



Technical Evaluation Report™

TER 2202-01

EnergyShield® Products as the Primary Water Resistive Barrier and Air Barrier

Atlas Roofing Corporation

Products:

EnergyShield®, EnergyShield®
Pro, EnergyShield® CGF and
EnergyShield® CGF Pro

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1 Innovative Products Evaluated 1,2

- 1.1 EnergyShield®
- 1.2 EnergyShield® Pro
- 1.3 EnergyShield® CGF
- 1.4 EnergyShield® CGF Pro

2 Applicable Codes and Standards^{3,4}

- 2.1 Codes
 - 2.1.1 IBC—15, 18, 21: International Building Code®
 - 2.1.2 IRC—15, 18, 21: International Residential Code®
- 2.2 Standards and Referenced Documents
 - 2.2.1 ABTG/FS 100: Standard Requirements for Wind Pressure Resistance of Foam Plastic Insulating Sheathing Used in Exterior Wall Covering Assemblies⁵
 - 2.2.2 ABTG/FS 200: Standard for Use of Foam Plastic Insulating Sheathing (FPIS) in Building Envelopes: Above-Grade Walls
 - 2.2.3 ASTM C203: Standard Test Methods for Breaking Load and Flexural Properties of Block-Type Thermal Insulation

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Federal Regulation Definition. 24 CFR 3280.2 "Listed or certified" means included in a list published by a nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of production of listed equipment or materials, and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner. International Building Code (IBC) Definition of Listed. Equipment, materials, products or services included in a list published by an organization acceptable to the building official and concerned with evaluation of products or services that maintains periodic inspection of production of listed equipment or materials or periodic evaluation of services and whose Listing states either that the equipment, material, product or service meets identified standards or has been tested and found suitable for a specified purpose. IBC Definition of Labeled. Equipment, materials or products to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, approved agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

This TER is a code defined research report, which is also known as a duly authenticated report, provided by an approved agency (see IBC Section 1703.1) and/or an approved source (see IBC Section 1703.4.2). An approved agency is "approved" when it is ANAB accredited. DrJ Engineering, LLC (DrJ) is listed in the ANAB directory). A professional engineer is "approved" as an approved source when that professional engineer is properly licensed to transact engineering commerce. Where sealed by a professional engineer, it is also a duly authenticated report certified by an approved source. (i.e., Registered Design Professional). DrJ is an ANAB accredited product certification body.

⁴ Unless otherwise noted, all references in this TER are from the 2021 version of the codes and the standards referenced therein. This material, product, design, service and/or method of construction also complies with the 2000-2021 versions of the referenced codes and the standards referenced therein.

⁵ Formerly SBCA/FS 100





- 2.2.4 ASTM C1289: Standard Specification for Faced Rigid Cellular Polyisocyanurate Thermal Insulation Board
- 2.2.5 ASTM C1371: Test Method for Determination of Emittance of Materials near Room Temperature Using Portable Emissometers
- 2.2.6 ASTM D903: Standard Test Method for Peel or Stripping Strength of Adhesive Bonds
- 2.2.7 ASTM E330: Standard Test Method for Structural Performance of Exterior Windows, Doors, Skylights and Curtain Walls by Uniform Static Air Pressure Difference
- 2.2.8 ASTM E331: Standard Test Method for Water Penetration of Exterior Windows, Skylights, Doors, and Curtain Walls by Uniform Static Air Pressure Difference
- 2.2.9 ASTM E2178: Standard Test Method for Air Permeance of Building Materials
- 2.2.10 ASTM E2357: Standard Test Method for Determining Air Leakage Rate of Air Barrier Assemblies
- 2.2.11 CAN/ULC-S742: Standard for Air Barrier Assemblies Specification

3 Performance Evaluation

- 3.1 Tests, test reports, research reports, <u>duly authenticated reports</u> and related engineering evaluations are defined as intellectual property and/or trade secrets and protected by <u>Defend Trade Secrets Act 2016</u> (DTSA).⁶
- 3.2 Testing and/or inspections conducted for this TER were performed an ISO/IEC 17025 accredited testing Iso/IEC 17020 accredited inspection body, which are internationally recognized accreditations through International Accreditation Forum (IAF), and/or a licensed Registered Design Professional (RDP).
- 3.3 EnergyShield products were evaluated to determine their performance for use as a Water Resistive Barrier (WRB) in accordance with <u>IBC Section 1403.2</u> and <u>IRC Section R703.2</u> when installed with various joint sealing products.
- 3.4 EnergyShield CGF, EnergyShield CGF Pro, EnergyShield Pro and EnergyShield were evaluated for use as an air barrier material in accordance with <u>IECC Section C402.5.1.3.</u>10
- 3.5 EnergyShield Pro and EnergyShield were evaluated for use as part of an air barrier assembly in accordance with IECC Section C402.5.1.4.11
- 3.6 EnergyShield products were evaluated to determine their ability to resist transverse loads for wall assemblies used in light-frame wood construction in accordance with IBC Section 1609.1.1 and IRC Section R301.2.1.

https://www.law.cornell.edu/uscode/text/18/part-l/chapter-90. Given our professional duty to inform, please be aware that whoever, with intent to convert a trade secret (TS), that is related to a product or service used in or intended for use in interstate or foreign commerce, to the economic benefit of anyone other than the owner thereof, and intending or knowing that the offense will, injure any owner of that trade secret, knowingly without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys such information; shall be fined under this title or imprisoned not more than 10 years, or both. Any organization that commits any offense described in subsection (a) shall be fined not more than the greater of \$5,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided. The <u>federal government</u> and each state have a <u>public records act</u>. As the National Society of Professional Engineers states, "Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve." Therefore, to protect intellectual property (IP) and TS, and to achieve compliance with public records and trade secret legislation, requires approved through the use of <u>Listings</u>, <u>certified reports</u>, <u>technical evaluation reports</u>, duly authenticated reports and/or <u>research reports</u> prepared by <u>approved agencies</u> and/or <u>approved sources</u>. For more information, please review this website: <u>Intellectual Property and Trade Secrets</u>.

