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## Guidance for Evaluation of Qualification Factors for EPEAT Registry

This document provides directional guidance in completing the Evaluation Form to assess the degree to which a new or revised standard meets GEC’s Policy on [Qualification of Standards for the EPEAT Registry](#) (P17).

This document provides details, definitions and clarifications on the expectations in meeting each qualification factor in the Qualification of Standards for the EPEAT Registry. GEC staff will evaluate the standard and develop a recommendation about the degree to which it meets each factor, and seek input from the Advisory Council. The GEC Board of Directors shall make the final determination. GEC staff is responsible for completing this evaluation. Staff may seek input from stakeholders such as the Standards Development Organization, the party requesting that the standard be implemented on the EPEAT Registry, and public commenters.

### Standard – Development Process

**1.** *The standard must be developed through a voluntary consensus process that is open and transparent for all interested stakeholders<sup>1</sup>. To be open, a standard process must provide for input, including full consideration of all qualifying comments, by any interested party. To be transparent, all procedures, processes and decisions must be reviewable by any interested party.*

Two options are available for satisfying this Qualification Factor:

- a. The standard development process is ANSI accredited; or
- b. The standard development process satisfies the following three factors, as defined below:
  - i. Voluntary consensus process:** this term is defined by the U.S. Office of Management and Budget as:
    - a. *Voluntary consensus standards are standards developed or used by voluntary consensus standards bodies, both domestic and international, and which are made available in a manner which includes provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a non-discriminatory, royalty-free or reasonable royalty basis to all interested parties. A "Voluntary consensus*

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<sup>1</sup> Standard development processes that are ANSI accredited shall satisfy this factor.

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*standard" may also be known in common usage as a "voluntary standard," a "consensus standard," or a "consensus technical standard."*

*Voluntary consensus standards bodies are domestic or international organizations which plan, develop, establish, or coordinate voluntary standards using agreed-upon procedures. For purposes of this Circular, "voluntary, private sector, consensus standards bodies," as cited in P.L. 104-113, is an equivalent term. These bodies may include nonprofit organizations, industry associations, accredited standards developers, professional and technical societies, institutes, committees, task forces, or working groups. P.L. 104-113 and this Circular encourage the participation of government representatives in these bodies to increase the likelihood that the standards they develop will meet both public and private sector needs. A voluntary consensus standards body observes principles such as openness, balance of interest, and due process. Further, voluntary consensus standards bodies operate by consensus, which is defined as general agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests. Consensus requires that all views and objections be considered and that an effort be made toward their resolution.<sup>2</sup>*

The standard development process must have a definition of consensus that has a threshold of at least a simple majority. The standard develop process may set a more rigorous definition of consensus. Unanimity is not required.

- ii. **Open:** standard process must provide for input, including full consideration of all qualifying comments, by any interested party. In the evaluation, SDO policies should be reviewed and evidence collected to evaluate whether the standard under consideration followed the SDO policies.
  - a. The evaluation must take into consideration the ANSI definition of “openness”, which includes open participation, open voting membership and notification of standard activity:
    - Participation shall be open to all persons who are directly and materially affected by the activity in question. There shall be no undue financial barriers to participation.*
    - Voting membership on the consensus body shall not be conditional upon membership in any organization, nor unreasonably restricted on the basis of technical qualifications or other such requirements.*

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<sup>2</sup> US Office of Management and Budget, [http://www.whitehouse.gov/omb/fedreg\\_a119rev/](http://www.whitehouse.gov/omb/fedreg_a119rev/) (accessed on 3/8/15)

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*Timely and adequate notice in suitable media of any action to create, revise, reaffirm, or withdraw a standard, and the establishment of a new consensus body shall be provided to all known directly and materially affected interests.<sup>3</sup>*

- b. The evaluation must take into account the process for consideration of comments from any interested party, including the following articulated by EPA in their Draft Guidelines for Product Environmental Performance Standards & Ecolabels:
- *The standards development process included fair and equitable consideration of all viewpoints.*
  - *An effort to resolve all objections was made in a fair and unbiased way. Commenters were informed of the resolution of their comments and advised of their right to appeal.*
  - *Written procedures contain an appeals mechanism for the prompt and impartial handling of procedural complaints regarding any action or inaction of the decision-making body. Appeals procedures provide for participation by all parties concerned without imposing an undue financial or administrative burden on them.<sup>4</sup>*
- iii. **Transparent:** all procedures, processes and decisions must be reviewable by any interested party. This includes the procedures, processes and decisions of the standards development organization, the committee(s) selecting and developing criteria and product scope for the standard, and the consensus body.

