

NFRC Errata and Addendum Log



1. ADDENDUM

This addendum includes modifications approved by the Board of Directors meetings in November 2011 for the unpublished version 2011-E0A1 and December 2011 for version 2012-E0A0. Both versions were implemented into version 2012-E0A0 from version 2011-E0A0. The following is a summary of the changes:

Modifications from version 700-2011 E0A1

- Contractors of an IA
 - Language was modified for the purpose of allowing an inspection agency to use a contractor and to give that person(s) the title of IRC. In doing so, per the NFRC 702-2011, section 3.2.1.2, the independence criteria are met.
 - Furthermore, the term “Contractor” is being used in place of the term “Subcontractor” because of the distinct differences between the two:
 - Subcontractor: One who takes a portion of the work from a contractor or another subcontractor.
 - Contractor: One who provides goods or services to another entity under terms specified in a contract
- Section 4.2, Periodic Review
 - Language was modified for the purpose of conducting onsite and remote IA Periodic Reviews. The NFRC 702 language was adapted from the NFRC 701 LAP Periodic Review requirements approved in the recent years past.

Modifications from version 700-2012 E0A0

- Reporting Requirements
 - The following program document changes do not take effect until January 2012. IA’s will be instructed to continue to follow NFRC 702-2011 E0A1 through 30 days after the 2011, 4th quarter so that all

- proper reports are submitted to NFRC.
- Removed Sections 4.1.1.1.A, B
 - Language requiring the IAs to submit reports of product line and label counts to NFRC was removed per changes to the 2012 Fee Schedule.
 - New Section 4.1.1.1 A
 - Language requiring the IAs to submit reports for label counts for Applied Film manufacturers to NFRC was introduced per changes to the 2012 Fee Schedule.
 - Revised Section 4.1.1.1 B, C
 - Language was modified for clarification that certificates shall be submitted to NFRC within allotted time frame.
 - CAP Workshops
 - Changes to the CAP Workshop include the amount of workshops held per year and the responsibilities of NFRC and the IA have been modified to better relate to the needs of the IAs.
 - Section 4.4.1 Scope of the CAP Workshop
 - Language was added to specify that at least one workshop will be held per year; however more may be scheduled within the year if NFRC Staff or CPC determine additional workshops are required.
 - Section 4.4.2 Responsibility of NFRC
 - Items A, B, and C were modified for clearer direction of the materials to cover during a workshop.
 - Section 4.4.2 D, E
 - Items D and E were reformatted to become a part of the whole section.
 - Section 4.4.3 Responsibility of the IA
 - Language was modified to remove the amount of three regularly scheduled workshops along with condition of attendance.
 - Language was modified to clarify attendance is to be met, unless a written request to be excused is submitted by an IRC.
 - Contractor
 - Appendix A, Terms and Conditions, item D
 - The CPC has modified language in the IA Program Application to reflect the recent changes made to the 702-2011 E0A1 approved during Fall 2011, Membership Meeting by the Board for language pertaining to contractors.

The following is a redline of the changes:

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3.2.1 Independence Criteria and Procedures

3.2.1.1 Criteria

- D. ~~Sub~~Contractors providing services to an NFRC-licensed IA shall meet the independence criteria set forth in the NFRC 702, to the extent applicable, with respect to ~~sub~~contractors. The IA is responsible for a contractor's performance and conduct as an IRC in performing the IRC duties in accordance with the NFRC 702.