Internationally recognized accreditations are performed by members of the International Accreditation Forum (IAF). Accreditation Body and Regional Accreditation Group Members of IAF are admitted to the IAF MLA only after a stringent evaluation of their operations by a peer evaluation team, which is charged to ensure that the applicant complies fully with both international standards and IAF requirements. Once an accreditation body is a signatory of the IAF MLA, it is required to recognise certificates and validation and verification statements issued by conformity assessment bodies accredited by all other signatories of the IAF MLA, with the appropriate scope.

⁸ Ibid.

^{9 2015} IBC Section 1404.2

^{10 2018} IECC Section C402.5.1.2.1

¹¹ 2018 IECC Section C402.5.1.2.2





- 3.7 Any building code and/or accepted engineering evaluations (i.e., research reports, duly authenticated reports, etc.) that are conducted for this TER were performed by DrJ Engineering, LLC (DrJ), an ISO/IEC 17065 accredited certification body and a professional engineering company operated by RDPs / approved sources. DrJ is qualified 12 to practice product and code compliance services within its scope of accreditation and engineering expertise, respectively.
- 3.8 Engineering evaluations are conducted with DrJ's ANAB <u>accredited ICS code scope</u>, which are also its areas of professional engineering competence.
- 3.9 Any regulation specific issues not addressed in this section are outside the scope of this TER.

4 Product Description and Materials

- 4.1 EnergyShield products are proprietary Foam Plastic Insulating Sheathing (FPIS) products.
 - 4.1.1 EnergyShield is a polyisocyanurate (polyiso) insulation board that includes a tri-laminate foil facer material on both sides (ASTM C1289 Type I, Class 1 and Type I, Class 2 sheathing).
 - 4.1.2 EnergyShield Pro is a polyiso insulation board that includes a white coated aluminum foil facer material on one side and a reflective aluminum facer on the other side (ASTM C1289 Type I, Class 1 and Type I, Class 2 sheathing).
 - 4.1.3 EnergyShield CGF is a polyiso insulation board that includes a coated glass mat facer on both sides (ASTM C1289 Type II, Class 2 sheathing).
 - 4.1.4 EnergyShield CGF Pro is a polyiso insulation board that includes a light color coated glass mat facer on one side and a dark color coated glass mat facer on the other side (ASTM C1289 Type II, Class 2 sheathing).
- 4.2 Material Availability
 - 4.2.1 Thickness:
 - 4.2.1.1 $\frac{1}{2}$ " (13 mm) through 4 $\frac{1}{2}$ " (114 mm)
 - 4.2.2 Standard Product width:
 - 4.2.2.1 48" (1219 mm)
 - 4.2.2.2 Panels can also be supplied in nominal 16" and 24" widths for use in cavity wall applications.
 - 4.2.3 Standard lengths:
 - 4.2.3.1 96" (2,438 mm) and 108" (2,743 mm)
 - 4.2.3.2 Panels can be supplied in other lengths upon request.

¹² Qualification is performed by a legislatively defined <u>Accreditation Body</u>. <u>ANSI National Accreditation Board (ANAB)</u> is the largest independent accreditation body in North America and provides services in more than 75 countries. <u>DrJ</u> is an ANAB accredited <u>product certification body</u>.





5 Applications

- 5.1 Water-Resistive Barrier (WRB)
 - 5.1.1 EnergyShield products may be used as a WRB as prescribed in <u>IBC Section 1403.2</u>, ¹³ <u>IRC Section R703.2</u> and FS 200 Section 3.2, when installed on exterior walls as described in this Section and the manufacturer installation instructions.
 - 5.1.1.1 When installed direct to framing, EnergyShield products shall be installed with board joints placed directly over vertical exterior framing spaced a maximum of 16" (405 mm) o.c. The fasteners used to attach the board shall be installed in accordance with Section 6. Blocking of horizontal joints is not required.
 - 5.1.1.2 EnergyShield products installed over sheathing are not required to be installed with vertical or horizontal board joints aligned to underlying framing. The fasteners used to attach the boards shall be installed in accordance with Section 6.
 - 5.1.2 Flashing must be installed at all through wall penetrations and shall comply with all applicable code sections. Results of testing using various flashing products per <u>IBC Section 1402.2</u> can be found in Table 1 and Table 2.
 - 5.1.3 All joints between boards shall be tightly abutted and sealed with an approved joint sealing product shown in Table 1 or Table 2.

