Welcome & Agenda
Jessica Slomka, NSF Secretariat, took attendance and read the antitrust statement.

There were 17 voting JC members in attendance. The meeting attendance record is located at the end of this document.

Cate Berard, Vice Chair, welcomed JC members and reviewed the agenda. The goal of this call is to review criteria/text from Task Groups (TG) 6 and 13, review and approve responses to comments from the December straw ballot, review definitions and discuss the weighting and scoring survey results and next steps.

Agenda
- Roll Call / Anti-Trust / Review Agenda / Approve Jan. 13th Meeting Summary
- Brief Update on IEEE/NSF Mediation
- Section 13 - Corporate Responsibility
  - 13.5.3 Certification to Social Responsibility Performance Standards - Discuss and approve TG recommendation
  - 13.4.1 Conflict Minerals Sourced Only from Validated Conflict Free Smelters - discuss and approve addition of "Note 1"
- Section 6 - Substances of Concern
  - 6.3.4 Alternatives Assessment - Finalize list of frameworks
- Comments from December Straw Ballot
  - Review and approve responses to comment
  - Consider assigning or forming TG for Innovation
- Definitions - review & approval process
- Weighting and Scoring
  - Summary of survey results for weighting and scoring
  - Discussion
  - Next steps
- Wrap Up and Action Items
- Adjourn

Approval of 1/13 Meeting Summary
Motion: Berard asked for a motion to approve the 1/13 meeting summary.
  a. Motion: Wayne Rifer
  b. Second: Holly Elwood
  c. Consensus: All in favor – no objections; meeting summary notes approved
**Brief Update on IEEE/NSF Mediation**

Jessica Slomka gave a brief update on the IEEE/NSF mediation:

- NSF & IEEE participated in a moderated discussion the week of Thanksgiving.
- The weeks following were spent putting together a joint process document. This was presented to both the NSF & IEEE leadership teams, whose members were JC Chair, TG Chairs, Secretariat and Vice-Chair.
- The NSF leadership team has proposed alternative wording for the joint process document to address key concerns with the process, including balance requirements for the joint working group, membership openness once the development process is underway, voting approval requirements, and maintenance requirements.
- After IEEE is finished reviewing the NSF proposed alternative wording (we hope to hear back early next week) the leadership teams will reconvene. The document will then be presented to all stakeholders in the NSF and IEEE development processes for approval to move forward.
- If stakeholders from both processes support the joint process we will schedule a face-to-face meeting in March (in DC) to launch this effort. This would include all members of the joint working group.
- Jessica Evan will join the next JC call on 2/12 to provide a more detailed report on this effort.

Pamela Brody-Heine noted that standards development work will continue during the NSF and IEEE negotiations.

JC members had several questions about the joint process, including:

1. Timing of publication of a standard based on the merger?
2. Purpose of the joint process; is it to develop a single standard? (Slomka response: yes, if stakeholders agree on how a joint standard would be developed.)
3. Fareed Ferhut noted that one of the issues with the IEEE process was the fees associated with ballot participation. Will IEEE membership fees be required?
4. How many participants from this JC will have the time and resources to be able to continue with the joint process? We may need to poll whether members have the ability to continue.

Berard stated that on next week’s JC call, Jessica Evans will share the joint process document, which will address some of these questions.

**Section 13 - Corporate Responsibility**

Barbara Kyle, TG Chair, presented the two outstanding items for JC review.

**13.5.3 Certification to Social Responsibility Performance Standards** – Kyle introduced the proposed criterion on social responsibility. At the November meeting, the proposed criterion included only SA 8000. There was some pushback from JC members to also include the EICC Code of Conduct, since this is the standard adopted by the electronics industry. In this revision, TG 13 is recommending including EICC but awarding fewer points, since it is not as high a bar as SA8000. The EICC language is intended to make it as comparable as possible to SA8000 certification; e.g., EICC VAP audits are 3rd party audits. Kyle referred the JC to the background research document that compares SA8000 to EICC; one tab compares the content of the standards, and the other tab compares the program structure. This analysis has been shared with EICC.

