

PRODUCT RATING PROGRAM

Evaluation Services CRRC

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PREFACE

The *Evaluation Services CRRC Program Manual* has been developed under the direction of Evaluation Services CRRC. Evaluation Services CRRC was created to act as a Certification Body for the Environmental Protection Agency's ENERGY STAR® Roofing Qualified Products Program. Evaluation Services CRRC policies and procedures have been based off of the policies and procedures set forth by the EPA for ENERGY STAR Certification Bodies under the Roofing Qualified Products Program.

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Advisory note: all referenced documents such as ES-CRRC Agreements, Applications, Forms, Procedures or other items may be found at <http://www.coolroofs.org/energystar.html>

Chapter 1.0 Program Guidelines

1.1 Scope

Evaluation Services CRRC (ES-CRRC) operates as a Certification Body for Roofing Products for the Environmental Protection Agency's ENERGY STAR® Qualified Products List.

The program is designed to support the ENERGY STAR program by verifying and qualifying roofing products per the policies and procedures outlined in *ENERGY STAR Program Requirements for Roof Products*, *ENERGY STAR Program Requirements Product Specifications for Roof Products- Eligibility Criteria* versions 2.0, 2.1, and 2.2, and *Conditions and Criteria for Recognition of Certification Bodies for the ENERGY STAR Program*.

Advisory Note: ES-CRRC is a separate and distinct program from the Cool Roof Rating Council Product Rating Program. The ES-CRRC program is not intended to be used as a primary law or regulation, but rather as an authoritative resource that compliments adopted laws or regulations. If this program is referenced into law or regulation, the provisions of law or regulation may dictate specific requirements that are in addition to or conflict with this program. It is therefore the responsibility of the program participant to comply with applicable laws and regulations.

1.2 Liability

1.2.1 Disclaimer

The use of ES-CRRC as a Certification Body does not constitute a warranty by the CRRC or ES-CRRC regarding the Radiative Properties of a Roofing Product. Rating is not an endorsement of, or recommendation for, any Roofing Product. The ES-CRRC is not a merchant in the business of selling Roofing Products, and therefore, cannot warrant products as to their merchantability or fitness for a particular use.

ES-CRRC therefore disclaims any and all liability, including but not limited to damages for personal or other injury, lost profits, lost savings or other consequential or incidental damages that may arise from or in connection with:

1. services provided by, decisions made by, or reports issued or granted by any ENERGY STAR Partner;

2. reliance on any ES-CRRC product description, specification, rating or test, whether appearing in a report, in a product Rating Authorization or a printed or electronic directory, or on a label; or
3. the sale or use of any ES- CRRC Qualified Roofing Product.

1.2.2 Indemnification

Companies choosing the ES-CRRC as a Certification Body are required to enter into a contract agreement, which contains, among other provisions, an indemnification of the ES-CRRC, its board, officers and agents from and against liability.

1.3 Product Processing Procedure

1.3.1 Standard Products

The ES-CRRC will follow the guidelines for Product Processing set forth by the EPA in sections 1 and 2 of *Conditions and Criteria for Recognition of Certification Bodies for the ENERGY STAR Program*, and *ENERGY STAR Program Requirements Product Specification for Roof Products- Eligibility Criteria version 2.2*. Below is the internal product processing procedures based off of these documents:

1. Confirm partner EPA number
2. Confirm the testing lab is accredited by EPA
3. Confirm the correct reflectance test method was used
4. Confirm the correct emittance test method was used
5. Confirm the aging method meets EPA protocol
6. Confirm reflectance and emittance values meet EPA minimum requirements

1.3.2 Color Family Products

The verification of color family groups from parties seeking ENERGY STAR Qualification through ES-CRRC will be carried out in accordance with *CRRC Procedure #3 Color Family Programs* subject to the following. With the exception, that under the ES-CRRC program any Partner can establish color family groups, whereas under the CRRC Product Rating Program, only Other Manufacturer licensees can establish color family groups. As ENERGY STAR's Color Family Program was adopted from the CRRC Color Family Program, the ENERGY STAR Specification document references the CRRC pre-defined range for color family establishment (section 1.4 Color Families).