Table 1. List of Approved Liquid Flashing Joint Sealing Products Applied to EnergyShield Insulation Boards

Product	Weathering ²	Water Resistance ³	Water Penetration ⁴
Zip System Liquid Flash ¹			
Prosoco R-Guard FastFlash			
STO RapidGuard			
GCP Perm-A-Barrier Universal Flashing			
Tremco Dymonic 100	Pass	Pass	Pass
Carlisle BarriBond HP			
Siplast WALLcontrol STPE Liquid Flashing			
Atlas EnergyShield WAVE Liquid Flashing			
Air-Bloc LF Liquid-Applied Flashing			

^{1.} A facer from one surface of the insulation board was removed and the liquid flashing was applied directly to board joints, verifying water resistance of the core

^{2.} Testing conducted using the AATCC-127 Test Method

^{3.} Testing conducted using AAMA 714-15

^{4.} Testing conducted using ASTM E331 per IBC Section 1402.2

^{13 2015} IBC Section 1404.2





Table 2. List of Approved Adhered Joint Sealing Products for use with EnergyShield Insulation Boards

Product	Weathering ¹	Water Resistance ²	Water Penetration ³
3M Venture Tape Aluminum Foil Tape 1521CW			
3M All Weather Flashing Tape 8067			
Dupont Weathermate Construction Tape			
GCP Perm-A-Barrier Aluminum Flashing			
GCP Perm-A-Barrier Detail Membrane			
GCP Perm-A-Barrier Wall Flashing			
Henry Blueskin Butyl Flash			
Henry Blueskin SA			
ZIP System Flashing Tape	Pass	Pass	Pass
IPG UL723 Cold Weather Aluminum Foil Tape			
Protecto Wrap Super Stick Building Tape®			
Protecto Wrap Protecto Seal 45 Butyl			
Protecto Wrap BT20XL Butyl™ Window & Door Sealing Tape			
Protecto Wrap BT25XL™ Window & Door Sealing Tape			
Siga Wigluv®			
Siga Wigluv® Black			
UT-40 Seam Sealing Tape			

^{1.} Testing conducted using the AATCC-127 Test Method

5.2 Emittance

5.2.1 EnergyShield Pro has an emittance value for the reflective side of less than 0.1, as measured by ASTM C1371.

5.3 Air Barrier Material

5.3.1 EnergyShield CGF, EnergyShield CGF Pro, EnergyShield Pro and EnergyShield were evaluated to assess their performance and have met the requirements for use as an air barrier material in accordance with FS 200 Section 3.3.4.1 and <u>IECC Section C402.5.1.3</u> (See Table 3 below).

Table 3. Air Barrier Material Permeability of EnergyShield Products

Product	Test Method ²	Permeance (L/s-m²)¹
EnergyShield CGF, EnergyShield CGF Pro, EnergyShield Pro and EnergyShield	ASTM E2178	< 0.02
Liter per second per square meter		

^{2.} Minimum thickness for EnergyShield Pro & EnergyShield is 3/4" and for EnergyShield CGF, EnergyShield CGF Pro is 1.1 inches tested at 75 Pa.

^{2.} Testing conducted using AAMA 711-2020

^{3.} Testing conducted using ASTM E331 per IBC Section 1402.2

¹⁴ 2018 IECC Section C402.5.1.2.1





- 5.3.2 EnergyShield Pro, EnergyShield CGF Pro, EnergyShield CGF, and EnergyShield shall be installed in accordance with the manufacturer installation instructions and this TER with all seams including the top and bottom edges, sealed.
- 5.4 Air Barrier Assembly
 - 5.4.1 EnergyShield Pro, EnergyShield CGF Pro, EnergyShield CGF, and EnergyShield were evaluated to assess their performance and have met the requirements for use as an air barrier assembly in accordance with FS 200 Section 3.3.4.2 and IECC Section C402.5.1.4.¹⁵ (See Table 4 below).

Table 4. Air Barrier Assembly Permeability

Product	Test Method	Permeance (L/s-m²)¹
EnergyShield CGF, EnergyShield CGF Pro, EnergyShield Pro & EnergyShield	ASTM E2357	< 0.2
	CAN/ULC-S742	< 0.05
Liter per second per square meter		

5.4.2 Any of the products listed in Table 2 and Table 5 may be used in the construction of the air barrier assembly.

Table 5. Approved Liquid Flashing Materials for use with EnergyShield Air Barrier Assemblies

Product	Flashing Product		
	Zip System Liquid Flash		
	Prosoco R-Guard FastFlash		
EnergyShield CGF, EnergyShield CGF Pro, EnergyShield Pro & EnergyShield	Siplast WALLcontrol STPE Liquid Flashing		
	Atlas EnergyShield WAVE Liquid Flashing		
	Air-Bloc LF Liquid-Applied Flashing		
	STO RapidGuard		
	Tremco Dymonic 100		

- 5.4.3 The following requirements must be met when using EnergyShield CGF, EnergyShield CGF Pro, EnergyShield Pro and EnergyShield as an air barrier assembly:
 - 5.4.3.1 EnergyShield, EnergyShield Pro must be a minimum of 3/4" in thickness. EnergyShield CGF, EnergyShield CGF Pro must be a minimum of 1.1 inches.
 - 5.4.3.2 Install directly over study or over a structural sheathing.
 - 5.4.3.3 Vertical joints of all rigid insulation shall be backed by study or structural sheathing.
 - 5.4.3.4 Joints shall be sealed with any of the approved joint sealing products listed in Table 2 and Table 5 or a solvent acrylic adhesive tape min. 3" wide, such as Venture 1520CW or equivalent.
 - 5.4.3.5 Penetrations, damage, and transitions to other materials shall be flashed with any of the approved joint sealing products listed in Table 2 and Table 5 or a solvent acrylic adhesive tape min. 3" wide, butyl flashing tape min. 4" wide, or sealant, such as Henry BES 925 Sealant or equivalent.
 - 5.4.3.6 Seal Block Lok brick ties from Hohmann & Barnard, Inc. with caulk, as needed.
 - 5.4.3.7 No sealant is needed for Pos-I-Tie brick ties with Rodenhouse Thermal-Grip CI prong washers.
 - 5.4.3.8 No sealant is needed for Grip-Deck screws with Rodenhouse Thermal-Grip CI prong washers.

