

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

The following is a summary of all public comments received from the second round of R2v3 public consultation. For each comment received, the summary indicates where revisions to the standard have been made in response to the comment, or, where no changes have been made, a brief summary of the TAC's consideration of the item has been provided, including, where applicable, any related guidance or clarification to address the issue raised.

Where clarifying or guidance information has been provided, this information will be used as the basis for the development of further supporting resources such as training and guidance, following the release of the R2v3 Standard.

All comments have been reviewed and their final disposition formally approved by the Consensus Body. Commenters have the right to appeal any decision made by the R2 Consensus Body in accordance with the Appeals process defined in Article 7 of the *SERI Manual of Policies and Procedures for R2 Standard Development*.

| Section | Clause | Comment | Recommended Change | Disposition / TAC Response |
|--|-------------|---|--|--|
| 9.FACILITY REQUIREMENTS | 9.(a) | Typo | Delete the word "any". | Non-Substantive Change: Delete the word "any". |
| 5.TRACKING THROUGHPUT | 5.(b)(3) | Second comma is missing. Otherwise it implies the negative value is calculated over a period of time. | Should be "Not store R2 Controlled Streams, or materials with a negative value, for longer..." | Non-substantive change: "Not store R2 Controlled Streams, or materials with a negative value, for longer..." |
| 2.HIERARCHY OF RESPONSIBLE MANAGEMENT STRATEGIES | 2.(b)(3)(B) | This is a burden to recyclers because this requirement will force the recycler to use non-economic recycling processes that will make the recyclers non-competitive. In addition, this wording does not agree with "(b) ...and Core Requirement 6, and take practical steps to direct items for processing..." | Insert "practical" as a qualifier. Only when all practical opportunities for reuse or materials recovery have been exhausted and there are no practical technically viable recycling processes available..." | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 2.HIERARCHY OF RESPONSIBLE MANAGEMENT STRATEGIES | 2.(b)(3)(B) | This requirement is overly stringent and burdensome. Technically viable solutions exist for recycling nearly all materials but they are often not financially viable or operationally viable. | (B) Non-Focus Materials - Only when all opportunities for reuse or materials recovery have been exhausted and there are no technically viable and economically sustainable recycling processes available may an R2 Facility direct material to the most environmentally beneficial option of energy recovery, incineration or land disposal. | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 2.HIERARCHY OF RESPONSIBLE MANAGEMENT STRATEGIES | 2.(b)(3)(B) | The phrase "no technically viable recycling processes available" could result in a recycler being forced to use a recycling option that would not be economically possible or might require shipment to a distant geographical location that would be both cost prohibitive and environmentally unsound due to the carbon release resulting from shipment of economically worthless materials over long distances because there is a technically viable solution located at a great distance from the recycler. | insert the word "reasonable" or "reasonably" in place of "technical" | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|-------------|---|---|--|
| 2.HIER ARCHY OF RESPO NSIBLE MANA GEMEN T STRATE GIES | 2.(b)(3)(B) | This will be very difficult for a recycler to prove in an audit and an auditor may disagree with the recycler on what an acceptable cost for recycling is. How frequently does a recycler have to revisit this onerous task for an item that is non-recyclable?? | Include guidelines to explain what is acceptable evidence that all plausible avenues for recycling have been exhausted. | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 2.HIER ARCHY OF RESPO NSIBLE MANA GEMEN T STRATE GIES | 2.(b)(3)(B) | This is a burden to recyclers because this requirement will force the recycler to use non-economic recycling processes that will make the recyclers non-competitive. In addition, this wording does not agree with (b) ...and Core Requirement 6, and take practical steps to direct items for processing... | Insert "practical" as a qualifier. Only when all practical opportunities for reuse or materials recovery have been exhausted and there are no practical technically viable recycling processes available..." | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 2.HIER ARCHY OF RESPO NSIBLE MANA GEMEN T STRATE GIES | 2.(b)(3)(B) | This is burden to recyclers because this requirement will force the recycler to use non-economic recycling processes that will make the recyclers non-competitive. Also, this wording is not in agreement with "(b) ...and Core Requirement 6, and take practical steps to direct items for processing..." | Insert "practical" as a qualifier. Only when all practical opportunities for reuse or materials recovery have been exhausted and there are no practical technically viable recycling processes available..." | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 2.HIER ARCHY OF RESPO NSIBLE MANA GEMEN T STRATE GIES | 2.(b)(3)(B) | The bar is too high for disposal of non-focus materials, as many processes may be "technically viable" but are entirely impractical - e.g. prototyped processes in labs, processing on another continent, very high costs, etc. Tied to related issue on 8(c). | Strike the word "technically". Alternatively, change to "reasonable technically" or "economical and technically". | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 2.HIER ARCHY OF RESPO NSIBLE MANA GEMEN T STRATE GIES | 2.(b)(3)(B) | This requirement is too stringent for non-focus materials. The fact that a technically viable solution exists for recycling a material does not mean that is economically sustainable. For instance, it may be technically viable to hand separate, chemically test, and physically sort a mixed and contaminated plastic stream but that is not an economically sustainable process. | Non-Focus Materials - Only when all opportunities for reuse or materials recovery have been exhausted and there are no technically viable and economically sustainable recycling processes available may an R2 Facility direct material to the most environmentally beneficial option of energy recovery, incineration or land disposal | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|-------------|--|--|--|
| 2.HIERARCHY OF RESPONSIBLE MANAGEMENT STRATEGIES | 2.(b)(3)(B) | Disposal of Non-Ferrous Materials (2(b)(3)(B)) - This requirement is too stringent and too burdensome and costly for the recycler. For example, just because there is a technically viable recycling process available, it does not mean that it is cost effective or economically sustainable. | Remove "reasonable technically". | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 4.LEGAL AND OTHER REQUIREMENTS, S,5,TRACKING THROUGHPUT | 2.(b)(3)(B) | As this is written, recyclers will be forced to use non-economical means to recycle non-focus materials when there is a technically viable alternative to land filling. An example is Styrofoam for instance -- there are ways of densifying Styrofoam and recycling it, but to do so a recycler has to manually pick through trash and then either purchase a densifying machine (which only makes sense if they receive hundreds of pounds of styrofoam a month or the recycler can ship it somewhere else to be densified. This is both enormously expensive and counter productive since the pollution caused by shipping this product probably more than offsets any small environmental benefit that is gotten from recycling the product. There are countless other examples of non FM's that make no economic or environmental sense to recycle. | Insert "practical" as a qualifier. Only when all practical opportunities for reuse or materials recovery have been exhausted and there are no practical technically viable recycling processes available..." | No Change: No change required as Core Requirement 2.(b) already accounts for "practical steps": "An R2 Facility shall evaluate and sort equipment, components, and materials in accordance with the policy and Core Requirement 6, and take all practical steps to direct items for processing in the following order of preference..." |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(a)(5) | Implies that the full evaluation process needs to be conducted again when the category changes. | "Include steps to re-categorize R2 Controlled Streams when processing changes the functionality, data sanitization status or physical condition of the stream." | No Change: Re-evaluation of an R2 Controlled Stream may be required for several reasons, such as if an R2 Facility determines that it cannot repair a device, or if data sanitization of the device cannot be confirmed. |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(b)(1) | The word "internal" lends to not permitting use of other reputable industry standards for categorization. | (b)(1) All equipment, components, and materials controlled by the R2 Facility shall be identified with its corresponding R2 equipment categories from the REC3, or equivalent correlated categories. | No Change: Internal categories are those used by the R2 Facility, although not necessarily developed by it. If the R2 Facility uses categories different from those in the REC, it must also maintain a documented correlation to the REC categories. Alternately, where other industry gradings or specifications exist, they may be adopted and incorporated into the REC for use. As per the introduction to the REC: "While it is preferred that an R2 Facility use the exact REC categories in identifying equipment in their operation and on their records, the R2 Facility may alternatively use an equivalent equipment grading and categorization system by cross-referencing their existing categories with this REC, using a written and audited cross-reference document to ensure consistency... Alternative categorization specifications, such as grading specifications established and maintained by other organizations, may be adopted as needed in the future. Such specifications must be approved and added to this REC." |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|-------------|---|--|--|
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(b)(1) | Correlated categories need not be internal. They may be provided through another standard, trade association, etc. | Strike the word "internal". | <p>No Change: Internal categories are those used by the R2 Facility, although not necessarily developed by it. If the R2 Facility uses categories different from those in the REC, it must also maintain a documented correlation to the REC categories. Alternately, where other industry gradings or specifications exist, they may be adopted and incorporated into the REC for use.</p> <p>As per the introduction to the REC: "While it is preferred that an R2 Facility use the exact REC categories in identifying equipment in their operation and on their records, the R2 Facility may alternatively use an equivalent equipment grading and categorization system by cross-referencing their existing categories with this REC, using a written and audited cross-reference document to ensure consistency... Alternative categorization specifications, such as grading specifications established and maintained by other organizations, may be adopted as needed in the future. Such specifications must be approved and added to this REC."</p> |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(b)(2) | (D) is the only reason it should not be controlled, and (A), (B), and (C) are methods for demonstrating that. | Strike (D), and change (2) to "All equipment, components, and materials shall be managed as an R2 Controlled Stream that requires further processing in accordance with the R2 requirements, unless it no longer meets the definition of an R2 Controlled Stream based on:" | <p>No Change: Requirement D is intended to address changes in status as a result of internal processing, whereas items A - C are for equipment that is received by the R2 Facility and has already been categorized or processed.</p> |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(e)(3)(A) | The requirement that there be no charge to the buyer for a return is unreasonable. In many industries, a reasonable restocking fee is very acceptable for buyer's remorse or a changed mind. In addition, there is no reasonable time frame identified. | Replace "at no charge to the buyer" with "of at least 30 days". | <p>No Change: Since the collectable and specialty electronics are being sold without any testing being performed or other verification of the functionality of the device, the ability for a customer to return the item at no charge, similar to what is currently permitted under the R2:2013 Standard, is critical to protect the customer.</p> |
| APPENDIX A - DOWNSSTREAM RECYCLING CHAIN | A | Excellent provision are made for the R2 Certified organization as well as Non R2 Certified organization | No Changes required | <p>No Change: Comment only and no changes recommended.</p> |
| APPENDIX A - DOWNSSTREAM RECYCLING CHAIN | A (4) | Companies often receive downstream information under obligations of confidentiality. In such situations the registering of the downstream recycling chain with SERI would be a direct violation of confidentiality obligations. SERI has waived its own legal liability through multiple disclaimers but SERI needs to clarify this point so that this portion of the standard does not cause a plethora of legal suits between recyclers for breaking confidentiality obligations. | (b) Unless prohibited by confidentiality obligations, register with SERI, the portion of the downstream recycling chain that it manages, including all R2 Controlled Streams to final disposition or the first R2 Facility, to enable mapping of the entire chain, and register any changes prior to shipment. | <p>No Change: Appendix A (4) has been revised to include registration of the downstream chain as an option for the R2 Facility, but not a requirement.</p> <p>"An R2 Facility shall: (a) Track and demonstrate the complete downstream recycling chain of all R2 Controlled Streams to final disposition, <i>or</i> (b) Register with SERI, the portion of the downstream recycling chain that it manages, including all R2 Controlled Streams to final disposition or the first R2 Facility, to enable mapping of the entire chain, and register any changes prior to shipment."</p> |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|----------|--|---|---|
