



Cool Roof Rating Council Procedures for the Development, Revision, and Withdrawal of CRRC Standards

*Adopted by a vote of the Board of Directors on December 14, 2006
Modified by a vote of the Board of Directors on August 16, 2007
Modified by a vote of the Board of Directors on June 10, 2008
Modified by a vote of the Board of Directors on July 1, 2008
Modified by a vote of the Board of Directors on November 19, 2013
Modified by a vote of the Board of Directors on January 29, 2016
Modified by a vote of the Board of Directors on March 29, 2018*

1. Purpose

This procedure shall govern the activities of the Cool Roof Rating Council (CRRC) related to the development, approval, revision, reaffirmation, and withdrawal of CRRC standards for the testing of radiative properties of roofing materials, and shall be made available to any interested person upon request

In order to maintain accreditation by ANSI, the CRRC shall continue to maintain procedures that meet the requirements of due process and criteria for approval and withdrawal of its American National Standards (ANS), and continue to maintain its status as an incorporated, registered, or otherwise recognized legal entity, as stated in section 4.1.3 (Maintenance of Accreditation) in ANSI's *Essential Requirements*.

2. Organization

2.1 Proposal Developer

Proposals for revision to or reaffirmation of an existing CRRC standard, or proposals for a new CRRC standard, may be proposed by any individual or organization and shall be submitted to CRRC staff. The person submitting the proposal is referred to as the *Proposal Developer*. The CRRC may also submit proposals to update an existing CRRC standard or to develop a new standard.

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2.2 Standards Committee

When a new standard or revision or reaffirmation of an existing CRRC standard is to begin the process for consensus approval, the CRRC Board of Directors (Board) shall form a Standards Committee (Committee). The Committee shall be responsible for the formation of the Consensus Body and for responding to all comments on the standard. See section 3.2 below for a description of the formation of the Committee.

2.3. Consensus Body

The Consensus Body is responsible for evaluating public comments from stakeholders and to ensure compliance with due process requirements. The Consensus Body shall approve all proposed revisions to or reaffirmation of an existing CRRC standard, and proposals for new standards, before approval and adoption by the CRRC Board.

Membership on the Consensus Body shall be open to all interested parties and not limited to CRRC members. Membership to any organization shall also not be a requirement for serving on the Consensus Body. There shall be no undue financial barriers to participation.

The Consensus Body shall be comprised of individuals from the following three stakeholder groups, with no one group constituting a majority:

- 1) **Users:** Individuals who represent entities that use the CRRC Product Rating Program to specify products either for installation, for regulatory purposes or for a voluntary program. This category includes building owners, facilities personnel, government agencies that use the CRRC Product Rating Program as the basis for regulation, organizations that have green building certification programs or roof rebate programs, specifiers, consultants, contractors, and building inspectors. This category also includes organizations that provide testing and weathering services for CRRC Licensees (e.g., Accredited Independent Testing Laboratories and Approved Test Farms).
- 2) **Producers:** Individuals that represent entities that produce or sell products that may be rated by the CRRC. This category includes companies that produce or sell roofing materials and organizations that represent companies producing and selling roofing materials (e.g., industry or trade associations).
- 3) **General Interest:** Individuals that represent entities that do not use the rating system directly and do not produce or sell roofing materials. This category includes independent research organizations, government agencies with an interest in energy or environmental issues (but do not establish or adopt regulations pertaining to cool roofs), non-profit organizations, and other organizations that do not directly profit from

roofing product sales but have a general interest in cool roofing, energy-efficiency, and other related issues.

2.4 Withdrawal

If the CRRC wishes to withdraw its support of one or more of its CRRC standards it may do so by a vote of the Board. A vote by the Consensus Body is not required for withdrawal. Upon decision by the Board to withdraw a CRRC ANS, CRRC staff shall notify the American National Standards Institute (ANSI) immediately, and the standard shall be withdrawn as an ANS. Notification of withdrawal will be announced in ANSI's *Standards Action*. The CRRC shall ensure compliance with due process requirements when withdrawing an ANS.

