

DOCKETED

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Additional submitted attachment is included below.



**The California Advanced Lighting Controls
Training Program
CALCTP**

August 1, 2017

California Energy Commission
1516 9th Street
Sacramento, CA 95814
Attn: Dockets Office (MS-4)

**Re: Docket # 17-BSTD-01 – Proposed Changes to ATTCP
Requirements for 2019 Standards**

Dear Commissioners and Commission Staff:

The following comments are submitted on behalf of the California Advanced Lighting Control Training Program (“CALCTP”) in response to the proposed amendments to the Acceptance Test Technician Certification Provider (“ATTCP”) requirements for the 2019 Building Energy Efficiency Standards that were presented at the July 18, 2017 Pre-Rulemaking Workshop. CALCTP is an approved Lighting Control ATTCP that has trained and certified over 1,400 Lighting Control Acceptance Test Technicians throughout California.

A. Sections 10-103.[1,2](b): Threshold Maintenance

Proposed Change: Provide the Energy Commission with regulatory authority to ensure that the threshold requirements are maintained.

CALCTP Comment: CALCTP opposes this for Lighting Control ATTCPs. This is unnecessary and would create uncertainty for acceptance testers and confusion for the marketplace. CALCTP has over 1400 acceptance test technicians. It is highly unlikely that the number of lighting control acceptance testers will fall under the 300 threshold. CALCTP is concerned that this amendment will send the wrong message at the same time that we are seeing jurisdictions ignore the requirement to use certified technicians. If this is a realistic concern for HVAC acceptance tester threshold, this should be addressed independently from the requirements for lighting control acceptance testers.

B. Sections 10-103.[1,2](c)3B and G: Decertified ATT Restrictions

Proposed Change:

- When an ATTCP decertifies an ATT, the ATTCP must notify other ATTCPs of the action.
- Decertified Acceptance Test Technicians may not apply for certification with other ATTCPs.
- Decertified ATTs may not submit acceptance testing to any ATTCP.

CALCTP Comment: CALCTP supports this change.

C. Sections 10-103.[1,2](c)3B(vi): Recertification Training Curricula

Proposed Change: Require that ATTCPs develop recertification training curricula consistent with training requirements in Sections 10- 103.[1,2](c)3A-C and submit recertification training curricula for Energy Commission approval as part of the update report.

CALCTP Comment: Staff should be given greater latitude in approving online training for recertification requirements than provided for the initial training for acceptance test technicians. While CALCTP supports hands-on training requirements, recertification program costs should be minimized by providing greater latitude to allow online virtual hands-on training where it can be demonstrated to the satisfaction of Energy Commission staff that such training is sufficient.

D. Sections 10-103.[1,2](c)3G: Recertification Status

Proposed Change: Require that ATTCPs keep public record of ATT/ATE recertification status and provide verification of recertification status upon request.

CALCTP Comment: CALCTP supports this Proposed Change.

E. Sections 10-103.[1,2](c)3F: Quality Assurance

Proposed Change: None.

Quality Assurance and Accountability. The ATTCP shall describe in their application to the Energy Commission how their certification business practices include quality assurance and accountability measures, including but not limited to independent oversight of the certification processes and procedures, visits to building sites where certified technicians are completing acceptance tests, certification process evaluations, building department surveys to determine acceptance testing effectiveness, and expert review of the training curricula developed for Building Energy Efficiency Standards. The ATTCP shall review a random sample of no less than 1 percent of each Technician's completed compliance forms, and shall perform randomly selected on-site audits of no less than 1 percent of each Technician's completed acceptance tests. Independent oversight may be demonstrated by accreditation under the ISO/IEC 17024 standard.

CALCTP Comment: *CALCTP strongly supports maintaining the current onsite quality assurance requirements for the lighting control certified acceptance tester programs.* CALCTP has found the current requirements to be effective and feasible.

CALCTP has conducted 675 total audits of which 125 have been onsite. CALCTP believes that these onsite verifications are an effective deterrent to drive by acceptance tests where the paperwork is filled out, but the tests are not actually performed. CALCTP has also found the compliance form audits to be valuable in determining common errors that should be addressed in training or that may require clarity in future versions of the compliance forms.