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (4) | It is confusing that there are two options for the downstream chain. There doesn't seem to be a clear reason to keep the option of registering downstreams with SERI as there are no visible benefits to doing so. It was evident in the first round of comments that many companies felt negatively about registering this information. | If there are benefits of registering DS flows with SERI, this should be made more evident. Otherwise it makes little sense to keep 4b in the standard as it can be reasonably deduced from prior feedback that most companies will not go this route. | No Change: By registering the names and locations of the downstream vendors, the R2 Facility is able to stop its downstream verification at the first R2 Certified facility, as the remainder of the downstream flow can be electronically mapped to demonstrate the complete downstream chain. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (4) | it is unclear what information is being registered with SERI to map the recycling chain. | It should be clear if this is simply flowcharts or all downstream packet information. It should be clear as well how this information will be available if a business is expected to make known to a third-party the entirety of its downstream operations. | No Change: The intent of the requirement is to register the names and locations of the downstream vendors used by the R2 Facility, to enable electronic mapping of the complete downstream chain. The registered information will remain the property of the recycler and will only be visible to those that they provide access to. However, Appendix A (4) includes registration of the downstream chain as an option for the R2 Facility, but not a requirement. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (4)(b) | Registering changes should not be required prior to each shipment. Rather, they should be performed as soon as practicable following the change. | Replace "register any changes prior to shipment" with new sentence: "Changes to the downstream should be registered as they occur." or "... as soon as practicable following the change." | No Change: TAC reviewed and agreed to keep the requirement for registration of changes to the downstream flow prior to shipment, which aligns with the requirements for qualifying downstream vendors prior to use. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (5) | Both the disclosures under (a) and (b) will not be practicable if a R2 company chooses to register with SERI and discontinue auditing at the first R2 company. | Remove the option of discontinuing due diligence at the first R2 company (present in multiple sections). | No Change: The R2 Facility may stop their tracking and verification at the first R2 Facility, but as per Appendix A (5) would be required to obtain and disclose the names and locations of all vendors in the downstream chain if requested by an upstream R2 Facility. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (5) | Many recyclers want to conduct thorough due diligence rather than rely on a 3rd party due to liability concerns. The R2v3 standard will now permit a recycler to either track their materials through until final disposition or alternatively, stop tracking those materials once they reach a certified R2 facility. However, any downstream vendor, in order to remain compliant with R2 must provide any further downstream information to the upstream supplier. | The standard should clarify that a R2 facility must provide to the upstream supplier any further downstream information upon request. | No Change: The R2 Facility may stop their tracking and verification at the first R2 Facility, but as per Appendix A (5) would be required to obtain and disclose the names and locations of all vendors in the downstream chain if requested by an upstream R2 Facility. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (5) | It is not possible to provide the names and locations, etc. if the R2 Facility or one of its R2 Certified downstreams chose to register with SERI to the first R2 Certified downstream rather than the complete recycling chain (as per App A(4)(b) and App A(7)). This (5(a) is a needed requirement to support the expectations of many upstream clients as well as to assure SREA protection, yet the registration to 1st R2 will impede the ability to provide this transparency unless SERI shares the registered stream with any upstream who requests it. | Always require full downstream. Stopping at the 1st R2 is not adequate for transparency. | No Change: The R2 Facility may stop their tracking and verification at the first R2 Facility, but as per Appendix A (5) would be required to obtain and disclose the names and locations of all vendors in the downstream chain if requested by an upstream R2 Facility. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|----------------|---|--|--|
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d) | This requirement is unreasonable on multiple levels. First, unless a company is certified to R2, e-Stewards, NAID, ISO27001, or a similar standard an independent audit would have to be performed at the cost of either the R2 facility or the proposed downstream vendor which is not financially reasonable. Second, there is no identification of what is a SERI approved data sanitization training and SERI is overreaching to assert that only SERI can approve data sanitization training. | (8)(d) If performing data sanitization: (1) Smelts or incinerates data devices and media for final destruction, and provides written confirmation of processing of all devices, or (2) Is annually audited by a competent auditor. | No Change: The TAC discussed and agreed to allow for data sanitization by a non-R2 downstream when audited by a competent third party. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d)(2)(A) | It is not practical that an auditor be independent of the R2 Facility. 2nd party audits should be acceptable. | Change to "Independent of the organization being audited, and" | No Change: The TAC discussed and agreed to allow for data sanitization by a non-R2 downstream when audited by a competent third party. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d)(2)(A) | Requiring an auditor be "Independent of both the R2 Facility and the organization being audited" annually will result in an incalculable cost to a R2 Company. Consider a global company working with in excess of 100 sub-contractors handling data on their behalf. At an average minimum cost to complete an onsite audit of \$2,000 this add to the standard could cost up to \$200,000 per year or more. What led the group to believe that an auditor outside of the R2 company that is already certified to handle data as an appendix to their certification would know anything more on managing data. No recycler can afford this type of expense and continue to be a viable recycler. | The requirement for a third party annual audit MUST BE REMOVED and replaced. | No Change: The TAC discussed and agreed to allow for data sanitization by a non-R2 downstream when audited by a competent third party. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d)(2)(A) | " Independent of both the R2 Facility and the organization being audited" is difficult and expensive to administer, and is not practical | "by an auditor with no direct responsibility or connection to the processes being audited" | No Change: The TAC discussed and agreed to allow for data sanitization by a non-R2 downstream when audited by a competent third party. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d)(2)(D) | Has SERI established approved data sanitization training separate from other auditor and internal audit training? It recommended that (D) be deleted unless SERI can ensure this course will be offered online, at a reasonable cost, and in the languages of every facility providing data sanitization for an R2 Facility. | Delete (D). | No Change: The intent of the requirement is to ensure that all auditors assessing data sanitization processes have received adequate training. The training course/program need not be developed or delivered by SERI, only approved based on the scope of the training and content provided. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d)(2)(D) | So we are saying that SERI is the only entity with the knowledge and power to be able to determine what is approved data sanitization auditing. | Modify to include any training program determined by the R2 Facility to meet their expectations for theirs as well as all companies providing data management services for them. | No Change: The intent of the requirement is to ensure that all auditors assessing data sanitization processes have received adequate training. The training course/program need not be developed or delivered by SERI, only approved based on the scope of the training and content provided. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|----------------|---|--|--|
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d)(2)(D) | "Has successfully completed SERI approved data sanitization training..." Is another layer of administrative complexity that will require a lot of extra work on the part of the recycler. | Add the intent of this to Appendix A (8) (d)(2)(C): Has demonstrated knowledge of auditing management systems and data security/sanitization processes. | No Change: The intent of the requirement is to ensure that all auditors assessing data sanitization processes have received adequate training. The training course/program need not be developed or delivered by SERI, only approved based on the scope of the training and content provided. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(d)(3) | As discussed earlier, this as a part of the (d) (2) expectation is not a financially acceptable component of the standard. | Remove this requirement | No Change: As per Appendix A (8), for qualifying a non-R2 downstream vendor, the R2 Facility must confirm at least annually that the downstream chain conforms to the applicable requirements of the R2 Standard. |
| APPEN DIX B - DATA SANITIZ ATION | B (11)(d) | Some software works well far beyond the company which produced it has gone out of business. Once software has been verified to effectively sanitize a particular type of media or equipment, then requiring ongoing support is not necessary. | Delete this requirement (d). | No Change: Data sanitization software must be a currently supported version to ensure that it has all required updates and patches to properly function for the devices being sanitized. |
| APPEN DIX B - DATA SANITIZ ATION | B (5)(c) | 60 days of recordings, covering essentially all parts of a facility, is very expensive to maintain. | Eliminate or change this requirement in certain circumstances. IE, if the only data bearing devices received at a facility are ones from residential collection, 2 weeks of video storage is sufficient. | No Change: The TAC initially established a 90-day period for maintaining video recordings as this was determined to be the generally accepted timeframe. However, the period was subsequently reduced to 60 days to provide additional flexibility while ensuring an adequate period of records were available. |
| APPEN DIX B - DATA SANITIZ ATION | B (9) | This is not clear. | Change to "Video recordings of the process or area of physical destruction of all media shall be maintained for at least 60 days." | No Change: The intent of the requirement is to have video recordings of the physical destruction process. The recommended change submitted would alter the scope of the requirement to allow for video recordings of the area, which would not necessarily provide a record of the process. |
| APPEN DIX B - DATA SANITIZ ATION | B (9) | Video recordings of the physical destruction of all the media shall be maintained for at least 60 days. | Reduce to thirty days and clarify if this can be live or action activated | No Change: The TAC initially established a 90-day period for maintaining video recordings as this was determined to be the generally accepted timeframe. However, the period was subsequently reduced to 60 days to provide additional flexibility while ensuring an adequate period of records were available. |
| APPEN DIX B - DATA SANITIZ ATION | B (9) | Our resale division is quite small and can't afford this . | Either remove this or state that the coverage must meet requirements of client requirements | No Change: The TAC initially established a 90-day period for maintaining video recordings as this was determined to be the generally accepted timeframe. However, the period was subsequently reduced to 60 days to provide additional flexibility while ensuring an adequate period of records were available. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|-------------|---|--|---|
| APPEN DIX B - DATA SANITIZ ATION | B (9) | There is nowhere in the current draft version of the standard that discusses video recordings so what is this referencing. | Remove this requirement | No Change: The TAC initially established a 90-day period for maintaining video recordings as this was determined to be the generally accepted timeframe. However, the period was subsequently reduced to 60 days to provide additional flexibility while ensuring an adequate period of records were available. |
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | D (4)(c)(5) | The requirement that returns must be accepted for any reason at no charge is not reasonable. | Change (A) to delete "for any reason at no charge to the end-user", and change (B) to delete "no charge". | No Change: Appendix D - Specialty Electronics Reuse is intended to allow for reuse of highly specialized electronic equipment (such as telecom, scientific, and medical equipment), where full testing of the equipment is not feasible. As a result, the intended user of the equipment must be known, and no charge returns must be provided for any items that are Appendix D verified as opposed to tested. Alternately, an R2 Facility may sell untested specialty electronics under Core Requirement 6.(e)(3)(A). |
| 1.SCO PE | Dfn: Scope | Please specify under what circumstances is a single physical address? | R2 Certification is limited to the operations related to the single physical address, such as ##### or Note in the footer. | No Change: Physical address is the legally recognized street address for the physical location where the R2 activities take place, regardless of any subdivisions into rooms, units, suites, or otherwise. |
| DEFINIT IONS | Dfn: Scope | We have agreed that some co-located businesses handle everything appropriately. However, the restrictions are too onerous and strict. | Strike the word "ownership". | No Change: The TAC discussed the definition of scope, including the issues of co-location and common ownership on numerous occasions. It was agreed to include a detailed definition of scope and prohibit common ownership where there are co-located facilities, as there were concerns with a single organization setting up two businesses in order to divert some material outside of the R2 stream. |
| DEFINIT IONS | Dfn: Scope | Independently run companies with a common ownership are commonly located at the same "site" for cost savings purposes. When businesses have common ownership it is reasonable that there will be overlap in labor (e.g. accounting and administration). Provided the companies are separate legal entities, physically separated, independently operated, any interaction between the companies is traceable and documented, and they maintain separate legal addresses there should be no issue with co-location at the same site. | Remove "Free of any commonality in ownership, workers, and services, and". | No Change: The TAC discussed the definition of scope, including the issues of co-location and common ownership on numerous occasions. It was agreed to include a detailed definition of scope and prohibit common ownership where there are co-located facilities, as there were concerns with a single organization setting up two businesses in order to divert some material outside of the R2 stream. |
| DEFINIT IONS | Dfn: Scope | In almost all locations, the specific reason for co-location is the cost savings that can be realized from a fixed cost perspective in the instance of two independently run entities with a commonality of ownership. It does not seem the fact that the two entities share some ownership increases the risk if all other aspects of the co-location requirements are met. | Where there is more than one business at the site that is involved in the processing of used electronic equipment, components, or materials, each business and all operations must be R2 Certified, unless the Certification Body can verify that each business is: -- A separate legal entity, and -- Completely separated physically from the other businesses, and -- Independently operated, and -- Free of any commonality in workers, and services, and -- Any interaction between the businesses is traceable, documented, and conforms with the R2 Standard. | No Change: The TAC discussed the definition of scope, including the issues of co-location and common ownership on numerous occasions. It was agreed to include a detailed definition of scope and prohibit common ownership where there are co-located facilities, as there were concerns with a single organization setting up two businesses in order to divert some material outside of the R2 stream. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|---------------|---|--|--|
