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PROCEDURES FOR ACCREDITED  
STANDARDS COMMITTEE B109  
ON  
GAS DISPLACEMENT METERS  
AND  
GAS SERVICE REGULATORS

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## HISTORY OF THE DEVELOPMENT OF STANDARDS FOR GAS DISPLACEMENT METERS AND SERVICE REGULATORS

In response to an expressed need within the industry for standardization of gas displacement meters, the American Gas Association late in 1966 requested the establishment of a project within the American National Standards Institute (ANSI) for development of suitable standards for such meters. At a general conference held on January 31, 1967, at ANSI Headquarters, approval of the project scope was obtained and subsequently endorsed by the Mechanical Standards Board of ANSI.

The organizational meeting of ANSI Committee B109 was held on November 30, 1967. The first edition of the Gas Displacement Meter Standard for 500 Cubic Feet per Hour Capacity and under (ANSI B109.1-1973) was approved by ANSI on November 27, 1973.

Subsequently, subcommittees were formed to develop standards for both rotary meters and gas displacement meters with capacities above 500 cubic feet per hour. Concurrently, an addendum for the 1973 standard was developed on "Qualification of New Type Meters" and "Test Methods and Equipment."

On April 14, 1980, ANSI approved the two new gas displacement standards - ANSI B109.2- 1980 - Diaphragm Type Gas Displacement Meters (over 500 Cubic Feet per Hour Capacity) and ANSI B109.3 - 1980 - Rotary Type Gas Displacement Meters. On the same date ANSI B109.1a - 1980 Addenda to B109.1-1973 for Gas Displacement Meters (500 Cubic Feet per Hour Capacity and Under) was approved by ANSI. Second Editions were approved by ANSI in 1987 and the third Editions in 1992. With the 1992 Editions, the titles for B109.1 and B109.2 were corrected.

On November 10, 1992, a revised Committee Scope was approved by ANSI, which includes standard coverage for gas service regulators - non-pilot loaded Nominal Pipe Size (NPS) 1-1/4 inch and smaller.

On April 14, 2008, ANSI approved the reaffirmation of ANSI B109.1, ANSI B109.2, ANSI B109.3, and ANSI B109.4. On January 22, 2010, the Project Initiation Notification System (PINS) for the new BSR B109.0-201x appeared in "Standards Action". The new performance-based standard, ANSI B109.0 Natural Gas Meters, under development will apply to all gas meters based on any principle, used to meter the quantity of gas in volume, mass or energy units, that has passed through the meter at operating

conditions. It will apply to gas meters intended to measure quantities of gaseous fuels or other gases.

The three displacement meter standards and service regulator standard under B109 are as follows:

ANSI B109.1 Diaphragm type Gas Displacement Meters (under 500 cubic feet per hour capacity)

ANSI B109.2 Diaphragm type Gas Displacement Meters (500 cubic feet per hour capacity and over)

ANSI B109.3 Rotary type Gas Displacement Meters

\*ANSI B109.4 Gas Service Regulators - Non-Pilot loaded, Nominal Pipe Size (NPS) 1 1/4 inch and smaller

\*On November 10, 1992, ANSI approved a revised scope which includes gas service regulators.

## PROCEDURES FOR ACCREDITED STANDARDS COMMITTEE B109

### 1.0 GENERAL

The procedures contained herein set forth the scope of Accredited Standards Committee B109 (Committee) and the methods by which evidence of consensus is developed and due process provided during the development of proposed standards for submittal to the American National Standards Institute (ANSI) for recognition as American National Standards. ANSI may audit the records of the Committee for compliance with the ANSI procedures for accredited standards committees.

All consensus requirements (public review/voting/consideration of views and objections/appeals/etc.) apply to new standards, as well as to revisions, reaffirmations and the withdrawal of standards.

### 2.0 SCOPE

Accredited Standards Committee B109 is responsible for the development of standards for gas displacement meters, gas service regulators and related devices. Standards apply to establishing acceptable performance criteria for diaphragm and rotary type displacement meters designed for revenue measurement of fuel gas and for gas service regulators. Standards include definitions, construction, performance of both new types and newly constructed meters and service regulators, in-service performance, installation requirements and practices, test methods and equipment.

### 3.0 COMMITTEE

In general, any person (organization, company, government, agency, individual, etc.) with a direct and material interest has a right to participate by: a) expressing a position and its basis, b) having that position considered, and c) having the right to appeal. Prompt consideration shall be given to the written views and objections of all participants, including those commenting on the Project Initiation Notification System (PINS) announcement or public comment listing in the *Standards Action*. Responses and attempts at resolution shall be provided in writing to the submitter.

For the purposes of this document, "Accredited Standards Developer" (ASD) is interchangeable with "Secretariat". The ANSI accreditation is jointly held by the Secretariat and the Committee.

#### 3.1 Function



The Committee:

- 3.1.1 Shall exercise general supervision over the initiation, preparation, maintenance and withdrawal of standards within the Committee's scope;
- 3.1.2 May establish standing technical Subcommittees, as necessary, to draft standards and develop recommendations on standards matters;
- 3.1.3 Shall initiate or otherwise approve subcommittee assignments, supervise subcommittee operation and determine the final disposition of all draft standards developed;
- 3.1.4 May appoint ad hoc task forces for particular projects and shall supervise their operation;
- 3.1.5 Shall develop its own procedures; and
- 3.1.6 Shall consider and act on proposals to terminate the Committee, subcommittee and ad hoc task forces.

