

# NFRC 7007-2022 [E0A0]

## Compliance and Monitoring Program (CAMP)

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## ***FOREWORD***

The National Fenestration Rating Council, Incorporated (NFRC) has developed and operates a uniform rating system for energy and energy-related performance of fenestration products. The Rating System determines the U-factor, Solar Heat Gain Coefficient (SHGC) and Visible Transmittance (VT) of a product, which are mandatory ratings for labeling NFRC certified products, are mandatory ratings for inclusion on label certificates, and are supplemented by procedures for voluntary ratings of products for Air Leakage (AL), and Condensation Resistance. Together, these rating procedures, as set forth in documents published by NFRC, are known as the NFRC Rating System.

The NFRC Rating System employs computer simulation and physical testing by NFRC-accredited laboratories to establish energy and related performance ratings for fenestration product types. The NFRC Rating System is reinforced by a certification program under which NFRC-licensed responsible parties claiming NFRC product certification shall label and certify fenestration products to indicate those energy and related performance ratings, provided the ratings are authorized for certification by an NFRC-licensed certification and Inspection Agency (IA).

The requirements of the rating, certification, and labeling program (Certification Program) are set forth in the most recent versions of the following as amended, updated, or interpreted from time to time:

- NFRC 700 Product Certification Program (PCP).
- NFRC 705 Component Modeling Approach (CMA), Product Certification Program (CMA-PCP).

Through the Certification Program and the most recent versions of its companion programs as amended, updated, or interpreted from time to time:

- The laboratory accreditation program (Accreditation Program), as set forth in the NFRC 701 Laboratory Accreditation Program (LAP).
- The IA licensing program (IA Program), as set forth in NFRC 702 Certification Agency Program (CAP).
- The CMA Approved Calculation Entity (ACE) licensing program (ACE Program), as

set forth in the NFRC 708 Calculation Entity Approval Program (CEAP).

NFRC intends to ensure the integrity and uniformity of NFRC ratings, certification, and labeling by ensuring that responsible parties, testing and simulation laboratories, and IAs adhere to strict NFRC requirements.

In order to participate in the Certification Program, a Manufacturer/Responsible Party shall rate a product whose energy and energy-related performance characteristics are to be certified in accordance with mandatory NFRC rating procedures. At present, a Manufacturer/Responsible Party may elect to rate products for U-factor, SHGC, VT, AL, Condensation Resistance, or any other procedure adopted by NFRC, and to include those ratings on the NFRC temporary label affixed to its products, or on the NFRC Label Certificate. U-factor, SHGC and VT, AL, and Condensation Resistance rating reports shall be obtained from a laboratory that has been accredited by NFRC in accordance with the requirements of the NFRC 701.

The rating shall then be reviewed by an IA which has been licensed by NFRC in accordance with the requirements of the NFRC 702. NFRC-licensed IAs also review label format and content, conduct in-plant inspections for quality assurance in accordance with the requirements of the NFRC 702, and issue a product Certification Authorization Report (CAR), or approve for issuance an NFRC Label Certificate for site-built or CMA products and attachment products. The IA is also responsible for the investigation of potential violations (prohibited activities) as set forth in the NFRC 707 Compliance and Monitoring Program (CAMP).