| DEFINITIONS | Dfn: Scope | Scope Definition (Co-Location) - A common reason for co-location facilities is cost and history. By sharing a facility, two companies may share resources (labor, machinery, rent) thereby reduce costs for each entity. [NAME] believes that co-location facilities can co-exist with only one being R2 certified as long as the entities are separate and independently operated, appropriate accounting controls are established, maintained and can be easily audited, and any interactions between the them can be traceable and documented. | Remove "Free of any commonality in ownership, workers or services". | No Change: The TAC discussed the definition of scope, including the issues of co-location and common ownership on numerous occasions. It was agreed to include a detailed definition of scope and prohibit common ownership where there are co-located facilities, as there were concerns with a single organization setting up two businesses in order to divert some material outside of the R2 stream. |
| APPENDIX E - MATERIALS RECOVERY | E (4) | In facilities that process Focus Materials, not all focus materials or facilities handle dangerous materials that call for Industrial Hygiene (IH) tests and/or reports. | The hazards identification and assessment shall at minimum address the following additional EH&S criteria, which shall be incorporated as applicable into the R2 Facility's EHSMS to the level defined through the assessment where required by facility operations and needs. | No Change: Appendix E requires the R2 Facility to conduct a regular hazard identification and assessment. As part of that assessment, the items defined in Appendix (E)(4)(a) - (l) must be considered, and where deemed necessary through the assessment, appropriate control measures must be developed and incorporated into the EHSMS, to the level defined under the assessment. |
| APPENDIX E - MATERIALS RECOVERY | E (4) | The sub-sections under (4) are predominantly controls, not hazards or risks. Requiring hazard identification and assessment of controls is not the intent of such evaluations. Additionally, since the hazards that would warrant such controls do not exist for all companies, this sets a precedent for having to identify and assess hazards that do not exist, this is bad practice. Furthermore, these controls and their implementation should be subject to the risk identified during the hazard identification and assessment and the legal and other requirements applicable to the recycler. | (4) The hazards identification and assessment shall at minimum address the following additional EH&S criteria as applicable, which shall be incorporated as applicable into the R2 Facility's EHSMS to the level warranted by the assessment and legal and other requirements: | No Change: Appendix E requires the R2 Facility to conduct a regular hazard identification and assessment. As part of that assessment, the items defined in Appendix (E)(4)(a) - (l) must be considered, and where deemed necessary through the assessment, appropriate control measures must be developed and incorporated into the EHSMS, to the level defined under the assessment. |
| APPENDIX E - MATERIALS RECOVERY | E (4) | Clarifies that not all paragraph 4 requirements will be necessary in all material recovery circumstances. For instance, manual disassembly only facilities may not require certain aspects of paragraph 4. | The hazards identification and assessment shall at minimum address the following additional EH&S criteria, which shall be incorporated as applicable and where the hazard assessment deems necessary into the R2 Facility's EHSMS to the level defined through the assessment | No Change: Appendix E requires the R2 Facility to conduct a regular hazard identification and assessment. As part of that assessment, the items defined in Appendix (E)(4)(a) - (l) must be considered, and where deemed necessary through the assessment, appropriate control measures must be developed and incorporated into the EHSMS, to the level defined under the assessment. |
| REC - Table 1 - Common Evaluation Stage Categories | REC - Content | This adds no value to the management nor the tracking of equipment in a recyclers possion | Remove the Table 1 | No Change: REC Table 1 - <i>R2 Applicability</i> is used to identify which equipment, component, and material streams must be processed and controlled under the R2 Standard, and the next applicable R2 process. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|---------------|--|--|--|
| REC - Table 2 - Common Data Sanitization Categories | REC - Content | This adds no value to the management nor the tracking of equipment in a recycler's possession | Remove the Table 2 | No Change: REC Table 2 - <i>Data Sanitization Status</i> defines which equipment or component streams require data evaluation and/or sanitization under the R2 Standard. |
| R2 Equipment Categorization (REC) | REC - Content | The prescriptive direction of the R2v3 is troubling however most is the decision to dictate what a company calls materials in house or directing those items must be cross-referenced to the standard. We accept that the prior standard has specific directions for the nomenclature of shipped resale items and we will accept the expectation of following the standard or cross-referencing those items. | Eliminate the R2 applicability and Data Sanitization Status sections as they add no value to the certification and no value to better understanding how a business manages the materials in their house. This goes back to that the standard should be an outcome based standard and the auditor should determine what is data and if data is being managed effectively. | No Change: The <i>R2 Applicability</i> and <i>Data Sanitization Status</i> categorizations are used to identify the processing status of all equipment, component, and material streams, and define the next applicable R2 processing step. |
| 1.SCOPE | 1.(c) | This requirement is not auditable because it does not define a specific period for the communication (ongoing basis). | Change "ongoing basis" to "a minimum of once a year and when organization changes occur" | No Change: The term 'ongoing' is used to indicate that there must be continued communication of any related sites that are managing used electronic equipment, components, or materials and are not R2 Certified. |
| 1.SCOPE | 1.(c) | This requirement is not auditable because it does not define what comprises the communication. Does the ad I pay for in an e-waste magazine qualify as public communication? | Change "communicate publicly on an ongoing basis....." to "communicate with customers, vendors, and interested parties as requested/necessary" | No Change: The term 'ongoing' is used to indicate that there must be continued communication of any related sites that are managing used electronic equipment, components, or materials and are not R2 Certified. |
| 1.SCOPE | 1.(c) | This requirement is not auditable because it does not define what comprises the communication. Does the advertisement paid for by the R2 Facility in an e-waste magazine qualify as public communication? | Change "communicate publicly on an ongoing basis....." to "communicate with customers, vendors, and interested parties as requested/necessary" | No Change: The term 'ongoing' is used to indicate that there must be continued communication of any related sites that are managing used electronic equipment, components, or materials and are not R2 Certified. |
| 10.TRANSPORT | 10.(d) | Incorporating all Core Requirement 4 is too broad for a Transportation Company and would result in not being able to qualify Transportation Companies. | Replace "Core Requirement 4" with "appropriate Country, State/Provincial and local licenses or certifications" | No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements. As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions. Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|----------------------|--------|--|---|--|
| 10.TR ANSPO RT | 10.(d) | Incorporating all Core Requirement 4 is too broad for a Transportation Company and would result in R2 companies not being able to qualify Transporters | Replace "Core Requirement 4" with "appropriate Country, State/Provincial and local licenses or certifications" | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions.</p> <p>Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan.</p> |
| 10.TR ANSPO RT | 10.(d) | Requiring compliance with all of Requirement 4 would limit the number of companies that could qualify as a transportation subcontractor. | Transporters must meet all relevant regional/local licensing requirements for transport of electronics equipment or data bearing materials | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions.</p> <p>Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan.</p> |
| 10.TR ANSPO RT | 10.(d) | Requiring Transporters to meet the legal requirements of Clause 4 is too broad. | Specify that transporters are required to maintain all licenses and permits required in their local area to transport electronics and comply with all export regulations. | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions.</p> <p>Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan.</p> |
| 10.TR ANSPO RT | 10.(d) | Incorporating all Core Requirement 4 is too broad for a transportation company and would result in not being able to qualify transportation companies. | Replace "Core Requirement 4" with "applicable Country, State/Provincial and local licenses or certifications" | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions.</p> <p>Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan.</p> |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|----------------------|--------|---|--|--|
| 10.TR ANSPO RT | 10.(d) | Auditing transport companies to "all" Core Requirement 4 is too difficult. | Replace "Core Requirement 4" with "appropriate Country, State/Provincial and local licenses or certifications" | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions.</p> <p>Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan.</p> |
| 10.TR ANSPO RT | 10.(d) | Requiring an R2 facility to verify compliance with all of Core Requirement 4 will result in the inability to approve any transportation provider. This provision is overly broad and restrictive. | (d) Transporters have the applicable licenses, registrations, insurance, and/or certifications to transport the electronic equipment, components, and materials. | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions.</p> <p>Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan.</p> |
| 10.TR ANSPO RT | 10.(d) | Requiring transporters to meet all legal requirements under Core Requirement 4 is not reasonable or necessary. | Change to "Transporters meet the licensing requirements needed for transportation of the electronic equipment, components, and materials." | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the transport of equipment, components, or materials would need to be identified and related controls defined. This may include items such as required transport permits or licenses; packaging, labeling and manifesting requirements; and use of proper shipping codes and descriptions.</p> <p>Prior to shipment, the R2 Facility would need to ensure that transporters conform with all applicable requirements as defined in the compliance plan.</p> |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|----------|---|---|--|
| 2.HIERARCHY OF RESPONSIBLE MANAGEMENT STRATEGIES | 2.(a) | The new R2 is imposing reuse processes, and even though I understand the technical reason for that, I don't think it should be mandatory, but optional because it goes against core business practices and fundamental policies of recyclers. Our clients trust us to destroy their equipment, we are a waste management facility. People expect us to recycle their waste, reuse of the equipment as a whole or parts clients can do it themselves, but they trust us to destroy and recycle. I cannot comply with the expectations of my clients, legislation and workers if we are obliged to do some reuse. It should be advised, but not obliged. It might harm the reputation of the whole industry and process. In Ecuador is already hard to find a certified recycler, reuse is a very small activity that some technical centers do, but it will be extremely hard to get one of these centers to certify R2. To repair, sell and provide warranty for reuse equipment is a whole different business than recycling, it requires recyclers to create a whole division and infrastructure that might not be economically feasible to implement, thus putting unnecessary financial pressure on the business. I think that should be a decision taken by each recycler based on the context of each country, commercial conditions, financial situation, capacities, etc. It should not be enforced but recommended | Reuse should not be enforced but recommended. Each recycler should make the decision based on the country context, financial situation, commercial opportunities, etc | No Change: The Hierarchy of Responsible Management Strategies, which includes reuse prior to materials recovery, is intended to maximize the environmental benefit of the processing activities. Not every R2 Facility will be required to perform reuse however, as some may choose to evaluate and sort equipment under Core Requirement 6, and direct any reusable equipment or components to a suitable, verified reuse process. |
| 3.EHS MANAGEMENT SYSTEM | 3.(d)(1) | Although it isn't detrimental to leave this portion in the standard, it reads like unnecessary padding in this section. It's a broad and vague summary/recap of different parts of the standard. If you comply with all the other requirements and those of the required ISO/RIOS standards, then you are already demonstrating "expertise, knowledge, and technical capability" and this wording isn't needed. | If there is any intention to streamline and remove redundancy, this requirement could be removed and it wouldn't impact the standard. | No Change: Although the specific EHS requirements identified under Core Requirement 3 should already be addressed as part of a robust environmental, health and safety management system and associated control programs, the TAC decided to specifically include requirements for these common industry-specific risk areas to ensure they are adequately addressed. |
| 3.EHS MANAGEMENT SYSTEM | 3.(d)(3) | It is unclear if this is a comprehensive list since it uses the phrase "such as" and follows with a long list of tests. | The section could reference some kind of standard, if possible, for exposure tests for worker safety. | No Change: The list of hazardous substances in Core Requirement 3.(d)(3) is not exhaustive as the potential hazardous substances handled, processed or otherwise generated will vary depending on the specific operations undertaken and control measures in place. The R2 Facility should use the identification and analysis processes under 3.(d)(2) to determine the specific hazards as appropriate to its operations. |
| 4.LEGAL AND OTHER REQUIREMENTS | 4.(a) | Never has a standard called out that an EHSMS must be available, nor a specific section within the EHSMS as R2v3 is attempting to dictate with a requirement that a "plan" be a requirement of an EHSMS. Compliance is an expectation of business and compliance to a company's legal and other requirements as laid out in the company Matrix is the determining factor for what they need to comply to and a company's task to provide evidence they are. | Remove reference to an EHSMS and in particular that a "plan" needs incorporating within it. | No Change: The intent of the 'compliance plan' is to demonstrate the applicable requirements that have been identified and the control measures in place to ensure compliance. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--------------------------------|----------|---|---|--|