### 3.2 Membership Categories

The membership of the Committee shall be classified from among the following categories:

- a. *Producers* (e.g. Equipment Manufacturers)
- b. *Users* (e.g. Gas Utilities, Consumers, Gas Transmission Companies)
- c. *General Interest* (e.g. Individuals, Government, Research Organizations)

- 3.2.1 Requests for membership shall be addressed to the Secretariat, indicating the applicant's direct and material interest in the Committee's work and stating qualifications and willingness to participate actively.
- 3.2.2 Membership shall be subject to approval of the Committee on recommendation of the Secretariat (see 6.2.2).
- 3.2.3 Applicants not approved for membership by the Committee shall be advised of the reason for Committee disapproval and advised of their right to appeal in writing (see 9.0).
- 3.2.4 Organizations:

Organizations including government agencies having substantial concern with and competence in the scope of the Committee shall be eligible for membership on the Committee.

3.2.4.1 Member organizations shall designate their official representative(s) to the Committee and may also designate an alternate to the representative.

3.2.4.2 A single organization may hold more than one membership if distinct divisions of the organization can demonstrate separate interest. For example, one division or operating company of a private corporation may show a producing or selling interest while another may show a buyer/user interest; or a government agency may show a buyer/user interest in one department and a separate regulatory concern in another department.

3.2.5 Individuals:

Individuals possessing knowledge in the field of the Committee's work shall be eligible for membership in a personal capacity on the Committee. Individual members shall not have alternates.

3.2.6 Companies:

Individual companies having substantial concern and competence in standards within the scope of the Committee shall be eligible for membership on the Committee when:

3.2.6.1 No organization exists through which companies can obtain representation or when an organization exists, but the company is not a member thereof;

3.2.6.2 The company is a member of an organization which declines Committee membership because standards are not included in its activities;

3.2.6.3 An organization is not sufficiently representative of those interested in the project and additional representation must be sought; or

- 3.2.6.4 A company is a member of an organization represented on the Committee, but is substantially concerned with the standards from a point of view not within the scope of the organized group.

3.2.7 Observers (Liaison Members):

Individuals and organizations having interest in the Committee's work may request listing on the Committee roster as observers. They may request material that is distributed to the Committee, subcommittee(s), and task force(s) and may comment, but shall have no vote.

3.2.8 Balance

To ensure a substantial balance of interests on the Committee, the ASD shall strive for a goal of balance in accordance with the following:

- 3.2.8.1 No single interest category constitutes more than one-third of the membership of a consensus body dealing with safety-related standards
- 3.2.8.2 No single interest category constitutes a majority of the membership of a consensus body dealing with other than safety-related standards

No person shall represent more than one organization, either as representative or alternate.

The Committee shall approve the classification categories and the rationale therefore.

3.2.9 Committee Roster:

The Committee roster shall be distributed to the Committee at least annually, and otherwise posted or available upon request, and shall include the following:

- (1) Title of the Committee and its designation;
- (2) Scope of the Committee;
- (3) Secretariat organization, with Secretary's name, address;
- (4) Officers - Chairman and Vice Chairman;
- (5) Members - name of organization or agency, its representative and alternate as applicable, addresses, and business affiliation;

- or name, address and business affiliation of individual member(s);
- (6) Classification of each member

### 3.3 Officers

Committee Officers shall include a Chairman and a Secretary and should include a Vice-Chairman.

#### 3.3.1 Election of Officers:

The Chairman and Vice Chairman shall be elected at a meeting or by ballot by a plurality vote of the Committee for terms of three (3) years and shall be eligible for reelection. Each shall serve until a successor is elected and ready to serve. The Vice-Chairman shall carry out the Chairman's duties if the Chairman is temporarily unable to serve.

#### 3.3.2 Secretary:

The Secretary shall be a Secretariat staff member appointed by the Secretariat and shall have no vote.

### 3.4 Meetings.

#### 3.4.1 Call of Meetings:

Meetings shall be held at the discretion of the Chairman after reviewing the items of business pending consideration.

#### 3.4.2 Quorum:

A majority of the membership shall constitute a quorum for the purpose of conducting business at a meeting.

#### 3.4.3 Public Notice:

Public notice of meetings of the Committee relating to the development of standards shall be published in a medium which will reach persons reasonably expected to have an interest in the standards. This notice shall appear at least two (2) weeks prior to a regularly scheduled meeting. The notice shall include the meeting name and the contact information of the Secretariat staff which can provide further information on the meeting or activity.

#### 3.4.4 Openness:

Meetings shall be open to all interested parties. The public notice of Committee meetings may request that interested parties planning to attend the meeting notify the Secretariat in advance of the meeting to ensure that adequate meeting facilities are available.

#### 3.4.5 Meeting Registration Fee:

When appropriate, Committee meeting participation may be accompanied with a meeting registration fee to cover meeting costs (e.g., food and beverage, audiovisual, facility overhead costs, staff travel, etc.). Registration fees will be reasonable and vary depending upon meeting location and length.

### 3.5 Voting Procedures

Note: All consensus requirements apply to new standards, revisions, reaffirmations, and withdrawal of standards.