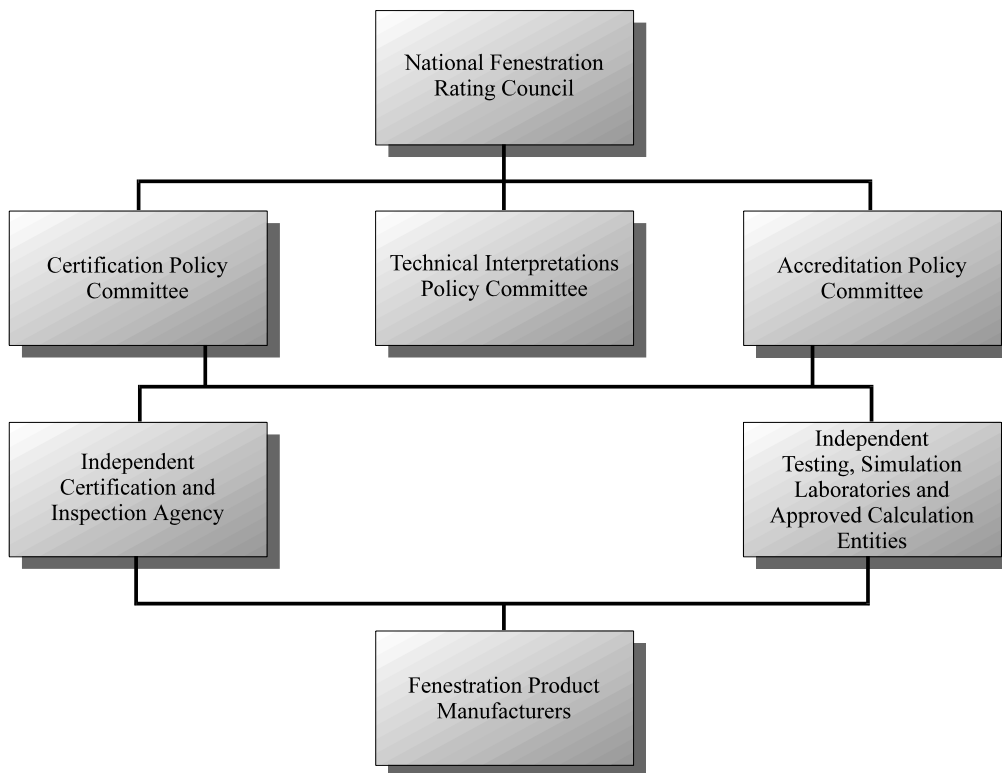
Ratings for products that are labeled with the NFRC Temporary and Permanent Label, or products that are listed on an NFRC Label Certificate in accordance with NFRC requirements, are considered to be NFRC-certified. NFRC maintains a Certified Products Directory (CPD), listing product lines and individual products selected by the manufacturer/responsible party for which certification authorization has been granted.

NFRC manages the Rating System and regulates the Product Certification Program (PCP), Laboratory Accreditation Program (LAP) and Certification Agency Program (CAP) in accordance with the NFRC 700 (PCP), the NFRC 701 (LAP), the NFRC 702 (CAP), the NFRC 705 (CMA-PCP), and the NFRC 708 (CEAP) procedures, and conducts compliance activities under all these programs as well as the NFRC 707 (CAMP). NFRC continues to develop the Rating System and each of the programs.

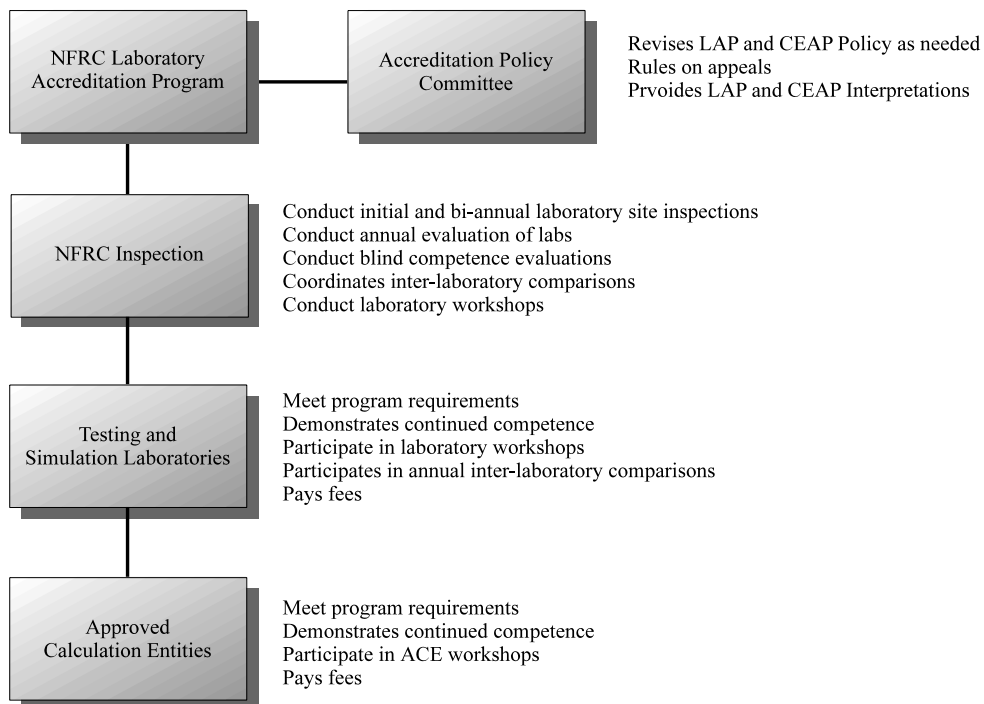
NFRC owns all rights in and to each of the NFRC 700, NFRC 701, NFRC 702, NFRC 705, NFRC 707, NFRC 708 and each procedure, which is a component of the Rating System, as well as each of its registration marks, trade names, and other intellectual property.