**Discussion:**
• Patty Dillon noted that TG 13 is in ongoing discussions with EICC on the consistency of the draft language with the EICC program; Billy Grayson at EICC has suggested aligning the second bullet with the first bullet, and specifically referencing major and priority non-conformance findings in the second bullet.

• The group clarified the point structure for the criterion. One point is awarded for EICC VAP audits; 2 points are awarded for SA8000 certification. The maximum points for the criterion is 2 points.

• The TG is continuing to discuss verification with EICC, specifically EICC has suggested that EPEAT could become a customer of EICC so the audit results were directly accessible.

• Sarah Westervelt asked why we would only issue a certificate when a corrective action is found and not when an audit is completed. We might consider a certificate for “passing” audits too. Dillon clarified that the VAP audit report will be accessible and will demonstrate there were no non-conformances. Dillon will reach out to EICC to see whether a certificate could be used to demonstrate a “passing” audit.

• Westervelt also stated that some certification bodies distinguish between major and minor non-conformance findings, while others do not distinguish between the two. Westervelt suggested defining the difference between a major and minor non-conformance. Dillon confirmed that these categories are defined within EICC VAP protocols. Dillon suggested that reviewing an actual VAP audit report might help the group better understand the process. Brian Martin will look into sharing a VAP audit report. Dillon will share the links to the VAP protocol documents.

• Kyle remarked that audits, in general, are not the best process for ensuring conformance with labor practices, since they are a snap shot in time, however, it’s the best thing we can point to now. Wayne Rifer asked if there are flaws in the audit protocols or is it the very nature of the audit process. Kyle said it’s the latter; audits are always announced. Westervelt agreed with Kyle and suggested adding on unannounced audits.

Berard asked the JC if they were generally supportive of the approach. The group had no concerns about the approach, and were generally supportive. The JC agreed to wait until the next JC meeting on 2/12 to officially motion this criterion.

**Action Items:**
- Dillon will share the VAP protocol document link
- Dillon will check with SA8000 on their classification of non-conformance findings and whether minor non-conformances are allowed with certification.
- Dillon will set up a follow up call with EICC to get final feedback on criterion language.
- Martin will check to see if he can share one of Seagate’s VAP audits.

- **13.4.1 Conflict Minerals Sourced Only from Validated Conflict Free Smelters** – Kyle explained that this criterion has already been straw balloted. The TG developed a definition of “recycled or scrap sources”, and because this definition is specific to conflict minerals, it is more appropriate to include as a note in the criterion itself rather than in the definitions section. So, the proposal is to add “Note 1”. This definition is from the OECD and is specific to conflict minerals.

**Discussion:**
Martin shared his experience with his recent audits of the supply chain for conflict-free minerals. If you have a very constrained supply chain then conflict free sourcing is possible, however, at this
time, the industry is several years away from credible and validated (backed up by audits) conflict-free mineral supply chains. Kyle confirmed this is a stretch goal. Martin suggested a third party audit to confirm supply chain data in order to prevent unsubstantiated conflict-free claims.

**Motion:** Berard asked for a motion to approve adding Note 1 to criterion 13.4.1.
   a. Motion: Holly Elwood
   b. Second: Dmitriy Nikolayev
   c. Consensus: All in favor – no objections; motion approved

**Action Items:**
- Martin will review criterion with in-house expert, and propose modification to criterion, if needed.
- Dillon will forward the 3 conflict-free mineral criteria to Martin.

**Section 6 - Substances of Concern**

- **6.3.4 Alternatives Assessment** – Pamela Brody-Heine explained that the TG had previously agreed that they would revisit and refine the list of frameworks. The JC had approved one of the frameworks (Interstate Chemicals Clearinghouse Alternatives Assessment Guide, Hybrid or Sequential Frameworks [www.newmoa.org/prevention/ic2/IC2_AA_Guide-Version_1.pdf]), but still needs to revisit the other two frameworks referenced below in the criterion.
  - California Safer Products regulations—CA Code of Regulations Title 22, Division 4.5, Chapter 55 Article 5, Sections 69505.5-69505.7

The CA guidance is not finalized and the standard cannot reference a draft document, so that reference must be removed from the criterion. However, the TG recommends including an informative footnote for the CA guidance document.