#### 3.5.1 General:

- 3.5.1.1 Each representative shall exercise his/her voting privilege. If by ballot (hardcopy or electronic), this shall be within prescribed time limits. An alternate's vote shall be counted only if the representative is not at a meeting or does not execute his/her ballot.
- 3.5.1.2 No person shall cast a vote for more than one organization, either as representative or alternate.
- 3.5.1.3 The final vote of the Committee on proposed standards shall be by recorded vote at a meeting, by written ballot (hardcopy or electronic) or a combination thereof. Each representative entitled to vote shall vote one of the following positions:
  - (1) Affirmative
  - (2) Affirmative with comment
  - (3) Negative, with reasons
  - (4) Abstain, with reasons.
- 3.5.1.4 For votes on membership and officer-related issues, the affirmation/abstain method of voting shall be followed.

Votes with regard to these issues need not be accompanied by reasons and need not be resolved or circulated to the consensus body.

For example, the criteria for consensus includes a requirement that a majority of the consensus body casts a vote (counting abstentions), and at least two-thirds of those voting approve (not counting abstentions). The developer may submit for approval an alternative methodology for determining consensus.

- 3.5.1.5 A member not returning a ballot or abstaining from voting shall be considered as not voting.
- 3.5.1.6 The ASD shall not change a vote unless instructed to do so by the voter. If the change of vote was not submitted in writing by the voter, then written confirmation of such a vote change shall be provided to the voter by the ASD. It is never appropriate for an ASD to inform voters that if they are not heard from, their negative vote will be considered withdrawn and their vote will be recorded as an abstention or an affirmative. All negative votes that are not changed at the request of the voter shall be recorded and reported to the Board of Standards Review (BSR) as unresolved negatives by any ASD that has not been granted the authority to designate its standards as American National Standards without approval by the BSR.
- 3.5.1.7 The ASD shall record and consider all negative votes accompanied by any comments that are related to the proposal under consideration. This includes negative votes accompanied by comments concerning potential conflict or duplication of the draft standard with an existing American National Standard and negative votes accompanied by comments of a procedural or philosophical nature. These types of comments shall not be dismissed due to the fact that they do not necessarily provide alternative language or a specific remedy to the negative vote.

3.5.1.8 The ASD is not required to consider negative votes accompanied by comments not related to the proposal under consideration, or negative votes without comments.

3.5.1.9 The ASD shall maintain records of evidence regarding any change of an original vote.

3.5.2 Voting In Conjunction with Meetings:

3.5.2.1 The following actions require approval by the consensus body at least two-thirds of those voting (excluding abstentions) and by at least a majority of the entire voting membership;

- (1) New standard or reaffirmation of an existing standard;
- (2) Revision or addendum to part or all of existing standard;
- (3) Change of Committee scope;
- (4) Termination of the Committee;
- (5) Committee procedures or revisions thereto; and
- (6) Casting an approving vote, under the ANSI canvass method, on a proprietary standard within the Committee's scope.

3.5.2.2 The following actions require approval by a majority of the entire voting membership:

- (1) Withdrawal of existing standard;
- (2) Formation or disbanding of a subgroup;
- (3) Subgroup procedures, including scope and duties;
- (4) Approval of minutes;
- (5) Approval of new Committee members and their membership classification; and
- (6) Membership classification categories.

If necessary, the absent member ballot procedure described under 3.5.2.4 shall be used.

3.5.2.3 A pre-meeting ballot may be made in advance of a meeting to obtain an expression from the Committee on meeting agenda items concerning proposed standards, including the reaffirmation or withdrawal of existing standards. If a pre-meeting ballot of the Committee is made, it shall be distributed at least two (2) weeks before the meeting. Members may change their vote cast on the pre-meeting ballot at the meeting. For those members unable to attend the meeting, their pre-meeting ballot will be recorded as their final vote on each proposal, unless the proposal is substantively revised at the meeting, in which case the absent members will be given an opportunity to change their vote.

3.5.2.4 Absent Member Voting

This applies to members not attending meeting and/or participating in voting at meeting.

Members not present and not represented by their alternates at the meeting shall be balloted. The absent member ballot shall advise the absent members and their alternates of the actions of the Committee, including the reasons for any unresolved negative votes cast at the meeting, and request return of the ballot within two (2) weeks following distribution.

3.5.3 Ballots (Hardcopy or Electronic):

A ballot may be authorized by any of the following:

- (1) Majority of vote of those present at a Committee meeting;
- (2) The Chairman,
- (3) On petition of five (5) or more members of the Committee;
- (4) The Secretariat.

3.5.3.1 The voting period for a ballot shall end four (4) weeks following the date of issue or as soon as all ballots are returned, whichever comes first. Approximately two (2) weeks prior to the closing date of the ballot, a reminder should be sent to those members and their alternates



who have not returned a ballot.

3.5.3.2 Results of all ballots shall remain confidential to the and officers of the Committee until the balloting has been closed.

#### 3.5.4 Negative and Abstaining Votes

3.5.4.1 In Conjunction With Meetings. All negative and abstaining votes cast at a meeting on proposed standards shall be recorded by the Secretary and the reasons for such votes, along with specific wording or action which would resolve the negative vote, shall be stated at the meeting. Following the meeting, the representatives (or alternate) casting unresolved negative and abstaining votes shall provide the Secretary, in writing, confirmation of their reasons for so voting at the meeting within two (2) weeks following the meeting. The reasons for negative votes shall also include the specific wording or action which would resolve the negative vote.

3.5.4.2 Ballots. All negative and abstaining votes cast by ballot on proposed standards shall be accompanied by reasons for such votes along with specific wording or action which would resolve the negative vote.