**2.** *The standard development process must include a balance of interested and affected types of stakeholders in consensus bodies, and in other stakeholder decision-making bodies that approve the draft and final standard. Interested and affected types of stakeholders must include, at a minimum, manufacturers, suppliers to the manufacturers, government representatives, purchasers, environmental advocates and recyclers/refurbishers. Balance means that no single interest type shall comprise more than 1/3 of the body. Standards processes that fail to achieve or maintain such balance shall provide acceptable evidence that they have undertaken special effort to do so, and must have included at least some representation of each major interest type.*

Evaluation of this Qualification Factor will consider two aspects for the **consensus body and other decision-making bodies that approve the draft and final standard.**

<sup>3</sup> 2015 ANSI Essential Requirements

<sup>4</sup> Draft Guidelines for Product Environmental Performance Standards & Ecolabels, November 20, 2013

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- a. **Balance of interests and stakeholders.** Balance is defined as: no single interest type shall comprise more than 1/3 of the body. Note that interest types are listed below, and are not necessarily stakeholder categories defined by each SDO.
- b. **Stakeholder interest types.** At a minimum, the following stakeholder interest types must be included in the standard development process:
  - i. Manufacturers
  - ii. Suppliers to the manufacturers
  - iii. Government representatives
  - iv. Purchasers
  - v. Environmental advocates
  - vi. Recyclers/refurbishers

If the standards process fails to achieve or maintain balance, evidence must be provided that special efforts were undertaken to achieve and maintain balance. In addition, the standards process must have included some representation of each major stakeholder interest type listed above.

Evaluation of this factor includes a review of the individuals and their affiliations participating on the consensus body and other decision-making bodies that approve the draft and final standard.

**3.** *The standard development process shall utilize procedures to prevent dominance by any interest, individual or organization within consensus bodies, and in other stakeholder decision-making bodies that approve the draft or final standard. Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.*

Evaluation of this Qualification Factor will include a review of:

- a. The standard development organization (SDO) procedures to ensure that procedures are in place to prevent dominance, as defined below, in the consensus body and other stakeholder decision-making bodies that approve the final or draft standard. *(Note: this evaluation factor considers the ANSI definition of dominance, below. Balance is evaluated in #2 above.)*

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- b. Dominance:** means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.<sup>5</sup> The composition and voting record of the consensus body and other stakeholder decision-making bodies must ensure that dominant representation did not preclude the fair and equitable consideration of the viewpoints of lesser represented interests. A review will ask the following questions:
- i.** Do the voting record and responses to comment indicate that positions of minority interests were considered?
  - ii.** Do the voting record and responses to comment indicate that a stakeholder interest, an individual, or an association is influencing the position of others due to their leverage or strength? An example of leverage or strength would be a customer exerting an influence on its suppliers, or multiple comments that are essentially identical.
- c.** Funding sources to ensure that the source of funds did not create a conflict of interest or lead to dominance of the process.

**4.** *There shall be a clear mechanism in place to evaluate the standard at least every 3 years in order to determine whether it needs to be updated to maintain it as a leadership standard as the environmental performance of products available in the marketplace improves.*

The procedures of the SDO must include a provision for **evaluation of standards every 3 years**. Assessment of this Qualification Factor will include a review of the SDO policies and procedures with regard to updating, or evaluating for updating, standards, and review of other environmental performance standards published by the SDO to ensure that the review mechanism is being implemented. If the SDO has not published other environmental performance standards, the reviewer will select from among available standards.

*Note:* The evaluation of the standard must commence within 3 years of publication, but does not need to be completed within 3 years. If the standard was not updated, the consensus body must reaffirm that the existing standard is still relevant and current.

**Standard – Overarching**

**1.** *The standard shall be available to the public at reasonable cost.*

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<sup>5</sup> 2015 ANSI Essential Requirements

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Evaluation of this Qualification Factor will assess two issues:

- a. Whether the standard is **publicly available**. Anyone should be allowed to purchase the standard without being a member of any organization.
- b. Is the standard **reasonably priced**? A review of this evaluation factor will include the identification of the price of similar sustainability/environmental performance standards.

**2.** *The standard shall be an environmental leadership standard. The following principles shall have been used and understood during the development process:*

- a. *Only environmentally leading products, those in the top third of the market, are expected to qualify to the standard at the minimum level at the date of publication of the standard.*
- b. *Only a very few, if any, products are expected to meet the highest performance tier at the date of publication of the standard.*

Evaluation of this Qualification Factor will include review of documentation that the principle of **environmental leadership** was used and understood during the development process, specifically,

- a. Only products in the top 1/3 of the market are expected to qualify to the standard at the minimum level at the date of publication of the standard; and,
- b. Only a very few, if any, products are expected to meet the highest performance tier at the date of publication of the standard.

Examples of documentation include:

- Incorporation of these principles in the scope of the standard;
- Meeting records that indicate these principles were discussed by the development committee; and
- These principles were articulated in ballot documentation.

*Note:* Review of this Qualification Factor does not require a marketplace assessment to estimate product registration status.