| 4.LEGAL AND OTHER REQUIREMENTS | 4.(a) | (a) Never has a standard called out that an EHSMS must be available, nor a specific section within the EHSMS, as R2v3 is attempting to dictate with a standard that a "plan" be a requirement of an EHSMS. Compliance is an expectation of business. A company's legal and other regulatory standards are described in the company's strategy including how they gather evidence to prove they are compliant with those requirements. (d)(5) Because of the broadness of this requirement, the majority of violations do not have an effect on the Management System or overall environment compliance. Thus, for larger R2 Facilities with multiple sites this requirement becomes a regulatory burden for the R2 Facility and the Certification Body. Also, what is purpose does reporting a violation to the Certification Body in advance of the next audit? All certifying bodies must answer to their confidentiality agreement with their clients. As such, no one outside of the certifying body is allowed access to any client information until it becomes a public record as the certifying body could face litigation. Requiring such information to be given in advance of an audit serves NO purpose and potentially causes harm for the certifying body should that information be accessed illicitly through employee error or a hack of their electronic systems. | (a) Remove reference to an EHSMS and in particular that a "plan" needs incorporating within it. (d)(5) Remove this requirement. Alternatively, add the qualifier "major" to the requirements. | No Change: The intent of the 'compliance plan' is demonstrate the applicable requirements that have been identified and the control measures in place to ensure compliance. |
| 4.LEGAL AND OTHER REQUIREMENTS | 4.(a) | Legal compliance is a requirement of ISO 14001 and 45001 and R2 should not dictate what that should look like. | Remove the requirement of a " compliance plan". | No Change: The intent of the 'compliance plan' is to demonstrate the applicable requirements that have been identified and the control measures in place to ensure compliance. |
| 4.LEGAL AND OTHER REQUIREMENTS | 4.(d)(5) | Because of the broadness of this requirement, the majority of violations do not have an effect on the Management System or overall environment compliance. Thus for larger companies with multiple sites this requirement becomes a regulatory burden for the company and the Certification Body. | Add the qualifier "major" to the requirements. (d) (5) Notify the Certification Body within 30 days of receiving any major regulatory order... | No Change: The intent of the requirement is for 'serious' infractions/violations to be reported to the Certification Body. The TAC discussed possible thresholds to define what 'serious' infractions are, and determined that it would be those items that are identified by a regulatory agency, and require both action to address the issue as well as follow up with the issuing agency for closure. |
| 4.LEGAL AND OTHER REQUIREMENTS | 4.(d)(5) | Because of the broadness of this requirement, the majority of violations do not have an effect on the Management System or overall environment compliance. Thus for larger companies with multiple sites this requirement becomes a regulatory burden for the company and the Certification Body. In addition to what purpose does reporting this to the Certification Body in advance of the next audit. All certifying bodies must answer to their confidentiality agreement with their clients. As such, no one outside of the certifying body is allowed access to any client information until it becomes a public record or the certifying body could face litigation. Requiring this to be given in advance of an audit serves NO purpose and potentially sets the stage for a disaster for the certifying body should that information be accessed illicitly through employee error or a hack of their electronic systems. | Remove this requirement or If the recommendation to remove this requirement is not agreed with, then we recommend adding the qualifier "major" to the requirements. | No Change: The intent of the requirement is for 'serious' infractions/violations to be reported to the Certification Body. The TAC discussed possible thresholds to define what 'serious' infractions are, and determined that it would be those items that are identified by a regulatory agency, and require both action to address the issue as well as follow up with the issuing agency for closure. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|----------|--|--|---|
| 4.LEG AL AND OTHER REQUIR EMENT S | 4.(d)(5) | ISO 17021-1 requires clients to notify the CB of any significant changes. There is no reason to assume all orders or notices are significant enough to warrant notification. Certified R2 facilities have compliant corrective action processes in place to manage these instances. | If required by agreement, notify the Certification Body within 30 days of receiving any regulatory order or notice of violation that requires any action to address the violation and follow up with the issuing agency, otherwise provide such information at the first subsequent audit. | No Change: The intent of the requirement is for 'serious' infractions/violations to be reported to the Certification Body. The TAC discussed possible thresholds to define what 'serious' infractions are, and determined that it would be those items that are identified by a regulatory agency, and require both action to address the issue as well as follow up with the issuing agency for closure. |
| 4.LEG AL AND OTHER REQUIR EMENT S | 4.(d)(5) | Many regulatory inspectors give such orders that are not necessary. I recall a case where the company received an order for an EHS report that I would have gladly provided, if they had only asked. Managing the amount of orders/notices from all their clients, will be a resource issue that will ultimately cost us clients more in our fees. | Remove this requirement | No Change: The intent of the requirement is for 'serious' infractions/violations to be reported to the Certification Body. The TAC discussed possible thresholds to define what 'serious' infractions are, and determined that it would be those items that are identified by a regulatory agency, and require both action to address the issue as well as follow up with the issuing agency for closure. |
| 4.LEG AL AND OTHER REQUIR EMENT S | 4.(d)(5) | This notice requirement is extremely broad. For example, a speeding ticket or a municipal sign ordinance would qualify here. | "Notify the Certification Body within 60 days of receiving any regulatory order or notice of violation related to EH&S, data security, or import/export compliance that requires any action to address the violation and follow up with the issuing agency." | No Change: The intent of the requirement is for 'serious' infractions/violations to be reported to the Certification Body. The TAC discussed possible thresholds to define what 'serious' infractions are, and determined that it would be those items that are identified by a regulatory agency, and require both action to address the issue as well as follow up with the issuing agency for closure. |
| 4.LEG AL AND OTHER REQUIR EMENT S | 4.(d)(5) | This requirement is too broad and the reporting as currently declared would be overly burdensome. This would include things like speeding tickets, false complaints to state agencies, vehicle inspections identifying defects, aesthetic ordinance violations, late sales tax reporting, etc. This requirement needs to be limited to substantial items. In addition, this does not address how the information would be used, applicable confidentiality obligations, etc. | 4(d)(5) Notify the Certification Body within 30 days of receiving any major regulatory order or notice of violation that requires any action to address the violation and follow up with the issuing agency. | No Change: The intent of the requirement is for 'serious' infractions/violations to be reported to the Certification Body. The TAC discussed possible thresholds to define what 'serious' infractions are, and determined that it would be those items that are identified by a regulatory agency, and require both action to address the issue as well as follow up with the issuing agency for closure. |
| 5.TRA CKING THROU GHPUT | 5.(a) | Would it make sense to consolidate (a) and (c) into one requirement for inbound and outbound? | Change (2) to say "..., and supplier or customer or downstream names..." | No Change: Although the elements of Core Requirements 5.(a) & (c) are similar, maintaining separate sections for these items provides additional clarity for the purposes of implementation and audit of the requirements. |
| 5.TRA CKING THROU GHPUT | 5.(a) | In cases of collection events or drop-offs, supplier names are not available. | Replace "supplier names" with "sources". | No Change: The definition of supplier was incorporated into the standard and includes any "entity" that provides electronic equipment, components, or materials to the facility, which could cover alternate sources where individual suppliers are not identified. |
| 5.TRA CKING THROU GHPUT | 5.(b)(3) | It is not clear what the definition of "material with a negative value" actually means. There could be many ways to define if a material has a positive or negative value based on an individual businesses' operations. | . It should be made clear if this is referring to material that generally incurs a disposal cost as it moves through the downstream recycling chain. | No Change: "Negative value" refers to any equipment, components, or materials, that incur a cost to manage either by the R2 Facility or its verified downstream vendor. The value of equipment, components, or materials may change over time due to various factors including age of the item, condition of the item, and resale or commodity market conditions, which all should be considered when determining value. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|-------------|---|---|--|
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(a) | There is a great deal of redundancy in the language. Suggest consolidating (a-e) to be more concise and clear. Also recommend removing those paragraphs which simply reference Appendices. If the recycler is certified to the Appendix, it must do that anyway. The reference is not relevant and provides opportunity for the auditor to cite two redundant non-conformances rather than one. | Consolidate (a-e) to be more concise and clear; remove paragraphs only referencing appendices. | No Change: While there may be some overlap of the requirements within the Sorting, Categorization, and Processing section, as this is a new section of the R2 Standard, the layout of the requirements and additional detail that is included can help to provide additional clarity for the purpose of implementation and audit of these elements. |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(a)(4) | It is unclear what threshold of value is necessary to designate an item for reuse rather than materials recovery. Physical condition and value in the destination markets do not always correlate when it comes to non-computer electronic equipment. This phrase may come into conflict with practices that may be in the best interest to individual recycling businesses and difficult to define to a third-party auditor. | The mention of value-based sorting should be removed. | No Change: The ability to reuse a device or component is dependent in part on having a secondary market for the device. However, markets vary regionally, as well as over time. As a result, the R2 Facility must determine which devices or components they process that have a viable reuse market, and the appropriate value for the devices in that market, in order to determine which devices may be suitable for reuse. |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(b)(1) | It is unclear how to use the REC to categorize equipment if an item's attributes cross many boundaries on the table. The categorization table seems particularly cumbersome to facilities which take in mostly residential material that is highly variable in terms of type, quantity, condition, age and value. | It should be specified if internal categories can correlate to multiple REC categories or if there needs to be a one-to-one correlation. | No Change: As per the introduction to the REC: "It is also anticipated that not every category specified in this REC will be applicable to each R2 Facility. Therefore, only the categories relevant to each facility should be used from the REC... More detailed categories consistent with the common categories may be specified for individual equipment types to provide more detailed descriptions of each category consistent with the type of equipment. However, specific categories by types of equipment may be no less detailed or stringent than the common categories." |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(b)(1) | Nor should it require a physical label anywhere else. | Strike "on the equipment". | No Change: The requirement for the identification of REC category is intentionally broad to provide flexibility on how best to identify and demonstrate the categories as applicable to each R2 Facility. Footnote #3 is a clarifier only, specifically regarding the use of labels on equipment, but is not intended to imply that any use of labels is required at all. |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(b)(2) | It is unclear if and how an item can change categorization after going through a refurbishment or reuse process. | It should be specified if the categorization history needs to be tracked for an individual item or if it is only important to know the categorization of the current state of material. | No Change: The equipment categorization applies only to the current state of the item in order to determine the next appropriate step in R2 processing, and a history of the categorization is not required to be maintained. After going through the test and repair process, functioning items will move from the R2 Controlled Streams category to the appropriate Functioning Product Category. Where items are not functioning, they will need to be re-evaluated to determine the next appropriate R2 processing step. |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(e)(2)(c) | Footnote #6 should be moved to 4(c). Establishing the documentation is tied to execution of the plan, not the process of shipping a product. | Move footnote #6 to 4(c) and remove from 6. | No Change: Footnote #6 under Core Requirement 6.(e)(2)(c) clarifies that any necessary documentation used to verify the import/export compliance of a shipment, must be in an understandable language so that the information is verifiable prior to shipment in order to confirm its legality, and not just at the time of developing the compliance plan. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|-------------|---|---|---|
| 6.SORTING, CATEGORIZATION, AND PROCESSING | 6.(e)(2)(c) | Does this compliance check entail updating the full documentation review under footnote #6, or should it simply be verification that the shipment conforms to the documentation established under the legal compliance plan? | Suggest that the language change to "... verify import/export compliance of each shipment is allowed and legal under documentation established by the legal compliance plan in Core Requirement 4." | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the import/export of equipment, components, or materials would need to be identified and related controls defined. This may include items such as proper manifesting of the materials, use of proper shipping codes or descriptions, and for some items, special transport permits or approvals may also be required.</p> <p>Prior to making an international shipment, the R2 Facility would need to ensure the shipment conforms with all applicable requirements as defined in the compliance plan.</p> |