#### 3.5.5 Negative Votes

3.5.5.1 All negative votes that are not changed at the request of the voter shall be recorded and reported to the BSR as unresolved negatives by any ASD that has not been granted the authority to designate its standards as American National Standards without approval by the BSR.

3.5.5.2 ASD shall record and consider all negative votes accompanied by any comments that are related to the proposal under consideration. This includes negative votes accompanied by comments concerning potential

conflict or duplication of the draft standard with an existing American National Standard and negative votes accompanied by comments of a procedural or philosophical nature. These types of comments shall not be dismissed due to the fact that they do not necessarily provide alternative language or a specific remedy to the negative vote.

3.5.5.3 ASD are not required to consider negative votes accompanied by comments not related to the proposal under consideration, or negative votes without comments.

### 3.5.6 Disposition of Negative Votes:

3.5.6.1 All negative votes, the reasons therefore and any recommended solutions, shall be reviewed by the Chairman to determine how they shall be considered. All such information shall be considered by the Committee, either by correspondence or at a meeting, and resolution of the negative votes attempted, with the results shall be provided in writing to the representative (or alternate) who cast the negative vote(s).

3.5.6.2 Substantive changes made in a proposed standard to resolve negative votes shall be submitted to the Committee with four (4) weeks given in which the members shall have the opportunity to express opposition to the changes.

3.5.6.3 If, after consideration, negative votes (including negative comments) cannot be resolved, they shall be reported to the Committee with copies of the reasons given for the negative votes. Attempts at resolution, including negative unresolved comments, shall be included in material circulated back to the Committee in order to give members the opportunity to respond, reaffirm or change their vote. Each member who wishes to change his/her original vote shall so indicate within four (4) weeks. If such action occurs at a meeting, those members not in

attendance shall also be provided this material along with notes of of all votes, reasons for votes, discussions and substantive changes. Those members not in attendance shall be requested to vote so that an expression from the full membership may be obtained.

### 3.5.7 Change of Vote:

3.5.7.1 ANSI-Accredited Standards Developers (ASD) shall not change a vote unless instructed to do so by the voter. If the change of vote was not submitted in writing by the voter, then written confirmation of such a vote change shall be provided to the voter by the developer. It is never appropriate for an ASD to inform voters that if they are not heard from, their negative vote will be considered withdrawn and their vote will be recorded as an abstention or an affirmative.

3.5.7.2 The ASD shall maintain records of evidence regarding any change of an original vote.

### 3.6 Communications.

Committee officers, when acting in their official capacity, must share all correspondences with the Secretariat.

## 4.0 SUBCOMMITTEE

All procedures in this section pertain to the functioning of subcommittees.

### 4.1 Organization and Function.

#### 4.1.1 Establishment:

The establishment of a subcommittee and its scope of operation may be developed at the direction of the Committee officers with communication to the Committee and be noted as such in the meeting minutes. The subcommittee is subject to the same openness policy as the Committee. A subcommittee shall be a standing technical group which drafts standards within its assigned scope for consideration by the Committee and otherwise acts in an advisory capacity to the Committee. The group shall

report directly to the Committee and, upon completing its assignment, be discharged. A majority vote is necessary for working group recommendations to the Committee.

4.1.2 Ad Hoc Working Groups:

A Subcommittee may appoint an ad hoc working group to address a particular subject of direct concern to the Subcommittee. The members shall be appointed by the subcommittee chairman and may include, in addition to subcommittee members, individuals who have knowledge and interest in the subject of the working groups' assignment. The group shall report directly to the Subcommittee and, upon completing its assignment, be discharged. A majority vote is necessary for working group recommendations to the Subcommittee.

4.1.3 Standing Working Groups:

A Subcommittee may also appoint a standing working group to aid in its activities. A majority vote is needed for working group recommendations to the Subcommittee.

4.2 Membership.

4.2.1 Appointment of Members: Members of technical Subcommittees shall be appointed by the Committee Chairman on behalf of the Committee. The members of a Subcommittee should have a substantial technical knowledge of and expertise in the area of the subcommittee's scope and in the standards supervised by the Subcommittee. There shall be no alternates for subcommittee members. However, when a member is unable to attend a meeting, he may designate a representative for that meeting and the Secretariat shall be advised.

4.2.2 Balance: Since a subcommittee drafts proposed standards or parts of standards and otherwise acts in a purely advisory capacity to the Committee, the subcommittee membership need not be balanced as required for the Committee. In view of the technical expertise needed to draft the standards, subcommittee membership normally will be predominantly comprised of users and producers. Care shall be exercised that no one interest can control the decisions of a Subcommittee.

#### 4.2.3 Subcommittee Roster:

The subcommittee roster shall include the following:

- (1) Title of the Subcommittee
- (2) Scope of the Subcommittee
- (3) Chairman and names and addresses of all members.

#### 4.3 Officers.

Each Subcommittee shall have a chairman appointed by the Chairman of the Committee. A staff member of the Secretariat may serve as Secretary but shall have no vote.

#### 4.4 Meetings.

Meetings shall be held at the discretion of the subcommittee chairman after reviewing the items of business pending consideration.

A majority of the membership shall constitute a quorum for the purpose of conducting business at a meeting.

#### 4.5 Voting.

Voting requirements in this section apply to Subcommittee votes. Action to approve, revise, reaffirm or withdraw a standard still must be voted on by the main Committee. As with the Committee, all consensus requirements apply to new standards, revisions, reaffirmations, and withdrawal of standards.

