

Procedure

For

**ACCREDITED STANDARDS COMMITTEE Z223
*ON NATIONAL FUEL GAS CODE***

Approved May 2022

American National Standards Institute, Inc.

Z223

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PROCEDURES FOR ACCREDITED STANDARDS COMMITTEE Z223

Preface

During the years preceding the establishment of the National Fuel Gas Code a variety of national standards and model codes evolved which covered the various aspects of installing gas piping and gas equipment on residential, commercial and/or industrial premises.

In 1967, in response to an expressed need for one Code that would cover all facets of fuel gas piping and appliance installations downstream of the gas service entrance to consumers' premises, a meeting of a Conference Group on Piping and Installation Standards, comprised of representatives from the American Gas Association (Secretariat of American Standards Committees Z21 and Z83), the American Society of Mechanical Engineers (Secretariat of American Standards committee B31) and the National Fire Protection Association met to consider the development of a National Fuel Gas Code. In early 1968 the conference Group formulated the scope of a proposed National Standards Committee with the objective of combining, into a National Fuel Gas Code, the American Standards Z21.30 (NFPA NO. 54), Installation of Gas Appliances and Gas Piping: Z83.1 (NFPA No. 54A). Installation of Gas Piping and Gas Equipment of Industrial Premises and Certain Other Premises; and B31.2, Fuel Gas Piping.

Following agreement by National Standards Committees Z21, Z83 and B31, and their respective sponsors, to relinquish, respectively, Z21.30, Z83.1 and that portion of B31.2 covering piping systems at pressures up to and including 60 psig, the American National standards Institute (ANSI), on August 13, 1971, approved the scope of activities and the formation of a National Standards Committee on National Fuel Gas Code, Z223, co-sponsored by the American Gas Association, the American Society of Mechanical Engineers and the National Fire Protection Association, with the American Gas Association as Administrative Secretariat. In April 1980, the American Society of Mechanical Engineers relinquished its role as a co-sponsor of the Code. The National Fuel Gas Code Committee is a Committee that now functions jointly under the procedures of the American National Standards Institute and the National Fire Protection Association and, accordingly, the National Fuel Gas Code bears two designations, ANSI Z223.1 and NFPA 54.

The Committee became Accredited Standards Committee (ASC) Z223 on National Fuel Gas Code with the ANSI approval of its first written procedures on July 18, 1984. The procedures presented herein comply with the criteria for due process and consensus set forth in the latest edition of the ANSI Essential Requirements. The ASC Z223 procedures presented herein were approved by the Committee on May 19, 2022 and approved by ANSI effective July 7, 2022.

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1.0 GENERAL

The procedures contained herein set forth the scope of Accredited Standards Committee Z223 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.

2.0 SCOPE

Accredited Standards Committee Z223 is responsible for the development of a safety code for gas piping systems on consumer's premises and the installation of gas utilization equipment and accessories for use with fuel gases such as natural gas, manufacturer gas, liquefied petroleum gas in the vapor phase, liquefied petroleum gas-air-mixtures, or mixtures of these gases, including:

- a. The design, fabrication, installation, testing, operation and maintenance of gas piping systems from the point of delivery to the connections with each gas utilization device. Piping systems covered by this code are limited to a maximum operating pressure of 60 psig. For purposes of this code, the point of delivery is defined as the outlet of the meter set assembly, or the outlet of the service regulator or service shutoff valve where no meter is provided.
- b. The installation of gas utilization equipment, related accessories, and their ventilation and venting systems.

3.0 COMMITTEE

3.1 Function

The Committee:

- (1) Shall exercise general supervision over the initiation, preparation, maintenance and withdrawal of standards within the Committee's scope;
- (2) Shall respond to requests for interpretations of the standard;
- (3) May establish and shall supervise the operation of standing technical Advisory Panels, as necessary to develop recommendations on standards matters, and shall initiate or otherwise approve assignments;
- (4) Shall determine the final disposition of all draft standards developed;
- (5) May appoint ad hoc task forces for particular projects and shall supervise their operation;
- (6) Shall develop its own procedures; and
- (7) Shall consider and act on proposals to terminate the Committee.

3.2 Membership

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. In addition, if the applicant is an organization, company, or government agency, it shall identify a representative (and an alternate, if desired).

Membership shall be subject to approval of the Committee on recommendation of the Secretariat (see 6.2.2).

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Applicants not approved for membership by the Committee shall be advised of the reason for Committee disapproval and their right to appeal (see 9.0). Appeals are limited to procedural noncompliance and must be addressed to AGA.

The termination of members shall be subject to approval of the Committee on recommendation of the Secretariat with respect to the criteria of 6.2.