| 7.DATA SECURITY | 7.(a) | These requirements are largely redundant and overly wordy. We have a "plan" in (a)(1), a "policy" in (a)(2), a "program" in (b)(1), with many similar elements.. | Combine (a, b, c, d) into a single clear set of requirements for documenting and executing plans. This is the way requirements are worded in many standards, as well as other areas of R2. | <p>No Change: While there may be some overlap of the requirements within the Data Security section, as this is a new section of the R2 Standard, the layout of the requirements and additional detail that is included can help to provide additional clarity for the purpose of implementation and audit of these elements.</p> |
| 7.DATA SECURITY | 7.(a)(1)(F) | Many items are not associated with an individual "user". | Strike the term "user's". | <p>No Change: By default, all data must be sanitized, however, the intent of the requirement is to identify and contractually manage the rare instances where data will not be sanitized, such as when a device is to be returned to a user following repair and the user intends for the data to remain intact. These contractual exceptions to sanitization are intended to address specific scenarios with specific suppliers, and not be general waivers or opt-in policies for sanitization services.</p> |
| 7.DATA SECURITY | 7.(a)(1)(G) | This duplicates the requirements of 4(a, b, and d). | Strike (G). | <p>No Change: The intent of the requirement is to ensure that all legal and other requirements for data sanitization and the associated control measures are incorporated into the Data Sanitization Plan and procedures. This information need not be duplicated, and reference may be made where applicable to the Compliance Plan, as long as the Data Sanitization Plan and procedures adequately address all requirements.</p> |
| 7.DATA SECURITY | 7.(a)(1)(L) | If the upstream R2 certified facility (the supplier): a.provides its data sanitization record together with the shipment, is it still necessary to do data sanitization at my facility, such as [NAME]? b.does not provide its data sanitization record but claims, in writing, that it has conducted data sanitization on all the equipment being shipped, is it still necessary to do data sanitization at my facility? According to Appendix B - Data Sanitization (15) Quality controls shall be implemented to verify that received equipment and components containing data: (a) were processed as planned, and (b) quantities processed match quantities received, and (c) suppliers are notified of any discrepancies. In the above case, should the shipment be considered as received equipment and components NOT containing data? thus, quality control is not necessary? | please clarify in this statement, or with a footnote, about the above mentioned situation: | <p>No Change: There are three options under Core Requirement 6.(b)(2)(A)-(C) where the R2 Facility can recognize the processing conducted by a supplier, and is not required to repeat the testing or sanitization processes.</p> |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|-------------|--|--|--|
| 7.DAT A SECURITY | 7.(a)(2)(B) | Despite the change from Data Protection Manager to Representative, there is still a requirement to designate this overall responsibility to a specific person. The ISO standards (eg 14001 and 45001) removed reference to mgmt system reps to create an emphasis on leadership as a whole while still being able to acknowledge responsibilities of individual employees. It doesn't seem logical to have a Data Protection Rep when the reality is that in many companies, the responsibilities described for the DPR are shared. Additionally, if management system documents must be updated to include this title, it creates administrative work that could be avoided given that internal job descriptions and current procedures are already likely to stipulate which employees are managing aspects of the company's activities. | Remove reference to the Data Protection Representative entirely. Adopt the philosophy of the ISO standards where "reps" are no longer required and leave it to the company to create titles and designate responsibility where they see fit. | No Change: The intent of the requirement is to have an internal worker that has knowledge of and is responsible for the oversight of applicable data security requirements. Duties of the Data Protection Representative (DPR) may be assigned to other individuals, under the oversight of the DPR. |
| 7.DAT A SECURITY | 7.(a)(2)(B) | This requires the DPR to be competent in legal compliance. This may be a problem, since such legal compliance is sometimes outsourced to an attorney or other competent party rather than an internal manager. Auditors may consider this a requirement for legal credentials in the DPR. | Strike "and legal compliance". | No Change: The intent of the requirement is to have an internal worker that has knowledge of and is responsible for the oversight of applicable data security requirements. Specific credentials for the Data Protection Representative (DPR) are not required, and the DPR may use external resources to aid in the identification of requirements. |
| 7.DAT A SECURITY | 7.(c)(1) | This requires notifications to the supplier. This should align with other sections which require such information only upon request, otherwise it is not practical, especially for collection events and drop-offs. | Move to (d)(1). | No Change: The process confirmations under Core Requirement 7.(c)(1) are mandatory for receipt of any equipment or components that may contain data, whereas the notification under 7.(d) are at the customer's request. However, the 7.(c) process confirmations may be provided through general notice, where applicable, to address scenarios such as collection events and consumer drop-offs. |
| 7.DAT A SECURITY, R2 Equipm ent Categor ization (REC) | 7.(c)(2)(B) | Should references to NIST 800-88 and NSA be similar to those of the approved QEH&S MS standards which allow for revisions and additional standards to be approved and listed on SERI's site? | Use same language as for QEH&S references. | No Change: A listing of the external standards referenced in R2v3 is provided in the Normative References section of the standard, along with the clarification that "the current list of acceptable versions is maintained on the SERI website." |
| 8.FOC US MATERI ALS | 8.(a)(2) | The "demonstrated capacity" is not auditable. Also, the recycler may not be able to demonstrate the capacity because of the addition of new processes or new equipment which does not have a track record for capacity. | Remove the word "demonstrated" | No Change: The R2 Facility must consider the actual processing capacity of any focus material downstream vendors, to ensure that there is active processing and adequate capacity to process the intended quantity of equipment or materials to be transferred, without exceeding legal or other storage limits. |
| 8.FOC US MATERI ALS | 8.(a)(2) | The "demonstrated capacity" is not auditable. In addition, the recycler may not be able to demonstrate the capacity because of the addition of new processes or new equipment, which does not have a record of accomplishment for capacity. In addition to the above-demonstrated capacity is fluid to the introduction of new and smaller technology. | Remove the words "demonstrated capacity" | No Change: The R2 Facility must consider the actual processing capacity of any focus material downstream vendors, to ensure that there is active processing and adequate capacity to process the intended quantity of equipment or materials to be transferred, without exceeding legal or other storage limits. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|----------|---|--|---|
| 8.FOCUS MATERIALS | 8.(a)(2) | The "demonstrated capacity" is not auditable. In addition, the recycler may not be able to demonstrate the capacity because of the addition of new processes or new equipment, which does not have a record of accomplishment for capacity. Also, the demonstrated capacity is fluid to the introduction of new and smaller technology. | Remove the words "demonstrated capacity" | No Change: The R2 Facility must consider the actual processing capacity of any focus material downstream vendors, to ensure that there is active processing and adequate capacity to process the intended quantity of equipment or materials to be transferred, without exceeding legal or other storage limits. |
| 8.FOCUS MATERIALS | 8.(c) | By saying that this applies to materials which "are not electronic equipment", it expands the scope of Core Requirement 2 to apply to other things such as office waste, dunnage, etc. This phrase should be deleted, or simply made a suggested practice. This is related to the issue in 2(b)(3)(B). | Delete the phrase. Or delete and add sentence at the end: "The R2 Facility should make reasonable attempts to follow Core Requirement 2 for materials which are not electronic equipment or otherwise in the scope of the standard." | No Change: The intent of the requirement is to ensure that all equipment and materials that are managed by an R2 Facility, even non-electronic items, are managed in a safe, secure, and environmentally sound manner that aligns with the hierarchy and meets applicable legal requirements. |
| APPENDIX A - DOWNS TREAM RECYCLING CHAIN | A (1) | This imposes the unreasonable requirement that any and all companies in the recycling chain use the REC. Companies that are good performers but are not R2 certified will not implement something so restrictive simply to do business and this will hamper the ability to do business. | (1) An R2 Facility shall manage the movement of R2 Controlled Streams through their downstream recycling chain, to final disposition or the first R2 Facility, and confirm conformance by each downstream vendor to this Appendix A. | No Change: The REC is used to identify the processing status of all equipment, component, and material streams, and define the next applicable R2 processing step. It is the R2 Facility that is responsible for using the REC to categorize equipment, component, and material streams, and based on the categorizations, determine the appropriate downstream processors for properly managing all R2 Controlled Streams in accordance with the R2 Standard. |
| APPENDIX A - DOWNS TREAM RECYCLING CHAIN | A (2)(a) | What "risks"? | Need to specify "the risk of abandonment" or something similar. | No Change: Add to guidance that pollution liability insurance for handling negative value materials must take into consideration the types and quantities of all negative material streams managed. |
| APPENDIX A - DOWNS TREAM RECYCLING CHAIN | A (3) | The footnote should be moved to 4(c). Establishing the documentation is tied to execution of the plan, not the process of shipping a product. | Move footnote to 4(c). | No Change: Footnote #8 under Appendix A (3) clarifies that any necessary documentation used to verify the import/export compliance of a shipment must be in an understandable language so that the information is verifiable prior to any shipment in order to confirm its legality, and not just at the time of developing the compliance plan. |
| APPENDIX A - DOWNS TREAM RECYCLING CHAIN | A (3) | There is not enough clarity within this expectation for it to not become an "auditor decision" based issue. Auditors can declare that they want to see a complete review for each and every shipment current to the moment of shipping and expect the document to represent that | Eliminate the section or more clearly define the expectation for the evidence to validate an evaluation has been done in accordance with the Company's Legal Matrix | No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements. As part of the compliance plan, any legal requirements associated with the import/export of equipment, components, or materials would need to be identified and related controls defined. This may include items such as proper manifesting of the materials, use of proper shipping codes or descriptions, and for some items, special transport permits or approvals may also be required. Prior to making an international shipment, the R2 Facility would need to ensure the shipment conforms with all applicable requirements as defined in the compliance plan. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|-------|---|---|---|
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (3) | This requirement is overly burdensome for each and every shipment, particularly if the material type is exempt under Basel/OECD rules. | Remove this requirement as it is already in Core Section 4 Legal Compliance | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the import/export of equipment, components, or materials would need to be identified and related controls defined. This may include items such as proper manifesting of the materials, use of proper shipping codes or descriptions, and for some items, special transport permits or approvals may also be required.</p> <p>Prior to making an international shipment, the R2 Facility would need to ensure the shipment conforms with all applicable requirements as defined in the compliance plan.</p> |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (3) | Similar to comment on 6(e)(2)(C) - does this compliance check entail updating the full documentation review under footnote #8, or should it simply be verification that the shipment conforms to the documentation established under the legal compliance plan? | Change to "... verify import/export compliance of each shipment is allowed and legal under documentation established by the legal compliance plan in Core Requirement 4." | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the import/export of equipment, components, or materials would need to be identified and related controls defined. This may include items such as proper manifesting of the materials, use of proper shipping codes or descriptions, and for some items, special transport permits or approvals may also be required.</p> <p>Prior to making an international shipment, the R2 Facility would need to ensure the shipment conforms with all applicable requirements as defined in the compliance plan.</p> |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (3) | Transboundary Movements (3): More clarity is needed to eliminate this expectation from becoming an "auditor decision" based issue. Auditors could request a complete review for each and every shipment current to the moment of shipping and expect supporting documentation. (8) The standard is attempting to force proscriptive requirements onto non-certified R2 companies by requiring that they have plans in accordance with R2. It appears this could result in legal implications and should be reviewed by the legal group for potential anti-competitive implications. (d)(2)(A) Requiring an auditor be "Independent of both the R2 Facility and the organization being audited" annually will result in an incalculable cost to a R2 Company. Consider a global company working with in excess of 100 sub-contractors handling data on their behalf. At an average minimum cost to complete an onsite audit of \$2,000 this add to the standard could cost up to \$200,000 per year or more. What led the group to believe that an auditor outside of the R2 company that is already certified to handle data as an appendix to their certification would know anything more on managing data. No recycler can afford this type of expense and continue to be a viable recycler. (D) Does this mean that SERI is the only entity with the knowledge and power to be able to determine what is approved data sanitization auditing? (3) as a part of the (d) (2) expectation is not a financially acceptable component of the standard. | Transboundary Movements (3): Eliminate the section or more clearly define the expectation for the evidence to validate an evaluation has been completed in accordance with the R2 Facility's internal legal review procedures. (8) Remove proscriptive requirements attempting to force an R2 Facility's downstream vendors to maintain specific documents and policies. It is the responsibility of an R2 Facility to ensure its downstream vendors meet the expectations for safe and responsible operations. (d)(2)(A) The requirement for a third party annual audit MUST BE REMOVED (D) Modify to include any training program determined by the R2 Facility to meet their expectations including the R2 Facility's subcontractors for data management services. (3) Remove this requirement | <p>No Change: Under Core Requirement 4, the R2 Facility is required to develop a legal compliance plan and maintain compliance with all applicable requirements.</p> <p>As part of the compliance plan, any legal requirements associated with the import/export of equipment, components, or materials would need to be identified and related controls defined. This may include items such as proper manifesting of the materials, use of proper shipping codes or descriptions, and for some items, special transport permits or approvals may also be required.</p> <p>Prior to making an international shipment, the R2 Facility would need to ensure the shipment conforms with all applicable requirements as defined in the compliance plan.</p> |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|----------|---|---|---|