The structure of the NFRC program and relationships among participants are shown in Figure 1, Figure 2, and Figure 3. For additional information on the roles of the IAs and laboratories and operation of the IA Program and Accreditation Program, see the NFRC 700 (PCP), NFRC 701 (LAP), and NFRC 702 (CAP) respectively.

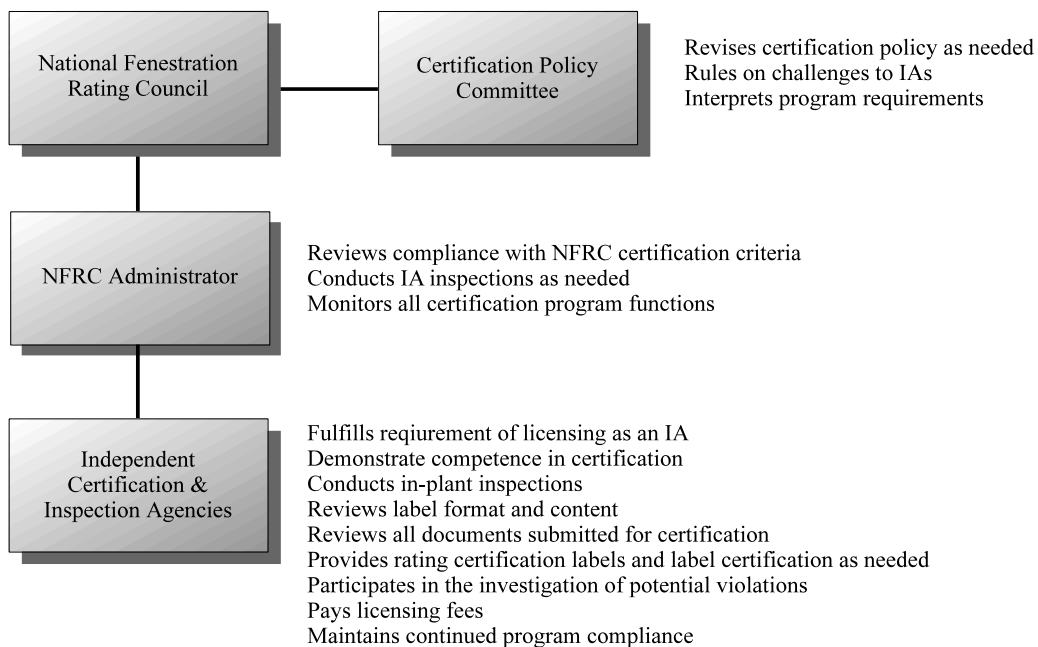
**Figure 1**



**Figure 2**



**Figure 3**



Questions on the use of this procedure should be addressed to:

**National Fenestration Rating Council**  
6305 Ivy Lane, Suite 410  
Greenbelt, MD 20770  
Voice: (301) 589-1776  
Fax: (301) 589-3884  
Email: [info@nfr.org](mailto:info@nfr.org)  
Website: [www.nfr.org](http://www.nfr.org)



## ***DISCLAIMER***

NFRC certification is the authorized act of a Manufacturer/Responsible Party in: (a) labeling a fenestration or related attachment product with an NFRC Permanent Label and NFRC Temporary Label, or (b) generating a site built or CMA label certificate, either of which bears one or more energy performance ratings reported by NFRC-accredited simulation and testing laboratories and authorized for certification by an NFRC-licensed IA. Each of these participants acts independently to report, authorize certification, and certify the energy-related ratings of fenestration and related attachment products.

NFRC does not certify a product and certification does not constitute a warranty of NFRC regarding any characteristic of a fenestration or fenestration-related attachment product. Certification is not an endorsement of or recommendation for any product or product line or any attribute of a product or product line. NFRC is not a merchant in the business of selling fenestration products or fenestration-related products, and therefore cannot warrant products as to their merchantability or fitness for a particular use.