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^{15 2018} IECC Section C402.5.1.2.2





5.5 Transverse Wind Loading

5.5.1 EnergyShield products are permitted to resist transverse wind load forces set forth in Table 6.

Table 6. Load Capacity (psf) for EnergyShield Products Resisting Transverse Wind Loads^{1,2}

Product	Minimum Thickness (in)	Maximum Stud Spacing (in)	Fastener Schedule	Fastener Spacing (edge:field) (in)	Allowable Design Value (psf)	Basic Wind Speed V _{asd} per ASCE 7-05 (mph)	Basic Wind Speed V _{ult} per ASCE 7-10 & 7-16 (mph)		
EnergyShield & EnergyShield Pro	1/2	16 o.c.	2 ¹ / ₂ " x 0.113" Ring	6:12	19.1	90	115		
	3/4	16 o.c.	Shank Nail with 1" Plastic Cap	6:12	27.0	105	140		
	1	16 o.c.	3" Galvanized Roofing Nail	ed 12:16	46.1	140	180		
	11/2	16 o.c.			72.1	155	200		
	11/2	24 o.c		Roofing Nail	Roofing Nail	12.10	37.3	125	160
	2	16 o.c.			123.1	155	200		
EnergyShield CGF & EnergyShield CGF Pro	1/2	16 o.c.	2 ¹ / ₂ " x 0.113" Ring Shank Nail with 1" Plastic Cap	6:12	45.7	140	180		
	³ / ₄ 16 o.c.			78.7	155	200			
	1	16 o.c.	3" Galvanized Roofing Nail		12:16	120.5	155	200	
	1	24 o.c.	3.1.3		48.2	140	185		

SI: 1 in = 25.4 mm, 1 psf = 0.0479 kN/m²

5.6 Where the application falls outside of the performance evaluation, conditions of use and/or installation requirements set forth herein, alternative techniques shall be permitted in accordance with accepted engineering practice and experience. This includes but is not limited to the following areas of engineering: mechanics or materials, structural, building science, and fire science.

6 Installation

- 6.1 Installation shall comply with the approved construction documents, the manufacturer installation instructions, this TER and the applicable building code.
- 6.2 In the event of a conflict between the manufacturer installation instructions and this TER, the more restrictive shall govern.
- 6.3 Installation Procedure
 - 6.3.1 All required wall bracing shall be installed prior to insulation board installation.
 - 6.3.2 Insulation boards shall be installed with edges tightly abutted together.
 - 6.3.3 Secure the insulation boards using fasteners capable of penetrating into framing members or structural substrate capable of resisting imposed loads. See manufacturer installation instructions for fastening details per substrate, framing material, cladding type, duration of exposure before cladding, and other relevant fastening factors dependent on imposed loads.

^{1.} Design wind load capacity shall be in accordance with IBC Section 1609.1.1.

^{2.} Allowable wind speeds are based on the following: Components and Cladding wind loads, Mean roof height 30', Exposure B, Zone 5, 10 sq. ft. effective wind area. See the applicable building code for any adjustment needed for specific building location and configuration.





- 6.3.4 For metal construction, fasteners shall be corrosion resistant and approved by the fastener manufacturer for the framing material.
- 6.3.5 Fasteners shall sit flush with the insulation board surface. Do not allow the fastener head to penetrate the insulation board facer. Repair any damage with a joint sealing product.

7 Substantiating Data

- 7.1 Testing has been performed under the supervision of a professional engineer and/or under the requirements of ISO/IEC 17025 as follows:
 - 7.1.1 WRB testing in accordance with ASTM E331 per IBC 1402.2
 - 7.1.2 Peel Adhesion testing is accordance with ASTM D903
 - 7.1.3 Emittance of materials near room temperature in accordance with ASTM C1371
 - 7.1.4 Air barrier material properties in accordance with ASTM E2178
 - 7.1.5 Air barrier assembly properties in accordance with ASTM E2357 and CAN/ULC-S742
 - 7.1.6 Transverse load testing in accordance with ASTM C203 and ASTM E330
- 7.2 Information contained herein may include the result of testing and/or data analysis by sources that are approved agencies (i.e., ANAB accredited agencies), approved sources (i.e., RDPs), and/or professional engineering regulations. Accuracy of external test data and resulting analysis is relied upon.
- 7.3 Where pertinent, testing and/or engineering analysis is based upon provisions that have been codified into law through state or local adoption of codes and standards. The developers of these codes and standards are responsible for the reliability of published content. DrJ's engineering practice may use a code-adopted provision as the control sample. A control sample versus a test sample establishes a product as being equivalent to the code-adopted provision in terms of quality, strength, effectiveness, fire resistance, durability, and safety.
- 7.4 The accuracy of the provisions provided herein may be reliant upon the published properties of raw materials, which are defined by the grade mark, grade stamp, mill certificate, <u>Listings</u>, <u>certified reports</u>, <u>duly authenticated reports</u> from <u>approved agencies</u>, and <u>research reports</u> prepared by <u>approved agencies</u> and/or <u>approved sources</u> provided by the suppliers of products, materials, designs, assemblies and/or methods of construction. These are presumed to be minimum properties and relied upon to be accurate. The reliability of DrJ's engineering practice, as contained in this TER, may be dependent upon published design properties by others.
- 7.5 Testing and engineering analysis: The strength, rigidity and/or general performance of component parts and/or the integrated structure are determined by suitable tests that simulate the actual conditions of application that occur and/or by accepted engineering practice and experience.¹⁶
- 7.6 Where additional condition of use and/or code compliance information is required, please search for EnergyShield, EnergyShield Pro, EnergyShield CGF and EnergyShield CGF Pro on the <u>DrJ Certification</u> website.