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3.2.2.2 Individual-in-Responsible-Charge

- A. Each IA shall employ or retain at least one, but preferably two individuals, ~~full time staff members~~ approved by the CPC and referred to as the "Individual-in-Responsible-Charge," who shall be responsible for all administrative, certification, and technical aspects of the IA's participation in the Certification Agency Program and Certification Programs. An IA shall notify NFRC, in writing, not later than 10 calendar days of any change in personnel performing NFRC-licensed services listed on the application.
- B. In the event the Individual-in-Responsible-Charge terminates employment or contractor position with an IA or has been suspended under the provisions of the NFRC 702, the IA shall notify NFRC of the identity of the new Individual-in-Responsible-Charge. The IA shall fill this position within 30 calendar days of the termination of the employment of such person. Certification services, as otherwise authorized, may continue throughout this 30-day period; however, no NFRC certification authorization reports shall be issued, unless an extension is granted in writing by the CPC for continued licensing. All certification authorization reports generated from submitted reports and data obtained during this time period shall be signed by the new Individual-in-Responsible-Charge. The CPC shall approve the competency to perform the NFRC certification procedures of this new Individual-in-Responsible-Charge before any NFRC certification authorization reports may be issued.

- C. In the event that the IA fails to fill the vacated position of Individual-in-Responsible-Charge within the required 30 calendar days, the IA's NFRC licensing shall be automatically suspended, unless an extension is granted in writing by the CPC. The NFRC-licensing of the IA may be reinstated when the issues for suspension have been satisfactorily resolved at the discretion of the CPC. At the time the suspension is rendered, the IA shall be delisted from the listing of NFRC-licensed IAs. Such suspension may be appealed in accordance with the procedures set forth in the NFRC 702.
- D. In the event that the IA fails to notify NFRC within the required 10 calendar days that an Individual-in-Responsible-Charge has terminated employment or contracting relationship, or has been suspended under the provisions of the NFRC 702, the IA's NFRC licensing shall be automatically suspended. Such suspension may be appealed in accordance with the procedures set forth in the NFRC 702.
- E. Each Individual-in-Responsible-Charge shall have a Bachelor's degree or higher degree in engineering, quality control, or a closely related discipline. At least one Individual-in-Responsible-Charge shall have attended a NFRC-sponsored Annual Simulation Workshop. If an applicant IA does not have a proposed or current Individual-in-Responsible-Charge that meets these requirements, the CPC, at its sole discretion, shall determine if their experience in the validation and certification field or other factors may be substituted for the Bachelor's degree requirement.

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4.1.1 Reporting Requirements

In order to remain NFRC licensed, an IA shall comply with the following reporting requirements.

4.1.1.1 Reporting Requirements:

~~A. The IA shall reconcile product lines counts in the Certified Products Database by the last day of each quarter. The IA shall send a report to NFRC confirming reconciliation of the count not later than 30 calendar days after the end of a given quarter.~~

~~B. If an IA generates permanent labels to its participant clients, label usage from those~~

~~participants shall be reported to NFRC no later than 30 calendar days after the end of a given quarter. Any labeling fees collected from participants during the quarter shall be included with this report.~~

- ~~A.~~ If an IA generates permanent labels to its participating clients manufacturing Applied Film, label usage from those participants shall be reported to NFRC no later than 30 calendar days after the end of a given quarter. Any labeling fees collected from participants during the quarter shall be included with this report.
- ~~C.B.~~ The IA shall provide copies **to NFRC** of all Site-Built Label Certificates upon issuing them.
- ~~D.C.~~ The IA shall provide copies of the Attachment Product Label Certificate records or logs reviewed by the IA at the time of the Attachment Product plant inspection **to NFRC no later than 15 days after conducting the inspection.**

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4.2 Periodic Review

4.1.2 NFRC Right to Reports

NFRC reserves the right to obtain a copy of any report and its supporting files generated by an accredited laboratory submitted to an NFRC licensed IA for the purpose of certification authorization (CAR), and if requested, shall be submitted to NFRC by the IA.

