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US Environmental Protection Agency  
Office of Air and Radiation  
Washington, D.C. 20460

Via Email: [ENERGYSTARVerificationProgram@energystar.gov](mailto:ENERGYSTARVerificationProgram@energystar.gov)

**Underwriters Laboratories (UL) Comments**  
**Final Draft Certification and Verification Requirements**

Included please find comments on behalf of Underwriters Laboratories (UL) addressing the “Draft Certification and Verification Requirements” published by the Environmental Protection Agency (EPA). We appreciate your consideration of these recommendations.

**Lab Data Acceptance**

The main body of the document (1, c, i) indicates a CB shall accept data from “an EPA-recognized laboratory with an appropriate scope of accreditation”. The current accredited lab recognition criteria include permissions for manufacturer-owned labs that are 17025-accredited to be recognized by the EPA. For those that are, the data acceptance would come through a recognized channel and not be reliant on a Supervised Manufacturers’ Testing Laboratory (SMTL) or Witnessed Manufacturers’ Testing Laboratory (WMTL) structure where the CB has to audit or validate their capabilities. In such cases, a CB could accept test data from that laboratory with no assessment or review of the lab itself other than confirming the lab appears on the EPA’s list of Recognized labs and then reviewing and confirming the reports submitted and data included.

Additional information about what types of assessment the EPA expects for the certification of data coming from first party, 17025-accredited, EPA-recognized labs would be helpful. As drafted, included details infer that these recognized labs need no further evaluation, but requirements under Appendix A seem to indicate there is some lab assessment of the capabilities is done by the CB, even after recognized by the EPA. Additional clarification as to what the EPA expects would be helpful to CBs establishing programs.

**Duplicative Guide 65 Requirements**

*Appendix A, 1, d* requires that a CB may only accept test data from SMTLs and WMTLs if, “has a documented program ensure continued compliance with its program qualification procedures”

Acceptance of manufacturer’s test data (either witnessed or not) is a common practice among certification bodies and certification schemes. The internal audits required by ISO/IEC Guide 65 for accreditation include evaluation against a CB’s adherence to its own procedures to qualify manufacturer’s labs and to accept test data in accordance with procedures. This requirement built in to Guide 65 means that a separate Appendix A requirement is not necessary and would be redundant with ISO/IEC Guide 65. Such redundancies often cause confusion amongst the accreditors doing the evaluations of programs. Therefore, UL proposes that *Appendix A, 1, d* be removed, or if the EPA wishes to focus particular attention with accreditors on this Guide 65 requirement that they replace with the following language:

“d) Includes in its internal audit and management review its SMTL and/or WMTL program”

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