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8) | The standard is attempting to force proscriptive requirements onto non-certified R2 companies by requiring that they have plans in accordance with R2. I would suspect that this could result in legal implications and should be reviewed by the legal group for it's potential anti-competitive implications. | Remove proscriptive requirements attempting to force an R2 company's downstream vendors to maintain specific documents and policies. It is the responsibility of an R2 company to assure that those vendors with whom they engage meet the expectations for safe, responsible operations. | No Change: Downstream vendors are not required to be R2 Certified, however, they must be able to demonstrate conformance to the same R2 requirements to ensure the safe, secure, and environmentally sound processing of all electronic equipment, components, and materials that enter the R2 stream. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8) | This requirement imposes R2 specific documentation requirements on non-R2 certified companies. This is overly prescriptive and prohibits free trade between companies who perform equally well. | Remove the requirements for maintaining R2 required documentation. | No Change: Downstream vendors are not required to be R2 Certified, however, they must be able to demonstrate conformance to the same R2 requirements to ensure the safe, secure, and environmentally sound processing of all electronic equipment, components, and materials that enter the R2 stream. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8) | It is not reasonable for non-R2 companies to include R2 specific requirements over and above legal compliance. | Remove the requirement for downstreams to have the same documents and policies as an R2 certified company. | No Change: Downstream vendors are not required to be R2 Certified, however, they must be able to demonstrate conformance to the same R2 requirements to ensure the safe, secure, and environmentally sound processing of all electronic equipment, components, and materials that enter the R2 stream. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(e) | Appendix C (1) requires the facility to have a certified QMS. Thus, all downstreams will be required to have a certified QMS. Many downstreams will not want to have a Certified QMS thus the recyclers will lose their downstream vendors. | "Requirement 6 and Appendix C-Test and Repair" the words "except for section (1) requirements" | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(e) | Comment: Appendix C (1) requires the facility to have a certified Quality Mgt. System. Thus, all downstreams will be required to have a certified Quality Management System. This requirement will cause many problems and many downstreams will not want to have a Certified Quality System thus the recyclers will lose their downstream vendors and R2 certified companies will become less competitive in the marketplace vs non-certified companies. | insert after "Requirement 6 and Appendix C-Test and Repair" the words "except for section (1) requirements" | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|----------|--|---|---|
| APPEN DIX A - DOWNS TREAM RECYCLI NG CHAIN | A (8)(e) | "...in accordance with Core Requirement 6 and Appendix C..." Requiring a subcontracted supplier to be certified to ISO9001 is burdensome and restrictive on the recycler in their ability to select subcontractors. | Suggested change: Eliminate the requirement for a certified QMS, possibly substitute a version of alternative (non-certified) management system requirements as we currently offer on page 28 of the R2:2013 Guidance document (adjusted for quality): 1. Documented applicable QH&S legal requirements; 2. Copies of all required permits; 3. Emergency Response Plans; 4. Health & Safety Programs; 5. Quality Management Programs; and 6. Assigned responsibilities for QH&S elements. | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX C - TEST AND REPAIR | A (8)(e) | Appendix C (1) requires the facility to have a certified QMS. Thus, all downstreams will be required to have a certified QMS. This requirement is anti-trust and many downstreams will not want to have a Certified QMS thus the recyclers will lose their downstream vendors. Appendix D comment Appendix C (1) requires the facility to have a certified QMS. Thus, all downstreams will be required to have a certified QMS. This requirement is anti-competitive at the least and many specialty electronic downstreams are not large business entities cannot afford to have a Certified QMS thus the recyclers will lose their downstream vendors. Appendix D The R2 Facility has no controls on the customer or whom the customer sells the equipment, thus this requirement is impossible to implement 100% of the time. In addition, the verbiage of "upon request" makes this requirement non-auditable. | Appendix C insert after "Requirement 6 and Appendix C-Test and Repair" the words "except for section (1) requirements" Appendix D insert after "Appendix C-Test and Repair" the words "except for section (1) requirements" Appendix D Remove this requirement | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX C - TEST AND REPAIR | A (8)(e) | Appendix C (1) requires the facility to have a certified QMS. Thus, all downstreams will be required to have a certified QMS. This requirement is anti-trust and many downstreams will not want to have a Certified QMS thus the recyclers will lose their downstream vendors. | insert after "Requirement 6 and Appendix C-Test and Repair" the words "except for section (1) requirements" | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | A (8)(e) | Similar to prior comment, requiring Specialty Electronics repair downstream providers to be certified to ISO 9001, RIOS or another similar quality certification makes R2 recyclers uncompetitive | Eliminate requirement for Downstream vendors for any refurb resale or Specialty Electronics to have a certified quality management system. | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | A (8)(e) | Appendix C (1) requires the facility to have a certified QMS. Thus, all downstreams will be required to have a certified QMS. Many downstreams will not want to have a Certified QMS thus the recyclers will lose their downstream vendors. | Insert after "Appendix C-Test and Repair" the words "except for section (1) requirements" | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|----------|--|--|--|
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | A (8)(e) | Appendix C (1) requires the facility to have a certified QMS. Thus, all downstreams will be required to have a certified QMS. This requirement is anti-competitive at the least and many specialty electronic downstreams are not large business entities cannot afford to have a Certified QMS thus the recyclers will lose their downstream vendors. | insert after "Appendix C-Test and Repair" the words "except for section (1) requirements" | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX B - DATA SANITIZ ATION | B | It was previously stated that this appendix is a repetition of parts of the NAID standard. Considering the cost of audits, it seems unfair to re-audit something that has already been verified by a third party who specializes in these activities. By not acknowledging NAID as verification of conformance to Appendix B, R2 audit time increases and the R2 company now has to pay for this time. Non-recognition of NAID implies that the R2 audit process is more effective in determining conformance to these types of requirements and comes off as discrediting the integrity of NAID's auditing process. | It is not suggested that this section be removed and replaced with a requirement to be NAID certified, but allowing NAID certification to cover this appendix would reduce the burden on companies who are already going above and beyond to pay for and be audited to data destruction standards. Please reconsider the stance on acknowledging third party certification or perhaps develop a mechanism for expediting this portion during audits when valid NAID certification is proven. | No Change: The R2 Standard does not require certification to any third-party standard for data security. However, where an R2 Facility does have another related certification, or otherwise maintains data security programs and procedures that meet or exceed the requirements of the R2 Standard, with clear explanation and direction to all related information, existing policies, procedures, and processing activities may be referenced and are not required to be duplicated in order to meet the R2 requirements. |
| APPEN DIX B - DATA SANITIZ ATION | B (13) | The percentage presented will be a significant quantity and will become too unwieldy to support. | Logically sanitized data storage media shall be routinely sampled by a competent and independent party to demonstrate data is not recoverable by common commercial software, and where continued sampling results demonstrate the data storage media has been properly sanitized. (a)A minimum1 sampling shall occur at least once each month. a.If a nonconformance is identified, the specific product2 and process3 combination will be monitored weekly until no nonconformances are found over a six (6) week period. i.The process may continue to be used on other products during this heightened level of monitoring as long as other products do not exhibit a nonconformity. b.Should more than three (3) nonconformances be found during this period, then all processing of this product will cease until the issue is corrected. i.After the process is fixed, daily monitoring of the product will continue for four (4) weeks until the product and process are stable with zero nonconformances found. 1"Minimum" shall mean a quantity that meets or exceeds the requirements of the Company and/or Customer contracted specifications. 2The product shall be considered the exact manufacturer and model that failed to sanitize. 3Process shall mean the specific process, tool and/or software used to perform the data sanitization. | No Change: Appendix B (13) requires 5% sampling as a starting point only, and allows for reduced sampling where no issues are identified: "A minimum of 5% of logically sanitized data storage media shall be routinely sampled by a competent and independent party to demonstrate data is not recoverable by commercial software, and where continued sampling results demonstrate: (a) No issues with the sanitization process, subsequent sample sizes may be decreased to no less than 1%, with continued routine sampling..." |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|-----------|---|--|--|
| APPEN DIX B - DATA SANITIZ ATION | B (13) | "Independent party" could be interpreted as independent from the facility or the company. If a facility had to hire out testing on 5% of data bearing devices, it would be very expensive. | Change "independent party" to "non-biased party" which would allow for an individual from a department unrelated to data sanitization | No Change: The <i>independent party</i> may or may not be staff of the R2 Facility, but must be independent of the process and activities being sampled. |
| APPEN DIX B - DATA SANITIZ ATION | B (13) | Request clarifying that the "independent party" does not have to be a 3rd party. It may be an employee who does not have responsibility for logical data sanitization. | Add footnote to say "The independent party must not be a 3rd party. It may be an employee who does not have responsibility for logical data sanitization." | No Change: The <i>independent party</i> may or may not be staff of the R2 Facility, but must be independent of the process and activities being sampled. |
| APPEN DIX B - DATA SANITIZ ATION | B (15)(c) | Needs clarification for the expected notice. | Add "in accordance with Core Requirement 7(d)(1)." | No Change: Notification under Core Requirement 7.(d)(1) is only required at the customer's request, and B (15)(c) is required notification for any processing discrepancies. |
| APPEN DIX B - DATA SANITIZ ATION | B (2) | if this is referring to tracking individual items through both physical and logical sanitization, this could be extremely difficult for some businesses to accomplish. If slated for physical destruction it does not seem necessary, unless requested by the customer, to trace individual devices that are slated for shredding, incineration or degaussing. | | No Change: Where tracking of individual devices through the sanitization process is not required, such as for physical destruction, the R2 Facility can use other means of tracking as appropriate to the operations, in order to demonstrate proper management of the equipment from point of receipt through the sanitization process. |
| APPEN DIX B - DATA SANITIZ ATION | B (4) | This will add undue labor and time to the process with no added value. In many instances, such markings are on casings or external components, which will be dismantled and recycled. In addition, there are instances where such markings are physically etched into the unit or permanently attached. | Make this a requirement for equipment designated for refurbish or resale only. | No Change: Appendix B (4) - Destruction of the markings through physical destruction of the device would be deemed adequate to meet the requirement. |
| APPEN DIX B - DATA SANITIZ ATION | B (5) | "most sensitive classification of media accepted" is relative to what is received at each facility. "Most sensitive" may be media received from a residential collection at one facility, but may be media received from a health institute at another. The way this is written, the company in the first example would have to do items (a) through (f) for residential collection material, while the company in example 2 would have to do items (a) through (f) would have to do these things for media coming from the health institute. | Define or make categories for "sensitive classification media" rather than making this facility specific. | No Change: The requirement is intended to be broad and as applicable to each R2 Facility in order to provide flexibility and ensure that security controls are appropriate to the level of sensitivity of data managed at each R2 Facility. |
| APPEN DIX B - DATA SANITIZ ATION | B (5)(d) | "Active monitoring" needs to be defined. SERI stated that this was written to be "intentionally broad" but an auditor is going to interpret this however he/she sees fit, which may not coincide with how the facility interprets it. This term should be defined to eliminate confusion. | Define "active monitoring" as stated in Appendix B (5)(d) | No Change: "Active monitoring" is an intentionally broad term to provide the R2 Facility flexibility on the best methods to oversee the security controls based on factors such as the overall facility security, operational setup, and technology in place. The intent of active monitoring is to ensure there is real-time monitoring and analysis of security controls, versus reactive monitoring of activities that may have already taken place. |