NFRC THEREFORE DISCLAIMS ANY AND ALL LIABILITY THAT MAY ARISE FROM OR IN CONNECTION WITH SERVICES PROVIDED BY, DECISIONS MADE BY OR REPORTS OR CERTIFICATIONS ISSUED OR GRANTED BY ANY NFRC-ACCREDITED LABORATORY, NFRC-LICENSED IA OR ANY PRODUCT MANUFACTURER/ RESPONSIBLE PARTY; RELIANCE ON ANY NFRC PRODUCT DESCRIPTION, SPECIFICATION, RATING, TEST OR CERTIFICATION, WHETHER APPEARING IN A REPORT, A PRODUCT CERTIFICATION AUTHORIZATION OR A PRINTED OR ELECTRONIC DIRECTORY, OR ON A LABEL, OR ON A LABEL CERTIFICATE; OR THE SALE OR USE OF ANY NFRC-RATED OR CERTIFIED PRODUCT OR PRODUCT LINE; INCLUDING BUT NOT LIMITED TO DAMAGES FOR PERSONAL OR OTHER INJURY, LOST PROFITS, LOST SAVINGS OR OTHER CONSEQUENTIAL OR INCIDENTAL DAMAGES.

NFRC program participants are required to indemnify NFRC from and against such liability.



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## **1. SCOPE OF CAMP**

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This document sets forth the NFRC Compliance and Monitoring Program (the “Compliance and Monitoring Plan” and “CAMP”) as part of the NFRC-7000 Product Certification Program and associated programs operated by NFRC. The CAMP addresses the process for monitoring, reporting, evaluating and remediating activities which may violate the requirements of the Product Certification Program and the other rating and certification programs operated pursuant to the program documents listed in Section 2 collectively (the “PCP” or “Product Certification Program”).

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## **2. REFERENCED DOCUMENTS**

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NFRC 700 – Product Certification Program  
NFRC 701 – Laboratory Accreditation Program Document (LAP)  
NFRC 702 – Certification Agency Program (CAP)  
NFRC 704 – Product Certification Program Fee Schedule  
NFRC 706 – Requirements for Participating Insulating Glass Certification Programs  
NFRC 708 – Calculation Entity Approval Program (CEAP)  
NFRC 716 – NFRC Certified Simulator Program (CSP)  
FS 1001 – FenStar Certification Program for ENERGY STAR

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## **3. GLOSSARY OF TERMS**

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See NFRC 600 for a Glossary of terms and definitions.

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## **4. BACKGROUND**

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NFRC is a 501 (c)(3) not-for-profit organization which develops and administers rating and certification programs for fenestration products that serves the interests of the public and other stakeholders by providing credible, science-based performance ratings. NFRC was established by federal legislation to assist the U.S. Federal Trade Commission, the Department of Energy and the Environmental Protection Agency by

promulgating a comprehensive program for rating and certifying fenestration products for their energy performance and other attributes.

NFRC's Product Certification Program meets those objectives by providing a fair, consensus-based rating and certification system to determine and certify the relative performance of residential and commercial fenestration products in several areas.

Federal law and the laws of most states prohibit deceptive trade practices to protect consumers from such improper activities as misrepresentation of the quality or performance of consumer and commercial products. Misuse or misrepresentation by third parties of NFRC's product rating and certification activities may violate those laws and result in injuries to consumers and others who rely on the integrity and reliability of NFRC's Product Certification Program. Therefore, NFRC needs a process to identify and remedy such misuses or misrepresentations.

NFRC owns certain trademarks, which are used in its operation of the Product Certification Program, including a certification trademark. NFRC's rights in these trademarks are protected from misuse or infringement under federal law and other laws and under NFRC's license agreements with the participants in the PCP. NFRC is legally obligated to take reasonable actions to protect its legal rights in its trademarks.

NFRC also owns the legal copyright to a number of publications, documents and proprietary databases which are used in the operation of the Product Certification Program. NFRC's rights in these copyrighted materials, whether in tangible or electronic form, are protected under federal copyright laws. NFRC is legally entitled to take reasonable actions to protect its interests in these copyrights.

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## **5. ESTABLISHMENT OF COMPLIANCE PROGRAM**

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To promote compliance with the requirements of its Product Certification Program and these federal and state laws, NFRC has established the CAMP for identifying and determining prohibited activities which violate those requirements and assessing fines and/or other remedial actions to address those prohibited activities, as set forth herein.