¹⁶ See Code of Federal Regulations (CFR) <u>Title 24 Subtitle B Chapter XX Part 3280</u> for definition.





8 Findings

- 8.1 As delineated in Section 3, EnergyShield, EnergyShield Pro, EnergyShield CGF and EnergyShield CGF Pro have performance characteristics that were tested and/or meet pertinent standards and is suitable for use pursuant to its specified purpose.
- 8.2 When used and installed in accordance with this TER and the manufacturer installation instructions, EnergyShield, EnergyShield Pro, EnergyShield CGF and EnergyShield CGF Pro shall be approved for the following applications:
 - 8.2.1 Use as a WRB in accordance with IBC Section 1403.2, ¹⁷ IRC Section R703.2, and FS 200 Section 3.2
 - 8.2.2 Use as an air barrier material in accordance with FS 200 Section 3.3.4.1 and <u>IECC Section C402.5.1.3</u> (EnergyShield CGF, EnergyShield CGF Pro, EnergyShield Pro and EnergyShield only.)
 - 8.2.3 Use as part of an air barrier assembly in accordance with FS 200 Section 3.3.4.2 and <u>IECC Section</u> C402.5.1.4¹⁹ (EnergyShield Pro and EnergyShield only)
 - 8.2.4 Use in resisting transverse loads in accordance with <u>IBC Section 1609.1.1</u>, <u>IRC Section R301.2.1</u>, FS100 and FS200, Section 3.1.1.
 - 8.2.5 EnergyShield products have been evaluated in the context of the codes listed in Section 2 and are compliant with all known state and local building codes.
- 8.3 Any application specific issues not addressed herein can be engineered by an RDP. Assistance with engineering is available from Atlas Roofing Corporation.
- 8.4 IBC Section 104.11 (IRC Section R104.11 and IFC Section 104.10²⁰ are similar) in pertinent part states:
 - **104.11** Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons the alternative was not approved.
- 8.5 **Approved**: ²¹ Building codes require that the <u>building official</u> shall accept <u>duly authenticated reports</u> ²² or <u>research reports</u> ²³ from <u>approved agencies</u> and/or <u>approved sources</u> (i.e., licensed RDP) with respect to the quality and manner of use of new products, materials, designs, services, assemblies, or methods of construction.
 - 8.5.1 <u>Acceptance</u> of an <u>approved agency</u>, by a building official, is performed by verifying that the agency is accredited by a recognized accreditation body of the <u>International Accreditation Forum</u> (IAF).
 - 8.5.2 <u>Acceptance</u> of a licensed RDP, by a building official, is performed by verifying that the RDP and/or their business entity is listed by the licensing board of the relevant jurisdiction.
 - 8.5.3 Federal law, <u>Title 18 US Code Section 242</u>, requires that where the alternative product, material, service, design, assembly, and/or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved, as denial without written reason deprives a protected right to free and fair competition in the marketplace.

^{17 2015} IBC Section 1404.2

^{18 2018} IECC Section C402.5.1.2.1

¹⁹ 2018 IECC Section C402.5.1.2.2

^{20 2018} IFC Section 104.9

²¹ Approved is an adjective that modifies the noun after it. For example, Approved Agency means that the Agency is accepted officially as being suitable in a particular situation. This example conforms to IBC/IRC/IFC Section 201.4 where the building code authorizes sentences to have an ordinarily accepted meaning such as the context implies.

²² https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1707.1

²³ https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1703.4.2





- 8.6 DrJ is an engineering company, employs RDPs and is an ISO/IEC 17065 ANAB-Accredited Product Certification Body - Accreditation #1131.
- 8.7 Through ANAB accreditation and the IAF Multilateral Agreements, this TER can be used to obtain product approval in any jurisdiction or country that has IAF MLA Members & Signatories to meet the Purpose of the MLA - "certified once, accepted everywhere." IAF specifically says, "Once an accreditation body is a signatory of the IAF MLA, it is required to recognise certificates and validation and verification statements issued by conformity assessment bodies accredited by all other signatories of the IAF MLA, with the appropriate scope."24

