To:       All Evaluation Report Holders and Applicants
From:    Gary G. Nichols, PE
          Michael Beaton, PE
Date:    May 4, 2011
Subject: Important Notice Regarding the Compliance Dates of Acceptance Criteria

We have notified you previously about changes to our renewal process (see the Notice of Changes in Our Renewal Process posted on the ICC-ES website). The purpose of this memo is to give you more details concerning how newer editions of our acceptance criteria will be implemented now that report renewals are not linked in time to report revisions.

Previously, acceptance criteria were given effective dates and any reports affected by changes in our criteria were revised as they came up for reexamination if their reexamination date was after the effective date of the revised criteria. Reports that could not be reissued on their expiration date due to report holders having to gather new data to address changes made in the criteria and ICC-ES staff having to review that data and revise the reports, were placed on further study.

Now that the renewal process is no longer linked to report revisions and further study will no longer exist, new and revised criteria will be given a compliance date instead of an effective date at the time they are approved by the committee.

This has some important implications which fall into two broad cases:

1. For some report holders, complying with the new criteria will be optional. Here are some examples of where revisions are optional:
   a. If the proposed changes to the criteria are tied to an update of the code, no additional data and/or changes will be necessary in evaluation reports until the report holders choose to update their reports to the newer code edition. This is because we are not requiring mandatory updates to a new code edition as we did in the past.
   b. If the proposed changes are less stringent than the previous edition of the criteria, no additional data and/or changes will be required in the evaluation report unless the report holder elects to retest and/or revise their report to take advantage of the less stringent requirements.

2. For some report holders, complying with the new criteria will be mandatory. If the proposed changes apply to all reports, regardless of code edition, or to all reports under the most recent code recognized in the criteria, evaluation reports must be revised by the compliance
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**date** or be subject to automatic revision or cancelation. As noted above, the compliance date will be set by the committee when the criteria is approved. A proposed compliance date will be noted in the staff cover letter attached to each criteria when they are posted on our website, will be discussed at the hearing, and will be part of the staff recommendation to the committee.

Staff cover letters will identify which case changes to a particular criteria fall so that affected parties can offer any comments or concerns that they believe appropriate. In the case (1.a or 1.b) noted above, the staff letter will identify that the new requirements must be addressed when the report holder applies to update the report to the newer code edition. In the second case (2), the ICC-ES staff will review any current reports that are affected by the changes in the criteria and identify how they are affected. If new testing, calculations, and/or any other new data is expected from a report holder, the report holder will be notified and will need to submit any new data in time for ICC-ES staff to review the data, confirm compliance with the revised criteria, and reissue their reports by the compliance date. The compliance date will need to be set in view of the importance in the change to the criteria and what would be a reasonable time for the report holder and ICC-ES staff to accomplish the updates in the affected evaluation reports.

Please note that the above policy concerning compliance dates apply only to ESRs. As per current policy, legacy reports will not be affected by revisions to acceptance criteria or related compliance dates until they are converted to an ESR report. In certain cases, the ICC-ES may prompt a legacy report holder to proceed with a conversion of their legacy report. In such cases, ICC-ES will provide prior notice and will include the date by which the report must be reissued.

If you have any questions, please contact us at (800) 423-6587, extension 33814. You may also reach us by e-mail at es@icc-es.org.