

Draft Revised WaterSense® Product Certification System Public Meeting Summary

July 13, 2011, 1:00 to 3:00 pm. (EST), Webinar

Meeting Participants

Larry Acker, ACT Demand Systems Inc.
David Alderman, National Institute of Standards and Technology (NIST)
Susana Alvarado, Tampa Bay Water
Stephan Andree, Unaffiliated
Scott Armstrong, Geysers Stop!
Marianne Balfe, Marriott International
H. Balikov, GEC
Daniel Bartz, Kohler Company
John Bertrand, Moen, Inc
Margaret Bicking, EcoWater Systems
Diego Bonta, Dow Water and Process Solutions
Alexis Bookman, Unaffiliated
Ron Brew, Oregon Water Resources Department
Terry Burger, CSA International
Ian Chang, Intertek
Ronald Coiner, International Accreditation Service (IAS)
Shirley Dewi, International Association of Plumbing and Mechanical Officials Research and Testing (IAPMO R&T)
Tom Eberhardy, Bradley Corporation
Gary Edwards, Federal Tecons
Raymond Eurto, Northern Designs, LLC
Mark Felton, Culligan Water
Reinaldo Figueiredo, American National Standards Institute (ANSI)
Richard Foster, Rain Bird Corporation
Jeffrey Franks, Technical Engineering Solutions, LLC
Don Frunk, Fisher Manufacturing Company
Casey Furlong, InSinkErator
Chris Geisen, General Electric
Larry Giroux, John Deere Landscapes
Peggy Golden, Golden Interiors
Andre Gondouin, Unaffiliated
David Grieshop, Reality, LLC
Charles Gross, IAPMO R&T
Richard Harris, East Bay Municipal Utility District (EBMUD)
Susannah Harris, Eastern Research Group (ERG)
Amy Harrison, NSF International
Mary Henderson, Unaffiliated
Charles Hettrick, Delta Faucet Company
Larry Himmelblau, Chicago Faucets



Joe Hoenscheid, Unaffiliated
Judy Howell, United Energy, LLC
Fiona Hsiung, Unaffiliated
Andy Jacob, Unaffiliated
Mike Kenna, US Golf Association
Stefan Kesler, City of Dallas
Seckin Kus, Eczacibasi Yapi Gerecleri A.S. - Vitra
James Lin, Pfister
Laura Lopez, Unaffiliated
Dana Madison, BPA
Mark Malatesta, Unaffiliated
Bill McDonnell, Metropolitan Water District (MWD)
Cary McElhinney, US Environmental Protection Agency (EPA)
Andrew McIntyre, Unaffiliated
Yi Meng, W S Darley
Lee Mercer, Moen, Inc
Shahin Moinian, International Code Council-Evaluation Services (ICC-ES)
Dale Morehouse, AECOM
Tara O'Hare, US EPA
Jeffrey Oleson, City of Ottawa, Kansas
Scott Parkhurst, SGS North America
Jim Poston, Green Building Science Institute
Judi Ranton, Portland Water Bureau
Shabbir Rawalpindiwala, Kohler Company
Kathleen Ruppert, Unaffiliated
Stephanie Salmon, Plumbing Manufacturers Institute (PMI)
David Silva, California Landscape Contractors Association (CLCA)
Joel Solis, NEMA
Robert Stefani, Austin Water
Helen Stratton, Eastern Municipal Water District
Stephanie Tanner, US EPA
Jeff Tejral, Denver Water
Rodney Tilley, Toho Water Authority
Ken Tomihiro, CIPH
Pauli Undesser, Water Quality Association (WQA)
Mark Unger, WQA
Steve Via, American Water Works Association (AWWA)
Kim Wagoner, ERG
Lark Wells, ERG
Kerry Wyckoff, Kohler Company
Fatma Yilmaz, Housing Authority of Baltimore City (HABC)
Larry Zinser, Master Water Conditioning