Conditions of Use

- 9.1 Material properties shall not fall outside the boundaries defined in Section 3.
- 9.2 As defined in Section 3, where material and/or engineering mechanics properties are created for load resisting design purposes, the resistance to the applied load shall not exceed the ability of the defined properties to resist those loads using the principles of accepted engineering practice.
- 9.3 In areas where the probability of termite infestation is very heavy, in accordance with IBC Section 2603.8, the product must not be placed on exterior walls located within 6" (152 mm) of the ground.
- 9.4 As listed herein, EnergyShield, EnergyShield Pro, EnergyShield CGF and EnergyShield CGF Pro shall not be used:
 - 9.4.1 As a structural nailing base for claddings.
- 9.5 Use of the insulation boards to resist lateral loads is outside the scope of this TER. Walls shall be braced by other materials in accordance with the applicable code, and the exterior wall covering shall be capable of resisting the full design wind pressure.
- 9.6 When required by adopted legislation and enforced by the building official, also known as the authority having jurisdiction (AHJ) in which the project is to be constructed:
 - 9.6.1 Any calculations incorporated into the construction documents shall conform to accepted engineering practice, and, when prepared by an approved source, shall be approved when signed and sealed.
 - 9.6.2 This TER and the installation instructions shall be submitted at the time of permit application.
 - 9.6.3 These innovative products have an internal quality control program and a third-party quality assurance program.
 - 9.6.4 At a minimum, these innovative products shall be installed per Section 6 of this TER.
 - 9.6.5 The review of this TER, by the AHJ, shall be in compliance with IBC Section 104 and IBC Section 105.4.
 - 9.6.6 These innovative products have an internal quality control program and a third party quality assurance program in accordance with IBC Section 104.4, IBC Section 110.4, IBC Section 1703, IRC Section R104.4 and IRC Section R109.2.
 - 9.6.7 The application of these innovative products in the context of this TER are dependent upon the accuracy of the construction documents, implementation of installation instructions, inspection as required by IBC Section 110.3, IRC Section R109.2 and any other regulatory requirements that may apply.
- The approval of this TER by the AHJ shall comply with IBC Section 1707.1, where legislation states in pertinent 9.7 part, "the building official shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new materials or assemblies as provided for in Section 104.11", all of IBC Section 104, and IBC Section 105.4.
- 9.8 <u>Design loads</u> shall be determined in accordance with the building code adopted by the <u>jurisdiction</u> in which the project is to be constructed and/or by the building designer (i.e., owner or RDP).
- 9.9 The actual design, suitability, and use of this TER, for any particular building, is the responsibility of the owner or the owner's authorized agent.

²⁴ https://iaf.nu/en/about-iaf-mla/#:~:text=required%20to%20recognise





10 Identification

- 10.1 The innovative products listed in Section 1.1 through Section 1.4 are identified by a label on the board or packaging material bearing the manufacturer name, product name, TER number, and other information to confirm code compliance.
- 10.2 Additional technical information can be found at atlasrwi.com.

11 Review Schedule

- 11.1 This TER is subject to periodic review and revision. For the most recent version, visit dricertification.org.
- 11.2 For information on the status of this TER, contact DrJ Certification.

12 Approved for Use Pursuant to US and International Legislation Defined in Appendix A

12.1 EnergyShield, EnergyShield Pro, EnergyShield CGF and EnergyShield CGF Pro are included in this TER published by an approved agency that is concerned with evaluation of products or services, maintains periodic inspection of the production of listed materials or periodic evaluation of services, and whose TER Listing states either that the material, product, or service meets identified standards or has been tested and found suitable for a specified purpose. This TER meets the legislative intent and definition of being acceptable to the AHJ.





Appendix A

1 Legislation that Authorizes AHJ Approval

- 1.1 **Fair Competition**: <u>State legislatures</u> have adopted Federal regulations for the examination and approval of building code referenced and alternative products, materials, designs, services, assemblies and/or methods of construction that:
 - 1.1.1 Advance Innovation,
 - 1.1.2 Promote competition so all businesses have the opportunity to compete on price and quality in an open market on a level playing field unhampered by anticompetitive constraints, and
 - 1.1.3 Benefit consumers through lower prices, better quality, and greater choice.
- 1.2 **Adopted Legislation**: The following local, state, and federal regulations affirmatively authorize EnergyShield, EnergyShield Pro, EnergyShield CGF and EnergyShield CGF Pro to be approved by AHJs, delegates of building departments, and/or delegates of an agency of the federal government:
 - 1.2.1 Interstate commerce is governed by the <u>Federal Department of Justice</u> to encourage the use of innovative products, materials, designs, services, assemblies and/or methods of construction. The goal is to "protect economic freedom and opportunity by promoting free and fair competition in the marketplace."
 - 1.2.2 <u>Title 18 US Code Section 242</u> affirms and regulates the right of individuals and businesses to freely and fairly have new products, materials, designs, services, assemblies and/or methods of construction approved for use in commerce. Disapproval of alternatives shall be based upon non-conformance with respect to specific provisions of adopted legislation, and shall be provided in writing <u>stating the reasons</u> why the alternative was not approved, with reference to the specific legislation violated.
 - 1.2.3 The <u>federal government</u> and each state have a <u>public records act</u>. In addition, each state also has legislation that mimics the federal <u>Defend Trade Secrets Act 2018</u> (DTSA), ²⁵ where providing test reports, engineering analysis and/or other related IP/TS is subject to <u>prison of not more than 10 years</u> ²⁶ and/or <u>a</u> \$5,000,000 fine or 3 times the value of ²⁷ the Intellectual Property (IP) and Trade Secrets (TS).
 - 1.2.3.1 Compliance with public records and trade secret legislation requires approval through the use of listings, certified reports, Technical Evaluation Reports, duly authenticated reports and/or research reports prepared by approved agencies and/or approved sources.
 - 1.2.4 For <u>new materials</u>²⁸ that are not specifically provided for in any building code, the <u>design strengths and</u> <u>permissible stresses</u> shall be established by <u>tests</u>, where <u>suitable load tests simulate the actual loads and</u> conditions of application that occur.
 - 1.2.5 The <u>design strengths and permissible stresses</u> of any structural material shall <u>conform</u> to the specifications and methods of design using accepted engineering practice.²⁹
 - 1.2.6 The commerce of <u>approved sources</u> (i.e., registered PEs) is regulated by <u>professional engineering</u> <u>legislation</u>. Professional engineering <u>commerce shall always be approved</u> by AHJs, except where there is evidence, provided in writing, that specific legislation has been violated by an individual registered PE.
 - 1.2.7 The AHJ <u>shall accept duly authenticated reports</u> from <u>approved agencies</u> in respect to the quality and manner of use of new materials or assemblies as provided for in <u>IBC Section 104.11</u>.³⁰

²⁵ http://www.drjengineering.org/AppendixC and https://www.drjcertification.org/comell-2016-protection-trade-secrets.