The TG is recommending that the National Academies of Sciences framework document be referenced in the criteria, with the understanding that this will be revisited in the future during continuous maintenance of the standard. The TG noted that the NAS report is a credible framework, but it is truly a framework and not a prescriptive guidance document, but at least give an outline and approach with a rather wide variety of options. There was general agreement that the Alternative Assessment area is new and in such flux.

**Motion:** Berard asked for a motion to approve finalizing the frameworks listed in criterion 6.3.4.
   a. Motion: Holly Elwood
   b. Second: Sarah Westervelt
   c. Discussion: None
   d. Consensus: All in favor – no objections; motion approved

**Responses to Comments from the December Straw Ballot**

Slomka explained that NSF has reviewed the straw ballot comments and has distributed proposed responses. Slomka reviewed responses that merited further discussion by the JC.
1) There were 6 comments regarding the deletion of the innovation section. The proposed response to these comments is:

Based on the number of negative comments regarding deletion of Section 14, inclusion of an innovations section appears to be important to stakeholders. Since a TG was never created or assigned to specifically discuss Section 14 as originally planned, the Chair will ask the JC if they would like to form or assign a Task Group to address and fully vet options for an innovations section.

Berard asked the JC if they would like to form or assign a Task Group (such as TG 1-4) to address and fully vet options for an innovations section.

Discussion:
- Rifer noted that TG 1-4 carefully considered and chose not to include an innovations section, due to the difficulty in evaluating innovations. Elwood agreed, and added that the standard has criteria that are innovative. Many of the optional criteria are promoting innovation.
- Martin recalled previous conversations about LCAs and impact assessment, and thought this type of approach would belong in an innovation section. Dillon suggested that the JC might consider the LCA impact reduction criterion, previously developed by TG 11, in lieu of an innovations section. Dillon added that TG 11 chose not to put the LCA reduction criterion forward since documentation would need a more thorough evaluation than a typical EPEAT verification to ensure the credibility of the LCA. TG 11 thought that using LCA as a tool to evaluate innovation would allow a more in-depth evaluation of the credibility of the LCA results. Martin noted that LCAs are somewhat limited now, and his company is putting a lot of time and effort into developing methodologies.

Berard asked if others were on the call that submitted a comment on an innovations section. Pamela reviewed the straw ballot comments pertaining to the innovations section.

Brody-Haine suggested 3 options:
- a. Consider LCA reduction criteria – In support of this option: Martin, Ralph Buoniconti (although might not be practical for this round)
- b. Add back innovations section – no one supported
- c. No changes – In support of this option: Elwood, Rifer, Dave Zavatson, Nikolayev (for this round)

Elwood asked Martin and Buoniconti to review the 3 LCA criteria in the current draft standard to see if these criteria get at the LCA topic enough, or do we need more? Dillon noted that the optional point survey that will be discussed later in the call includes a recommendation to increase the point value for conducting an LCA.

Action Item
- Martin and Buoniconti will review existing LCA criteria & the draft LCA reduction criterion, and come back next week with a recommendation on whether the JC should consider further changes in this section.

2) Four comments submitted by Ralph Buoniconti on 6.3.2, 6.3.3, 6.3.4 and Annex D appeared to provide some information that was not specifically previously considered by the TG or JC.
Buoniconti presented a high level overview of his comments. The JC was asked whether they would like to take any action based on these comments.

**Discussion:** The group discussed whether proprietary information was an issue for this type of disclosure and possibly renaming the section. Berard suggested that the concerns raised be considered now since similar comments are likely to come up in the public comment process.

The JC considered two options:
- Take no action on comment, excluding title change
- Send to TG 6 to review and consider comments: In support of this option: Wayne Rifer, Geoffrey Bock

The JC agreed to reconvene TG 6 to consider comments. Buoniconti will provide suggested edits (redline/strikeout) to address comments.