July 19, 2011, 1:00 to 3:00 pm (EST), Webinar

Meeting Participants

David Allen, South Florida Water Management District
Rachel Balmer, Underwriters Laboratories Inc
Veronica Blette, US EPA
Cathleen Brennan, Coastside County Water District
Dan Buuck, National Association of Home Builders (NAHB)
Thomas Carpenter, EPA SAB
Michael Davidson, Spec Management Group
Shirley Dewi, IAPMO R&T
Ned Dickey, CSA International
Rick Dortch, Unaffiliated
Martha Duffield, Town of Danvers
Fernando Fernandez, TOTO
Kevin Galvin, Unaffiliated
Karim Ghantous, Unaffiliated
Randall Hall, Rain Bird Corporation
Scott Hamilton, Plumbers Local 75
Susannah Harris, ERG
Stephen Hart, Worcester East Side CDC
Jesse Hernandez, Culligan Water of North County
Larry Himmelblau, Chicago Faucets
Brian Hinson, KWC America
Nikki Jackson, ANSI
Eric Koch, Applied Proactive Technologies Inc
John Koeller, Koeller & Company
Ken Kroll, Designer Home Builders
Sanford Lee, Unaffiliated
Brian Lennon, Irrrometer
CK Lim, Globe Union
Anne Massey, AB Massey Construction Inc
Sam Massey Running Springs Water District
Robert McMichael, UTRS Inc
Kenneth Mercer, AWWA
Kathy Nguyen, Cobb County Water System
Mariana Nicolae, Sloan Valve Company
Tara O'Hare, US EPA
Robert Orton, Tynan Plumbing Fixtures
Christian Paulsen, Inax USA
Janice Perry, Powdersville Water District
Shabbir Rawalpindiwala, Kohler Co
Shokoofeh Rezazadeh, Aquarion Water Company
Bob Robke, NSF International
Vince Sauers, Waxman CPG
Christie Shields, NSF International

Karin Skipper, SCDHEC
Len Swatkowski, Plumbing Manufacturers Institute
David Swiderski, Pentair Filtration Solutions
Stephanie Tanner, US EPA
Derek Taylor, Hansgrohe Inc
Sue Tensfeldt, SFPCU
Carl Trendelman, Delta Faucet Co
Cheri Vogel, NMOSE
Kim Wagoner, ERG
Summer Waters, University of Arizona Cooperative Extension
Chip Way, Lavelle Industries
Marcia Weekes, Ecostrategic Construction Solutions
Lark Wells, ERG
Robyn Wessels, City of Luverne
Allan Wishnoff, UA Plumbers Local Union No 1 Training Center
Fatma Yilmaz, HABC

Welcome

Stephanie Tanner (U.S. EPA's WaterSense program), provided some background on WaterSense's product certification system and explained that the goals of the meeting were to review the *Draft Revised WaterSense Product Certification System* (product certification system), the proposed product notification process, and draft notification templates.

A copy of the meeting presentation is available for download on the WaterSense website at <http://www.epa.gov/watersense/partners/certification.html>.

Overview of Draft Revisions to WaterSense Product Certification System

General Revisions and Revisions to Sections 1.0 through 4.0

Kim Wagoner (ERG) discussed the general revisions and revisions to Sections 1.0 through 4.0 of the Revised Draft Product Certification System, including the effective date, scope, references and definitions, and accreditation body requirements.

Ms. Tanner opened up the call for discussion of the revisions made to Sections 1.0 through 4.0.

Christian Paulsen (Inax USA) asked whether WaterSense and ENERGY STAR were joining together. Ms. Tanner responded that WaterSense and ENERGY STAR will remain separate programs. However, the programs are working on a joint specification for pre-rinse spray valves because there is the potential for both energy and water savings. WaterSense is trying to align its certification system with the ENERGY STAR program's new certification system so the processes are similar enough for manufacturers to be able to achieve both labels with few extra requirements.

Shabbir Rawalpindiwala (Kohler Company) inquired about the requirement that gives certifying bodies and manufacturers one year to obtain accreditation to the new requirements and asked

for clarification about what specifically the manufacturers have to get accredited to. Ms. Wagoner clarified that manufacturers do not need to be accredited; they just need to have their products certified in accordance with the new certification system within the one year time period.

Revisions to Section 5.0

Ms. Tanner reviewed the draft changes made to Section 5.0, which details the product certifying body requirements including impartiality and the use of internal and external (outsourced) evaluation resources.

