



July 5, 2006

TO: PARTIES INTERESTED IN EVALUATION REPORTS

SUBJECT: Proposed Revisions to the Acceptance Criteria Process

Introduction:

ICC-ES staff is seeking comments from its stakeholders regarding a supplementary procedure for developing acceptance criteria. Currently, requirements for alternative materials are established through acceptance criteria or evaluation guidelines, the difference being that evaluation guidelines have no public hearing before the ICC-ES Evaluation Committee but are balloted directly to the committee. Given the number of items that have been heard at recent committee meetings, ICC-ES is considering a process that would permit more criteria to be balloted to the committee.

Acceptance criteria are developed at public hearings of the Evaluation Committee so that the committee may have the benefit of direct public input. The criteria involve subjects deemed by staff to be related to life-safety or structural design, that are controversial, or that require the input of industry. Evaluation guidelines are developed with the participation of the report applicant for subjects that do not fall within the subject scope of acceptance criteria. Guidelines are currently balloted to the committee before posting to the ICC-ES web site, at which time public review and comment are possible.

Proposal:

The proposal involves dropping the evaluation guideline process in favor of an alternate acceptance criteria process. Under the new process, selected criteria would be posted to the ICC-ES web site, for public comment, before being finalized and balloted to the Evaluation Committee. To qualify for the new process, proposed criteria would have to meet at least one of the following requirements:

- a. The subject is nonstructural, does not involve life-safety, and is addressed in nationally recognized standards or generally accepted industry standards. (This is essentially the basis for current evaluation guidelines.)
- b. The subject is a revision to an existing acceptance criteria that requires Evaluation Committee voting but is considered by staff to be noncontroversial.
- c. Other acceptance criteria and/or the code provide precedent, but a separate criteria is needed for the product in question.

Once it is decided by staff that a proposed acceptance criteria can follow the alternate process, the criteria would be posted for public comment on the ICC-ES web site for 30 days and then balloted to the Evaluation Committee. The committee would have 30 days to respond to the ballot. Following balloting, and resolution of any comments on the criteria in accordance with current ICC-ES Rules of Procedure for the Evaluation Committee, the approved criteria would be posted to the web site.

ICC-ES would post proposed criteria on a regular schedule, such as the first day of each month, and would send an e-mail notification of the general posting to evaluation report holders and others who have specifically requested the notification. Following the 30-day comment period, the criteria would be removed from the web site and all comments forwarded to the appropriate technical staff. Following review of comments, staff would decide whether to ballot the criteria, with appropriate revisions, to the committee; to revise the criteria and re-post for additional comment; or to put the item on the agenda for a future Evaluation Committee meeting. Commenters would be notified of staff actions.

At times when public input is desired by staff before presentation to the committee at a public hearing, a similar process would also be followed except for voting by the committee. This would occur after a public hearing.

Conclusion:

ICC-ES is working toward a more efficient process that continues to provide for openness, transparency and participation of interested parties in the development of acceptance criteria. We believe that not all criteria need to be considered at public hearings of the Evaluation Committee. The plan proposed in this letter establishes a formal delineation between criteria considered at public hearings and those processed after a suitable public comment period.

We need the support of stakeholders for this proposal to succeed.

Staff concern in particular is whether we can expect the same level of public comment on posted criteria as is currently provided for criteria considered at Evaluation Committee meetings.

If you have any questions, please contact Michael Beaton, P.E., senior regional manager, at (562) 699-0543, extension 3289. You may also reach us by e-mail at es@icc-es.org.

Yours very truly,



John Nosse, P.E.
President

JN/MB/ck

cc: Evaluation Committee