**3.** *The standard shall provide a clear and consistent set of environmental performance criteria, addressing multiple life cycle*

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*stages of electronic products and aimed at reducing the environmental impact of the products.*

Environmental performance **criteria** in the standard will address the following 3 principles:

- a. Be clear and consistent
- b. Address multiple life cycle stages of the electronic product such as sourcing of raw materials, manufacturing, packaging, transportation, distribution, use, and end of life (e.g., reuse, repair, recycling and disposal.)
- c. Aim to reduce the environmental impact of the products.

*\*Note:* Qualification Factor #4 below also addresses life cycle aspects

**4.** *The standard shall include performance criteria relating to multiple environmental attributes, including at a minimum such attributes as reduction or elimination of environmentally sensitive materials, selection of environmentally preferable materials, design for end of life, life cycle extension, energy conservation, end-of-life management, corporate performance and packaging.*

The standard will include, at a minimum, criteria addressing the following categories of environmental performance, where appropriate:

- a. Elimination of environmentally sensitive materials
- b. Selection of environmentally preferable materials
- c. Design for end of life
- d. Life cycle extension
- e. Energy conservation
- f. End-of-life management
- g. Corporate performance
- h. Packaging

**5.** *The standard shall provide three performance tiers and a clear description of how they are achieved.*

The standard will be reviewed to determine whether it provides for **3 performance tiers**, and how they are achieved. For example, a standard may have the following performance tiers:

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Bronze	Meets all required criteria
Silver	Meets all required criteria + 50% of optional criteria
Gold	Meets all required criteria + 75% of optional criteria

*Note:* There is no requirement that the standard include required and optional criteria.

**6. Standards shall be evaluated for product scope, consistency with EPEAT’s conformity assurance approach, and other factors.**

The standard will be reviewed to ensure consistency with EPEAT, including, but not limited to, the following:

- a. **Product scope.** The standard must apply to electronic products, in whole or in part.
- b. **Conformity assurance approach.** To be consistent with EPEAT’s conformity assurance approach, the standard must allow for:
  - a. **Aftermarket verification.** The standard must allow for the verification of conformance to the standard after the product has been placed on the market. Pre-market certification is allowed, provided that ongoing aftermarket verification is not precluded.
  - b. **Manufacturer selection of Product Registration Entity (PRE).** The standard must allow for multiple PREs to register products, and not be exclusive to a single organization.

**Standard – Content (Criteria)**

This section addresses Qualification Factors pertaining to the technical content, or criteria, in the standard. These factors will be reviewed for relative, not absolute, promotion of and adherence to the objectives below. Note: the content of the standard overall will be evaluated for these Qualification Factors. The Qualification Factors will not be used to evaluate individual criteria.

- 1. If the standard contains optional criteria, those criteria shall provide a continuing challenge for improvement of environmental performance over the life of the standard. In other words, not all optional criteria should be achievable at the date of publication of the standard. However, optional criteria should be defined such that the technological or**

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*operational capability can reasonably be expected to be achieved within the standard revision cycle.*

**Optional criteria**, if included:

- a. Should not all be achievable at the date of publication of the standard
- b. Can reasonably be expected to be achieved within the life of the standard (i.e., prior to the revision cycle specified by the SDO).

**2.** *The criteria contained in the standard are clearly written, effective, relevant and verifiable through use of objective metrics and commonly accepted tools, methodologies and/or standards.*

**Clarity** of criteria, including:

- a. Clearly written
- b. Effective and relevant
- c. **Verifiable** through the use of objective metrics, commonly accepted tools, methodologies and/or standards.

**3.** *The criteria in the standard provide at least **one of the following three environmental benefits**:*

- a. *Clear environmental benefits that are measurable, verifiable and credible.*
- b. *Represent incremental steps towards environmental benefit, establishment of systems approach to environmental benefit, or foundational elements of an environmental management system.*
- c. *Reporting of environmental data that will allow the comparison of key environmental aspects of products or help fill critical information gaps to facilitate future criteria development.*

The criteria in the standard must provide at least one of the three environmental benefits listed in the Qualification Factor above.

**4.** *To the extent possible, criteria in the standard should harmonize with national and international environmental requirements and standards, including voluntary eco-labels and market requirements. Consensus bodies may develop more rigorous requirements than currently exist.*

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**Harmonization** with national and international environmental requirements and standards, including voluntary eco-labels and market requirements. The principal mechanism of harmonization is through the citation of other standards as normative or informative references.

*Note:* The standard may build on existing requirements, but make those requirements more rigorous.

**Change History**

Issue	Revision	Author	Description of Change	Approval	Date Approved
1	0	P. Brody-Heine	Initial release	Robert Frisbee	6/4/15
1	1	P. Brody-Heine	Added definition of consensus in Standard Development 1.b.i.a; Added term “suitable media” in Standard Develop 1.b.ii.a;	Scott Davis	2/17/16