

DOCKETED

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Project Title:	Acceptance and Training Certification
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Document Title:	NEMIC Amendment Executive Director Recommendation and Evaluation
Description:	Recommendation to approve the National Energy Management Institute Committee's proposed amendment to their ATTCP application for the 2022 Building Energy Efficiency Standards
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Memorandum

To: Docket 13-ATTCP-01

From: **Drew Bohan, Executive
Director**

Date: January 31, 2024

California Energy Commission
715 P Street
Sacramento, California 95814

Subject: EXECUTIVE DIRECTOR RECOMMENDATION TO APPROVE THE NATIONAL ENERGY MANAGEMENT INSTITUTE COMMITTEE PROPOSED AMENDMENT REPORT FOR THE ACCEPTANCE TEST TECHNICIAN CERTIFICATION PROVIDER AMENDMENT APPLICATION FOR THE 2022 BUILDING ENERGY EFFICIENCY STANDARDS

I. Background

The Acceptance Test Technician Certification Provider (ATTCP) Program addresses training, certification, and oversight of acceptance test technicians (ATTs), as well as the acceptance test employers (ATEs). The technicians perform the tests required by the Building Energy Efficiency Standards (Energy Code), and the employers are responsible for the technician's work. Acceptance testing ensures that installed equipment, controls, and systems in nonresidential buildings operate as required by the Energy Code.

ATTCPs are professional organizations that are approved by the CEC to provide training curricula for ATTs and ATEs, certification procedures, complaint resolution (including disciplinary procedures), quality assurance, and accountability measures.

ATTCPs must submit an amendment report if they amend their previously approved application. The CEC must then review and approve those changes. The amendment process is specified in Section 10-103.2(f). Amendment reports with substantive changes are subject to the application review and determination process specified in Section 10-103.2(e) of the Energy Code.

II. Summary

The National Energy Management Institute Committee (NEMIC) was approved by the CEC on October 12, 2022, to be an ATTCP under the *2022 Energy Code*. NEMIC proposes to make modifications to its ATTCP program that result in changes to the application material that was previously approved.

On November 21, 2023, NEMIC submitted an amendment report that includes the following substantive changes:

1. Removing a 3rd party audit firm that was identified in its original application whose role was to perform the desk and on-site audits of ATTs. NEMIC proposes to now perform the desk and on-site audits themselves.
2. Streamlining and providing additional clarification to quality assurance audit procedures of NEMIC-certified ATTs.
3. Declaring that NEMIC-certified ATTs must submit all acceptance test documentation for all projects to the NEMIC ATTCP Database for each acceptance test performed by the ATT, and that NEMIC-certified ATEs are responsible for ensuring that all acceptance test documentation completed by NEMIC-certified ATTs under their employ are registered on the NEMIC ATTCP Database.

As specified in Section 10-103.2(e) of the *2022 Energy Code*, staff reviewed and validated all information received in the amendment report and determined that NEMIC meets the criteria and procedures in Section 10-103.2(c) for providing acceptance testing certification services.

Pursuant to Section 10-103.2(e), the staff evaluation is included in Exhibit A.

III. Recommendation of the Executive Director

Based upon staff's review and validation of the NEMIC application amendments, I recommend that the CEC confirm these findings and approve the NEMIC Amendment Report for the *2022 Building Energy Efficiency Standards*.



January 31, 2024

Drew Bohan
Executive Director
California Energy Commission

Date

EXHIBIT A

Staff Evaluation – National Energy Management Institute Committee Amendment Report

Summary

Staff has verified and reviewed the National Energy Management Institute Committee (NEMIC) Amendment Report to confirm that it is complete and complies with the requirements in section 10-103.2(c) of the 2022 Building Energy Efficiency Standards (Energy Code) regarding its acceptance test technician certification provider (ATTCP) application. Staff reviewed the confidential and non-confidential information and verified that all changes needed to meet the requirements of the 2022 Energy Code are represented in the NEMIC Amendment Report.

Detailed Evaluation

In the Fall of 2022, staff reviewed NEMIC's 2022 Update Report and provided a staff evaluation that validates NEMIC's updated ATTCP application met all the updates to the 2022 Energy Code. That evaluation report is [posted](https://efiling.energy.ca.gov/GetDocument.aspx?tn=246329&DocumentContentId=80511) at <https://efiling.energy.ca.gov/GetDocument.aspx?tn=246329&DocumentContentId=80511>.

The amendment proposes changes to NEMIC's ATTCP application, as mentioned above, for the purpose of:

1. Removing a 3rd party audit firm that was identified in its original application whose role was to perform the desk and on-site audits of acceptance tests technicians (ATTs). NEMIC proposes to now perform the desk and on-site audits themselves.
2. Streamlining and providing additional clarification to quality assurance audit procedures of NEMIC-certified ATTs.
3. Declaring that NEMIC-certified ATTs must submit all acceptance test documentation for all projects to the NEMIC ATTCP Database for each acceptance test performed by the ATT, and that NEMIC-certified acceptance tests employers (ATEs) are responsible for ensuring that all acceptance test documentation completed by NEMIC-certified ATTs under their employ are registered on the NEMIC ATTCP Database.

Staff finds that the proposed changes in the amendment do not alter or impact the conclusions from the evaluation report that was previously completed for NEMIC's 2022 Update Report. The proposed changes are within the programmatic details of how NEMIC meets the criteria and procedures set forth in section 10-103.2(c). Staff concludes the proposed changes in the amendment and NEMIC's ATTCP application still complies with the 2022 Energy Code.