



August 5, 2010

The American Association for Laboratory Accreditation (A2LA) would again like to extend our thanks to the ENERGY STAR program for giving us the opportunity to review and comment on the final draft version of the Conditions and Criteria for Recognition of Certification Bodies document. We were very pleased to see that many of our previous comments and suggestions appear to have been taken into account in this revised draft, and would like to offer the following additional suggestions to this final draft document.

General Requirement 1.a – We would suggest that this requirement be amended to include those Accreditation Bodies which have applied for IAF signatory status. This inclusion would be contingent upon those ABs providing evidence of their peer evaluation to the EPA, as well as any other criteria that the EPA would request. Of course, this contingent acceptance would also hinge on final acceptance into an IAF-signatory status, with evidence of that acceptance being forwarded to the EPA within a defined time frame of receipt at the Accreditation Body's offices.

General Requirement 1.j – We would suggest that the wording in this requirement be revised to include any changes to the Certification Body's accreditation status, not necessarily just suspensions or withdrawals as listed.

Note on Lighting Program and Verification Testing – We would recommend reducing the wording in this note before this Requirements document is finalized to simply state that the Lighting Program is not covered by this particular document. If a lighting program verification testing requirements document is produced in the future which does not use the centralized, third party administrators for lighting verification, and this requirements document still contains the wording that the third party is being used, there will be a conflict in the requirements. We offer this suggestion to try to prevent the possible future conflict in requirements.

Verification Requirement 3.a.4.a – It is not immediately clear where the funding will come from for procurement of product models for verification testing. Is this included in the “partner funded verification testing procedure” mentioned in requirement 3.a.1?

Challenge Testing – It is still unclear how the partners involved with the Certification Body will be required to pay for the costs. We would suggest, if the EPA is strongly for the use of a Challenge Test program, that a requirement be set forth for contracts between the CB and partners. Those contracts must include provisions for paying invoices due for challenge testing, so that all parties involved in the challenge testing are covered. Also, we feel that the “suggest” term needs to be strengthened prior to finalizing this set of requirements. All certification bodies should be kept on an even playing field, with the

minimum standards for challenge tests being determined clearly by the EPA. Such a statement could be written as “The EPA is requiring all certification bodies have contractual provisions for challenge testing, using a loser-pays scheme (etc.)” It would be beneficial to the program to make a clear, strong statement on what requirements are in place for the challenge testing for all certification bodies wishing to be recognized for the ENERGY STAR program.

WMTL Program Requirements – We recommend that the EPA set a required frequency for audits of those laboratories participating in the WMTL program. The IECCE WMTL program does not identify any frequency for auditing the participating laboratory’s quality system, only that its testing activities are observed at all times. A2LA’s recommendation is that WMTL labs be audited by their Certification Body on a 2 year schedule, which is the schedule most North American Accreditation Bodies seem to use. The SMTL program requires at least one audit per year, which we feel may not be the most cost effective option for laboratories which do not wish to gain ISO 17025 accreditation, and is also more time consuming overall than the 2 year schedule which Accreditation Bodies use.

We would like to thank the EPA again for the opportunities given to all stakeholders for review and comment of these new requirements documents, and look forward to continued participation with the ENERGY STAR program.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Buzard", with a large, stylized flourish at the end.

Mike Buzard  
Accreditation Officer  
The American Association for Laboratory Accreditation (A2LA)