**Action Item:**
- Reconvene TG 6 to consider comments
- Buoniconti to provide redline/strikeout
- Brody-Heine will draft new title options for the JC to consider

The JC did not have time to complete the review of comments that merited further discussion and will continue at the next meeting.

---

**Meeting Wrap Up & Next Steps**

**The following agenda items were postponed until the next JC meeting.**
1. Continue review of comments (starting with Brian Martin’s comments on 6.2.1)
   a. The JC is asked to review the comments and come prepared to discuss
2. Definitions
3. Weighting and Scoring

**Next Meeting – Feb. 12th**

**Motion to adjourn meeting**
Motion: Holly Elwood
Second: Dave Zavatson

**Attendance**

<table>
<thead>
<tr>
<th>Company</th>
<th>Name</th>
<th>Interest Category</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultant - User</td>
<td>William Baxter</td>
<td>User</td>
<td>Member</td>
</tr>
<tr>
<td>US Department of Energy</td>
<td>Cate Berard</td>
<td>Public Health / Regulatory</td>
<td>Vice chair</td>
</tr>
<tr>
<td>Organization</td>
<td>First Name</td>
<td>Last Name</td>
<td>Position</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>------------------</td>
<td>-----------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>TUV Rheinland of North America</td>
<td>Geoffrey</td>
<td>Bock</td>
<td>User</td>
</tr>
<tr>
<td>Green Electronics Council</td>
<td>Pamela</td>
<td>Brody-Heine</td>
<td>General Interest</td>
</tr>
<tr>
<td>SABIC</td>
<td>Ralph Buoniconti</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>US DOE Sustainable Acquisition Program</td>
<td>Sandra Cannon</td>
<td></td>
<td>General Interest</td>
</tr>
<tr>
<td>Dillon Environmental Associates</td>
<td>Patty Dillon</td>
<td></td>
<td>General Interest</td>
</tr>
<tr>
<td>GBH International</td>
<td>Tim Earl</td>
<td></td>
<td>General Interest</td>
</tr>
<tr>
<td>U.S. Environmental Protection Agency</td>
<td>Holly Elwood</td>
<td></td>
<td>Public Health / Regulatory</td>
</tr>
<tr>
<td>Green Blue Institute (GreenBlue)</td>
<td>James Ewell</td>
<td></td>
<td>Public Health / Regulatory</td>
</tr>
<tr>
<td>California EPA - Department of Resources R...</td>
<td>Fareed Ferhut</td>
<td></td>
<td>Public Health / Regulatory</td>
</tr>
<tr>
<td>Koi Computers, Inc.</td>
<td>Catherine Ho</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>ECD Technology Ltd.</td>
<td>Walter Jager</td>
<td></td>
<td>General Interest</td>
</tr>
<tr>
<td>Electronics TakeBack Coalition</td>
<td>Barbara Kyle</td>
<td></td>
<td>Public Health / Regulatory</td>
</tr>
<tr>
<td>Seagate Technology</td>
<td>Brian Martin</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>US General Services Administration</td>
<td>Michael Morimoto</td>
<td></td>
<td>Public Health / Regulatory</td>
</tr>
<tr>
<td>Commonwealth of MA</td>
<td>Dmitriy Nikolayev</td>
<td></td>
<td>User</td>
</tr>
<tr>
<td>In Win Developments</td>
<td>Paul Parkinson</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Green Electronics Council</td>
<td>Wayne Rifer</td>
<td></td>
<td>User</td>
</tr>
<tr>
<td>Northeast Recycling Council, Inc. (NERC)</td>
<td>Lynn Rubinstein</td>
<td></td>
<td>Public Health / Regulatory</td>
</tr>
<tr>
<td>Ace Computers</td>
<td>John Samborski</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>NSF International</td>
<td>Jessica Slomka</td>
<td></td>
<td>General Interest</td>
</tr>
<tr>
<td>Basel Action Network</td>
<td>Sarah Westervelt</td>
<td></td>
<td>Public Health / Regulatory</td>
</tr>
<tr>
<td>University of California</td>
<td>David Zavatson</td>
<td></td>
<td>User</td>
</tr>
</tbody>
</table>