##### 4.5.1 On Standards:

- 4.5.1.1 Adopting a new standards provision and a revision or deletion of an existing standards provision requires an affirmative vote of the members voting of consensus by majority with two-thirds needed for approval regardless of "in conjunction with meeting" or by "absentee" ballot.
- 4.5.1.2 In conjunction with meeting or by absentee ballot - consensus by majority with two-thirds needed for approval
- 4.5.1.3 Vote Count. A member absent from a meeting, not returning a ballot, or abstaining from voting shall be considered as not voting.

#### 4.5.2 On Other than Standards:

Actions not involving a new provision or the revision or deletion of an existing provision shall be decided by an affirmative vote of a majority of the members voting.

#### 4.5.3 Vote Count:

A member absent from a meeting, not returning a letter ballot, or abstaining from voting shall be considered as not voting.

### 5.0 AD HOC TASK FORCE

#### 5.1 Organization and Function.

The Committee, by a majority vote, may appoint an ad hoc task force to initiate the development of a standard not within the scope of an existing Subcommittee or to investigate or study an individual standards matter of direct concern to the Committee. The task force shall report directly to the Committee, and upon completing its assignment, be discharged. Draft standards developed by the task force require Committee approval for distribution for comment.

#### 5.2 Membership.

Members of ad hoc task forces of the Committee shall be appointed by the Chairman of the Committee and may include, in addition to members of the Committee, individuals who have knowledge and interest in the subject of the task force's assignment.

#### 5.3 Voting.

Ad hoc task force voting shall comply with 4.5.

### 6.0 SECRETARIAT

#### 6.1 Secretariat Administrative Functions.

The Secretariat shall provide the administrative services required by the Committee and its Subcommittees to develop standards in accordance with these procedures.

##### 6.1.1 The Administrative services shall include:

- (1) Maintenance of Committee accreditation in accordance with ANSI procedures;

- (2) Monitoring the Committee's activities for compliance with these procedures;
- (3) Meeting notices and arrangements;
- (4) Preparation and distribution of meeting agendas, meeting minutes, ballots and draft standards;
- (5) Submittal of proposed standards approved by the Committee, with supporting documentation, for ANSI public review and approval as American National Standard. ANSI submittal forms include:
  - a. PINS Form.
    - i. Submitted by Secretariat to ANSI at the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form, or its equivalent, for announcement in Standards Action.
    - ii. Secretariat manages received comments in accordance to most current version of the *ANSI Essential Requirements*
  - b. Board of Standards Review (BSR)-8 Form (or equivalent).
    - i. Submitted by Secretariat to ANSI at proposal of development of new American National Standards and for revision, reaffirmation, or withdrawal of approval of existing American National Standards.
    - ii. Form includes request for listing in Standards Action in order to provide an opportunity for public comment.
    - iii. Secretariat manages received comments in accordance to most current version of the *ANSI Essential Requirements*
  - c. BSR-9 (or equivalent).
    - i. Submitted by Secretariat after public review for final submission to ANSI of American National Standard.
- (6) Publication of agenda and standards developed by the Committee and approved as American National Standards;
- (7) Maintenance of list of standards under the Committee's jurisdiction;
- (8) Providing the Committee's secretarial services;
- (9) Other administrative functions as required by these procedures.

6.1.2 The standards developer provides the following or evidence thereof:

- (1) Title and designation of the proposed American National Standard;
- (2) Indication of the type of action requested (that is, approval of a new American National Standard or reaffirmation, revision, or withdrawal of an existing American National Standard);
- (3) A declaration that applicable procedures were followed;
- (4) A declaration that the proposed standard is within the scope of the previously registered standards activity;
- (5) A declaration that conflicts with another American National Standard have been addressed in accordance with these procedures;
- (6) A roster of the consensus body that indicates: the vote of each member including abstentions and unreturned ballots, if applicable; the interest category of each member; and a summary thereof;
- (7) A declaration that all appeal actions related to the approval of the proposed standard have been completed;
- (8) A declaration that the criteria contained in the ANSI patent policy have been met, if applicable; and
- (9) Identification of all unresolved negative views and objections, with names of the objector(s), and a report of attempts toward resolution.

#### 6.2 Secretariat Role in Ensuring Openness.

The Secretariat shall be responsible for timely and adequate notices of any action to create, revise, reaffirm, or withdraw a standard, and the establishment of a new consensus body shall be provided to all known directly and materially affected interests. Notice should include a clear and meaningful description of the purpose of the proposed activity and shall identify a readily available source for further information. In addition, the name, affiliation and interest category of each member of the consensus body shall be made available to interested parties upon request

#### 6.3 Secretariat Role in Committee Membership.

##### 6.3.1 Request for Membership:



The Secretariat shall require that all requests for Committee membership indicate the applicant's direct and material interest in the Committee's work, state qualifications and willingness to participate actively, and identify a representative to serve as member (and an alternate member is desired if the applicant is an organization, company, or agency).

6.3.2 Secretariat Recommendations:

The Secretariat shall recommend to the Committee appropriate action on applications for Committee membership. In so doing, the Secretariat shall have considered:

- (1) Need for active participation in each interest category;
- (2) Potential for domination by a single interest;
- (3) Reasonable limits on Committee size;
- (4) Qualifications and extent of interest expressed by the applicant;
- and
- (5) Membership classification.

6.3.3 Membership Voting Record:

When a representative or alternate fails repeatedly to return ballots or attend meetings, or consistently abstains from voting, the Secretariat shall contact the representative or the member organization, as appropriate, to establish if the organization wishes to continue to hold membership on the Committee. Any further action in such cases shall be at the discretion of the Committee.