1.3.3 Compound Ratings

The ES-CRRC program will follow the CRRC Product Rating Program protocol for establishing compound ratings for certification under the ENERGY STAR program.

1.3.4 Change in Product Formula

Please refer to section 4.3 of *ENERGY STAR Program Requirements Product Specification for Roof Products- Eligibility Criteria version 2.2*.

1.6 Verification Testing

1.6.1 Overview

Participation in the ENERGY STAR Certification Body program requires the establishment of an annual Verification Testing process for certified products. This testing shall be carried out in conjunction with the annual CRRC Random Testing process, and will further be in accordance with the procedure outlined below. ENERGY STAR products that also reside under the CRRC Product Rating Program and are selected for CRRC Random Testing will be subject to the process outlined in *CRRC Procedure #1 Random Testing Rated Roofing Products*. Products that are ENERGY STAR certified will additionally be subject to the EPA specified procedures per *ENERGY STAR Verification Testing for Certification Bodies Test Sample Sizes and Determining Testing Failures Non-Lighting Products*, Section 3 of *Conditions and Criteria for Recognition of Certification Bodies for the ENERGY STAR Program*, *EPA Directive 2011-04: ENERGY STAR Verification Testing for Certification Bodies-Test*, *EPA Directive 2011-06: ENERGY STAR Verification Testing Supplement* and further expanded for the ES-CRRC as outlined below.

1.6.2 Product Selection

As many products overlap between the CRRC Product Rating Program and the ES-CRRC program, the first round of product selection for verification testing will be collected under the CRRC Product Rating Program. If the 10% of the CRRC rated products does not reach the 10% requirement for the ENERGY STAR products, the CRRC will randomly select additional ENERGY STAR listed products to reach the 10% threshold. Testing to verify challenges to ratings is conducted in addition to the 10% of randomly selected products.

1.6.3 Product Collection

Samples for Verification Testing will be collected in accordance with *CRRC Procedure #1 Random Testing Rated Roofing Products* and *ENERGY STAR Verification Testing for Certification Bodies Test Sample Sizes and Determining Testing Failures Non-Lighting Products*. Each Partner must submit the contact information for three contractors/distributors for each rated product, as applicable.

1.6.4 Evaluation of Test Results

Certified products will be verified that they meet ENERGY STAR's radiative properties performance minimums per *ENERGY STAR Program Requirements Product Specification for Roof Products- Eligibility Criteria version 2.2*. As of 7/11/2011 hereof the current ENERGY STAR minimums are stated in the tables below:

Table 1 – Specifications for Low-Slope Roof Products	
Characteristic	Performance Specification
Initial Solar Reflectance	≥ 0.65
Aged Solar Reflectance	≥ 0.50

Table 2 – Specifications for Steep-Slope Roof Products	
Characteristic	Performance Specification
Initial Solar Reflectance	≥ 0.25
Aged Solar Reflectance	≥ 0.15

The ES-CRRC will also use the verification testing results to confirm that the certified products are above or not more than a 0.05 threshold of the posted values on the ENERGY STAR Qualified Product List. Should the values not meet this threshold minimum, ES-CRRC will notify the EPA for further direction.

1.6.5 Failed Products

If the verification testing results do not meet ENERGY STAR's minimum solar reflectance values, the product will have failed testing. The ES-CRRC will notify EPA within two business days of the failure, under the protocol laid out by *ENERGY STAR Verification Testing for Certification Bodies Test Sample Sizes and Determining Testing Failures*.

1.6.6 Appeals

If the Partner has reason to believe that a Verification Testing failure is in error and elects to dispute the results, the Partner shall follow the *ENERGY STAR Verification Testing for Certification Bodies Test Sample Sizes and Determining Testing Failures* section on Consequences of Testing Failures.

1.6.7 Challenge Testing

Challenge testing may be initiated. In accordance with ENERGY STAR policy per Section 3.c of *Conditions and Criteria for Recognition of Certification Bodies for the ENERGY STAR Program*, the ES-CRRC will notify the challenged Partner after the sample for challenge testing has been procured. The ES-CRRC will inform the EPA within two business days of the challenge initiation, as well as the within two business days of receiving the test results of the challenge testing.