4.1.3 All Inspection Agencies

- A. NFRC shall conduct a ~~P~~periodic ~~R~~review, by technical evaluation assessment either through an on-site or remote (i.e. virtual, on-online) inspection, for licensing per NFRC 702 requirements, of each licensed IA at least annually, but as often as deemed necessary by the NFRC CPC. The NFRC Inspector, with the concurrence of the CPC, will determine if an on-site inspection of the IA is necessary in connection with a remote assessment. ~~The inspection-IA Periodic Review~~ shall be conducted by the NFRC Inspector and shall be based on the requirements of the NFRC 700: Product Certification Program (PCP), NFRC 702: Certification Authorization Program (CAP), and NFRC 705: Component Modeling Approach Product Certification Program (CMA-PCP), and NFRC 708: Calculation Entity Approval Program or "ACE Program" (CEAP). The NFRC Inspector shall not be an employee or contractor of, or have a

similar relationship to, any NFRC certification and inspection agency.

~~A-B.~~ Failure to submit to the ~~P~~periodic ~~inspection and R~~review shall result in issuance of a Notice of Suspension. A suspension may be appealed in accordance with the procedures set forth in the NFRC 702. A suspension may be withdrawn by the NFRC Inspector upon a re-inspection showing compliance with all program requirements.

C. The annual Periodic Review will be conducted either by an on-site or remote inspection every other year based on the last periodic review.

~~B-D.~~ The periodic review shall consist of a review of the IA's continuing compliance with the conditions, criteria and obligations set forth in the NFRC 702, and shall include, but not limited to, an evaluation of the following:

- i. IA operational procedures;
- ii. In-service education and training;
- iii. Staff technical competence, including adequate knowledge of the NFRC 700, Certified Products Database, and CMAST;
- iv. Record keeping practices;
- v. Reporting practices;
- vi. Quality control system;
- vii. Independence criteria maintenance;
- viii. In-plant inspection capabilities;
- ix. Criteria for evaluating manufacturer quality control programs;
- x. Services provided by any IA ~~subcontractor~~contractors in support of IA's NFRC-licensed services; and
- xi. Any equipment necessary to conduct in-plant inspections and other related certification services.

~~G-E.~~ The periodic review report and simulation competence evaluation results ("Final Assessment Report") shall be prepared by the NFRC Inspector and a draft copy shall be provided to the IA as set forth in the NFRC 702.

~~D-F.~~ If the NFRC Inspector determines that an IA is not in compliance with any of the provisions of the NFRC 702, NFRC will notify the IA of the specified deficiencies and will require that specified corrective action be taken within a specified time period but not to exceed 30 calendar days from the date of such notification. If the deficiencies are deemed to be of a serious nature, NFRC may immediately put the IA on probation. Probation may be for a

time period and include conditions as deemed appropriate by NFRC.

- ~~E.G.~~ In the event that the deficiencies have not been remedied by the conclusion of the specified time period, in the judgment of the NFRC Inspector (and pending CPC approval) , the NFRC Inspector shall immediately place the IA on probation or suspend the IA's license by issuance of a Notice of Suspension. The NFRC Inspector shall re-evaluate the IA, which may include a re-inspection, if deemed necessary by the NFRC Inspector, prior to issuance of a Notice of Probation or Suspension. Probation or suspension may be appealed in accordance with the procedures set forth in Section 5. Probation or suspension shall be withdrawn by the NFRC Inspector, pending CPC approval, upon the determination by the inspector, which may require a re-inspection, that the deficiencies have been remedied.
- ~~F.H.~~ In the event of probation or suspension of licensing, and in the further event that the IA does not take corrective action sufficient to permit the NFRC Inspector to determine that the deficiencies have been removed within 15 day of the issuance of the Notice of Probation or Suspension, the CPC shall issue a Notice of Revocation. The revocation may be appealed in accordance with the procedures set forth in Section 5.
- ~~G.I.~~ All costs related to re-inspection for failure to comply with NFRC requirements in the first review shall be the responsibility of the IA.
- ~~H.J.~~ All costs related to the periodic inspection or any necessary re-inspection of IA ~~subcontractor~~contractors shall be the responsibility of the IA.

