

DOCKETED	
Docket Number:	25-BSTD-03
Project Title:	2028 Energy Code Pre-Rulemaking.
TN #:	269866
Document Title:	NEMI Comments - Mechanical ATT and ATE Equitable Audit Process
Description:	N/A
Filer:	System
Organization:	NEMI
Submitter Role:	Public
Submission Date:	5/6/2026 11:55:21 AM
Docketed Date:	5/6/2026

*Comment Received From: NEMI
Submitted On: 5/6/2026
Docket Number: 25-BSTD-03*

Mechanical ATT and ATE Equitable Audit Process

Additional submitted attachment is included below.



State Of California

California Energy Commission

In the Matter of 2028 Building Energy Efficiency Standards Pre-Rulemaking

Docket No. 25-BSTD-03

Proposed Measure Name: Mechanical ATT and ATE Equitable Audit Process

Submitted by:

Eric Hall – Western Region Representative – CA

ehall@nemionline.org (760) 390-8003

Submitted to: California Energy Commission Docket Unit Docket No. 25-BSTD-03 1516 Ninth Street, MS-4 Sacramento, CA 95814 (Submission Date: May 6th, 2026)

Summary Table

Required Summary Element	Response
Measure Name & Proponent	Mechanical ATT and ATE Equitable Audit Process
Building Type	Nonresidential
Building System	HVAC
Measure Description	Section 10-103.2(c)Fiii. The ATTCP shall <u>randomly select, and shadow audit no less than 1 percent of each ATE's overseen projects in the prior code cycle. each</u> The ATT randomly selected from the ATE's overseen projects will be shadow audited at an ATTCP training facility at least once per code cycle where the ATTCP shall observe the performance of the ATT on at least five functional tests for which the ATT is certified.
Justification	Requiring every ATT to complete a shadow audit per code cycle would place an unnecessary administrative and logistical burden on both the ATTCPs and technicians. Implementing a randomly selected 1% shadow audit requirement, consistent with Section (a), ensures an equitable and effective quality assurance process without creating undue hardship.
Data Needs	Review of modification to 10-103(c)Fiii
Key Stakeholders	ATTCPs, ATT's, ATE's, AHJ's, and Construction Teams

Summary Table

Required Summary Element	Response
Estimated Energy Savings	Savings would be from audit process procedures. Potential savings from amount of energy consumed for 1% of ATE's projects audited as opposed to every ATT audited. It would also have a positive impact on carbon footprint.
Estimated Costs	The ATTCP and ATT's current cost is described as burdensome and a strain on available bandwidth. With an equitable audit process the measurable is in improving productivity, strengthening accountability and ensuring responsibilities are managed effectively.
Economic Impacts	Ensures Code Compliance and streamline workforce back to the field.
Consideration for Readiness	Medium

Proposed Measure:

Mechanical ATT and ATE audit process to align the site audit and training facility audit as an equitable process for the shadow auditing with more project specifics that support the original process of Desk audit and site audit percentages.

Building Types:

All nonresidential and multi family housing taller than 4 stories including schools.

Building Systems:

Compliance Requirements for Installation and verification of HVAC systems related to Title 24 Energy Compliance for Nonresidential Buildings.

Key Stakeholders:

CEC, ATTCP's, ATT's, ATE's, AHJ's, and Construction Teams.

Measure Summary:

This proposed measure establishes an equitable ATTCP and ATT Shadow Audit process. The current language requires one shadow audit per ATE. At scale; for example, 70 active ATEs at the end of a code cycle; this creates a significant logistical burden on the ATTCP, technicians, contractors, and JATCs to coordinate 70 separate facility audits within a single code cycle. This burden falls not only on the program but on the individual technician, the employing contractor, and the JATC responsible for accommodation and coordination.

A five percent (5%) sampling rate (e.g., 4 audits for 70 active ATEs) achieves meaningful quality oversight without imposing a disproportionate administrative and logistical burden. If 5% is not acceptable, NEMI would support a ten percent (10%) threshold as an alternative.

Measure Description:

Equitable Program Audit.

Program Audit: The ATTCPs shall include quality assurance and accountability measures, including but not limited to independent oversight of the certification materials, processes and procedures, visits to building sites where certified technicians are completing acceptance tests, certification process evaluations, and expert review of the training curricula developed for Building Energy Efficiency Standards, Section 120.5 and 160.3(d).

Independent oversight may be demonstrated by accreditation under the ISO/IEC 17024 standard.

