

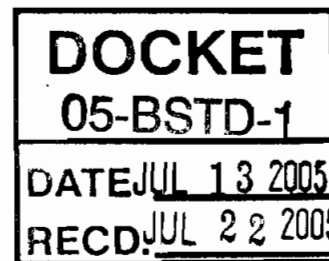


NATIONAL COATINGS CORPORATION

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July 13, 2005

Elaine Hebert, Energy Specialist
Energy Efficiency and Demand Analysis Division
California Energy Commission
1516 Ninth Street, MS-25
Sacramento, CA 95814



Dear Elaine,

In response to the July 11th, 2005 letter from APOC to the California Energy Commission, National Coatings Corporation would like to add some clarification to a few comments made in that letter.

Table 118-C was discussed in the many meetings up to and including the June 7, 2005 public hearing. It has been defined as the performance standard for not just acrylic chemistry, but had been designed to be inclusive of other chemistry's as best possible.

While the letter points out that without minimum requirements, "...we will have opened the floodgates", the writer then goes on to suggest that ASTM D6083[sic]¹, may not be a satisfactory standard due to committee members being comprised of manufacturers, engineers and consultants "which have their own agenda". The D6083 task group, those who actually wrote the document, was comprised of coating manufacturers, consultants, professional engineers, and raw material manufacturers. It was ultimately unanimously approved by all members of the ASTM committee. In any event, Table 118-C was based originally on ASTM D6083-97² and is where the low temperature values came from. The D2370 low temperature test numbers were omitted in the last revision of this test standard because the ASTM committee felt they should be deleted. Bill Kim, the National Coatings Technical Director, who was with Rohm and Haas at the time, was the Task Group Chairman for ASTM D6083. It's fair to say that Bill is very informed on the how's and why's of D6083.

D522 as an alternate test method, one that is in the only performance ASTM for a roof coating, being added to the performance table, should not be confused with the lowering of a standard and we take great exception to that. The petition signed by over 20 companies was only calling for its addition as an alternative test method for this functional property.

As discussed in the June meeting in Sacramento at the CEC, ASTM D6083-97a was written to be inclusive of all the weather patterns across the nation. From Maine to Florida, from New York to Los Angeles, Alaska to Texas and all the weather patterns between, this standard sought to include a **single**

¹ ASTM D6083-97a is the current version of this standard, not ASTM D6083-97

² ASTM D6083-97 was approved 1/10/97 and published March 1997. This ASTM was revised and approved 7/10/97 and published January 1998 as ASTM D6083-97a.



standard that would be applicable. California's weather is unique in that we have such a variety in one state that stretches for hundreds of miles. It is not unique from weather found in any other state that this ASTM sought to provide guidance for.

The writer acknowledges the statement by the group of over 20 petitioners about the equipment being expensive, and it is. This machine requires liquid Nitrogen or liquid CO₂ normally to perform this test whereas a refrigerator and a steel bar would be all that's required to perform this D522 test. If the test lab is going to charge an additional fee for D522 above the D6083 testing (which D522 is part of) then that is their prerogative. This sounds like additional cost for a test that should already be performed as part of D6083 testing.

As for the claims of NCC helping to lower standards and effectively promoting lower quality coatings, I'd like to say that NCC will put their products up against anyone's any day. National Coatings Corporation has a history of excellence in installed premium product performance in the marketplace. Our reputation is also based on our 24+ year history of high quality, industry leading product development. To even suggest such a thing as promoting low quality in the marketplace is ludicrous.

The writer points out that the CEC should "review the location of all the "Additional Petitioners" that have signed the letter authored by National Coatings". If the CEC is going to review the petitioner's headquarters, they should probably do so for all coating suppliers. I'm not sure why this is relevant as no where in Title 24 does it state that the manufacturing company must be headquartered in California. Certainly this would be a problem for many as we see from his letterhead that they are headquartered in Florida.

The most dangerous part of this paragraph is the following statement which is intended to instill fear but has absolutely no foundation in fact. "...but they don't want to produce a quality product that will hold up to the weather conditions within our state." National Coatings Corporation, with a significant business in California, would never want to jeopardize our reputation by selling an inferior coating.

Thank you for the opportunity to present our response. If you have any questions, please feel free to contact our office at 800-423-9557.

Sincerely yours,



Matt Kolb
President