3.2.1 Organizations: Organizations including government agencies having a direct and material interest in the scope of the Committee shall be eligible for membership on the Committee

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

3.2.1.2 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 in one department and a separate regulatory concern in another department.

3.2.2 Individuals: Individuals possessing expert 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.

3.2.3 Companies: Individual companies having a direct and material interest in standards within the scope of the Committee shall be eligible for membership on the Committee when:

- (1) No organized group exists through which companies can obtain representation or when an organized group exists, but the company is not a member thereof;
- (2) The company is a member of an organized group which declines Committee membership because standards are not included in its activities;
- (3) An organized group is not sufficiently representative of those interested in the project and additional representation must be sought; or
- (4) A company is a member of an organized group represented on the Committee, but is substantially concerned with the standards from a point of view not within the scope of the organized group.

3.2.4 Observers (Liaison Members): Individuals and organizations having interest in the Committee’s work may request listing on the Committee roster as observers. The Committee may also select individual experts to assist it. Individual experts shall serve for a renewable term of one year and shall be subject to approval by vote of the Committee. They shall receive all material distributed to the Committee and may comment, but shall have no vote.

3.2.5 Single Vote: No person shall represent more than one organization, either as representative or alternate.

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

(1) Applied Research/Testing Laboratory (AR-TL)	A representative of an independent testing laboratory or independent applied research organization that promulgates or applies standards.
(2) Energy Supplier (ES)	A representative of an entity that supplies energy to installations covered by the standard

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(3) Enforcing Authority (EA)	A representative of an agency, organization or governmental body that promulgates and/or enforces standards.
(4) Installer/Maintainer (I-M)	A representative of an entity that is in the business of installing or maintaining a product, assembly, system, or portion thereof, that is affected by the standard.
(5) Insurance (I)	A representative of an insurance company, broker, agent, bureau, or inspection agency.
(6) Manufacturer (M)	A representative of a maker or marketer of a product, assembly, system, or portion thereof, that is affected by the standard.
(7) Special Expert (SE)	A person not representing any of the previous classifications, but who has special expertise in the scope of the standard, or portion thereof.

To ensure a substantial balance of interests on the Committee, not more than one third of the membership shall come from any one classification.

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

3.3 Officers

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

3.3.1 Election of Officers: The Chairman and Vice-Chairman shall be elected at a meeting or by letter ballot by a plurality vote of the Committee for terms of 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, as decided upon by the Committee, the chair, the secretary, or by petition of five or more members, to conduct business, such as making assignments, receiving reports of work, considering code revisions, resolving difference among advisory panels, and considering views and objections from any source.

3.4.2 Quorum: A majority of the membership shall constitute a quorum for the purpose of conducting business at a meeting. If a quorum is not present, actions shall only be taken subject to subsequent confirmation by letter ballot or vote at a future meeting.

3.4.3 Public Notice: Public notice of meetings of the Committee relating to the development of standards shall be published in a medium¹ which will reach persons reasonably expected to have an interest in the standards. This notice shall appear at least 4 weeks prior to a regularly scheduled meeting. The notice shall include a brief description of the purpose of the meeting and the name, address and telephone number of the Secretariat staff which can provide further information of the meeting or

¹ 1 The ANSI Standards Action, a weekly publication, is considered such a medium.

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activity. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest.

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 Antitrust: Meetings shall be conducted in accordance with the AGA Antitrust Compliance Guidelines, which shall be distributed with the meeting agenda. See informative Attachment B.

3.5 Voting Procedures

3.5.1 General:

3.5.1.1 Each representative and alternate shall exercise his voting privilege. If by letter ballot, 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 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 Except in regard to votes on membership and officer-related issues, each representative entitled to vote shall vote one of the following positions:

- (1) Affirmative;
- (2) Affirmative with comment;
- (3) Negative, with reasons; or
- (4) Abstain, with reasons.

For votes on membership and officer-related issues, the yes/no/abstain method of voting shall be followed.

3.5.1.4 A member not returning a letter ballot or abstaining from voting shall be considered as not voting for the purposes of determining a ballot's outcome. All returned votes shall be recorded as they are received by the secretariat.

3.5.1.5 The final vote of the Committee on standards proposals for submittal to ANSI for consideration of approval shall be by letter ballot. Standards proposals include the following:

- (1) Revision or addendum to part of or all of an existing standard;
- (2) Reaffirmation of an existing standard;
- (3) Withdrawal of an existing standard; and
- (4) New standard.

3.5.1.6 All other actions taken by the Committee shall be by recorded vote at a meeting or by letter ballot.

3.5.2 Letter Ballots: A letter ballot may be authorized by any of the following:

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

3.5.2.1 The voting period for a letter ballot shall end 3 weeks following the date of issue or as soon as all ballots are returned, whichever comes first. Approximately 1 week prior to the closing date of the ballot, follow-up notification shall be forwarded to those members and their alternates who have not returned a ballot.