CALCTP recognizes that the quality assurance requirements for lighting control acceptance test technicians may not be feasible for HVAC acceptance test technicians. Onsite verification of lighting control acceptance tests does not encounter the same barriers or difficulties that verification of HVAC acceptance tests face. For example, on site verification of HVAC acceptance tests may require shutting down a buildings HVAC system or taking actions that could throw the system out of balance.

CALCTP supports requiring the most affective quality assurance that is reasonably feasible. CALCTP agrees that the quality assurance reasonably feasible for lighting control acceptance tests may not be the same as the quality

assurance reasonably feasible for HVAC acceptance tests. *CALCTP wants to ensure, however, that if quality assurance requirements are amended for HVAC acceptance tests that this won't affect the quality assurance requirements for lighting control acceptance tests.*

The greater cost and complexity of making the HVAC quality assurance programs fully functional may be creating an obstacle to triggering the (more important) requirement to use certified HVAC acceptance testers that the certified lighting control acceptance tester program did not face. The requirement to use trained and certified HVAC acceptance testers should not be delayed in the pursuit of having a perfect quality assurance program in place ahead of time. CALCTP supports expediting the requirement to use certified mechanical acceptance testers because having a certified acceptance tester requirement for both lighting control and HVAC acceptance tests is likely to increase overall compliance and enforcement by the Authorities Having Jurisdiction.

At the same time, the difficulties in implementing a quality assurance program for HVAC acceptance testers should not be used to water down quality assurance programs for lighting control acceptance testers. The current quality assurance requirements for lighting control acceptance testers have proven feasible, successful and effective. These are very different systems. It is not reasonable or practical to force the quality assurance requirements to be the same.

F. Sections 10-103.[1,2](d)1: Annual Reports

Proposed Change: Expand annual report requirements to include summarized audits (both paper and on-site).

CALCTP Comment: CALCTP supports this Proposed Change.

G. Sections 10-103.[1,2](d)2: Update Reports

Proposed Change: Expand the update report requirements to include all application amendments.

CALCTP Comment: CALCTP supports this Proposed Change.

H. Section 10-102: Abbreviations

Proposed Change: Define “ATTCP,” “ATT,” and “ATE” abbreviations in the Section 10-102 definitions.

CALCTP Comment: CALCTP supports this Proposed Change.

I. Section 10-102: ATTCP Definition

Proposed Change: Correct the definition of ATTCPs to include oversight of ATTs and ATEs.

CALCTP Comment: CALCTP supports this Proposed Change.

J. Sections 10-103.[1,2]: Grammatical Corrections

Proposed Changes:

- Use ATTCP, ATT, and ATE abbreviations throughout sections.
- Change references to the ATTCP from plural to singular, as appropriate.
- Change uses of “their” to “its,” as appropriate.

CALCTP Comment: CALCTP supports this Proposed Change.

K. Sections 10-103.[1,2](a): ATTCP Scope

Proposed Change: Correct the scopes in Sections 10-103.1(a) and 10-103.2(a) to include oversight of the ATTs and ATEs.

CALCTP Comment: CALCTP supports this Proposed Change.

L. Sections 10-103.[1,2](c)3F: Quality Assurance

Proposed Change: Clarify the quality assurance regulations requirements.

CALCTP Comment: It is unclear what changes staff are proposing. CALCTP reserves comment until actual language is proposed.

M. Sections 10-103.[1,2](f)1A: Nonsubstantive Application Amendments

Proposed Change: Require that for nonsubstantive amendments, the ATTCPs must submit an underline-strikethrough copy of the affected application sections and a clean copy of the entire application.

CALCTP Comment: Unclear what constitutes “entire application.” CALCTP suggests that section be changed to ATTCPs must submit an underline-strikethrough copy of the affected application sections and a clean copy of the ~~entire application~~ affected application sections.

N. Other Comments

There needs to be greater focus on enforcement of acceptance test requirements. CALCTP records show that there are numerous counties where there has been zero compliance with the requirements to use certified acceptance testers. CALCTP proposes amending the annual report requirements to require ATTCPs to set forth the number of acceptance tests performed annually in each county and city. This information should then be used by the Commission to identify the jurisdictions that do not appear to be enforcing these requirements and to take action to ensure enforcement.

CALCTP thanks staff for the opportunity to comment on these proposals.

Regards,

Mark Ouellette
CALCTP Administrator