



## **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 January 28, 2021*

#### **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 materials, and shall be made available to any interested person upon request.

In order to maintain accreditation by the American National Standard Institute (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 Standard (ANS), and continue to maintain its status as an incorporated, registered, or otherwise recognized legal entity, as stated in the *ANSI Essential Requirements*.

#### **1.1 Acronyms**

**ANS** – American National Standard

**ANSI** – American National Standards Institute

**Board** – Cool Roof Rating Council Board of Directors

**CRRC** – Cool Roof Rating Council

**PINS** - Project Initiation Notification System

#### **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 submitted to CRRC staff by any individual or organization. The person submitting the proposal is referred to as the *Proposal Developer*. The CRRC may also periodically update an existing CRRC standard or

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develop a new standard in accordance with these procedures and the ANSI *Essential Requirements*. The appropriate CRRC forms must be used when submitting proposals (see Section 3.1).

### **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 of these procedures 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 comments from Consensus Body members, 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 composed 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 or CRRC ANS 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 or CRRC ANS as the basis for regulation, organizations that have green building certification programs or 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 CRRC Product Rating Program or CRRC ANS 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 sustainability, green building practices, 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 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.

If the CRRC, at its own discretion and without a vote of the Consensus Body, wishes to abandon the processing of a proposed new or revised ANS, or portion thereof, CRRC staff shall notify ANSI immediately of such actions. The action will be announced in ANSI's *Standards Action*.

### **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 using the CRRC Standards Proposal Submission Form found on coolroofs.org. Proposals to update existing standards or for the development of a new standard can be submitted at any time. If the CRRC is proposing revisions to an existing CRRC standard, and the proposal is related to the CRRC's proposed revisions, then the CRRC Public Comment Form must be used (see Section 3.6).

#### ***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 (e.g., 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

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interests such that all interests are fairly represented on the Consensus Body. CRRC staff shall post an announcement of the proposed new standard or standard revision on the CRRC website along with a notice calling applicants for the Consensus Body. Where applicable, the notice will also be included in the CRRC newsletter, which is published twice annually.

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, in accordance with Section 2.3 of these procedures, to ensure that no single interest category constitutes a majority of the Consensus Body. If balance is not reached, the Committee and CRRC staff shall strive to seek balance by conducting targeted outreach to individuals that represent interests that are lacking representation on the Consensus Body.

CRRC staff shall inform potential Consensus Body members in writing through email communication 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 seven (7) 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.

The Committee Chair shall also serve as the Chair of the Consensus Body and shall be granted automatic membership to the Consensus Body by the Board. Other members of the Board may serve on the Consensus Body by submitting a CRRC application form, but they will not be granted automatic membership.

The Consensus Body shall be composed of between twelve and twenty-four (12 – 24) members.

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

At any point in the public review process, a directly and materially affected party has the opportunity to submit a claim that a single interest category, individual or organization dominates the Consensus Body or standards development process by filing an appeal in writing or via email in accordance with Section 5 of these procedures. 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.

If a member is unable to continue serving on the Consensus Body, that member shall immediately notify the Committee Chair and CRRC staff in writing. If their departure creates an imbalance, the Committee Chair and CRRC staff shall strive to regain balance by conducting targeted outreach to individuals that represent interests that are lacking representation on the Consensus Body. The process to update the existing standard or develop a new standard shall continue to proceed as scheduled.

### **3.4 Project Initiation**

CRRC staff shall notify ANSI using the Project Initiation Notification System (PINS) or its equivalent for listing in ANSI's *Standards Action*.

If the CRRC receives written comments within thirty (30) calendar days from the publication date of a PINS announcement in ANSI's *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 the ANSI *Essential Requirements*.

### **3.5 Consensus Body Review**

After the Consensus Body has been formed, CRRC staff shall provide members with a copy of the draft standard to review. 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, Consensus Body members shall have thirty (30) calendar days to return their ballot pertaining to the action taken on each proposal. Each Consensus Body member will have only one vote. This balloting process shall determine the vote of the Consensus Body in accordance with the Voting Procedure (see Section 3.7 and Section 4 of these procedures).

At least one follow-up email or telephone communication reminder shall be sent to any Consensus Body member who has not responded to a ballot request prior to the deadline of any balloting period.

### ***3.5.1 Consensus Body Negative Votes***

The Committee shall respond in writing by email or mail to each Consensus Body member who submits a ballot with a “negative with reason” vote. The response shall include the opportunity for the negative voter to notify the Committee and CRRC staff if the member accepts the resolution of the comment(s).

- 1) If a member chooses not to accept the resolution of the comment(s) and does not change their vote to affirmative or abstain, the Consensus Body shall be re-balloted.
- 2) If someone changes their vote to affirmative in writing, then their negative vote with comments and attempts at resolution do not need to be recirculated, as they shall be considered resolved.
- 3) If a negative comment is not resolved or not withdrawn, it shall be considered an unresolved objection. All unresolved objections, attempts at resolution, and any substantive changes shall be recirculated to the Consensus Body members for a period of not less than fourteen (14) calendar days to afford members the opportunity to respond, reaffirm, or change their votes.

