

EPEAT Standard Development Roadmap (SDR) Team Response to Comments from IPC and BSEF (Bromine Science Environmental Forum) on SDR Background Document

August 24, 2007

During the third public comment period, IPC and BSEF provided comments to the EPEAT Standards Development Roadmap (SDR) expressing concern that their comments regarding treatment of flame retardants in the Background Document were not adequately reflected in the final document. Detailed comments regarding flame retardants were received from a wide range of stakeholders (including NGOs, manufacturers and their trade associations, and the chemical industry), representing a wide range of viewpoints. We received strongly differing statements from different stakeholders on this issue, some of which directly conflict. As this is a stakeholder process, we have reflected the range of viewpoints received.

In response to IPC's request, we are replying in writing and sharing our response with all stakeholders to their most recent set of comments.

The SDR process reflects the full breadth of stakeholder input, and we take such comments very seriously. All comments were considered and balanced in the development of the final documents. Through four public conference calls and many one-on-one conversations we explained to all stakeholders how all comments were considered and incorporated into the SDR documents.

The purpose of the SDR process is to create recommendations for future development of environmental standards for electronic products. Decisions and dialogue on specific environmental attributes and criteria will take place during the actual standards development process. The criteria will be decided by stakeholders of that process, not the SDR. However, given the strength of IPC and BSEF's concern and our commitment to listening to all stakeholders, we respectfully submit the following written explanation of how their input was considered and incorporated.

Response to IPC Comments and Requests (supported by BSEF)

IPC specifically asked that we address the following concerns. Note that the italicized paragraphs below are excerpts from IPC's Table 2, submitted during the 3rd public comment period (all comments are available at http://zerowaste.org/epeat/roadmap_docs.htm). As described below, we have made revisions to the Background Document and will re-issue a Revised Final Background Document.

Comment/Request

- 1. The inclusion of TBBPA and DecaBDE under the heading "Content Specific*

Environmental or Human Health Concerns” (in the Background Document) implies that EPA considers TBBPA to be an environmental or human health concern, despite the lack of any supporting scientific documentation.

Suggest moving the statement regarding the presence of BFRs from the ‘Content Specific Environmental or Human Health Concerns’ to the previous ‘Product profile section.’ Following the statement regarding the presence of flame retardants, you may wish to repeat or reference the fact that certain stakeholders have expressed concerns regarding the impact of these materials.

Response:

Discussion of BFRs in the background document has remained under the “Content Specific Environmental or Human Health Concerns” section, but that section’s name has been changed to “Substances of Note”. Reference to flame retardants has been changed to “substances of note” rather than “environmental or human health concerns” or “constituents of concern”. The SDR team chose to include flame retardants as “Substances of Note” in the Background Document to reflect the fact that the issues about these substances will appropriately be raised and thoroughly evaluated and discussed in the standards development process. The team believes that flame retardants must be noted in the Background Document because it would run counter to the stakeholder process to ignore that some stakeholders feel strongly that issues around flame retardants should be considered in future standards development.

Comment/Request:

- 2. The statement, “Based on stakeholder comments, it is clear that there is controversy around the human health and environments impacts associated with use of some flame retardants, including brominated flame retardants” implies that there is a scientific controversy about the human health and environmental impacts. While some stakeholders make take issue with the use of flame retardants, there is no scientific evidence to support these concerns, nor is there any scientific controversy. EPA should clearly state that these are concerns of certain stakeholders.*

Suggested Language: “Nearly all products use some flame retardants. While this document does not attempt to review scientific evidence regarding any associated human health and environmental impacts or the lack thereof, the use of flame retardants in electronics is noted as a concern of some stakeholders and should be thoroughly reviewed in the next steps of the standard development process.”

Response:

The reference to a “controversy around the human health and environments impacts associated with use of some flame retardants” in the Background Document has been revised to state that “Nearly all products use some flame retardants. While this document does not attempt to review scientific evidence regarding associated human health and

environmental impacts or the lack thereof, the use of flame retardants in electronics is noted as a concern of some stakeholders and will appropriately be raised and be thoroughly reviewed in the next steps of the standard development process.”.

All references received are provided for stakeholder review as an attachment to the Revised Final Background Document. It was beyond the scope or intent of the Background Document or the SDR project to evaluate all that information and reach a definitive conclusion on the relative hazards specific environmental features pose, including flame retardants. The full range of comments can be seen at the SDR website, http://zerowaste.org/epeat/roadmap_docs.htm.

Other Actions Taken in Response to Stakeholder Comments on BFRs:

Specific changes have been made within the Background Document in each draft of the document to incorporate technical concerns raised by the commenters about how specific constituents are characterized. In particular, the following changes have been made to the Background Document over the past two months:

- Noted that flame retardants are common to many of the products considered, and therefore were not considered as a criterion for the prioritization of any particular electronic product for development of an environmental standard.
- Revised wording to reflect that not all flame retardants are equivalent in terms of human health or environmental concern.
- Clarified that neither the Background Document nor the Final Roadmap make any recommendations regarding the treatment of flame retardants in future standards.
- Changed titling within the Background Document, from “Content Specific Environmental or Human Health Concerns” to “Content Specific Substances of Note,” to indicate that there is no particular judgment being rendered regarding the relative environmental or human health hazards of specific substances.
- Eliminated statements making specific claims about the human health or environmental impact of specific flame retardants.
- Included all the references provided to us by all stakeholders in the reference section.

We believe that these efforts meet the overall concerns of the stakeholders while adequately reflecting the full input the project team received on this issue. Thank you for your comments and input.

Respectfully,

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