3. Process

3.1 Proposal Submittal

Proposals for revision to or reaffirmation of a CRRC standard, or proposals for a new standard, shall be submitted to CRRC staff. Revisions shall be in the form of proposed changes to existing standard language. CRRC staff will notify the Board of proposals, after which the Board will convene the Committee (see section 3.2 below). The Committee and CRRC staff will be responsible for initiating the public review process, including the formation of the Consensus Body. See section 3.3 below.

3.2 Standards Committee Formation

The Board shall form the Committee when a new standard or revision or reaffirmation of an existing CRRC standard is to begin the process for consensus approval. The Committee shall consist of at least one Board member (voting or Ex-Officio status) who shall serve as the Chair of the Committee.

3.3 Consensus Body Formation

The Committee shall be responsible for the formation of the Consensus Body. The Committee, with assistance from CRRC staff, shall seek out representatives of diverse interests such that all interests are fairly represented on the Consensus Body. The Committee shall assemble a list of potential Consensus Body members consisting of those entities known to be or who have indicated that they are directly and materially affected by the standard. The Committee shall evaluate this list for balance to ensure that no single interest category constitutes a majority of the Consensus Body. The Consensus Body should be comprised of between 15 - 30 members.

The Committee Chair shall also serve as the Chair of the Consensus Body and shall be granted automatic membership to the Consensus Body. Other members of the Board may serve on the Consensus Body, but will not be granted membership automatically; they must apply to serve on the Consensus Body in the same manner as other interested applicants.

As part of the formation of the Consensus Body, CRRC staff shall notify ANSI using the Project Initiation Notification System (PINS), or its equivalent, for listing in the ANSI *Standards Action*, in order to seek interested parties to participate in the development and review of the standard. If the CRRC receives written comments within thirty (30) calendar days from the publication date of a PINS announcement in *Standards Action* asserting that the CRRC's proposed standard duplicates or conflicts with an existing ANS or a candidate ANS that has been announced previously in the *Standards Action*, the CRRC shall respond as outlined in ANSI's *Essential Requirements*.

CRRC staff shall inform potential Consensus Body members in writing (email or mailed letter) about the proposed new standard or standard revision and the function of the Consensus Body, and will inquire about their willingness to serve on the Consensus Body. Potential Consensus Body members shall have thirty (30) days from the time the notification is sent by CRRC staff to confirm their interest in serving on the Consensus Body; the time period for responding will be noted in the email or mailed letter. Additionally, CRRC staff shall post an announcement of the proposed new standard or standard revision and the formation of the Consensus Body on the CRRC website. Where applicable, the notice will be included in the CRRC newsletter, which is published twice annually.

Once the thirty (30) day response time has been reached, the Committee shall review the list of interested parties for balance to ensure that no single interest category constitutes a majority of the Consensus Body (see section 2.3 above). If this balance has not been reached, the Committee and CRRC staff shall seek out individuals to represent interests that are lacking representation until an appropriate composition of the Consensus Body has been reached.

For revisions to or reaffirmation of an existing standard or proposal for a new CRRC standard, once the composition of the Consensus Body has been determined the process need not be repeated for subsequent balloting (i.e. additional public comment periods). Members shall serve on the Consensus Body at will for the duration of the review process, from initiation of the process to when the standard is approved.

A new Consensus Body shall be formed when a new standard is proposed or a new cycle to update an existing standard is initiated.

At any point in the review process, a directly and materially affected party may claim that a single interest category, individual or organization dominates the Consensus Body or standards development process by filing an appeal in writing, including electronic communications, in accordance with Section 5 below. Dominance is defined as being in a position to exercise dominant authority, leadership or influence by reason of superior leverage, strength or representation to the exclusion of fair and equitable consideration of other viewpoints.