6.3.4 Membership Roster:

The Secretariat shall maintain a current and accurate roster of the Committee and any Subcommittees.

6.3.5 Committee Secretary:

The Committee Secretary shall be a member of the Secretariat staff and shall have no vote.

6.4 Secretariat Role in Meeting Schedule.

The Secretariat shall issue and maintain a schedule of future Committee meetings.

6.5 Secretariat Role in Records Maintenance.

The Secretariat shall maintain appropriate records of the Committee and its Subcommittees, in sufficient detail to enable review and understanding of these activities, for at least five (5) years. These records shall include but shall not necessarily be limited to:

- (1) Meeting agendas for Committee and Subcommittee meetings;
- (2) Minutes of Committee and Subcommittee meetings, ballots and ballot summaries;
- (3) Draft standards, proposed standards and published standards;
- (4) Appeals and their disposition.

6.5.1 Evidence of Compliance - Records Maintenance. The ASD shall retain records to demonstrate compliance with all aspects of these and the accredited procedures. Such records shall be available for audit as directed by the ANSI Executive Standards Council (ExSC).

6.5.1.1 Records for new, revised or reaffirmed ANS B109 standards are maintained under the *periodic* maintenance option and will be retained:

- (1) for one complete standards cycle,
- (2) until revised, or
- (3) until withdrawn.

6.5.1.2 Records concerning withdrawals shall be retained for at least five years from the date of withdrawal or for a duration consistent with the audit schedule.

## 7.0 REVIEW OF STANDARDS

### 7.1 Revisions of Standards.

7.1.1 Each standard under the jurisdiction of the Committee shall be reviewed in light of requests and recommendations, and revisions to standards initiated as warranted.

7.1.2 Standards may be revised as frequently as necessary in line with indicated safety needs, industry developments or current state-of-the-art.

7.1.3 A proposed new American National Standard or a proposed revision or reaffirmation of an American National Standard to be approved by the BSR shall be submitted to the secretary of the BSR within one (1) year from the close of the comment period listed in Standards Action using the appropriate form provided by ANSI, unless the standards developer notifies the secretary of the BSR in writing of good cause for a different schedule for submittal. Failure to make the submittal within two (2) years from the close of the comment period listed in Standards Action shall require consideration by the BSR, i.e., withdrawal, extension for cause, or another listing in Standards Action.

#### 7.2 Reaffirmation of Standards.

An existing standard which has not been revised for five (5) years shall be reviewed at the beginning of the fifth year. If it is determined that the standard is needed but that no modification is required, the Committee shall recommend to ANSI the reaffirmation of the standard without revision.

#### 7.3 Withdrawal of Standards.

7.3.1 Standards which have not been revised (see 7.1) and not reaffirmed (see 7.2) shall be withdrawn. Consideration of withdrawal may be initiated at any time.

#### 7.3.2 Administrative withdrawal:

An American National Standard shall be withdrawn five years following approval, if the standard has not been revised or reaffirmed, unless an extension has been granted by the ExSC or its designee. An American National Standard that has not been reaffirmed or revised within the five-year period, and that has been recommended for withdrawal by the ExSC or its designee, shall be withdrawn at the close of a 30-day public review notice in Standards Action. American National Standards that have not been revised or reaffirmed within ten years from the date of their approval as American National Standards shall be withdrawn and such action shall be announced in Standards Action.

#### 7.3.3 Withdrawal by ANSI-Accredited Standards Developer:

An American National Standard must be supported by an ANSI-Accredited Standards Developer. If an accredited standards developer wishes to withdraw its approval of one or more of its American National Standards, it may do so without a vote of the relevant consensus body. If an accredited standards developer does withdraw one or more of its American National Standards, then the standards developer shall notify ANSI immediately and the standard shall be withdrawn as an ANS and announced in Standards Action.

7.3.4 Other Withdrawal Options:

Discontinuance of standards project and withdrawal for cause are other possible withdrawal alternatives (see most current version of *ANSI Essential Requirements*)

## 8.0 DEVELOPMENT OF STANDARDS

The procedures set forth in this section detail the manner in which the Committee develops standards. They represent a process of development, public review and reconsideration for the purpose of determining consensus and providing due process in accordance with ANSI procedures.

### 8.1 Initiation of Standards or Standards Revisions.

8.1.1 Requests:

Any written request or recommendation received relative to developing a standard or revising an existing standard shall be referred to the appropriate subcommittee, or to the Committee, if no appropriate Subcommittee exists. In the latter case, the Committee may elect to establish an ad hoc task force to consider the request.

8.1.2 Meetings:

Meetings shall be scheduled at such time as there are a reasonable number of business items to consider or when an item of business requiring an expeditious consideration cannot be handled by correspondence.

8.1.3 Meeting Agenda:

- 8.1.3.1 Meeting agendas shall be prepared for all pending business items. The originators of agenda items shall be advised of the time and place of the meeting so they, or their representative, may attend the meeting to present their views.
- 8.1.3.2 The Committee or Subcommittee, as appropriate, shall consider each item on the meeting agenda to determine if the initiation of a standard or a revision to an existing standard under its supervision is warranted.
- 8.1.3.3 Submitters of proposals rejected by the Subcommittee shall be advised in writing of the reasons for the rejection and that they may have their concerns heard by the Committee.