### ***3.6 Public Review***

The proposed new standard, reaffirmation or revision shall also be made available for public review for a minimum period of time as specified in the *ANSI Essential Requirements*. CRRC staff shall adhere to the public review process as described in the *Essential Requirements*, and will also post the proposed new standard, reaffirmation or revision to an existing standard with an appropriate explanation on the CRRC website. Where applicable, notice of the proposed new standard, reaffirmation or revision to an

existing standard may also be included in the CRRC newsletter, which is published twice annually.

All substantive changes to the standard, as approved by the Consensus Body, shall undergo additional public review. All subsequent public comment periods shall also comply with the *ANSI Essential Requirements*. The subject matter under additional public review, with respect to subsequent public comment periods, will be limited to any substantive changes that have been approved by the Consensus Body since the conclusion of the last public comment period. The instructions on the Public Comment Form for subsequent comment periods will indicate the substantive changes that are open for public comment.

All members of the public shall have the opportunity to comment on the proposed new standard, reaffirmation or revision to an existing standard. Comments must be submitted to CRRC staff in writing, either by email or mail, and must be received within the published public comment period in order to be considered for evaluation by the Consensus Body. Commenters are required to use the CRRC Public Comment Form available on [coolroofs.org](http://coolroofs.org), and are required to include the following information on the form

- 1) All requested information about the commenter, including contact information and their representation;
- 2) The Standard, and its section, subsection, table, and/or equation number in which the comments are directed;
- 3) Comments must consist of proposed changes to text, tables, or equations, which shall be done using the strikeout/underline format (~~strikeout~~ for deleted text and **bold-underlined** for added text) for each section, subsection, table, and/or equation listed in item 2 above;
- 4) A clear substantiation for why the proposed changes is necessary and beneficial; and
- 5) Bibliography of cited or referenced works (if applicable);
- 6) List of attached documents or graphics (if applicable); and
- 7) Signature and date of the copyright release.

Comment forms that do not include all of the required information listed above may be rejected by the Consensus Body for being incomplete.

If submitting comments on more than one topic, a separate comment form shall be submitted for each topic.

### **3.6.1 Public Comments**

Public comments received within the scheduled public comment period will be evaluated by the Consensus Body. After the Consensus Body evaluates the comments, the Committee shall respond in writing by email or mail to each commenter. The response shall contain the Consensus Body's disposition of the comments and its reasons therefor. Disposition of comments can be based on responses, such as: "accept as submitted," "accept in part with modifications," "accept in principal, with a new proposal," or "reject."

If a negative comment is not resolved or not withdrawn, it shall be considered an unresolved objection. All unresolved objections, attempts at resolution, and any substantive changes to the standard as a result of a public comment(s) or Consensus Body Comment(s) shall be recirculated to the Consensus Body members for a period of not less than fourteen (14) calendar days to afford members the opportunity to respond, reaffirm, or change their votes.

### **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 (2/3rds) of Consensus Body members, excluding abstentions. At least 75 percent of the Consensus Body members shall vote by ballot in order for approval of the new, revised or reaffirmed standard. The Committee and CRRC staff are responsible for tallying and recording the votes of the Consensus Body. CRRC staff shall notify the Consensus Body of the results.

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 of these procedures.

After approval by the Consensus Body, CRRC staff shall post the proposed standard or revision to the standard with the appropriate explanation on the CRRC website for the duration of a public review period (e.g., minimum of 30, 45 or 60 days) in accordance with the ANSI Essential Requirements.

If the Consensus Body does not approve the new, revised or reaffirmed standard, the CRRC will initiate another Consensus review cycle in order to achieve approval of the new, revised, or reaffirmed standard.

### **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 CRRC will initiate another review cycle by the Board in order to achieve approval of the new, revised, or reaffirmed standard.

### ***3.9 Standard Effective***

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

## **4. Voting Procedure**

### ***4.1 Right to Vote***

All Consensus Body members shall have the opportunity to vote on the approval of a draft standard, substantive changes to an existing standard, and comments.

The process to vote on the draft standard in its entirety shall be in accordance with Sections 3.5 and 3.7 of these procedures.

A meeting or conference call will be held for the Consensus Body to discuss and verbally vote on comments and substantive changes to the standard as a result of evaluating the comments when a quorum is present.

The process to vote on comments and any resulting additional substantive changes prior to the final ballot to approve the draft standard shall be based upon one of the following methods:

- 1) If all Consensus Body members are not in attendance for the verbal vote, CRRC staff shall circulate a ballot to all members after the meeting or conference call to afford them all an opportunity to vote on the recommendation(s) that was generated through a straw poll vote of the attendees at the meeting. Consensus Body members will have a minimum of fourteen (14) calendar days to return their ballot. If a ballot(s) is returned with a vote of “negative with reason,” then another ballot will go out for a minimum of fourteen (14) days to afford members an opportunity to respond, reaffirm, or change their vote (see Section 3.5.1 of these procedures). At least one follow-up communication reminder shall be sent in accordance with Section 3.5 of these procedures.
- 2) If all Consensus Body members are at a meeting or conference call for a verbal vote on comments and substantive changes, then no ballot will be circulated.