 $^{^{26} \ \}text{https://www.law.cornell.edu/uscode/text/} 18/1832 \#: \sim : \text{text=imprisoned\%20not\%20more\%20than\%2010\%20} years$

²⁷ https://www.law.cornell.edu/uscode/text/18/1832#:~:text=Any%20organization%20that,has%20thereby%20avoided

 $^{^{28}\} https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests\#1706.2$

²⁹ IBC 2021, Section 1706.1 Conformance to Standards

³⁰ IBC 2021, Section 1707 Alternative Test Procedure, 1707.1 General





- 1.3 Approved³¹ by Los Angeles: The Los Angeles Municipal Code (LAMC) states in pertinent part that the provisions of LAMC are not intended to prevent the use of any material, device, or method of construction not specifically prescribed by LAMC. The Department shall use Part III, Recognized Standards in addition to Part II, Uniform Building Code Standards of Division 35, Article 1, Chapter IX of the LAMC in evaluation of products for approval where such standard exists for the product or the material and may use other approved standards, which apply. Whenever tests or certificates of any material or fabricated assembly are required by Chapter IX of the LAMC, such tests or certification shall be made by a testing agency approved by the Superintendent of Building to conduct such tests or provide such certifications. The testing agency shall publish the scope and limitation(s) of the listed material or fabricated assembly.³² The Superintendent of Building roster of approved testing agencies is provided by the Los Angeles Department of Building and Safety (LADBS). The Center for Building Innovation (CBI) Certificate of Approval License is TA24945. Tests and certifications found in a CBI Listing are LAMC approved. In addition, the Superintendent of Building shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new materials or assemblies as provided for in the California Building Code (CBC) Section 1707.1.³³
- 1.4 Approved by Chicago: The Municipal Code of Chicago (MCC) states in pertinent part that an Approved Agency is a Nationally Recognized Testing Laboratory (NRTL) acting within its recognized scope and/or a certification body accredited by the American National Standards Institute (ANSI) acting within its accredited scope. Construction materials and test procedures shall conform to the applicable standards listed in the MCC. Sufficient technical data shall be submitted to the building official to substantiate the proposed use of any product, material, service, design, assembly and/or method of construction not specifically provided for in the MCC. This technical data shall consist of research reports from approved sources (i.e., MCC defined Approved Agencies).
- 1.5 **Approved by New York City**: The NYC Building Code 2022 (NYCBC) states in pertinent part that an approved agency shall be deemed³⁴ an approved testing agency via ISO/IEC 17025 accreditation, an approved inspection agency via ISO/IEC 17020 accreditation, and an approved product evaluation agency via ISO/IEC 17065 accreditation. Accrediting agencies, other than federal agencies, must be members of an internationally recognized cooperation of laboratory and inspection accreditation bodies subject to a mutual recognition agreement³⁵ (i.e., ANAB, International Accreditation Forum (IAF), etc.).
- Approved by Florida: Statewide approval of products, methods, or systems of construction shall be approved, 1.6 without further evaluation, by 1) A certification mark or listing of an approved certification agency, 2) A test report from an approved testing laboratory, 3) A product evaluation report based upon testing or comparative or rational analysis, or a combination thereof, from an approved product evaluation entity; 4) A product evaluation report based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a professional engineer or architect, licensed in Florida. For local product approval, products or systems of construction shall demonstrate compliance with the structural wind load requirements of the Florida Building Code (FBC) through one of the following methods; 1) A certification mark, listing, or label from a commission-approved certification agency indicating that the product complies with the code; 2) A test report from a commission-approved testing laboratory indicating that the product tested complies with the code; 3) A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code; 4) A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code; 5) A statewide product approval issued by the Florida Building Commission. The Florida Department of Business and Professional Regulation (DBPR) website provides a listing of companies certified as a Product Evaluation Agency (i.e., EVLMiami 13692), a Product Certification Agency (i.e., CER10642), and as a Florida Registered Engineer (i.e., ANE13741).

³¹ See Section 8 for the distilled building code definition of Approved

³² Los Angeles Municipal Code, SEC. 98.0503. TESTING AGENCIES

 $^{^{33}\} https://up.codes/viewer/california/ca-building-code-2022/chapter/17/special-inspections-and-tests\#1707.1$

