



January 7, 2010

VIA E-MAIL

Bryan Berringer, [berringer.bryan@epa.gov](mailto:berringer.bryan@epa.gov)  
Environmental Protection Agency

RE: Comments on Enhanced Program Plan for ENERGY STAR Products

Dear Mr. Berringer:

The ANSI-ASQ National Accreditation Board is a non-profit organization with more than 20 years of experience in the accreditation of conformity assessment bodies for management systems, laboratories, inspection bodies, and sampling agencies. We appreciate the opportunity to comment on the Enhanced Program Plan for ENERGY STAR Products.

The success of the current private sector-led U.S. standardization system is evident in the National Technology Transfer and Advancement Act of 1995, Public Law 104-113 (NTTAA). The NTTAA directs federal government agencies to use, wherever feasible, standards and conformity assessment solutions developed or adopted by private, voluntary consensus standards bodies in lieu of developing government-unique standards or regulations. Voluntary consensus standards are to be used for agency regulatory purposes and in procurement activities.

During the last decade, great progress has been made in the cooperative standardization efforts of industry and government, including significant accomplishments in such critical areas as health and safety, security and defense, environmental protection, and technological advancements. Since the NTTAA became law in 1995, the U.S. government has saved millions of dollars by using consensus standards for procurement purposes and mitigating overlap and conflict in regulations and industry benefits by being able to manufacture one product for both public and private sector users.

Accredited third-party conformity assessment with oversight is founded on international standards that establish clear requirements. The focus is on building and operating well defined and repeatable processes, ensuring accurate and reliable test results, establishing controls to monitor and ensure desired results, and continual improvement. Using accredited third-party conformity assessment with oversight ensures that each link in the supply chain operates according to international standards, so all play by the same rules.

A significant benefit of accredited third-party conformity assessment programs is the oversight already in place to prevent inappropriate practices. The existing recognition infrastructure for accreditation bodies has been established for laboratory accreditation and inspection through the International Laboratory Accreditation Cooperation (ILAC) and for management systems through the International Accreditation Forum (IAF). The ILAC and IAF oversight process works through multilateral recognition arrangements (MRAs) by which MRA signatories mutually evaluate and accept each other's accreditations as equivalent. The ILAC and IAF recognition processes



provide assurance that the accreditation process is applied consistently. Reliance on organizations accredited by ILAC and IAF member bodies provides an added level of oversight to ensure the soundness and credibility of the work of the accredited organizations.

The attached Generic Third-Party Conformity Assessment Model illustrates the conformity assessment activities of the ANSI-ASQ National Accreditation Board under the ACLASS, ANAB, and ANSI brands. (Each of these activities is likewise offered competently and credibly by other ILAC and IAF member bodies.) The ANSI-ASQ National Accreditation Board developed the model in conjunction with the National Institute of Justice (the research and technical division of the Department of Justice) and the National Institute of Standards and Technology to support a new private-public sector partnership for third-party conformity assessment activities. The NIJ program includes management systems accreditation for manufacturing, laboratory accreditation for testing, and product certification for domestic law enforcement and corrections body armor.

Accredited third-party conformity assessment with oversight has been embraced by the U.S. government, including areas of the Environmental Protection Agency, the National Institute of Justice, the Department of Defense, the Food and Drug Administration, and the Department of Homeland Security. All have embraced accredited third-party conformity assessment with oversight as an effective means to achieve confidence in safe and reliable products and services. Equally important, users pay the costs for these services to reduce the cost to government. In addition, accredited third-parties can often operate across international borders more easily and in some cases, when and where the U.S. government cannot.

The ANSI-ASQ National Accreditation Board encourages the Environmental Protection Agency and the Department of Energy to use the existing ILAC and IAF recognition infrastructure for accreditation bodies to ensure the consistent application of accreditation processes and provide an added level of oversight to enhance credibility.

Following are the ANSI-ASQ National Accreditation Board’s comments:

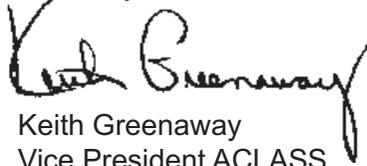
Section	Paragraph/List Item/Bullet Note	Type of Comment	Proposed change
6.1	Bullet 1	Editorial	Add: “All products will be required to be tested in an accredited laboratory that is accredited to ISO/IEC 17025 by an ILAC recognized accreditation body...”
6.1	Bullet 2	Editorial	Add: “administered testing, or accredited third-party testing by an ILAC recognized accreditation body.”
6.2	Paragraph 1	Editorial	Add paragraph: “DOE and EPA will utilize the existing recognition infrastructure of ILAC and IAF. Standards to be used include ISO/IEC 17025 for laboratory accreditation, ISO Guide 65 for product certifiers, ISO/IEC 17020 for inspection agencies, ISO 9001 for management systems.”
6.4	Paragraph 1	Editorial	Add: “... the product must be tested by a laboratory accredited to ISO/IEC 17025 by an ILAC recognized accreditation body...”



Section	Paragraph/List Item/Bullet Note	Type of Comment	Proposed change
6.4	Paragraph 1	Editorial	Add as the initial paragraph: "Management System Certification" "Manufacturers must demonstrate conformance to ISO 9001. This conformance must be verified by a certification body that has been accredited to ISO/IEC 17021 by an IAF multilateral recognition arrangement signatory member management systems accreditation body."
6.4	Paragraph 2	Editorial	Add: "... laboratories that are accredited to ISO/IEC 17025 by an ILAC recognized accreditation body."
6.4	Paragraph 2	Editorial	Add after the last sentence ending "...serve this function.": "Other acceptable third-party certification programs include ISO 9001 for management systems, ISO Guide 65 for product certifiers, and ISO/IEC 17020 for inspection agencies."
6.4	Paragraph 3	Editorial	Add: "... and accreditation laboratories accredited to ISO/IEC 17025 by an ILAC recognized accreditation body."
6.4	Paragraph 4	Editorial	Add a third bullet point: "All third parties must be accredited by an ILAC and/or IAF recognized accreditation body."

If you have any questions, please contact Keith Greenaway at <Contact information edited by EPA>

Sincerely,



Keith Greenaway  
Vice President ACLASS



Randy Dougherty  
Vice President ANAB

# Generic Third-Party Conformity Assessment Model

