

**DOCKETED**

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<b>Project Title:</b>	Mechanical Acceptance Test Technician Implementation Proceedings
<b>TN #:</b>	237393
<b>Document Title:</b>	Energy Commission Resolution 21-0414-08
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<b>Filer:</b>	Joe Loyer
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STATE OF CALIFORNIA

California Energy Commission

**RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION  
FINDING INDUSTRY CERTIFICATION THRESHOLD CONDITIONS MET PURSUANT  
TO SECTION 10-103.2(B) OF THE BUILDING ENERGY EFFICIENCY STANDARDS  
REGARDING ACCEPTANCE TEST TECHNICIAN CERTIFICATION TO PERFORM  
THE MECHANICAL SYSTEMS ACCEPTANCE TESTS**

**WHEREAS**, Section 10-103.2(b) of the *2019 Building Energy Efficiency Standards* (Energy Code) requires that the California Energy Commission (CEC) make the following two findings prior to making mandatory that an acceptance test technician certification is required to perform mechanical systems acceptance testing:

1. There is a minimum of 300 certified acceptance test technicians statewide (Section 10-103.2(b)1A).
2. Eligible professions have reasonable access to the requisite training to become a certified acceptance test technician (Section 10-103.2(b)2).

**WHEREAS**, on January 12, 2021, CEC staff held a public workshop, and on February 22, 2021, published a staff report, which contains sufficient evidence to show that there are more than 350 certified mechanical systems acceptance test technicians capable of performing the required acceptance tests listed in Section 120.5 of the Energy Code, and eligible professions have reasonable access to the certification training; and

**WHEREAS**, the record of this proceeding indicates that, notwithstanding the existence of the conditions enumerated in Section 10-103.2(b), four outstanding issues that are outside the scope of the findings required by 10-103.2(b) should be addressed to ensure the success of the program and its benefits to the people of the state: (1) imbalanced geographic distribution and availability of acceptance test technicians, (2) need for additional acceptance test technicians beyond the amount required by Section 10-103.2(b) including due to technicians not seeking certification because the requirement is not yet in effect, (3) potential differences between small and large counties in code enforcement, and (4) concerns about further enforcement delays disadvantaging certified acceptance test technicians; and

**WHEREAS**, the record of this proceeding indicates that these issues can be addressed by encouraging local enforcement to allow a statewide implementation and training period lasting no more than six months, provided that during this time, efforts are made for CEC staff to actively engage AHJs, builders, engineers, architects, and

other stakeholders, to provide technical assistance, outreach and education, and address these outstanding issues identified by stakeholders.

**THEREFORE BE IT RESOLVED**, that the CEC finds that the requirements in Section 10-103.2(b) of the 2019 Energy Code have been satisfied; and

**BE IT FURTHER RESOLVED**, that, based upon the record, the CEC recommends that local enforcement of this requirement be delayed until October 1, 2021, allowing a reasonable time for training and implementation of additional acceptance test technicians; and

**BE IT FURTHER RESOLVED**, that the CEC hereby directs the executive director to take all actions necessary to implement this resolution, including directing staff to actively engage authorities having jurisdiction, builders, engineers, architects, and other stakeholders across the state to advise them of the program requirements and application, the six-month training and implementation period, and to offer technical assistance, including training.

### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on April 14, 2021.

AYE:

NAY:

ABSENT:

ABSTAIN:

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Secretariat