NFRC program participants who have license agreements with NFRC have contractually agreed to comply with the obligations of the CAMP, including payment of fines and compliance with remedial action imposed under this program.

NFRC also seeks to have parties who are not NFRC licensees voluntarily comply with the fines and remedial actions prescribed under the CAMP, including as a condition for becoming a licensed participant in the PCP.

The authority of NFRC under the CAMP is in addition to any other right or authority NFRC may have under its programs, license agreements or under applicable law, including its rights under federal and state laws to seek damages and injunctive relief against any party that infringes NFRC's certification mark and related trademarks and copyrights.

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## **6. MONITORING**

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Pursuant to the CAMP, NFRC is responsible for monitoring NFRC-licensed program participants to ensure that NFRC program requirements are met. Actions or failures to act which are the subject to the CAMP are referred to as "Prohibited Activities" and include the matters described in Section 9 below. Notification to NFRC participants of Prohibited Activities, including any violation of the requirements of the PCP or of the license agreements or NFRC's legal rights in its trademarks and copyrights is critical to assisting NFRC to promote compliance with the Product Certification Program and protect the interests of consumers and other stakeholders. Any person or entity may notify NFRC staff of any suspected Prohibited Activity. In addition, NFRC, through its staff, independent inspection agencies and other program participants may conduct inspections or make requests for information relating to compliance matters. Other sources of information regarding compliance matters come from industry stakeholders, including members of the public, building code officials, consumer protection agencies and contractors.

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## **7. NOTIFICATION OF POTENTIAL PROHIBITED ACTIVITIES**

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Any party wishing to report any Prohibited Activity may do so by contacting NFRC's Quality and Compliance Manager at the following:

[compliance@nfrc.org](mailto:compliance@nfrc.org) or:

National Fenestration Rating Council  
6305 Ivy Lane, Suite 410  
Greenbelt, MD 20770

Reports of potential Prohibited Activities may initially be made verbally or in writing to NFRC. Upon receipt of notice of a potential Prohibited Activity, NFRC staff shall initiate the procedures set forth in Section 8 below. If NFRC

determines, in its reasonable judgment, that the activity complained of does not constitute a Prohibited Activity but may require further action, it may refer the matter to appropriate NFRC personnel and, as applicable, NFRC recognized Inspection Agencies for further review and action.

NFRC reserves the right to notify other third parties, including the governmental and consumer protection agencies listed below, of any Prohibited Activities it believes an individual or entity may be engaged in.

- Federal Trade Commission and Consumer Protection Council
- State and local consumer protection agencies
- ENERGY STAR® (EPA/NRCan)
- Accrediting bodies (e.g., ANAB, IAS, SCC)
- Better Business Bureau
- Other businesses and consumer associations and not-for-profit organizations involved in consumer protection and fair business practices

NFRC labels and other rating and certification information are also essential components of energy code enforcement. Building code officials, other code officials, consumer protection agencies and other state and local government agencies and consumers rely on NFRC to assist in ensuring fenestration products installed in residential and commercial buildings accurately present their energy and related performance attributes, including during the construction process. Therefore, NFRC will take appropriate steps to respond to and cooperate with these stakeholders regarding questions or concerns they have about potential Prohibited Activities, including doing the following:

- A. Provide a simple form (<https://nfrccommunity.org/page/CIF>) to complete and send to NFRC to notify of the potential Prohibited Activity;
- B. Upon receipt of the form advising of a potential Prohibited Activity, take the measures set forth herein.

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## **8. NFRC REVIEW AND DETERMINATION OF PROHIBITED ACTIVITIES**

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### **8.1 Review of Information and Determination**

The determination of whether an individual or entity (the “Respondent”) has engaged in a Prohibited Activity shall be made by NFRC in accordance with the following process:

- A. NFRC may investigate and gather such information as it believes may be necessary to determine whether a Prohibited Activity has occurred or is occurring and whether the Respondent is responsible for that activity.
- B. NFRC may utilize staff, NFRC licensees, contractors, public websites, and other means to gather relevant information related to possible Prohibited Activity. NFRC licensees and program participants are obligated to provide such information as NFRC staff may reasonably request in connection with an inquiry.
- C. NFRC may, as it deems appropriate, request a response and information from the Respondent allegedly involved in the potential Prohibited Activity.
- D. Based on the information gathered and reviewed, NFRC staff shall make a determination whether the Respondent has engaged in a Prohibited Activity and, if so, the assessment of any fines or other compliance actions that are deemed appropriate for such violation.