Ms. Tanner explained that EPA has significantly restructured its approach for the allowable testing options and has clarified the specific evaluation resource (e.g., testing laboratory) qualifications. Ms. Tanner reviewed the specific requirements for the licensed certifying body's use of internal resources and the described and reviewed the requirements for the three types of allowable external resources: independent testing laboratories, witnessed manufacturer's testing laboratories (WMTL), or supervised manufacturer's testing laboratories (SMTL).

Ms. Tanner then emphasized that these external resource options are all considered part of independent third-party certification. Specifically, an SMTL is NOT a manufacturer's declaration of its product's conformity. All testing is done under the ongoing supervision of a licensed certifying body and the licensed certifying body maintains ultimate responsibility for the integrity of the test data.

Ms. Tanner further explained that EPA is choosing to expand its evaluation resource options because it will build more flexibility into the product certification process, reduces testing costs and the time it takes for products to obtain certification, free up certification resources for future WaterSense labeled products and product categories, and facilitate future joint-labeling opportunities by aligning the WaterSense product certification system with the ENERGY STAR programs new Third-Party Certification Procedures. .

Following this discussion Ms. Tanner opened up the call for discussion of the revisions made to Section 5.0.

Shabbir Rawalpindiwala (Kohler Company) asked for clarification regarding the definition of supervised manufacturer's laboratory. It seems to imply that when the manufacturer's laboratory does the testing the certifying body's staff needs to be there to supervise it.

Ms. Tanner clarified that is not the case. The licensed certification body does not have to be there onsite to directly supervise all of the testing. However, this definition is the exact definition in the ICEEE guidance and is used by ENERGY STAR. EPA would be happy to provide clarification, but hesitates to change the standard definition. EPA would be willing to add another sentence to provide clarity. Ms. Tanner asked Mr. Rawalpindiwala to provide suggestions for how to clarify the definition in a subsequent sentence when they submit their written comments.

Shabbir Rawalpindiwala (Kohler Company) then asked for clarification of Section 5.4, where it states that the test reports have to have a falsification of data statement. The way it is written implies that only certification bodies' test laboratories have to include that statement. Ms. Tanner replied that this requirement applies to all test reports and will clarify that in the final product certification system.

Shabbir Rawalpindiwala (Kohler Company) asked about the requirement in Section 5.4.2, for external resources to conform to ISO/IEC Guide 65. He was under the impression that external laboratories were supposed to be compliant to ISO Guide 17025. Ms. Tanner clarified that external laboratories do have to conform to ISO Guide 17025. Shahin Moinian (ICC-ES) and Reinaldo Figueiredo (ANSI) indicated that the reference to ISO/IEC Guide 65 was specifically referring to the requirements in Section 4.4 which guides testing laboratory subcontracting.

Shabbir Rawalpindiwala (Kohler Company) asked whether Section 5.4.2.1 contradicts the definition of independent testing laboratories. Ms. Tanner indicated that she was unsure what specific requirements might be in conflict and asked Mr. Rawalpindiwala to submit his specific comments in writing.

Charles Hettrick (Delta Faucet Company) asked whether electronic signatures are allowed for signing the test report. Ms. Tanner clarified that they are.

Shahin Moinian (ICC-ES) indicated that it appears that the burden of credibility on a third party commercial laboratory is higher than the requirements for a manufacturer's laboratory. The manufacturer's laboratory does not have to go through the accreditation process. In addition, he noted that EPA specifically makes reference to ILAC MRA signatories in Section 5.4.2.1 and asked whether there was a reason for not including AFLAC as an option. Ms. Tanner responded that WaterSense was trying to align its requirements with the ENERGY STAR program. ENERGY STAR requires ISO/IEC 17025 accreditation for all resources except for WMTLs and SMTLs, and they also only allow the ILAC MRA to demonstrate the accreditation.