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4.4 Certification Agency Program (CAP) Workshops

4.4.1 Scope of the CAP Workshop

The purpose of the workshop is to maintain the highest accuracy and quality of entities involved with NFRC certification. The initial NFRC licensing of certification programs should not be based solely on passing an initial workshop and inspection; therefore, every Individual-in-Responsible-Charge shall attend the CAP Workshop to maintain the technical competence.

The workshop(s) held no less than one time a year, provide NFRC staff a means to disseminate new procedures, modeling rules, and certification requirements to all parties to uniformly maintain repeatability of results.

Depending upon the material to be presented at the workshop(s), it may be a face-to-face meeting or in the form of an online presentation. This is at the discretion of the NFRC Staff and the CPC.

4.4.2 Responsibility of NFRC

NFRC staff, 90 days before a scheduled face-to-face workshop, shall notify all NFRC Licensed Certification and Inspection Agency program Individual-in-Responsible-Charge of the workshop location. Online workshop(s) will be held 3-6 weeks after each NFRC Membership Meeting.

During a face-to-face or an online workshop, staff shall:

- A. ~~Staff shall d~~Discuss the findings of the most recent IAC ~~during the NFRC scheduled CAP Workshop~~ if applicable.
- B. ~~Staff shall d~~Discuss all product and technical interpretations, and updated procedurale changes ~~during the scheduled workshop~~ if required.
- C. ~~Staff shall d~~Discuss action items and other important certification program related information ~~that occurred during the Membership Meetings~~.

~~D.~~ NFRC staff shall report all action items from the CAP Workshop to CPC at the next scheduled conference call or meeting. The need to address action items shall be communicated by NFRC staff on behalf of the CPC to appropriate NFRC committee chairs for necessary action and resolution. CPC members shall be informed by the NFRC staff about the resolution of the action item. The CPC chair shall inform the Board of Directors of any action item not resolved within six months.

~~E.~~ NFRC staff shall maintain a history sheet of attendance and shall inform CPC ~~about any breach of requirements~~ of attendance. Upon receipt of the report from the staff, CPC shall determine any breach of requirements and issue a notification of suspension to the ~~NFRC Licensed IA~~ Individual-in-Responsible-Charge.

4.4.3 Responsibility of NFRC Licensed Certification and Inspection Agency Program

- A. Each NFRC Licensed Certification and Inspection Agency Program's Individual-in-Responsible-Charge shall attend at least two of three regularly scheduled NFRC CAP Workshops ~~each year as a condition~~ for continued licensing.

If, for any reason, attendance ~~is less than required~~ cannot be met, the individual shall request in writing to be excused by the CPC. Upon approval by the CPC of the absence, the individual may, at the discretion of the CPC, continue as Individual-in-Responsible-Charge. If the CPC does not grant an excused absence, the individual shall be immediately suspended as the Individual-in-Responsible-Charge. If this person is the only IA

designated as Individual-in-Responsible-Charge, the IA shall follow the provisions as stipulated in the NFRC 702.

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11. Attach a list of employees and an organizational chart showing the relationship of all employee positions to be involved in the operation of the NFRC Certification Program. On the organizational chart, please identify the incumbent in each position by name and title. If part of a larger corporate structure, add a second chart showing the relative position of the applicant IA within the corporation. If ~~subcontractor~~contractors are involved in NFRC-related IA services, list the ~~subcontractor~~contractors and show their relationship on the organizational chart. On the organizational chart, identify the person(s) with responsibility for the following in the NFRC IA Program:

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13. Provide resumes for each employee and ~~subcontractor~~contractor proposed to be involved in the NFRC Certification Program, including both technical and administrative personnel (please see requirements set forth in *NFRC 702*):

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- D. In the event that the agency elects to utilize ~~subcontractor~~contractors to provide service in connection with the NFRC Certification Program, any such contractor shall meet the ~~qualifications of an IA employee independence criteria and, if applicable, IRC duties as set forth in the NFRC 702.~~

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