³⁴ New York City, The Rules of the City of New York, § 101-07 Approved Agencies

³⁵ New York City, The Rules of the City of New York, § 101-07 Approved Agencies





- 1.7 **Approved by Miami-Dade County (i.e., Notice of Acceptance [NOA])**: A Florida statewide approval is an NOA. An NOA is a Florida local product approval. By Florida law, Miami-Dade County shall accept the statewide and local Florida Product Approval as provided for in Florida legislation <u>553.842</u> and <u>553.8425</u>.
- Approved by New Jersey: Pursuant to Building Code 2018 of New Jersey in IBC Section 1707.1 General, ³⁶ it 1.8 states: "In the absence of approved rules or other approved standards, the building official shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new materials or assemblies as provided for in the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)".37 Furthermore N.J.A.C 5:23-3.7 states: Municipal approvals of alternative materials, equipment, or methods of construction. (a) Approvals: Alternative materials, equipment, or methods of construction shall be approved by the appropriate subcode official provided the proposed design is satisfactory and that the materials, equipment, or methods of construction are suitable for the intended use and are at least the equivalent in quality, strength, effectiveness, fire resistance, durability and safety of those conforming with the requirements of the regulations. 1. A field evaluation label and report or letter issued by a nationally recognized testing laboratory verifying that the specific material, equipment, or method of construction meets the identified standards or has been tested and found to be suitable for the intended use, shall be accepted by the appropriate subcode official as meeting the requirements of (a) above. 2. Reports of engineering findings issued by nationally recognized evaluation service programs, such as, but not limited to, the Building Officials and Code Administrators (BOCA), the International Conference of Building Officials (ICBO), the Southern Building Code Congress International (SBCCI), the International Code Council (ICC), and the National Evaluation Service, Inc., shall be accepted by the appropriate subcode official as meeting the requirements of (a) above. The New Jersey Department of Community Affairs has confirmed that technical evaluation reports, from any accredited entity listed by ANAB, meets the requirements of item 2 given that the listed entities are no longer in existence and/or do not provide "reports of engineering findings".
- 1.9 Approved by the Code of Federal Regulations Manufactured Home Construction and Safety Standards: Pursuant to Title 24, Subtitle B, Chapter XX, Part 3282.14 and Part 3280, the Department encourages innovation and the use of new technology in manufactured homes. The design and construction of a manufactured home shall conform with the provisions of Part 3282 and Part 3280 where key approval provisions in mandatory language follow: 1) "All construction methods shall be in conformance with accepted engineering practices"; 2) "The strength and rigidity of the component parts and/or the integrated structure shall be determined by engineering analysis or by suitable load tests to simulate the actual loads and conditions of application that occur."; and 3) "The design stresses of all materials shall conform to accepted engineering practice."
- 1.10 **Approval by US, Local, and State Jurisdictions in General**: In all other local and state jurisdictions, the adopted building code legislation states in pertinent part that:
 - 1.10.1 For <u>new materials</u> that are not specifically provided for in this code, the <u>design strengths and permissible</u> <u>stresses</u> shall be established by tests.⁴⁰
 - 1.10.2 For innovative alternative products, materials, designs, services and/or methods of construction, in the absence of approved rules or other approved standards...the building official shall accept duly authenticated reports (i.e., listing and/or research report) from approved agencies with respect to the quality and manner of use of new materials or assemblies. 41 A building official approved agency is deemed to be approved via certification from an accreditation body that is listed by the International Accreditation Forum 42 or equivalent.

³⁶ https://up.codes/viewer/new_jersey/ibc-2018/chapter/17/special-inspections-and-tests#1707.1

³⁷ https://www.nj.gov/dca/divisions/codes/codreg/ucc.html

³⁸ https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3282/subpart-A/section-3282.14

³⁹ https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280

⁴⁰ IBC 2021, Section 1706 Design Strengths of Materials, 1706.2 New Materials. Adopted law pursuant to IBC model code language 1706.2.

⁴¹ IBC 2021, Section 1707 Alternative Test Procedure, 1707.1 General, Adopted law pursuant to IBC model code language 1707.1.

⁴² Please see the <u>ANAB directory</u> for building official approved agencies.





- 1.10.3 The <u>design strengths and permissible stresses</u> of any structural material...shall conform to the specifications and methods of design of accepted engineering practice performed by an <u>approved source</u>. An <u>approved source</u> is defined as a PE subject to professional engineering laws, where a research and/or a technical evaluation report certified by a PE, shall be approved.
- 1.11 Approval by International Jurisdictions: The <u>USMCA</u> and <u>GATT</u> agreements provide for approval of innovative materials, products, designs, services, assemblies and/or methods of construction through the <u>Technical Barriers to Trade</u> agreements and the <u>International Accreditation Forum (IAF) Multilateral Recognition Arrangement (MLA)</u>, where these agreements:
 - 1.11.1 Permit participation of <u>conformity assessment bodies</u> located in the territories of other Members (defined as GATT Countries) under conditions no less favourable than those accorded to bodies located within their territory or the territory of any other country,
 - 1.11.2 State that <u>conformity assessment procedures</u> (i.e., ISO/IEC 17020, 17025, 17065, etc.) are prepared, adopted, and applied so as to grant access for suppliers of like products originating in the territories of other Members under conditions no less favourable than those accorded to suppliers of like products of national origin or originating in any other country, in a comparable situation.
 - 1.11.3 State that conformity assessment procedures are not prepared, adopted, or applied with a view to or with the effect of creating unnecessary obstacles to international trade. This means that conformity assessment procedures shall not be more strict or be applied more strictly than is necessary to give the importing Member adequate confidence that products conform to the applicable technical regulations or standards.
 - 1.11.4 Approved: The <u>purpose of the IAF MLA</u> is to ensure mutual recognition of accredited certification and validation/verification statements between signatories to the MLA, and subsequently acceptance of accredited certification and validation/verification statements in many markets based on one accreditation for the timely approval of innovative materials, products, designs, services, assemblies and/or methods of construction. Accreditations granted by IAF MLA signatories are recognised worldwide based on their equivalent accreditation programs, therefore reducing costs and adding value to businesses and consumers.

⁴³ IBC 2021, Section 1706 Design Strengths of Materials, Section 1706.1 Conformance to Standards Adopted law pursuant to IBC model code language 1706.1.