Scott Parkhurst (SGS North America) asked about Section 6.6.2.1, Product Retesting. Specifically, he did not understand why witness testing and supervised testing is not acceptable for retesting. Ms. Tanner indicated that this is consistent with the ENERGY STAR process and is necessary for coordination between the two programs. In addition, after discussions with some of the manufacturers, EPA was under the impression that all surveillance testing was conducted by an independent laboratory or directly by the licensed certification body. Shabbir Rawalpindiwala (Kohler Company) indicated that this is not the case. Shahin Moinian (ICC-ES) indicated that this requirement ensures that the testing is done by an independent laboratory at least one time during the life of the product, which is consistent with the intent of ISO/IEC Guide 65

Charles Hettrick (Delta Faucet Company) commented that if the goal is to align ENERGY STAR and WaterSense together, the programs should evaluate how water flow rates are calculated and asked to put that as an item for future discussion. Ms. Tanner acknowledged that this is really a U.S. Department of Energy (DOE) issue in their regulatory capacity, not related to the ENERGY STAR program. She did, however, indicate that this will be a topic for a future discussion.

Bob Robke (NSF International) asked for clarification regarding the reference to ISO 17043, and whether EPA was requesting that the proficiency testing be provided by an accredited proficiency testing provider. Mr. Robke indicated that it was his understanding that ISO 17043 specifies requirements for proficiency test developers, not requirements for how to conduct proficiency testing.

Ms. Tanner indicated that EPA's intent was to have proficiency testing done in accordance with the ISO 17043 requirements, as EPA had thought that this was the specific proficiency testing standard. She indicated that EPA would work with its accreditation bodies regarding the proper way to reference that standard and asked Mr. Robke to also provide his feedback in writing.

Chris Paulsen (Inax USA) asked if the licensing requirements for testing laboratories were in place prior to the draft revisions. Ms. Tanner indicated that the licensing requirements have always applied only to the licensed certification bodies, not the individual test laboratories. The licensing agreement allows the licensed certifying body to issue the WaterSense label to the manufacturers and is in place to protect the distribution of the mark. The testing laboratories do not make the certification decisions. The licensing requirement for the certifying bodies has always been a part of the product certification system.

Revisions to Section 6.0

Ms. Wagoner discussed the revisions to Sections 6.0, which details the product certification process and requirements. Specifically Ms. Wagoner described how changes to EPA's WaterSense labeled product reporting process impacts requirements for the manufacturer's application to the licensed certifying body and the licensed certifying body's product certification listings.

Ms. Wagoner then reviewed the restructured requirements for market surveillance, including product retesting and surveillance of the use of the WaterSense label.

Ms. Tanner opened up the call for discussion of the revisions made to Section 6.0.

Shabbir Rawalpindiwala (Kohler Company) indicated that the cost of the doing the retesting is enormous, especially considering that retesting cannot be done as a witness testing at the manufacturer's laboratory. He further commented that multiple samples will need to be shipped to an outside laboratory, which is not environmentally friendly and is costly. Ms. Tanner thanked the Mr. Rawalpindiwala for expressing his concerns on this topic.

Lee Mercer (Moen Inc) and Len Swatkowski (PMI) indicated that ENERGY STAR has a 10 percent retesting requirement versus a 15 percent retesting required by WaterSense and indicated that if WaterSense wants consistency with ENERGY STAR, it should want that retesting to be consistent. Ms. Tanner responded that the ENERGY STAR program also benefits from the fact that their sister agency, DOE, tests a wide swath of ENERGY STAR labeled products for conformance at their own expense. WaterSense does not have that capability to do that additional testing, which is why the program has proposed a slightly higher

requirement for retesting of WaterSense labeled products. The increase in the WaterSense retesting requirements ultimately covers the same percentage of products as ENERGY STAR.

Lee Mercer (Moen Inc) then asked if they have a base model that they are doing a new certification for and it happens to use the same flow control device as a model that has already been certified, but they are certifying that new model under the witness test or the manufacturer's supervised laboratory program, could that in turn be used towards that 15 percent required for annual surveillance. Ms. Tanner indicated that the certification system allows the licensed certification body some discretion about what it considers similar devices, so that would be something to discuss with the licensed certification body.

John Bertrand (Moen Inc.) indicated that Section 6.2.5 says the certifying body will maintain on its website all the information collected as part of the application process. Some of that information may be confidential, propriety information, and wanted to know if EPA was going to require all that information to be displayed on the certifying body's website. Ms. Tanner clarified that the requirement applies just to the information that's included in the product notification templates.