| APPEN DIX B - DATA SANITIZ ATION | B (5)(f) | The requirement to identify the specific location of any specific data storage device within a full size facility operating in compliance with R2 requirements is not reasonable. | (5)(f) Inventory tracking to identify the physical areas of any recorded data storage device at any time while in the R2 Facility's control. | No Change: The requirement is intended to be broad to allow each R2 Facility to determine the best method for inventory tracking based on their operations. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|-----------|---|---|---|
| APPEN DIX B - DATA SANITIZ ATION | B (5)(f) | Small resale companies don't have the luxury of inventory databases. Managing an inventory system manually with physical location will be difficult. | Remove this requirement. | No Change: The requirement is intended to be broad to allow each R2 Facility to determine the best method for inventory tracking based on their operations. |
| APPEN DIX B - DATA SANITIZ ATION | B (5)(f) | The expectation that a full size facility performing all the expectations of a Certified R2 recycler would be able to identify the physical location of a device to a specific location is not doable. | Recorded data devices must be stored in secured areas until such time as it is confirmed they are data free or erased of any data. | No Change: The requirement is intended to be broad to allow each R2 Facility to determine the best method for inventory tracking based on their operations. |
| APPEN DIX B - DATA SANITIZ ATION | B (5)(f) | (5)(f) The expectation that a full size facility performing all the expectations of a Certified R2 recycler would be able to identify the physical location of a device to a specific location is not doable. (6) Inconsistent with recommended changes. (9) There is nowhere in the current draft version of the standard that discusses video recordings so what is this referencing? | (5)(f) Recorded data devices must be stored in secured areas until such time as it is confirmed they are data free or erased of any data. (6) Remove this requirement (9) Need reference to section of the standard | No Change: The requirement is intended to be broad to allow each R2 Facility to determine the best method for inventory tracking based on their operations. |
| APPEN DIX B - DATA SANITIZ ATION | B (5)(f) | This language is not consistent with B(2) regarding tracking through other means. | Change to "Inventory tracking to identify the physical location of any unsanitized data storage device or group of devices at any time while in the R2 Facility's control." | No Change: The requirement is intended to be broad to allow each R2 Facility to determine the best method for inventory tracking based on their operations. |
| APPEN DIX B - DATA SANITIZ ATION | B (6) | Inconsistent with recommended changes | Remove this requirement | No Change: The intent of the requirement is to ensure that all data sanitization services are performed securely and in accordance with the requirements of the standard, including services that may be performed off-site. |
| APPEN DIX B - DATA SANITIZ ATION | B Table 1 | It is excessive to require degaussing and crushing of hard drives. | Remove the requirement of degaussing | No Change: Appendix B requires an increased level of sanitization as recommended under the NSA/CSS Storage Device Sanitization Manual as follows: "Degauss using an NSA/CSS evaluated degausser... It is highly recommended to physically damage the hard disk drive by deforming the internal platters prior to release by any means or by using a hard disk drive crusher..." |
| APPEN DIX B - DATA SANITIZ ATION | B Table 1 | Requiring physical destruction in addition to the degaussing of magnetic media is redundant and unnecessary if the effectiveness of degaussing can be demonstrated through random sampling. | Allow degaussing to be sufficient without requiring additional physical destruction. | No Change: Appendix B requires an increased level of sanitization as recommended under the NSA/CSS Storage Device Sanitization Manual as follows: "Degauss using an NSA/CSS evaluated degausser... It is highly recommended to physically damage the hard disk drive by deforming the internal platters prior to release by any means or by using a hard disk drive crusher..." |
| APPEN DIX B - DATA SANITIZ ATION | B Table 1 | Crushing is not required to purge all data on HDDs as is proven by the NIST. Furthermore, crushing reduces the ability to recover certain rare earth metals present in HDDs. | Remove requirement for crushing under HDD when degaussing is performed. | No Change: Appendix B requires an increased level of sanitization as recommended under the NSA/CSS Storage Device Sanitization Manual as follows: "Degauss using an NSA/CSS evaluated degausser... It is highly recommended to physically damage the hard disk drive by deforming the internal platters prior to release by any means or by using a hard disk drive crusher..." |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|--|-----------|---|--|---|
| APPEN DIX B - DATA SANITIZ ATION | B Table 1 | The Physical Destruction Methods for Magnetic Tapes only lists (Degauss* and Incineration). The NIST STD states that Shred is an option as well | Add SHRED to the available options for destruction. Question, how does the incineration option fit in with the Hierarchy of Responsible Management Strategies? | No Change: Shredding is a recognized sanitization method for magnetic media under NIST Special Publication 800-88, and therefore a permissible method of data sanitization method under Core Requirement 7.(c)(2)(B). However, Appendix B requires an increased level of sanitization which includes either degauss or incineration of magnetic tape. |
| APPEN DIX C - TEST AND REPAIR | C (1) | Some companies are not required to have quality standards as stringent as ISO 9001. These companies are not designed or operated around this type of quality standard. | Strike clause (1) in its entirety. | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX C - TEST AND REPAIR | C (1) | Making recycling companies get a QMS certification is an unnecessary expense. These companies are not manufacturers and as such they do not deal with R&D, raw materials, customer specifications, manufacturing process controls, etc., which makes up the bulk of a certified QMS. To make companies conform to a QMS that only applies to a miniscule aspect of their business is excessive. | Continue the current requirement of maintaining a Quality Plan and attendant documentation, such as a return policy and customer information requirements prescribed under the current standard. | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX C - TEST AND REPAIR | C (1) | R2 already has quality aspects embedded in the standard. ISO 9001 will impose yet more costs the recycler for this certification, to an industry already challenged with small margins. | Remove this requirement | No Change: The TAC reviewed and considered the comment, however it determined that high quality test and repair operations are critical for ensuring the proper level of functionality of products for reuse, as well as compliance with legal requirements for export of reusable product. As a result, the QMS certification requirement is intended to provide an additional level of quality control for this key processing function. |
| APPEN DIX C - TEST AND REPAIR | C (2)(d) | Need to provide for warranty in lieu of testing | (2)(d) Details of warranty provided or test plans to verify the functions of the equipment or components are working, including: | No Change: Product warranty is not considered an acceptable alternative to functionality testing. All electronics under Appendix C - <i>Test and Repair</i> must undergo defined test procedures to verify the equipment and components are functioning. |
| APPEN DIX C - TEST AND REPAIR | C (2)(d) | Need to explicitly state that sampling is acceptable | Change (2)(d)(2) to: Testing and sampling methods and test equipment for each function, and | No Change: Sampling is not considered an acceptable alternative to functionality testing. All electronics under Appendix C - <i>Test and Repair</i> must undergo defined test procedures to verify the equipment and components are functioning. |
| APPEN DIX C - TEST AND REPAIR | C (3) | Expand one year exception to include items awaiting dismantling | Add verbiage to allow items to be inventoried for dismantling in addition to components for future use | No Change: To ensure that materials are not stockpiled or warehoused without processing, Appendix C (3) requires all R2 Controlled Streams to be tested and repaired within one year of receipt, unless individual components have been evaluated and inventoried for use in future repairs. |
| APPEN DIX C - TEST AND REPAIR | C (3) | Placing time limits on a company to process commodities is a form of controlling the free marketplace. | An R2 Facility shall test, repair, and refurbish R2 Controlled Streams, and will evaluate / inventory components for future use in repairing other equipment. | No Change: To ensure that materials are not stockpiled or warehoused without processing, Appendix C (3) requires all R2 Controlled Streams to be tested and repaired within one year of receipt, unless individual components have been evaluated and inventoried for use in future repairs. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|-------------|--|--|---|
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | D (2)(a) | Need to allow for sampling by removing the word "all" | (2)(a) Test specialty electronics for which the R2 Facility has the capability to test.... | No Change: Sampling is not considered an acceptable alternative to functionality testing. All specialty electronics that that R2 Facility has the capability to test must undergo defined test procedures to verify the equipment and components are functioning. |
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | D (4)(c) | A PO is not always used as the transaction document. | Change to "... on the purchase order, invoice, sales order, or other commercial document." | No Change: Add to guidance that other commercially acceptable records can also be used to demonstrate the conditions of sale. |
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | D (4)(c)(5) | The R2 Facility has no controls on the customer or who the customer sells the equipment, thus this requirement is impossible to implement 100% of the time. Also, the verbiage of "upon request" makes this requirement non-auditable. | Remove this requirement | No Change: Appendix D - Specialty Electronics Reuse is intended to allow for reuse of highly specialized electronic equipment (such as telecom, scientific, and medical equipment), where full testing of the equipment is not feasible. As a result, the intended user of the equipment must be known, and no charge returns must be provided for any items that are Appendix D verified as opposed to tested. Alternately, an R2 Facility may sell untested specialty electronics under Core Requirement 6.(e)(3)(A). |
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | D (4)(c)(5) | The R2 Facility has no controls on the customer or whom the customer sells the equipment, thus this requirement is impossible to implement 100% of the time. In addition, the verbiage of "upon request" makes this requirement non-auditable. | Remove this requirement | No Change: Appendix D - Specialty Electronics Reuse is intended to allow for reuse of highly specialized electronic equipment (such as telecom, scientific, and medical equipment), where full testing of the equipment is not feasible. As a result, the intended user of the equipment must be known, and no charge returns must be provided for any items that are Appendix D verified as opposed to tested. Alternately, an R2 Facility may sell untested specialty electronics under Core Requirement 6.(e)(3)(A). |
| APPEN DIX D - SPECIAL TY ELECTR ONICS REUSE | D (4)(c)(5) | The R2 company has no control over the sales made by the buyer of the specialty electronics therefore this requirement is unreasonable and not practicable. | Remove from standard. | No Change: Appendix D - Specialty Electronics Reuse is intended to allow for reuse of highly specialized electronic equipment (such as telecom, scientific, and medical equipment), where full testing of the equipment is not feasible. As a result, the intended user of the equipment must be known, and no charge returns must be provided for any items that are Appendix D verified as opposed to tested. Alternately, an R2 Facility may sell untested specialty electronics under Core Requirement 6.(e)(3)(A). |
| APPEN DIX E - MATERI ALS RECOVER Y | E (1) | (1) The "substandard machine guarding" statement within this section of the proposed standard is inflammatory. (3) Again the R2v3 has dictated that a R2 facility must have a written EHSMS. (4)(b) "No detectable risk" does not take into account the evaluation of the background environment before a material recovery process occurs. Because of possible background environment or detected limits that are under threshold limits for the activity, the recycler will have to implement expensive controls where there is acceptable risk for the process. | (1) Remove the "substandard" wording leaving "machine guarding" (3) Remove this Clause or modify it to not require a particular document. (4)(b) Replace "no detectable risk" with "results in excess of sites Legal Compliance Plan (4) (a) & (b)". | No Change: The term 'substandard' is used to indicate that the hazard assessment should not only consider whether machine guarding is present or not, but also consider any risks associated with the condition and adequacy of any guarding in place. |
| APPEN DIX E - MATERI ALS RECOVER Y | E (1) | The "substandard machine guarding" statement within this section of the proposed standard is inflammatory. | Remove the "substandard" wording leaving "machine guarding" | No Change: The term 'substandard' is used to indicate that the hazard assessment should not only consider whether machine guarding is present or not, but also consider any risks associated with the condition and adequacy of any guarding in place. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|----------------|--|---|---|
| APPEN DIX E - MATERI ALS RECOVER Y | E (3) | Again the R2v3 has dictated that a R2 facility must have a written EHSMS. | Remove this Clause or modify it to not require a particular document. | No Change: The EHS management system is intended to be used to plan, implement, and monitor the EHS activities and impacts related to the R2 Facility's operations. The Appendix E hazard identification must be incorporated into the other EHS activities in order to ensure that it is appropriate to the operations, and adequately planned and implemented. |
| APPEN DIX E - MATERI ALS RECOVER Y | E (3) | Requiring the hazards identification and assessment criteria to be incorporated into the facilities EHSMS is too broad. [NAME] is concerned such a broad application could be interpreted to allow small unrelated violations to be included in a report. | "Notify the certification body within 60 days of receiving any regulatory notice or order of violation related directly to EH&S that requires an action to address the possible violation." | No Change: The EHS management system is intended to be used to plan, implement, and monitor the EHS activities and impacts related to the R2 Facility's operations. The Appendix E hazard identification must be incorporated into the other EHS activities in order to ensure that it is appropriate to the operations, and adequately planned and implemented. This requirement is not directly related to the reporting of infractions/violations to the Certification Body, which is covered under Core Requirement 4.(d)(5). |
