Energy - Docket Optical System

From: Strait, Peter@Energy
Sent: Friday, March 13, 2015 3:52 PM
To: Jay Peters
Cc: Bozorgchami, Payam@Energy
Subject: RE: Follow up

Dear Mr. Peters,

Our office feels that our response to your client's request, as communicated to you at our in-person meeting, was comprehensive in explaining our reasons for not accepting the proposed use of the NSF protocol requested by your client. We explained that the regulations require determining the R-value of ducts, and that the NSF protocol does not do this. Thus, requesting that it be usable as a substitution for a test that determines the R-value of ducts is inappropriate.

This is not due to a "flaw" in the NSF protocol; the NSF protocol is not designed nor intended to determine R-values of ducts. However, this does make the NSF protocol unsuitable as an alternative method for determining R-values of ducts, as your client had proposed.

Note that the characterization of the protocol as "intended to provide technical equivalency and code compliance" is inaccurate: the purpose of the protocol, as stated in Section 1.1, reads as follows: "This protocol establishes a test procedure to compare thermal efficiency performance of air ducts constructed of different materials, insulated using various insulation procedures, or installed under different conditions." Section 1.2, Scope, then reads in part, "The purpose of this scope of testing is to compare the TDE (thermal distribution efficiency) of an air duct constructed of a new or innovative material against the TDE of an air duct constructed of a reference material, such as a PVC or PVS duct wrapped on four sides with foam insulation to achieve an R-10 energy rating." Using this construction as an example, the NSF protocol may be useful in comparing an unknown duct to a duct known to have an R-value of 10, but in doing so does not establish that the unknown duct also has an R-value of 10: performance of the unknown duct may be similar under some test conditions and dissimilar under others, and the NSF protocol intentionally allows the use of a wide range of fill materials and air temperatures in order to determine comparative performance under a variety of conditions. Describing comparative performance of a duct under one or more arbitrary sets of conditions does not satisfy the regulatory requirement that the R-value of the duct be determined, and again, the NSF protocol neither determines R-values nor is intended to determine R-values.

Thus, to be clear, the finding of staff was not that the NSF protocol contains any flaw, technical or otherwise, but that it is not a procedure usable for determining R-values of ducts and therefore is not an appropriate substitute for the procedure currently prescribed for determining the R-value of ducts.

If you or your client have any additional questions, please let us know.

Best regards,

Peter Strait
Supervisor, Building Standards Office
California Energy Commission
1516 9th Street, MS 37
Sacramento, CA 95814
(916) 654-2817

From: Jay Peters [mailto:peters.jay@me.com]
Sent: Friday, March 13, 2015 11:35 AM
To: Strait, Peter@Energy
Cc: Bozorgchami, Payam@Energy
Subject: Re: Follow up

Dear Peter,

Regarding our meeting in Sacramento to discuss the code proposals to the CEC to include the NSF Protocol as an option:

I am trying to express to my client, the reasoning that staff used to turn down our code proposals.The only answer I can come up with was your expression that, after research and review supervised by you, and performed by outside consultant's, “the NSF Protocol was not sufficient”. There was nothing specific, or technical, added to the reasoning at that time. Is there something else you can offer in the way of a technical explanation or justification that better explains your reasoning?

In a nutshell, we are requesting the commission staff to provide the specific technical flaw within the NSF Protocol that causes the commission staff to negate the scientific procedures created by NSF that are intended to provide technical equivalency and code compliance, and in turn, disallowed our proposal to be included for public comment or input.

After being intimately involved in code development at the national and local level for many years, it is hard to grasp that a code change request or proposal, proposed within the deadline, cannot go forth as proposed for public discussion and then turned down or approved after an open consensus consideration and vote by committee, rather than an individual staff member.

Thanks for your assistance and prompt attention.

Jay E. Peters

Codes and Standards International
(Office Phone) +1.909.904.2673

On Feb 12, 2015, at 1:43 PM, Strait, Peter@Energy <Peter.Strait@energy.ca.gov> wrote:

Dear Mr. Peters,

No problem. The contact information I have for Bruce Wilcox is as follows:

Bruce Wilcox, P.E.
1110 Monterey Ave.
Berkeley, CA 94707
510-528-4406
bwilcox@lmi.net

I've e-mailed Mr. Wilcox and asked him to confirm that this information is current; if he responds with any corrections I will pass them along. Also, I cannot speak to Mr. Wilcox's availability or schedule, though hopefully he's able to be responsive to you.

If there is anything else we can provide, simply let us know.

Best regards,

Peter Strait
Supervisor, Building Standards Office
California Energy Commission
1516 9th Street, MS 37
Sacramento, CA 95814
(916) 654-2817

From: Jay Peters [mailto:peters.jay@me.com]
Sent: Friday, February 06, 2015 1:58 PM
To: Bozorgchami, Payam@Energy
Subject: Follow up

Thanks for meeting with me this week. I hope to follow-up Monday if you have the time, regarding the consultants you mentioned and any suggested path you deem might be helpful. As you may have noticed, I believe strongly that this product meets the intent of the code. I already know that it does not meet ASTME E84 and that is the reason we proposed language and the protocol. It was not to hide, mask or short change the process, but to test the product for its true application and to save energy as intended.

I appreciate your time and help.

Thanks again,
jay

Jay E. Peters

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