John Bertrand (Moen Inc) also noted that EPA reserves the right to select up 50 percent of the models chosen for retesting and questioned how EPA was going to manage or communicate that with the certifying bodies. Ms. Tanner responded that EPA generally communicates issues directly with the licensed certification bodies. For instance, if EPA gets several complaints about a toilet, then it can request that the toilet is retested as part of the certification process. EPA reserves the right to specify specific products for retesting, but that does not mean every year it will dictate all 50 percent of those products. EPA wanted to clarify its ability to respond to complaints about products in the market.

John Bertrand (Moen Inc) asked if WaterSense has had a lot of retesting violations to date. Ms. Tanner responded no, however, retesting has only really started this year, so the program has not had one full year of retesting yet. She stated that she understood that this retesting is a big concern to the manufacturers, but has also heard their request to consider supervised testing, which is now allowed. Ms. Tanner further indicated that there were a number of utilities on the call that may be adamantly opposed to supervised manufacturer's testing. EPA tried to balance the need for manufactures to manage some of their own testing at their own facilities with the need to have some assurance that there are a sufficient number of products being tested independently on a continuing basis by the program. It is a difficult balancing act. WaterSense has three large sets of partners, which sometimes have aligned goals and sometimes have competing goals. Part of the point of having this public meeting is to see if there is a different way to balance these requirements. EPA would be happy to take comments on reducing the annual number of products tested, how testing happens, and where it happens, EPA remains open to all suggestions from all parties on how to balance those requirements.

John Bertrand (Moen Inc) noted that this retesting can become cost-prohibitive to small manufacturers. Ms. Tanner indicated that the old version of the product certification system, which was in place when EPA only had large plumbing manufacturers as part of the program, would have been extremely cost-prohibitive for a small irrigation controller manufacturer that

might only have one or two products. Now, the burden is more equally distributed between small and large manufacturers.

Shabbir Rawalpindiwala (Kohler Company) commented that if there is a complaint and EPA mandates testing and it turns out that there is nothing wrong with the product, it should be incumbent upon the complainer to pay for that testing. Ms. Tanner indicated that EPA can't require that somebody pay for that testing as it does not get involved in the financial relationship between the licensed certifying body and the manufacturer. What EPA is trying to do is take these complaints and, instead of dealing with them piecemeal several times throughout the year, make them part of the recertification effort. In this manner, they will count towards the 15 percent retesting requirement, which will eliminate the need to pay for a separate set of testing.

Joel Solis (NEMA) asked what happens when a product is retested and found to not meet the criteria. Ms. Tanner responded that this is covered by the product certification system. The certifying body notifies the manufacturer that the product has failed the surveillance. They have a process for either correcting that issue, or, if it can't be corrected, the product is delisted. The manufacturer and certifying body can work out any problems through their existing procedures under ISO/IEC Guide 65 on how to handle nonconformities. In the past, EPA has had issues where manufacturers have disagreed with something the licensed certification body has done. The licensed certification bodies are supposed to have a procedure in place to resolve complaints and appeal decisions and the manufacturer is free to use that process. If the manufacturer feels they aren't getting satisfaction from that process they can always refer the complaint to EPA or to the accreditation body that will follow through to ensure the issues is resolved in accordance with ISO/IEC Guide 65 procedures.

Joel Solis (NEMA) then asked when EPA works with the certifying body to pick the 50 percent of the models for retesting, will it at least have some flexibility in case models are not readily available in the marketplace. Ms. Tanner indicated that this would be the case. EPA will try to work with the licensed certification bodies as closely as possible. She then asked the licensed certification bodies on the call for input on the best way to handle this type of situation.

Len Swatkowski (PMI) indicated that samples gathered from retail are going to increase recertification costs compared to ENERGY STAR requirements of warehouse sampling and asked why not make the requirements the same. Ms. Tanner responded that ENERGY STAR actually also allows certifying bodies to choose whether sampling is done at the warehouse or at the retail level and that ENERGY STAR prefers that sampling be done, in order of preference, at the retail site, at the warehouse, or pulled off the line, if there is no other way to get the product. The WaterSense requirements are in line with the ENERGY STAR program.

Chris Paulsen (Inax USA) asked what the criteria will be for surveillance and retesting and how the decision will be made as to which products will be surveyed and retested. Ms. Tanner responded that the licensed certification bodies will make that decision at random.