3.4 Consensus Review

After the Consensus Body has been formed, members shall receive a copy of the standard from CRRC staff. For revisions to existing standards, the proposed revisions shall be clearly marked (i.e. redline copy). CRRC staff shall also provide the Consensus Body with the following:

- 1) Written description of the proposal submitted by the Proposal Developer (if applicable);
- 2) The purpose and intended application of the standard and revision (if applicable);
- 3) A brief explanation of how and why the standard and revision was developed (if applicable);
- 4) An explanation of ANSI's function and the use of the Consensus Body process in the voluntary consensus standards system (if applicable);
- 5) A copy of the Consensus Body member list, consisting of the name, affiliation, and category of interest for each member;
- 6) A copy of the proposed standard (i.e. redline version) or the relevant portion under consideration, in addition to the current standard for reference;
- 7) Official Consensus body ballot(s);
- 8) Information regarding the procedure for approval and comment, the right to appeal, and the appeals process. This procedural document may be provided to Consensus Body members.

If necessary, CRRC staff shall arrange a meeting by conference call for the members of the Consensus Body to ask clarifying questions about the review process and/or proposal(s). After this meeting, members shall have thirty (30) calendar days to return their ballot pertaining to the action taken on each proposal. Each member of the Consensus Body will have only one vote. This balloting process shall determine the vote of the Consensus Body in accordance with the Voting Procedure (Section 4 below).

At least one follow-up (electronic or telephone) shall be sent to any member not responding to a ballot request. Members may indicate on the ballot if they wish to be removed from the Consensus Body list. Any change in vote shall be submitted to CRRC in writing within the allotted time.

3.5 Public Comment Period

At the same time as the Consensus Body review, the proposed new standard, reaffirmation or revision shall be made available for public comment for a minimum period of time as specified in ANSI's *Essential Requirements*. CRRC staff shall adhere to the public review process as described in ANSI's *Essential Requirements*, and will also

post the proposed new standard, reaffirmation or revision with an appropriate explanation on the CRRC website. Where applicable, notice of the proposal will also be included in the CRRC newsletter, which is published twice annually. All subsequent public comment periods shall also comply with ANSI's *Essential Requirements*.

All members of the public shall have the opportunity to comment on the proposal. Comments must be submitted to CRRC staff in writing (either by email or letter) and received by the end of the designated public comment period in order to be considered. Comments must be accompanied with the commentator's name, contact information, company affiliation (if applicable), reason statement, and recommendations.

3.6 Response to Comments and Unresolved Objections

The Committee shall respond in writing (either by email or letter) to all public comments. The response to commenters shall contain the disposition of the comments along with reasons therefor. Based on these comments, the Committee shall determine if substantive changes to the proposal are necessary. If changes are necessary, the Proposal Developer shall revise the proposal accordingly and the revised proposal shall undergo Consensus Body review and public comment again. All substantive changes to the standard shall undergo additional public review.

Committee responses to comments submitted by Consensus Body members shall include the opportunity to notify the Committee and CRRC staff if the member accepts the resolution of the comment(s). If a member chooses not to accept the resolution of the comment(s) and changes his/her vote to affirmative, the Consensus Body shall be re-balloted. CRRC staff shall recirculate the written description of the proposed changes, all unresolved objections resulting from public review and from the vote of the Consensus Body, information regarding attempts at resolution, and any substantive changes to members of the Consensus Body in order to provide them with the opportunity to respond, reaffirm or change their vote.

If the Consensus Body votes to approve the proposed standard, all unresolved objectors from the public comment period (s) and the Consensus Body shall be informed in writing of the right to appeal in accordance with Section 5 below.

3.7 Consensus Achievement

Approval of a new standard or a revision or reaffirmation of an existing standard shall require approval by at least two-thirds of Consensus Body members, excluding abstentions. At least 75 percent of the Consensus Body must return their ballots in order for approval of the new, revised or reaffirmed standard. The Committee and CRRC staff are responsible for tallying the votes of the Consensus Body. CRRC staff shall post the proposed standard or revision with the appropriate explanation on the CRRC website for a minimum of thirty (30) days after approval by the Consensus Body.

