceptance Test Technicians receive proper training to correctly perform Acceptance Tests, the Standards require organizations interested in becoming Nonresidential Mechanical ATTCP to apply to the Energy Commission for approval to train and certify ATTs and ATEs.

On April 29, 2014 the Testing, Adjusting and Balancing Bureau (TABB), which is a subsidiary of NEMIC, submitted an application to be approved as an interim ATTCP, pursuant to Section 10-103-B(e). Staff reviewed the application and on June 24, 2014 determined that the application contained the necessary information required by Section 10-103-B (c)(1) through (3) for interim approval. The application included documentation demonstrating that NEMIC's certification includes training and testing on the following eight mechanical acceptance testing procedures (as required for interim approval):

- Outdoor Air Ventilation Systems (Nonresidential Appendix 7.5.1)
- Constant Volume, Single Zone Unitary Air Conditioners and Heat Pumps (Nonresidential Appendix 7.5.2)
- Air Economizer Controls (Nonresidential Appendix 7.5.4)
- Demand Control Ventilation Systems (Nonresidential Appendix 7.5.5)
- Supply Fan Variable Flow Controls (Nonresidential Appendix 7.5.6)
- Valve Leakage Test (Nonresidential Appendix 7.5.7)
- Hydronic System Variable Flow Controls (Nonresidential Appendix 7.5.9)
- Automatic Demand Shed Controls (Nonresidential Appendix 7.5.10)

TABB was approved as an Interim ATTCP on June 24, 2014, which gave it authority to train, certify and oversee ATTs and ATEs for the above listed eight acceptance tests during the Interim-Period. On November 17, 2014, under Section 101-10-B(e)(5), the Energy Commission extended the interim approval period for Nonresidential Mechanical ATTCPs six months beyond the original prescribed date of December 31, 2014 to June 30, 2015.

On August 7, 2014 NEMIC applied for Energy Commission approval to be an ATTCP and certify ATTs and ATEs to perform all mechanical acceptance tests (seventeen in total) required under Section 120.5 of the Standards.

¹ Cal. Code Regs., tit. 24, pt. 6, and associated administrative regulations in pt. 1, ch. 10.

Energy Commission staff reviewed and validated the information in the NEMIC application and published the Staff Evaluation Report, which is included in the backup materials to this agenda item.

III. Summary of the Staff Evaluation Report

Staff has completed the Staff Evaluation Report for the NEMIC application pursuant to Section 10-103-B(f) of the Standards, which requires staff to review ATTCP applications according to the criteria and procedures in Section 10-103-B(c) of the Standards. In this Report, staff has considered each requirement in Section 10-103-B(c) of the Standards and summarized the relevant sections from the NEMIC application intended to demonstrate compliance. Staff has explained the reasoning or rationale used to determine that the NEMIC application is in compliance with the requirements in Section 10-103-B(c) of the Standards.

Staff has determined that NEMIC's application, with the Condition of Approval as described below, is complete and contains sufficient information to be approved.

IV. Condition of Approval

Section 10-103-B(c)(3)(G), "Certification Identification Number and Verification of ATT Certification Status," requires the ATTCP, upon certifying an ATT, to issue a unique certification number to the ATT, to maintain an accurate list of each certified ATT, and provide the list upon request to authorized document Registration Provider personnel or enforcement agency personnel. Section 10-103-B(c)(3)(D) requires an ATTCP to provide a mechanism for filing complaints regarding the performance of ATTs or ATEs.

The NEMIC application demonstrates that NEMIC will meet these requirements within 90 days of Energy Commission approval. This website is a critical component of the compliance strategy for Section 10-103-B(c)(3)(G) of the Standards as well as serving as the main portal for public complaints and local building department outreach. While, staff agrees with the applicant that the proposed database with web-access will satisfy the requirements of Section 10-103-B(c)(3)(D) and (G), the fact that this website is not already launched means that this requirement is not satisfied.

By including the Condition of Approval, included at the end of this document, NEMIC must implement its website, as described in its application, within 90 days of the Energy Commission designating NEMIC as a Mechanical ATTCP. This Condition of Approval will ensure compliance is maintained.

V. Conclusion

Pursuant to section 10-103-B(f)(3) of the Standards, Energy Commission staff has completed a thorough review and validation of the information received in the NEMIC Application. Energy Commission staff deemed the NEMIC Application complete on February 26, 2015. Energy Commission staff made the non-confidential portion of the NEMIC Applicant and Staff Evaluation Report available to the public on March 6, 2015.

Accordingly, with the Condition of Approval, I find that NEMIC's application to be an ATTCP meets the criteria and procedures required by the Section 10-103-B(c). I recommend that the Energy Commission, with the Condition of Approval, confirm these findings and approve NEMIC as an authorized ATTCP. This approval authorizes NEMIC to administer the program, described in its application, to train, certify and provide necessary oversight for ATTs and ATEs to perform the Nonresidential Mechanical Acceptance Tests, as required under the Standards.



ROBERT P. OGLESBY
Executive Director
California Energy Commission

3-6-15
Date

Condition of Approval

In addition to the generally-applicable program requirements, the following is a condition for certification as a Nonresidential Mechanical Acceptance Test Technician Certification Provider (ATTCP).

By June 9, 2015, NEMIC must have implemented its website, as described in its application.

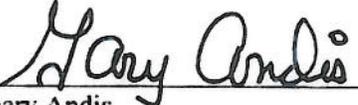
NEMIC hereby agrees to the above Condition of Approval, and further agrees that its failure to comply with this Condition of Approval provides grounds for the Energy Commission to revoke all or part of this approval.

The foregoing Condition of Approval is agreed to:



Charles Holt
Director of Research
National Energy Management Institute Committee

3-6-15
Date



Gary Andis
Director of Research and Education
National Energy Management Institute

3/6/15
Date