### **8.2 Notification of Determination of Prohibited Activities**

Upon a determination by NFRC that a Respondent has engaged in a Prohibited Activity, NFRC staff shall:

- A. Deliver written notification to the Respondent of the determination of a Prohibited Activity committed by Respondent.
- B. Identify any required remedial action required to be performed by Respondent with respect to such Prohibited Activity.
- C. Identify the assessment and amount of any fines imposed with respect to the Prohibited Activity.
- D. Advise the Respondent that, if the Prohibited Activity is not corrected or ceased within a period designated in the

notification, NFRC may impose additional fines and remedial action with respect to that Prohibited Activity.

- E. Advise the Respondent of the right to appeal the determination of a Prohibited Activity or the prescribed fines and remedial action pursuant to Section 8.3 below.

### **8.3 Appeals after Determination**

- A. Within fifteen (15) business days after receipt of the determination by NFRC of a Prohibited Activity, Respondent may request, in writing, that the determination of a Prohibited Activity by Respondent or the assessment of a fine or remedial action be reviewed by NFRC's Executive Committee. Notice of that request shall be submitted to NFRC in writing or by email to the address noted above. The appeal request shall set forth any facts or other considerations the Respondent wishes to submit in support of the appeal. Within thirty (30) business days after NFRC's receipt of that written request from the Respondent, the Executive Committee shall meet to consider the appeal and shall affirm, modify or overturn the determination of a Prohibited Activity and the proposed fine and/or remedial action. The Executive Committee may make its determination based on the written information and findings developed by NFRC, and may, in its sole discretion, conduct a hearing and request additional information from NFRC staff or the Respondent.
- B. The Executive Committee's decision on the Respondent's appeal shall be final.

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## **9. PROHIBITED ACTIVITIES, FINES AND REMEDIAL ACTIONS**

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Actions or failures to act required under the PCP, under NFRC's license agreements and violations of NFRC's rights in its trademarks and copyrights are deemed to be "Prohibited Activities" for purposes of the CAMP. The following are some examples of Prohibited Activities:

### **9.1 Labeling**

- A. Use of a non-compliant label or label certificate on a product for which product certification authorization has been granted.

- B. Use of a NFRC label on a product or NFRC label certificate for a product or multiple products, whether or not compliant, without a signed license agreement with NFRC.
- C. Affixing an NFRC label to a product or providing an NFRC label certificate for a product or multiple products for which product certification authorization has not been granted.
- D. Use of an NFRC label or label certificate that misstates an NFRC performance rating.
- E. Use of an NFRC label or label certificate, whether or not compliant, in advertising not approved by NFRC in accordance with the Product Certification Program.
- F. Reuse of an NFRC temporary label on any product.
- G. Advertising a product or multiple products as "NFRC-certified" when the product has not been granted product certification.
- H. Failure to label a product with both required NFRC labels (temporary or permanent).

## **9.2 NFRC Programs**

- A. Stating that the party has a license agreement with NFRC or is a participant in and/or has products certified through NFRC PCP when such is not the case.
- B. Stating that a party is a participant in and/or has products certified through the NFRC FenStar program
- C. Stating that a product is NFRC-certified when such is not the case.
- D. Failure to comply with CAP and CEAP requirements by NFRC-licensed IA.
- E. Failure to comply with CSP requirements for certified simulators.
- F. Failure to comply with LAP requirements by NFRC-accredited laboratories.
- G. Failure to comply with CEAP requirements by NFRC-licensed ACE Organizations.
- H. Stating that an entity is listed as a participating IGU Certification Program in accordance with NFRC 706 when such is not case.
- I. Stating that a product is IGU certified by an NFRC participating IGU Certification Program when such is not the case.

### **9.3 NFRC Certification Mark, Other Trademarks, Copyrights**

- A. Use of any NFRC trademark without a signed license agreement or written permission from NFRC.
- B. Use of any NFRC certification mark or other trademarks in violation of license agreement requirements, NFRC's written protocols or applicable law.

### **9.4 NFRC Copyrights**

- A. Unauthorized reproduction or distribution in any form or medium of any NFRC copyrighted materials without the prior written permission of NFRC.
- B. Unauthorized reproduction or distribution of the data compilations in any NFRC database without the prior written consent of NFRC.