#### 8.1.4 Drafting Standards:

- 8.1.4.1 The Committee or Subcommittee, as appropriate, shall develop a draft standard or draft revisions to an existing standard, as deemed necessary, keeping in mind that preference shall be given to the use of performance criteria as reasonable in lieu of design, materials, or construction criteria.
- 8.1.4.2 Coordination and harmonization. Good faith efforts shall be made to resolve potential conflicts between and among existing American National Standards and candidate American National Standards (most current version of the *ANSI Essential Requirements*, for definitions of "conflict" and "good faith effort," respectively)

#### 8.2 Distribution for Industry Comment.

##### 8.2.1 Preparation of Standards Proposals:

Substantive standards proposals shall be prepared for distribution for comment, detailing the draft standards and including reasons for the proposals.

#### 8.2.2 Distribution:

The draft standards proposals shall be distributed for comment to a list of organizations and individuals maintained by the Secretariat and known to have an interest in the standards, and copies made available upon request to other interested parties.

#### 8.2.3 Comments Received:

All comments received on the proposal as a result of the distribution and/or ANSI Public Review shall be compiled by the Secretariat for consideration by the Committee or subcommittee, as appropriate.

### 8.3 Consideration of Comments.

8.3.1 The Committee or Subcommittee, as appropriate, shall reconsider each standard proposal in light of comments received.

8.3.2 If a subcommittee rejects a comment, the submitter shall be advised in writing of the reasons for the rejection and that he/she may have their concerns heard by the Committee.

#### 8.3.3 Action:

As a result of considering all comments received, the Committee or subcommittee, as appropriate, shall act to either:

- (1) Approve the proposal for submittal to the Committee, in the case of a subcommittee, or to ANSI in the case of a Committee.
- (2) Approve the proposal for redistribution for comment, if substantively revised, or
- (3) Not approve the proposal if it is concluded the comments indicate a lack of consensus for the proposal.

### 8.4 Committee Action.

The Committee shall consider the proposed standards, standards revisions, reaffirmations and withdrawals and any comments made to the Committee on standard proposals. The Committee shall determine in accordance with the voting procedures if the standards proposal is to be submitted to ANSI.

Submitters of comments rejected by the Committee shall be advised in writing of the reasons for the rejection, be advised of the attempt(s) at resolution, and that they may appeal the action of the Committee.

## 8.5 Submittal to ANSI.

### 8.5.1 Submittal for Public Review:

Standards proposals approved by the Committee for submittal to ANSI for consideration of recognition as American National Standards shall be submitted, in proper form, by the Secretariat to ANSI for its public review period. When the need exists to expedite approval of a standards proposal by ANSI, the industry review process may take place concurrent with the ANSI public review period.

### 8.5.2 Response to Comments:

8.5.2.1 The Secretariat shall respond to comments received as a result of ANSI public review. The response shall be based on the recorded actions of the Committee and/or its subcommittees.

8.5.2.2 When this process is completed in accordance with the written procedures of the standards developer, the standards developer may consider any comments received subsequent to the closing of the public review and comment period, or shall consider them in the same manner as a new proposal.

8.5.2.3 Unresolved public review objections shall be treated in the same manner as unresolved negative consensus body (i.e., Committee) comments. Unresolved objectors shall be notified in writing of their right to appeal; and all unresolved objections, attempts at resolution and any substantive changes shall be recirculated to the Committee in order to afford members the opportunity to respond, reaffirm or change their votes (see Sections 3.5.5 and 3.5.6) .

8.5.2.4 Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be so notified.

#### 8.5.3 Formal Submittal:

Following ANSI public review and response to all comments received, the Secretariat shall submit the standards proposal to the ANSI Board of Standards review for consideration of approval.

#### 8.5.4 Publication of Standard:

Following approval of a standards proposal by ANSI, the Secretariat shall publish and issue it as a new standard; an addendum to an existing standard; or a new edition of an existing standard, as appropriate.

#### 8.6 Commercial Terms and Conditions.

Provisions involving business relations between buyer and seller such as guarantees, warranties, and other commercial terms and conditions shall not be included in an American National Standard. The appearance that a standard endorses any particular products, services or companies must be avoided. Therefore, it generally is not acceptable to include manufacturer lists, service provider lists, or similar material in the text of a standard or in an annex (or the equivalent). Where a sole source exists for essential equipment, materials or services necessary to comply with or to determine compliance with the standard, it is permissible to supply the name and address of the source in a footnote or informative annex as long as the words "or the equivalent" are added to the reference. In connection with standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity can be standardized as long as the description of the process or criteria is limited to technical and engineering concerns and does not include what would otherwise be a commercial term.

#### 8.7 Patent Policy.

Where a B109 Standard requires the use of a patented item, it shall be permitted in accordance with Section 3.1 of the most current version of ANSI Essential Requirements.

#### 8.8 Antitrust Policy

American National Standards shall be developed in accordance with applicable antitrust and competition laws and meetings amongst competitors to develop American National Standards are to be conducted in accordance with these laws. A copy of the Secretariat's Antitrust Compliance Guidelines is included in appendix A.



### 8.9 Metrics Policy.

The ANSI-ASD shall have on file at ANSI a metric policy. International System of Units (SI) are the preferred units of measurement in American National Standards. B109 standards are written with International System of Units followed in parentheses by the metric equivalent.