1. Desk Audit: The ATTCP shall review a random sample of no less than 1 project of each ATE's completed project compliance forms within one code cycle. The ATE must have performed a minimum of 5 projects to meet the Desk Audit requirements. The ATTCP may engage in additional checks at its discretion.
2. Shadow Audit: The ATTCP shall perform shadow audits by meeting either of the following options. The ATTCP may use either site or training facility audits for shadow auditing ATT at its discretion or may restrict the shadow audit to either site or training facility audit for all ATTs under its certification.
3. Site Audit: The ATTCP shall randomly select and shadow audit no less than 1 project of each ATE's overseen projects within one code cycle.

The ATTCP shall follow the ATT assigned to that project and observe their performance on the job site.

4. Training Facility Audit: The ATTCP shall randomly select and shadow audit one ATT from a minimum of five percent (5%), rounded up to the nearest whole number, of all active ATEs at an ATTCP training facility at least once per code cycle. The ATTCP shall observe the performance of the ATT on at least five functional tests for which the ATT is certified. To the extent possible, the shadow audit must replicate field conditions for installed equipment and controls in a building.

Justification:

Requiring every ATT to complete a shadow audit per code cycle would place an unnecessary administrative and logistical burden on both the ATTCPs and technicians. Implementing a randomly selected 1% shadow audit requirement, consistent with Section (a), ensures an equitable and effective quality assurance process without creating undue hardship.

Data Needs:

Review of modification to 10-103(c)Fiii.

Estimated Energy Savings:

Savings would be from audit process procedures. Potential savings from amount of energy consumed for 1% of ATE's projects audited as opposed to every ATT audited. It would also have a positive impact on carbon footprint.

1. Reduced Annual Energy Cost to operate testing equipment.
2. Reduced emissions from operating testing equipment.

3. Reduced Fuel emissions for transpiration to and from Site and or Training Facility.

Estimated Cost:

The ATTCP and ATT's current cost is described as burdensome and a strain on available bandwidth. With an equitable audit process the measurable is in improving productivity, strengthening accountability and ensuring responsibilities are managed effectively.

1. There is no cost increase in the measure proposal

Economic Impacts:

The proposed equitable audit process will lesson the economic impact and are expected to vary by project audit size. The process will also ensure that ATT's and ATE's are up to date on testing requirements and current changes to the code. The measure proposal can also reduce downtime for the ATTCP's and ATT providers.

1. Ensure Code Compliance
2. Streamline workforce back to the field.
3. Lesson the burden on Project Turn-over.
4. Strengthen workforce knowledge

Market Readiness and Support:

This proposal assumes medium market readiness due to the existence of established compliance infrastructure. California's Title 24 registry platforms, ATT and ATE networks, provider oversight systems, and enforcement workflows already support Desk Audits and Site Audits. With the proposed

measure change to new Training Facility Audits the ATTCP, ATT, and ATE network will find an equitable audit process as to Site Audit.

Code Language Proposed:

Section 10-103.2(c)3F

- F. Quality Assurance and Accountability. The ATTCP shall describe in its applications to the Energy Commission procedures for conducting quality assurance and accountability activities, including but not limited to the following:
- i. **Program Audit:** The ATTCPs shall include quality assurance and accountability measures, including but not limited to independent oversight of the certification materials, processes and procedures, visits to building sites where certified technicians are completing acceptance tests, certification process evaluations, and expert review of the training curricula developed for Building Energy Efficiency Standards, Section 120.5 and 160.3(d). Independent oversight may be demonstrated by accreditation under the ISO/IEC 17024 standard.
 - ii. **Desk Audit:** The ATTCP shall review a random sample of no less than 1 ~~percent~~ project of each ATE's ~~ATT's~~ completed project compliance forms within one code cycle. The ATE must have performed a minimum of 5 projects to meet the Desk Audit requirements. The ATTCP may engage in additional checks at its discretion.
 - iii. **Shadow Audit:** The ATTCP shall perform shadow audits by meeting either of the following: options: The ATTCP may use either site or training facility audits for shadow auditing ATT at its discretion or may restrict the shadow audit to either site or training facility audit for all ATTs under its certification.
 - a. **Site Audit:** The ATTCP shall randomly select and shadow audit no less than 1 ~~percent~~ project of each ATE's overseen projects within one code cycle. The ATTCP shall following the assigned ATT assigned to that project and observing their performance on the job site.
 - b. **Training Facility Audit:** The ATTCP shall randomly select and shadow audit one ATT from each ATE a minimum of five percent (5%), rounded up to the nearest whole number, of all active ATEs at an ATTCP training

facility at least once per code cycle. ~~where~~The ATTCP shall observe the performance of the ATT on at least five functional tests for which the ATT is certified. To the extent possible, ~~the~~ shadow audit must replicate field conditions for installed equipment and controls in a building. ~~The ATTCP training facility shall be setup to allow auditing of all functional tests for which the ATT is certified. The shadow audits must be in addition to any testing used for ATT recertification.~~