Chapter 2.0 Referencing ES-CRRC

2.1 General

To clearly distinguish the ES-CRRC Certification Body Program from the CRRC Product Rating Program, the organization has laid out specific guidelines for ES-CRRC program participation.

2.2 Rules for Referencing ES-CRRC

By signing the ES-CRRC Agreement Form, participants agree to the following:

1. The ES-CRRC program is separate and distinct from the CRRC Product Rating Program.
 - a. As such ES-CRRC participants cannot in any way imply or directly state that they are participants in the CRRC Product Rating Program, unless they are a participant of the CRRC Product Rating Program.
 - i. This includes use of any CRRC Product Rating Program labels, logos, names or marks.
 - b. The ES-CRRC participant cannot imply or state that their company or products are certified by ES-CRRC or CRRC.
 - c. The ES-CRRC participant cannot market to any third party that it is participating in the ES-CRRC Program.
 - d. If these policies are violated in any way, a \$5,000 *per violation* fee, plus CRRC attorney's fees may be enforced.
2. Failure to comply with the conditions in the Agreement may result in termination from the program.

3. For complete details, please review the *Evaluation Services CRRC Partner Agreement*.

Chapter 3.0 Revocation or Closing Files

3.1 Scope

The ES-CRRC shall have the authority to revoke or modify (including but not limited to imposition of further conditions) for cause any product certification granted under this program. "Cause" shall include:

- (A) Failure of the material to conform to the certification specifications as defined by ES-CRRC and the ENERGY STAR Certification Body Program.
- (B) Failure of the material, and/or method of manufacturing, to remain consistent.
- (C) Failure to comply with any condition or rule of the ES-CRRC Certification Body Program.
- (D) Any intentional misstatement in the application or any knowingly inaccurate data submitted in support thereof.
- (E) Failure to comply with any provision in the ES-CRRC Agreement.
- (F) Any other ground considered as adequate cause in the judgment of the ES-CRRC whether of the same or a different type than listed above.

3.2 Reinstatement

Reinstatement of products shall be at the discretion of the EPA and the ENERGY STAR Program. If reinstatement is granted, product submission shall be in accordance with the requirements for Roofing Product submission as stipulated in *ENERGY STAR Program Requirements Product Specification for Roof Products- Eligibility Criteria version 2.2* unless otherwise directed by the EPA.

3.3 Consultation

Prior to the ES-CRRC acting on the closing of files, the holder of the ENERGY STAR certification shall be given reasonable notice and an opportunity to be heard in accordance with Section 4.2 "Pre-Action Procedures."

Chapter 4.0 Complaints

4.1 Purpose

These rules establish procedures for complaints regarding ES-CRRC as a Certification Body for ENERGY STAR.

4.2 Pre-Action Procedures

Any party shall be afforded the opportunity to discuss, clarify, and resolve disagreements with respect to cited disputes concerning actions by the ES-CRRC or by an ENERGY STAR Partner regarding certification policies and procedures prior to that party submitting a complaint.

4.3 Submission

Any person may submit a written complaint to ES-CRRC. Complaints shall be directed to ES-CRRC headquarters, and shall include the following information:

- (A) The name(s) and address(s) of the submitter(s), telephone, facsimile, and e-mail contact numbers,
- (B) A description of the complaint,
- (C) Relevant information to support the complaint, and
- (D) In the event of a complaint regarding inaccuracy of an ENERGY STAR Partner's product rating, the complaining party shall pay a filing fee that includes the cost of obtaining and testing product samples.

The ES-CRRC reserves the right to request further information or written clarification.

4.3.1 Notification

Upon receipt of the submission the ES-CRRC shall forward a notice indicating receipt of the submission, an action plan that further identifies cost and timeline for resolving the complaint, and shall assign the submission a file number. Any ENERGY STAR Partner who is the subject of the complaint shall be provided with a copy of the notice.