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## **10. FINES AND REMEDIAL ACTIONS FOR PROHIBITED ACTIVITIES**

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### **10.1 Fines**

NFRC may, in its discretion, impose a fine and require remedial action from a Respondent who is determined, under the procedures set forth in the CAMP, to have engaged in a Prohibited Activity. In assessing fines and imposing remedial action, NFRC may take into account the nature and materiality of the Prohibited Activity, whether the Prohibited Activity was intentional or inadvertent, an isolated incident or one of several Prohibited Activities. NFRC retains the discretion at any time to assess and adjust the amount of any fine or remedial action imposed under the CAMP.

Fines may be assessed at the rate of up to \$5,000 per each incident of Prohibited Activity. For purpose of calculating such fines, NFRC may determine to treat a series of the same or related Prohibited Activities as a single incident or as two or more separate incidents meriting separate fines.

NFRC may continue to assess a fine if the Prohibited Activity is not promptly ceased and the required remedial action not promptly taken.

Any fines imposed under the CAMP shall be paid no later than 60 calendar days following the later of (i) the date notification the fine is received by the Respondent or (ii) a determination is made to uphold the fine after an appeal in accordance with Section 8.3.

## 10.2 Remedial Actions

NFRC, in its discretion, may also require the Respondent to take designated remedial actions to ameliorate and cure the effects of Prohibited Activities, including ceasing to engage in such Prohibited Activities and providing confirmation thereof. In each case, NFRC may require the Respondent to provide written evidence of compliance with the required remedial actions. Among the remedial actions NFRC may require are the following:

- A. Cease use and dispose of noncompliant labels or non-compliant label certificates and provide NFRC an action plan to relabel all affected products.
- B. Discontinue all advertising and statements that misstate that product(s) are NFRC certified or misstate the certified performance of those product(s).
- C. Discontinue all advertising and statements that incorrectly represent Respondent is NFRC licensed or accredited.
- D. Immediately cease the use of any advertising, labeling, and marketing materials (print and electronic media) that misuse any NFRC trademarks and/or logos or misrepresent NFRC certification or participation.
- E. Cease misuse of any NFRC copyrighted materials or data compilations and destroy all unauthorized copies thereof.
- F. Cease misuse of NFRC certification trademark and other trademarks and copyrights.

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## 11. FAILURE TO PAY FINE OR PERFORM REMEDIAL ACTION

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- A. If the Respondent has engaged in a Prohibited Activity and has been assessed a fine or given a remediation directive and continues to engage in the Prohibited Activity that was the subject of the NFRC notification, NFRC may, in its sole discretion, increase the fine applicable to the Prohibited Activity and alter or expand the required remedial action.
- B. In the event a fine assessed pursuant to Section 10 is not paid by a Respondent within the required timeframe, the amount of the unpaid fine shall become a part of the Respondent's annual fees to be paid in connection with relicensing for continued participation in the PCP and the participant's NFRC license agreement shall not be renewed or may be terminated. NFRC may also pursue legal action against the

Respondent to collect the fines owed and assess interest at an annual rate of interest at 8% on fines not paid when due or at such other interest rate as NFRC determines is reasonable.

- C. In the event that a fine assessment pursuant to Section 10 is not timely paid by the Respondent, or the Respondent's Prohibited Activity continues, NFRC may also elect to publish on the NFRC website or in the NFRC Certified Products Directory the identity of the Respondent and the Prohibited Activity engaged in and any related information necessary to provide information to address the effects of the continuing Prohibited Activity.

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## **12. No LIMITATION ON NFRC RIGHTS**

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- A. The authority of NFRC under the CAMP is in addition to and not in limitation of any other right or authority NFRC may have under its programs or under law. The implementation of the CAMP and the imposition of fines and required remedial action on any Respondent shall in no manner limit NFRC's right to pursue any other remedy available to it with respect to that Prohibited, including, but not limited to, damages or equitable remedies such as injunctive relief.
- B. To the extent NFRC deems necessary or appropriate to protect the interests of consumers and other stakeholders, NFRC shall have the right to provide information obtained in connection with the CAMP and any Prohibited Activity to any government agency or other person or entity.
- C. NFRC shall have the right to amend the CAMP in writing in any manner, including modifying the designation of Prohibited Activities and the applicable fines, at any time.

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## 13. REVISION HISTORY

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Document Revision Log				
Section	Revision	Review	Approval	Date Released
All	New Document Release – Replaces NFRC 707 Document	6/15/2022	6/29/2022	10/1/2022