| APPEN DIX E - MATERI ALS RECOVER Y | E (4) | (a, b, c, l, k, and l) should all be subject to the detection of risk through the assessment and applicable IH testing. They should not be required if the risk is controlled or non-detectable. | Reorganize list and make sublist of specific requirements "if risk assessment and IH testing determine a detectable risk exists, then the R2 Facility will take applicable steps to eliminate the risk, which may include the following:" | No Change: Appendix E requires the R2 Facility to conduct a regular hazard identification and assessment. As part of that assessment, the items defined in Appendix (E)(4)(a) - (l) must be considered, and where deemed necessary through the assessment, appropriate control measures must be developed and incorporated into the EHSMS, to the level defined under the assessment. |
| APPEN DIX E - MATERI ALS RECOVER Y | E (4)(b) & (c) | "No detectable risk" does not take into the evaluation of the background environment before a material recovery process occurs. Because of possible background environment or detected limits that are under threshold limits for the activity, the recycler will have to implement expensive controls where there is acceptable risk for the process. | : Replace "no detectable risk" with "non-compliance to the Legal Compliance Plan (4) (a) &(b). | No Change: Prohibitions under Appendix E (4)(b) & (c) are based on detectable risk, as identified by the R2 Facility through the hazard identification and assessment. If, after all EH&S controls deemed necessary through the hazard assessment are implemented and based on industrial hygiene records it is determined that a risk remains, despite the controls in place, the associated activities must be prohibited. |
| APPEN DIX E - MATERI ALS RECOVER Y | E (4)(b) & (c) | "No detectable risk" does not take into account the evaluation of the background environment before a material recovery process occurs. Because of possible background environment or detected limits that are under threshold limits for the activity, the recycler will have to implement expensive controls where there is acceptable risk for the process. | Replace "no detectable risk" with "results in excess of sites Legal Compliance Plan (4) (a) & (b)". | No Change: Prohibitions under Appendix E (4)(b) & (c) are based on detectable risk, as identified by the R2 Facility through the hazard identification and assessment. If, after all EH&S controls deemed necessary through the hazard assessment are implemented and based on industrial hygiene records it is determined that a risk remains, despite the controls in place, the associated activities must be prohibited. |
| APPEN DIX E - MATERI ALS RECOVER Y | E (4)(b) & (c) | These clauses should only apply when IH Risk is detected. | These should not be required if the risk is controlled or at a level well below action levels set forth by local regulations. | No Change: Prohibitions under Appendix E (4)(b) & (c) are based on detectable risk, as identified by the R2 Facility through the hazard identification and assessment. If, after all EH&S controls deemed necessary through the hazard assessment are implemented and based on industrial hygiene records it is determined that a risk remains, despite the controls in place, the associated activities must be prohibited. |
| APPEN DIX E - MATERI ALS RECOVER Y | E (4)(b) & (c) | "...unless ongoing industrial hygiene (IH) records show no detectable risk..." No Detectable Risk (0.00000 on every substance tested) resulting from IH testing is almost impossible to achieve, and was not the intent of this wording, which was to offer the recycler a chance to prove to the auditor that the recycler has evaluated and mitigated the risk, and that evaluation/mitigation has been confirmed by IH testing. | No actionable risk, or: ...no significant risk, as based on Personal Exposure Limits or other relevant local regulations | No Change: Prohibitions under Appendix E (4)(b) & (c) are based on detectable risk, as identified by the R2 Facility through the hazard identification and assessment. If, after all EH&S controls deemed necessary through the hazard assessment are implemented and based on industrial hygiene records it is determined that a risk remains, despite the controls in place, the associated activities must be prohibited. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|------------------------|--|---|---|
| APPEN DIX E - MATERI ALS RECOVE RY | E (4)(b) & (c) | "No detectable risk" does not take into the evaluation of the background environment before a material recovery process occurs. Because of possible background environment or detected limits that are under threshold limits for the activity, the recycler will have to implement expensive controls where there is acceptable risk for the process. | Replace "no detectable risk" with "non-compliance to the Legal Compliance Plan (4) (a) &(b). | No Change: Prohibitions under Appendix E (4)(b) & (c) are based on detectable risk, as identified by the R2 Facility through the hazard identification and assessment. If, after all EH&S controls deemed necessary through the hazard assessment are implemented and based on industrial hygiene records it is determined that a risk remains, despite the controls in place, the associated activities must be prohibited. |
| APPEN DIX E - MATERI ALS RECOVE RY | E (5) | By specifying battery removal, this may limit what the recycler looks at. | Delete "such as battery removal". | No Change: The TAC intended to include specific language to address potential battery issues, due to the hazards that batteries can pose, particularly during removal. |
| APPEN DIX E - MATERI ALS RECOVE RY | E (7) | This should allow for a multi-step chain between R2 Facility and the final processor, in accordance with Appendix A. | Change to "An R2 Facility or its downstream processor shall send removed FMs..." | No Change: Any processing, recovery, or treatment facilities used under E (7) must be selected in accordance with the Focus Material Management Plan and Appendix A - Downstream Recycling Chain. Similar to the corresponding requirement in R2:2013, the R2 Facility need not transfer directly to the final point of disposition where all steps in the downstream chain have been appropriately verified. |
| APPEN DIX F - SERVIC E ONLY | F (2)(b) | This requirement is not auditable and imposes the unreasonable requirement of using the REC to any and all companies within the recycling chain. | Remove (2)(b) from the standard. | No Change: The REC is used to identify the processing status of all equipment, component, and material streams, and define the next applicable R2 processing step. It is the R2 Facility that is responsible for using the REC to categorize equipment, component, and material streams, and based on the categorizations, determine the appropriate downstream processors for properly managing all R2 Controlled Streams in accordance with the R2 Standard. |
| APPEN DIX G - BROKE RING | G | The brokering section needs to identify the use of Sub-Contractors as being a component of the Brokering appendix. Without a specific declaration, companies will continue to ignore their use of Sub-Contractors and not be forthright in assuring their conforming to the expectations of an R2 Company. | To make the Brokering section appropriate to the expectations of what an R2 facility should be doing and force all those using sub-contractors to certify to the Broker appendix of the Standard. This is the only way that a fair and level playing field is to happen. | No Change: The scope of certification covers all R2 related activities whether conducted by the R2 Facility or through outsourced or downstream vendors. |
| INTROD UCTION | Intro | Does this mean that since we are using Sub-Contractors who are not R2 certified that [NAME] could not have company-wide certified? | Clarify that not using R2 Certified companies, under no circumstance, are limited to only using other R2 Certified companies | No Change: Use of non-R2 downstream vendors is permitted where verified in accordance with Appendix A (8). |
| INTROD UCTION | Intro | Applicability : Does this mean if a R2 Facility is using Sub-Contractors who are not R2 certified that the R2 Facility could not be company-wide certified? R2 Equipment Categorization (REC): The prescriptive direction of the R2v3 is troubling; specifically the decision to dictate how a R2 Facility identifies materials in house or directing that those materials must be cross-referenced to the standard. We acknowledge that the prior standard has specific directions for the nomenclature of shipped resale items and the expectation of following the standard or cross referencing those items. | Applicability: Clarify that R2 Certified companies are limited to only using other R2 Certified companies. R2 Equipment Categorization (REC): Eliminate the R2 applicability and Data Sanitization Status sections as they add no value to the certification and no value to better understanding how a business manages the materials in-house. The standard should be an outcome based standard and the auditor should determine what is data and if data is being managed effectively. | No Change: Use of non-R2 downstream vendors is permitted where verified in accordance with Appendix A (8). The R2 Applicability and Data Sanitization Status categorizations are used to identify the processing status of all equipment, component, and material streams, and define the next applicable R2 processing step. |
| INTROD UCTION | REC - Applicability | The level of detail of the REC and the subsequent incorporation of the REC into the R2 standard will mandate additional costs, labor, and operational changes to a recycling facility that provide no clear benefit to the compliance of the facility or industry as a whole. | Remove the requirement for following the REC or at minimum remove the cosmetic criteria since these are subjective criteria being forced upon R2 certified facilities with quantifiable or demonstrable benefit. | No Change: As per Core Requirement 6.(e)(2)(A), use of the REC Cosmetic Description is optional, and an R2 Facility may alternately "provide other detailed description of the cosmetic condition of the equipment or components to the buyer..." |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|------------------------|--|---|---|
| R2 Equipm ent Categor ization (REC) | REC - Applicability | The purpose of R2 is to ensure the proper and responsible recycling of materials processed through a facility. | Designing how a business is run is outside the scope of R2. If you want to create a certification body to certify the secondary market, then create a new body to do this such as we tried with the Device Renewal Forum (DRF). I am not opposed to a DRF type certification body, I am opposed to a Responsible Recycling entity attempting to position itself as a subject matter expert in an arena where they are clearly ill-prepared or designed to do so. Stick to Responsible Recycling and create a new certification body for device renewal that is not a subset of recycling. | No Change: The REC and categorization process are intended to be broad and allow for flexibility in implementation as best suits the R2 Facility, rather than requiring a single defined process. The use of REC categories and the categorization process are designed to: 1. Clearly identify the applicable R2 requirements and proper processing pathway for all equipment, components, and materials, at any stage of processing; and 2. Ensure consistency in how equipment and components are evaluated and categorized across the industry to allow R2 Facilities to recognize the R2 categories assigned by other facilities. |
| INTROD UCTION ,R2 CERTIFI CATION ,DEFINI TIONS, R2 CORE REQUIR EMENT ,1.SC OPE,2. HIERAR CHY OF RESPO NSIBLE MANA GEMEN T STRATE GIES,3. EH&S MANA GEMEN T SYSTEM ,4.LEG AL AND OTHER REQUIR EMENT | REC - Applicability | REC auditability and authority - Is the REC a part of the auditable standard, and does it require TAC/Consensus Body stakeholder review & approval? References to the REC are not consistent - some say it's a reference document, others say it is where things are formally defined for the standard. If it's auditable and where key elements of the standard are defined, then this should be under the explicit purview of the TAC and cannot be managed in the same way as Guidance or the COP. (For example, TAC's oversight has been deleted from the description of the REC on page 5.) | Clear and consistent language throughout the standard and the REC, making the REC auditable and under the authority of the TAC/CB. | No Change: The REC itself does not contain any auditable requirements, however, it is intended to be used in conjunction with the standard to identify the R2 applicability and the next step in processing, and for functional products, to define the level of functionality. Where an R2 Facility maintains existing categories and classifications related to those in defined in the REC, use of the REC is not required and the facility may instead document and use internal categories and classifications correlated to the REC categories. |

**R2v3 Summary of Public Comments Submitted with TAC Feedback
Second Public Consultation**

| | | | | |
|---|---------------------|--|---|---|
| R2 Equipment Categorization (REC) | REC - Applicability | R2 Equipment Categorization (REC) - The revised R2 standard incorporates a new reference document titled R2 Equipment Categorization and is intended to be used in conjunction with the R2 standard providing the framework for evaluating electronic equipment, components and materials through each step of the R2 process. [NAME] is concerned with the amount of guidance placed into the REC and whether or not that guidance is auditable or not. Moreover, the standard sometimes references the REC as a reference document and at other times where certain items are formally defined for the standard. | [NAME] would suggest SERI clearly indicate whether the REC is part of the formal standard and auditable and would help determine whether or not the REC is within the purview of the TAC. | No Change: The REC itself does not contain any auditable requirements, however, it is intended to be used in conjunction with the standard to identify the R2 applicability and the next step in processing, and for functional products, to define the level of functionality. Where an R2 Facility maintains existing categories and classifications related to those in defined in the REC, use of the REC is not required and the facility may instead document and use internal categories and classifications correlated to the REC categories. |
| R2 Equipment Categorization (REC) | REC - Content | Responsibility should be shared with the owner of the equipment that might have data in it. Not only the recycler should be responsible of identifying equipment with data, but owners should declare the state of the equipment. Data sanitization category for the equipment that the owner already declare has no data or data has been wiped. | Include another label category which is: owner declare data has been wiped, or there is no data in equipment. | No Change: Recognizing a REC categorization assigned by a supplier is already addressed under Core Requirements 6.(b)(2)(A) & (B). |
| 6.SORTING, CATEGORIZATION, AND PROCESSING | REC - Content | Under functionality categories add a value requirement. ie. residual value for re-use or parts must be double scrap value. Prevents low value items from circumventing focus material requirements. This would be a good way to prevent items that may function but are quickly disposable from being improperly discarded downstream. | Add value requirement and limit bulk sales of low value items | No Change: Value of reusable items in the destination market is a key criterion under Core Requirement 6.(a)(4) for determining whether something is capable of reuse or not. However, due to fluctuations in the market and variances between markets, no specific value limit has been established under the R2 Standard. Instead, it is the responsibility of each R2 Facility to define the appropriate value threshold. |