

# DOCKET

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Mr. Maziar Shirakh  
Project Manager  
Building Energy Efficiency Standards California Energy Commission  
1516 9th Street, MS-25  
Sacramento, CA 95814

Re: Roofing Industry Comments on Draft Language - October 13 & 14, 2011  
Workshop on the 2013 Building Energy Efficiency Standards

Dear Mazi:

On behalf of the undersigned roofing industry and affiliated trade associations and stakeholders, we are writing to comment on the draft language posted to the CEC website and to be presented at the October 13-14 California Energy Commission (CEC) workshop on the 2013 California Building Energy Efficiency Standards. We appreciate your consideration of our collective concerns.

While we appreciate that the CEC staff has considered comments received from our coalition of industry organizations and other stakeholders and has invested in working to address some of the concerns that have been raised, we are deeply concerned that issues previously raised have not been addressed and which have direct impact on the standards proposed and continue to have fundamental concerns with the overall process..

The State of California and the CEC are responsible to set policy that offers a benefit to the citizens of California, their environment, and their standard of living. It appears to the undersigned that the CEC is operating with a mandate to make existing standards more stringent, but without going through a complete and thoughtful analysis that considers not only the economic basis for the changes, which we understand to be a mandate under the Warren-Ahlquist Act, but also the full picture of the science behind the arbitrary changes that are being proffered and the ripple effects they will create.

We do understand that there are alternative compliance options in the proposed language, but it is critical that the CEC recognize that experience with previous versions of the code makes it abundantly clear that no matter how simple alternate means of compliance may be, it is the prescriptive language in the standards that receives the focus of the California building and consumer communities, and will therefore have the greatest impact on the California market.

## **Cost Justification**

The baseline costs used for cost justification in the 2005 code, and again for 2008 were based on a Lawrence Berkeley National Lab report from 2002 that has been publicly demonstrated to have used cost data that was not representative of the real world costs associated with cool roofing materials and the premiums for "cool" versions of existing

roofing materials. The current prescriptive requirement for low-slope roofing of 0.55 aged solar reflectance was based on that fallacious report – which was acknowledged as flawed on the public record by CEC staff during the 2008 process – but the CEC took the position that they could not “go backwards” in the surface reflectance requirements.

The proposed increases for 2013 further perpetuate this flawed data since the justifications for the proposed increases of 0.63 and 0.67 for alterations and new roofing respectively are being calculated in comparison with the current 0.55. Furthermore, even in this context, no compelling evidence has been presented supporting the proposed values. The CEC has an obligation to California consumers, building owners, and manufacturers to invest in a true cost justification analysis that takes into account the numerous factors that have been raised over the last several years in written comments and verbal testimony from stakeholders and other parties interested in the code development process. By not conducting this analysis in a proper, thoughtful, and responsible manner the CEC is regulating durable, proven, reliable products out of the market, taking choice out of the hands of Californians, and putting hundreds of manufacturing and contracting jobs at risk, all based on flawed data that cannot stand under scrutiny.

### **California Jobs and Economy**

It has been pointed out previously in written comments, discussions, and testimony that the draft standards, as proposed, will have a real and direct impact on jobs in California. These include jobs for specialized workers (union and non-union) who work with roofing systems and materials disadvantaged by the regulations, as well as jobs in the 15+ roofing manufacturing plants in California whose product lines will be directly and negatively impacted by the arbitrary proposed increases in surface reflectance.

Further, numerous large and small manufacturers have invested millions of dollars in their California manufacturing facilities to produce new products that meet the 2008 version of Title 24, Part 6. At the proposed levels of surface reflectance, many of the compliant products currently produced in these facilities will in effect be regulated out of compliance with the very regulations that these investments were made to meet. It is not practical nor in some cases possible for these companies to continue investing in these facilities to meet still more stringent requirements, and they will be forced to evaluate the value of keeping these facilities in California operational.

That this well-intended regulation should be proposed during a time when this country is experiencing depression level unemployment reflects an unfortunate disconnect between the CEC and the building industry.

### **Trade-off Options in the Code Language**

We recognize that the CEC has taken some initial steps to simplify the prescriptive requirements for cool roofing in the draft version of the code. However, once the thorough cost justification analysis has been completed, tools such as the proposed trade-off table which exchanges insulation for surface reflectance needs to offer the trade-off from the prescriptive requirement down to the baseline reflectance (0.08 for steep-slope, 0.10 for low-slope). Failure to offer that takes still more quality, performing

roofing materials off the market, despite the fact that the energy objectives of the CEC may still be achieved.

**Clear, Concise, Consistent Code Language**

The approach taken by the CEC in the draft proposals for low-slope roofing, despite efforts to simplify, will create confusion in the marketplace. Whatever level of surface reflectance meets with the cost justification requirements, should be consistent for new roofs and alterations. As has been proven in the past, variable requirements by location or application leads to misperception in the market and confusion for all involved in the process of selecting the proper roof system for the building.

There are numerous other considerations that need to be addressed in the proposed language, including consistency with other building and fire code requirements, elimination of performing exceptions to the prescriptive requirements, durability and life cycle of materials in the whole roof system, maintenance costs, building design and use, and compliant product availability to name just a few. We anticipate that stakeholders and interested parties will speak in more detail to these issues at the workshop on October 13-14, 2011.

Your attention and response to our comments is appreciated. As an industry, we all want to ensure that the results of the 2013 Title 24, Part 6 process are energy efficiency standards that make practical sense for the consumer and ensure that they continue to have the choice of roofing materials that they want and that make sense for their home or building, while continuing to work toward the goals of the California Energy Commission and the State of California, and are based in sound scientific, technical and economic facts and data.

As an industry, we stand ready, willing, and able to assist CEC staff to work through the science, technology, and economics related to roofing materials and systems. We urge you to accept this offer and to work with industry to come up with sound requirements for roofing. Please do not hesitate to contact any of the undersigned if you have any comments or questions regarding this letter.

Sincerely,

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