4.3.2 Review

ES-CRRC may take such action as it deems appropriate, in its sole discretion, to address the complaint. In the event of a complaint regarding inaccuracy of an ENERGY STAR Partner's product rating, ES-CRRC will obtain a product sample

through the methods described in Section 1.6 (Verification Testing) and shall perform testing in accordance with the Verification Testing procedures. In the event the product rating was inaccurate, the ENERGY STAR Partner shall pay ES-CRRC the amount of the filing fee and the complaining party shall have its filing fee refunded.

Chapter 5.0 Appeals

5.1 General

Any ENERGY STAR Partner, the “Appellant,” aggrieved by any determination pursuant to Chapter 3 “Revocation or Closing Flies” by the ES-CRRC who chooses to appeal, shall do so within 20 business days of the date of receipt of said written determination or order.

5.2 Submission

Appeals shall be submitted in writing, addressed to the ES-CRRC headquarters, and shall include the following information:

- (A) The name and address of the Appellant, telephone, facsimile, and email contact numbers, and the name and address of legal counsel if the appellant desires to have representation,
- (B) A description of the Roofing Product under appeal,
- (C) A description of the issue being appealed,
- (D) A statement of reasons for appeal,
- (E) Relevant evidence and supporting data or information, and
- (F) A filing fee to be determined by the ES-CRRC..

ES-CRRC reserves the right to request further information or a written clarification from the Appellant, and shall extend the appeal review if, in the opinion of the ES-CRRC, the content of the additional information or written clarification is of substance to warrant additional time.

5.3 Notification

Upon receipt of the Appeal, the ES-CRRC shall assign a file number. All future correspondence to and from the ES-CRRC shall reference the file number. The Appellant shall be notified of the convening of any associated hearing by the ES-CRRC.

5.4 Appeal Review

The ES-CRRC shall, upon receipt of a completed submission, evaluate the submission and render a decision of the matters in dispute within 20 business days of receipt of the completed submission or within

20 business days of a hearing if one is convened. The decision to hold a hearing shall be at the discretion of the CRRC Board of Directors. The ES-CRRC reserves the right to extend the time of review if the ES-CRRC determines that there is sufficient cause. The ES-CRRC shall notify the Appellant of the ES-CRRC decision by certified mail, return receipt requested, or other method, which provides evidence of, and a receipt for, delivery.

Chapter 6.0 Arbitration

6.1 General

If the Appellant disputes the decision of the ES-CRRC under Chapter 5, the Appellant has the right to appeal solely through arbitration. The appellant shall notify the ES-CRRC of a request for arbitration in writing within 20 business days of receipt of the written appeal review decision. The request shall include the following information:

- (A) The name(s) and address(s) of the appellant(s), telephone, facsimile, and email contact numbers, and name and address of legal counsel if the appellant desires to have said representation,
- (B) A description of the Roofing Product under arbitration,
- (C) A description of the issue being arbitrated,
- (D) A statement of reason for the arbitration,
- (E) Relevant evidence and supporting data or information, and
- (F) A concise statement of its rebuttal position(s).

6.2 Arbitration Method

The arbitration shall consist of one of the following methods:

- (A) A single arbitrator selected jointly by the appellant and the ES-CRRC to investigate and resolve the matter, or
- (B) The ES-CRRC and the appellant shall use the American Arbitration Association’s procedures for the selection of a single arbitrator from a list of seven candidates, with each party having the right to strike three.

6.3 Cost

The appellant shall be responsible for all time and expense costs incidental to the arbitration proceedings.

6.4 Hearing

The hearing may be conducted under the American Arbitration Association procedures for arbitration if requested by either party. Unless otherwise agreed upon by all parties, the arbitrator(s) shall issue a written decision within 15 business days of the hearing or of the final written submission

DISCLAIMER: Since the ES-CRRC is a participant in the EPA's ENERGY STAR Program, The processes and procedures outlined in Chapters 3, 4, 5, and 6 of this document, can be superseded at any time by the involvement of the EPA and their enforcement of the ENERGY STAR Program.