### 8.10 Interpretations Policy.

8.10.1 Official interpretations of American National Standards shall be made only by the accredited standards developer responsible for maintenance of that standard. ANSI shall not issue, nor shall any person have the authority to issue, an interpretation of an American National Standard in the name of the American National Standards Institute. Requests for interpretations addressed to ANSI shall be referred to the responsible standards developer.

8.10.2 Neither Committee members nor the ASD shall issue interpretations of its standards.

8.10.2.1 All requests for interpretation shall be responded to in writing by the ASD listing the Interpretation Policy to the inquirer.

8.10.2.2 A copy of the response shall be sent to the Committee chairman.

## 9.0 APPEALS

Directly and materially affected persons who believe they have been or will be adversely affected by any action or inaction of the Committee or the Secretariat shall have the right to appeal such action or inaction.

### 9.1 Complaints.

The appellant shall file a written complaint with the Secretariat by registered mail within 30 working days after notification of action or any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the sections(s) of the standard and/or the Committee procedures which are at issue, actions and/or the Committee which are at issue, and the specific remedial action(s) which would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) shall be noted, including the outcome of each.

#### 9.2 Response.

Within 30 days after receipt of the complaint, the respondent (chairman or Secretariat representative) shall respond in writing to the appellant, specifically addressing each allegation in the complaint, to the extent of the respondent's knowledge.

#### 9.3 Hearing.

If the appellant and the respondent are unable to resolve the complaint informally in light of the written complaint and response, the Secretariat shall arrange to convene an Appeals Panel on a date agreeable to all participants, giving at least ten (10) working days notice.

#### 9.4 Appeals Panel.

The Appeals Panel shall consist of no less than three (3) persons who have not been directly involved in the matter in dispute, and will not knowingly be materially or directly affected by any decision made or to be made in the dispute. A majority of the members shall be acceptable to the appellant and to the respondent. The panel shall elect its chairman.

#### 9.5 Conduct of Hearing.

The appellant should be present at the hearing. However, if circumstances should prohibit his/her appearance, the appellant shall designate a representative to appear on his/her behalf or submit sufficient written documentation to allow the appeals panel to knowledgeably evaluate the appeal and reach a decision. The appellant has the burden of demonstrating adverse effects, improper action/inactions, and the efficacy of requested remedial action. The respondent has the burden of demonstrating that the Committee and the Secretariat took all actions required by the Committee procedures, that they were in accord therewith, and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the Appeal Panel may address questions to the individuals. Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

#### 9.6 Decision.

The Appeals Panel shall render its decision in writing within forty five (45) days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

- (1) Finding for the appellant, remanding the action to the Committee or the Secretariat with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- (2) Finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and his/her objections; or
- (3) Find that new, substantive evidence has been introduced, remanding the entire action to the Committee or the Secretariat for appropriate reconsideration.

#### 10.0 PARLIAMENTARY AUTHORITY

On questions of parliamentary procedure not covered in these procedures, Robert's Rules of Order (latest edition) shall apply.

# Appendix A

## AMERICAN GAS ASSOCIATION ANTITRUST COMPLIANCE GUIDELINES

### Introduction

The American Gas Association and its member companies are committed to full compliance with all laws and regulations, and to maintaining the highest ethical standards in the way we conduct our operations and activities. Our commitment includes strict compliance with federal and state antitrust laws, which are designed to protect this country's free competitive economy.

### Responsibility for Antitrust Compliance

Compliance with the antitrust laws is a serious business. Antitrust violations may result in heavy fines for corporations, and in fines and even imprisonment for individuals. While the General Counsel's Office provides guidance on antitrust matters, you bear the ultimate responsibility for assuring that your actions and the actions of any of those under your direction comply with the antitrust laws.

### Antitrust Guidelines

In all AGA operations and activities, you must avoid any discussions or conduct that might violate the antitrust laws or even raise an appearance of impropriety. The following guidelines will help you do that:

- **Do** consult counsel about any documents that touch on sensitive antitrust subjects such as pricing, market allocations, refusals to deal with any company, and the like.
- **Do** consult with counsel on any non-routine correspondence that requests an AGA member company to participate in projects or programs, submit data for such activities, or otherwise join other member companies in AGA actions.
- **Do** use an agenda and take accurate minutes at every meeting. Have counsel review the agenda and minutes before they are put into final form and circulated and request counsel to attend meetings where sensitive antitrust subjects may arise.
- **Do** provide these guidelines to all meeting participants.

- **Do not, without prior review by counsel**, have discussions with other member companies about:
  - ◆ your company's prices for products, assets or services, or prices charged by your competitors
  - ◆ costs, discounts, terms of sale, profit margins or anything else that might affect those prices
  - ◆ the resale prices your customers should charge for products or assets you sell them
  - ◆ allocating markets, customers, territories products or assets with your competitors
  - ◆ limiting production
  - ◆ whether or not to deal with any other company
  - ◆ any competitively sensitive information concerning your own company or a competitor's.
- **Do not** stay at a meeting, or any other gathering, if those kinds of discussions are taking place.
- **Do not** discuss any other sensitive antitrust subjects (such as price discrimination, reciprocal dealing, or exclusive dealing agreements) without first consulting counsel.
- **Do not** create any documents or other records that might be misinterpreted to suggest that AGA condones or is involved in anticompetitive behavior.

### We're Here to Help

Whenever you have any question about whether particular AGA activities might raise antitrust concerns, contact the General Counsel's Office, Ph: (202) 824-7072; E-mail: [GCO@aga.org](mailto:GCO@aga.org), or your legal counsel.

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