Chris Paulsen (Inax USA) asked whether sampling at the retail level means that the certifying body will go to a retail store or if EPA will do that. Ms. Tanner responded that the certifying body will purchase the product at the retail level.

Chris Paulsen (Inax USA) then asked whether the cost burden of purchasing a product at retail should go back to the manufacturer. Ms. Tanner indicated that it would.

Rachel Balmer (Underwriters Laboratories Inc) asked for clarification regarding the 15 percent of products retested per year. Does this mean that there must be at least one sample tested per year? Ms. Tanner responded no and indicated that it just means that the licensed certification body would retest 15 percent of all its certified products every year. There is no longer a requirement that the certifying body tests one product per year from each manufacturer.

Christie Shields (NSF International) then asked how the 15 percent would be determined. For example, would it be based on trade names or model numbers or based on certification body bracketing? A manufacturer could have 10 specific model numbers in a certification file, but only one test rep because the models are all similar enough to be bracketed. Ms. Tanner indicated that EPA would consider that retesting be done only for base models. For instance, if the manufacturer has a group of products that are bracketed because they are all basically the same, EPA would consider that to be one product.

Mariana Nicolae (Sloan Valve Company) asked EPA to clarify that WaterSense label is now mandatory and not voluntary. Ms. Tanner indicated that the requirement applies only to the product packaging and any website advertisements. It does not apply to the product itself or the specification sheets, although the manufacturer is free to put it on those materials as well.

Mariana Nicolae (Sloan Valve Company) then asked how many significant digits will be required to be reported. DOE asks that only one digit be reported. Ms. Tanner indicated that this is something EPA was still discussing regarding the DOE rulemaking. Right now, WaterSense asks that the flow rates be reported to two significant digits. EPA will have to have some conversations with DOE and its certifying bodies to work something out and will keep its stakeholders posted.

Overview of Product Notification Process

Ms. Tanner explained that EPA is revising the product notification form process to streamline the flow of information and improve data quality. With thousands of products made by hundreds of manufacturers, the WaterSense program has simply outgrown the existing process. The current product notification process places a significant and unnecessary burden on both the EPA and the manufacturers.

Lark Wells (ERG) provided an overview of the new product notification process and draft product notification templates.

Ms. Wells indicated that the proposed product notification process will allow EPA to more accurately verify a product's certification because the information included on the licensed certifying body's WaterSense labeled product listing will match the information reported to EPA; significantly reduce reporting errors and the amount of time it takes to update products on the WaterSense labeled product Web registry as product information will be provided directly by the licensed certifying body with minimal coordination with manufacturers required to verify that the

information is correct; and facilitate joint labeling of products between WaterSense and ENERGY STAR as the listing processes are now very similar for both programs.

Ms. Wells then reviewed the tank-type toilet product notification form and indicated that EPA is requesting feedback on content and clarity of instructions for the product notification templates, including the inclusion of non-specification-related information (ADA compliance, mount type, bowl type) on templates and certification files. EPA is also requesting information on the current process for tracking discontinued or non-conforming products.

Ms. Tanner opened up the call for discussion on the new product notification process and draft templates.

Larry Himmelblau (Chicago Faucets) asked why EPA is asking for ADA and bowl shapes, particularly since some of the bowls don't even match the definition of one or the other. Ms. Tanner indicated that consumers ask EPA to have this information on the WaterSense website, but that EPA would be interested in hearing some feedback on what information should be included on the WaterSense labeled product Web registry and whether or not it should be mandatory. Bill McDonnell (MWD) indicated that this information is important for their rebate programs because some of their customers find this information helpful in terms of figuring out which products to purchase.

Larry Himmelblau (Chicago Faucets) then asked when the two-month blackout is going to take place. Ms. Tanner responded that EPA will have to determine how that transition will work once it gets a little farther into process. The blackout may not be two months, but it might also be a little longer. EPA is just not sure at this time and will need to coordinate closely with the licensed certification bodies.

