

**Effective Date:** November 15, 1998      **Subject:** Shipping Modules without Certification Labels

**Reference:** UAP, Part III, Section 3(C)  
UAP, Part I, Section 3

**ISSUE:** The Commission has been made aware that, on occasion, manufacturers are forced to ship incomplete modules to avoid either substantial monetary penalties or costly construction delays. The Commission has determined that, when justified, manufacturers should be allowed to complete the modules on site. However, since on-site work would not be performed under an approved compliance assurance program, the Commission feels that it is necessary to establish controls. These controls will provide reasonable assurance to the participating states that any module completed on site will still comply with the manufacturer's building systems documents and applicable codes.

**INTERP.:** An inspection agency shall be authorized to inspect work performed on site to complete a module if adequate procedures have been established and implemented. Nothing contained herein shall authorize an inspection agency to exercise any powers reserved to the state or local enforcement agencies, as applicable.

1. To obtain approval for completing a module on site, the manufacturer shall notify its inspection agency stating its reasons for the undue hardship.
2. An inspection agency may permit a module to be completed on site if the manufacturer can show that completing it in the facility will result in substantial monetary penalties, costly construction delays, or other undue hardships. It shall not be considered undue hardship if it is a result of the manufacturer's own negligence or other events under its control.
3. If the request is approved, the inspection agency shall apply a red tag to the module at the manufacturing facility. The red tag shall list the work which must be performed on site for the module to receive a certification label.
4. Before the incomplete module is shipped, the inspection agency shall notify in writing all parties involved which, at a minimum, shall include the Commission, the participating state, and the local enforcement agency. The notification shall include the name of the inspection agency, the name and location of the manufacturing facility, the serial number(s) of the modules, and the approximate delivery date(s).

5. The manufacturer shall ensure that all applicable evaluation agency approved documents are kept on the building or work site and shall make them available to authorized personnel acting on behalf of the Commission or the participating state.
6. The manufacturer shall ensure that persons performing on-site work are properly qualified and, where required by laws, ordinances, rules or regulations, licensed.
7. The manufacturer shall notify its inspection agency who shall inspect all work completed on site to ensure that it complies with the manufacturer's building system documents and applicable codes. The manufacturer shall not cover any work performed on site until it has been inspected and approved by the inspection agency.
8. The inspection agency shall ensure that the manufacturer carries out its responsibilities described in this Formal Interpretation. Only the inspection agency shall be authorized to remove the red tag and apply a certification label.
9. In accordance with UAP, Part IV, Section 6(B) and (C), local enforcement agencies shall be permitted to inspect work performed on site including any work covered under the red tag. In accordance with Section (6)(E), the local enforcement agency shall report details of any violations in writing to the inspection agency.