### ***4.2 Ballot Form***

The ballot form shall provide an opportunity for the Consensus Body members to indicate their position based on one of the following positions listed below. Negative votes must be accompanied by supporting written reason(s) and, where possible, a proposal(s) for a solution to the reason raised:

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- 1) Affirmative
- 2) Affirmative, with comment(s)
- 3) Negative, with reason(s)
- 4) Abstain

**4.3. Negative Votes**

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

The Committee shall respond in writing by email or mail to each Consensus Body member who submits a ballot with a “negative with reason” vote, in accordance with Section 3.5.1 of these procedures.

**4.4 Documentation**

CRRC staff shall document all received votes, including changes of original votes, and maintain records of evidence in accordance with the CRRC’s Document and Records Retention Policy.

**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 CRRC staff within the allotted time.

**5. Appeals**

**5.1 Purpose**

All persons who have been affected by any procedural action or inaction of the Committee or Consensus Body shall have the right to appeal such action or inaction.

**5.2 Scope**

An appeal shall be solely based upon procedural grounds.

**5.3 Opportunity to Appeal**

The appellant shall file a written complaint with CRRC staff within thirty (30) calendar 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.

#### ***5.4 Filing Fee***

A fee of \$600 is required for filing an appeal. If the appellant wishes to have the fee reduced or waived, the appellant must submit a written request for the Board's consideration that states the reasons for hardship. The fee may only be reduced or waived by the Board if it determines there is sufficient evidence or cause for the appellant to have the fee reduced or waived. The decision of the Board shall be final and not appealable.

#### ***5.5 Content of an Appeal***

Each appeal shall:

- 1) Identify the appellant and include the appellant's contact information;
- 2) Substantiate that the appellant is directly and materially affected by action(s) being appealed;
- 3) Identify the issue or the standard in question, or portions thereof, and the procedure(s) and alleged improper action or inaction that is being appealed;
- 4) State concisely the basis for the appeal, the remedial action requested, and the nature of any injury to appellant which might accrue from the matter appealed;
- 5) Include any summary supporting data or documentation relied upon as the basis for the appeal;
- 6) Consolidate information to be as concise as possible;
- 7) Only include information that was made available to the Consensus Body prior to the final vote of the Consensus Body;
- 8) Include the filing fee.

#### ***5.6 Copies of Appeal***

It shall be the responsibility of the appellant to submit an electronic copy of the appeal.

#### ***5.7 Response***

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

#### ***5.8 Appeals Panel and Hearing***

If the appeal cannot be resolved informally by the Board, the Board shall convene an Appeals Panel to hold a hearing on a date agreeable to all participants. The panel shall consist of a minimum 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 action 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 and Consensus Body took all actions in question in accordance with these procedures, and that the requested remedial action would be ineffective or detrimental.

### ***5.9 Conflict of interest***

Any person asked to serve as a member of the Appeals Panel shall be able to serve and shall indicate they have no conflict of interest or appearance of a conflict of interest in connection to serving on an Appeal Panel. Any member who cannot abide by this requirement shall notify the Board of said conflict and recuse themselves from the appointment.

If the appellant believes that one or more members of the Appeals Panel has a conflict of interest, the appellant shall submit in writing the identification of that person(s) and provide a written statement with substantiation supporting the appellant's belief of conflict to CRRC staff. CRRC staff shall forward the claim to the Board and to the identified member(s) of the Appeals Panel. The identified member(s) shall be provided an opportunity for responding to the claim for the Board's final determination as to whether a conflict of interest exists. The Board shall make a determination, and take actions if necessary.

Members of the Appeals Panel who are disqualified from the panel shall not participate in the appeals process, arguments, deliberations or decisions.

### ***5.10 Decision***

The Appeals Panel shall render its decision in writing within thirty (30) calendar days following the hearing, or last hearing if multiple hearings are permitted, stating its findings with reasons therefor. CRRC staff shall notify the appellant of the decision of the Appeals Panel. The decision shall be binding and final.

## **6. Commercial Terms and Conditions Policy**

### ***6.1 Commercial Terms and Conditions Policy***

The CRRC will comply with the ANSI Commercial Terms and Conditions Policy in the *ANSI Essential Requirements*.

## **7. Patent Policy**

### ***7.1 Patent Policy***

The CRRC will comply with the ANSI Patent Policy in the *ANSI Essential Requirements*.

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## **8. Measurement Policy**

### ***8.1 Measurement Policy***

The CRRC will comply with the CRRC's policy on measurement contained in the CRRC *Policies and Procedures* document.

## **9. Antitrust Policy**

### ***9.1 Antitrust Policy***

The CRRC will comply with the CRRC's antitrust policy contained in the CRRC *Policies and Procedures* document.