Shabbir Rawalpindiwala (Kohler Company) noted that EPA should give the option to the manufacturer to let either the manufacturer or the certifying body to submit the product information to the WaterSense labeled product Web registry. Specifically, he asked what happens if they want to get their products listed faster than 15 days. He also expressed concern that the licensed certification body would charge for this service. Ms. Tanner responded that the current process takes four to six weeks from the time the manufacturer applies to when a product is listed. Therefore, 15 days is a huge improvement. In addition, the other incentive with this new process is to cut down on the interaction with the manufacturers and minimize the back-and-forth currently experienced for processing product notification forms. Ms. Tanner indicated that she had heard pleading from many manufacturers to have an electronic template and have certifying bodies provide product information directly to EPA—even the licensed certification bodies have indicated this would be an improvement in the process. Although it is a big change, in the end, once the process is up in running, everyone will find that it is less expensive and more efficient, timely, and accurate.

Lee Mercer (Moen Inc) asked what would happen if there hasn't been an update to a certification file during the interim 15 days between reports and questioned whether the certifying bodies would still have to upload that file. Ms. Tanner responded that for each reporting cycle the licensed certification bodies will upload their entire product listing. If a manufacturer has not made any changes to their files, their listing wouldn't change. If there are

no changes to any of the certification files, the licensed certification body would not have to submit an update.

Terry Burger (CSA International) asked whether this presentation would be available to help them to prepare to change their certification program and train their staff. Ms. Tanner indicated that the presentation will be made available. Additionally, once EPA has finalized the criteria, but prior to the public release, it will hold another meeting with all the licensed certification bodies, so they will be fully informed and up-to-date about the final requirements.

With regard to the discontinued models, Shabbir Rawalpindiwala (Kohler Company) asked whether it was correct that if the model still appears in stores and the certification is still valid that the product should still be listed. Ms. Tanner responded yes, and indicated that EPA wants to know how long licensed certification bodies are keeping discontinued products on their listing so that EPA knows how long they should stay on the WaterSense labeled product Web registry. EPA does not want to remove products prematurely if they are perfectly good products and still on store shelves. Consumers should still be eligible for rebates on these products. However, EPA does not want products sitting on its list forever, long after they are no longer available to consumers. EPA is currently trying to figure out the transition timeline and is seeking information from licensed certification bodies about how they track discontinued products and when they would be taking those products off the listing they are providing EPA.

Chris Paulsen (Inax USA) asked whether the new templates are available now. Ms. Tanner responded that the templates are currently posted for comment on the WaterSense website, but they are not final and should not be used yet.

Chris Paulsen (Inax USA) and Shabbir Rawalpindiwala (Kohler Company) indicated that they don't currently get their products tested for ADA compliance by the certifying body and asked whether this would be a requirement now that EPA is requiring this information. Ms. Tanner responded that EPA would be interested in comments on this issue. ADA compliance is not a requirement of the specification, so EPA is comfortable if the manufacturer simply declares whether or not their product is ADA compliant. EPA is not expecting the licensed certification body to verify this information. The same goes for bowl type and mount type. EPA would, however, like to know if the certification listing can contain information that the certifying body hasn't verified. Manufacturers can leave these columns blank, but they should be aware that if a consumer searches the WaterSense website for toilets based on these factors only products with this information will appear.

Mariana Nicolae (Sloan Valve Company) asked whether they should put the WaterSense label on the specification sheet. Ms. Tanner indicated that it is not a requirement that the WaterSense label be included on specification sheets, but indicated that manufacturers are welcome to do so. All of the new label requirements are included in the revised WaterSense Label Use Guidelines.

Shabbir Rawalpindiwala (Kohler Company) asked who was going to determine if the manufacturer needed to add more information to its certification file for the new listings—the manufacturer, the certifying body, or EPA. Ms. Tanner indicated that if a product appears on the WaterSense website, the information EPA currently has is adequate for that product. She

further indicated that EPA would provide manufacturers with a copy of their current product listing, if asked. Manufacturers can use this to create the new templates for submittal to WaterSense in the fall. However, in many instances there are labeled products that are not included on the WaterSense listing because notification forms were never submitted or EPA was unable to verify the information on the forms.

Ms. Tanner wrapped up the meeting by encouraging all participants to provide written comments by July 25, 2011, to watersense-products@erg.com. She explained that all comments become a part of the public record and will be posted on the WaterSense Web site. Responses to these comments will be provided with the release of the final specification.