If the Consensus Body does not approve the new, revised or reaffirmed standard, the Proposal Developer may revise the proposal and restart the process.

3.8 Board Approval

Once the Consensus Body approves a new, revised or reaffirmed standard, the Board shall vote to confirm the approval. Voting by the Board shall occur in accordance with the CRRC Bylaws. If the Board does not approve the new, revised or reaffirmed standard, the Proposal Developer may revise the proposal and restart the process.

3.9 Standard Effective

Once the Board approves a new, revised or reaffirmed standard, CRRC staff shall publish the revised document on the CRRC website. For CRRC ANS, CRRC staff shall submit the approved standard to ANSI for review and approval in accordance with ANSI's *Essential Requirements*.

4. Voting Procedure

4.1 Right to Vote

All Consensus Body members shall have the opportunity to vote on the approval of a standard.

4.2 Ballot Form

The ballot form shall provide an opportunity for the Consensus Body member to indicate his/her position with the advice that, in order to receive consideration, objections must be accompanied by supporting written reasons and, where possible, proposals for a solution to the problem raised. Consensus Body members shall vote one of the following positions (or the equivalent):

- 1) Affirmative
- 2) Affirmative, with comment
- 3) Negative, with reasons
- 4) Abstain

The ballot form will also provide an opportunity for the Consensus Body Member to indicate that he/she wishes to be removed from the Consensus Body.

4.3. Objections

Objections by Consensus Body members submitted without comment or objections with comments not pertaining to the proposal under consideration shall be recorded by CRRC staff as “negative without comments” and without further notice to the voter. If comments not related to the proposal are submitted with a negative vote, the comments shall be documented and considered in the same manner as submittal of a new proposal.

4.4 Documentation

CRRC staff shall document all votes received and maintain records of evidence. All negative votes accompanied by relevant comments shall be noted and responded to by the Committee and CRRC staff.

4.5 Change of Vote

The vote cast by a Consensus Body member shall not be changed unless CRRC staff is instructed to do so by the voter. To change a vote, written confirmation of the change shall be submitted to staff during the balloting period.

5. Appeals

5.1 Opportunity to Appeal

All persons who have been affected by any action or inaction of the Committee or Consensus Body shall have the right to appeal such action or inaction. The appellant shall file a written complaint with CRRC staff within thirty (30) days of notification of the action or at any time with respect to any action to which the appellant was not given notice or with respect to inaction. The written complaint shall state the nature of the objection, the sections of the standard that are at issue, and the specific remedial action that would satisfy the appellant’s concern.

5.2 Response

The Board shall respond within sixty (60) days of receipt of the complaint, specifically addressing each allegation in the complaint to the extent possible. The Board shall attempt to resolve the complaint of the appellant informally.

5.3 Appeals Panel and Hearing

If the complaint cannot be resolved informally by the Board, the Board shall convene an appeal panel to hold a hearing on a date agreeable to all participants. The panel shall consist of three (3) individuals who have not been directly involved in the dispute and who will not be materially affected by any decision made in the dispute. At least two (2) members of the panel shall be acceptable to the appellant and at least two (2) members shall be acceptable to the Board.

The appellant has the responsibility of demonstrating improper actions or inaction, the adverse effects there from, and the efficacy of the requested remedial action. The Board has the responsibility of demonstrating that the Committee took all actions in question in accordance with these procedures, and that the requested remedial action would be ineffective or detrimental.

5.4 Decision

The appeals panel shall render its decision in writing within thirty (30) days, stating its findings with reasons therefor. CRRC staff shall notify the appellant of the decision of the appeals panel, which shall be binding and final.

6. Commercial Terms and Conditions Policy

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The CRRC will comply with the ANSI Commercial Terms and Conditions Policy.

7. Patent Policy

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The CRRC will comply with the ANSI Patent Policy.