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- 3.5.2.2** Results of all letter ballots shall remain confidential to the Secretariat and officers of the Committee until the balloting has been closed.
- 3.5.3** Vote Count:
- 3.5.3.1** The following actions require approval by at least two-thirds of those voting less 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 an existing standard;
 - (3) Distribution of standard or standard revisions for comment;
 - (4) Change of Committee scope;
 - (5) Termination of the Committee; and
 - (6) Committee procedures or revisions thereto
- 3.5.3.2** The following actions require approval by a majority of the entire voting membership:
- (1) Withdrawal of an 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.
- 3.5.3.3** Preliminary action on Public Inputs and Public Comments require approval by simple majority of the eligible voting members in attendance, as described in sections 8.3.1 and 8.4.1 respectively.
- 3.5.4** Negative and Abstaining Votes:
- 3.5.4.1** Meetings. All negative and abstaining votes cast at a meeting on actions not covered by Section 3.5.1.5 (i.e., the Z223 Committee does not approve standards at meetings) shall be recorded by the Secretary and the reasons for such votes, and may include specific wording or action which would resolve the negative note, shall be stated at the meeting. Following the meeting, the representative (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 3 weeks following the meeting. The reasons for negative votes may also include the specific wording or action which would resolve the negative vote.
- 3.5.4.2** Letter Ballots. All negative and abstaining votes cast by letter ballot on proposed standards shall be accompanied by reasons for such votes.
- 3.5.5** Disposition of Negative Votes:
- 3.5.5.1** All negative votes, the reasons therefor 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 and rationale made known in writing to the representative (or alternate) who cast the negative vote(s). Unresolved representatives shall be notified in writing that they may appeal the action of the Committee.
- 3.5.5.2** Substantive changes made in a proposed standard as a result of resolution of a negative vote shall be submitted to the Committee with a 14-day period given in which the members shall have the opportunity to respond, reaffirm, or change their votes.

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- 3.5.5.3** If, after consideration and attempts at resolution, unresolved objections, along with attempts at resolution, will be provided to the committee in order to afford them the opportunity to respond, reaffirm, or change their vote. Each member who wishes to change his original vote shall so indicate within 14 days. If such action occurs at a meeting, those members not attending shall be made cognizant of all votes, reasons for votes, discussions and substantive changes and shall be requested to vote so an expression for the full membership may be obtained.
- 3.5.5.4** Unresolved representatives shall be notified in writing that they may appeal the action of the Committee. Appeals are limited to procedural noncompliance and exclude technical matters and must be addressed to AGA.
- 3.5.5.5** Substantive changes made to a proposed standard shall undergo public review in accordance with Section 8.8.

3.6 Communications

Committee officers, when acting in their official capacity, shall use Committee letterhead. Committee letterhead shall not be used for other than Committee business.

4.0 ADVISORY PANEL

4.1 Organization and Function

- 4.1.1** Establishment: The establishment of an Advisory Panel and the assignment of its responsibilities shall require a majority vote of the Committee. An Advisory Panel shall be a standing technical group which drafts recommendations for standards or standards revisions for consideration by the Committee and otherwise acts in an advisory capacity to the Committee. Public notice (see 3.4.3) shall be given of the establishment of an Advisory Panel.
- 4.1.2** Ad Hoc Working Groups: An Advisory Panel may appoint an ad hoc working group to address a particular subject of direct concern to the Advisory Panel. The members shall be appointed by the advisory panel chairman and may include, in addition to advisory panel members, individuals who have knowledge and interest in the subject of the working group's assignment. The group shall report directly to the Advisory Panel and, upon completing its assignment, be discharged. A majority vote is necessary for working group recommendations to the Advisory Panel.

4.2 Membership

Members of an Advisory Panel shall be appointed by the Chairman of the Committee and confirmed by the Committee. Members may include, in addition to members of the Committee, individuals who have knowledge and interest in the advisory panel's area of responsibility. There shall be no alternates for advisory panel members. However, when a member is unable to attend a meeting, he may designate a representative for that meeting which shall be confirmed in writing to the Secretariat.

4.3 Officers

Each Advisory Panel shall have a chairman appointed by the Chairman of the Committee. A staff member of the Secretariat shall serve as acting secretary and shall have no vote.

4.4 Meetings

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

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

4.5 Voting

A majority of the members voting is necessary for recommendations to the Committee.

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 area of responsibility of an existing Advisory Panel or to investigate or study an individual standards matter of direct concern to the Committee. A 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

Membership 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

A majority of the members voting is necessary for recommendations to the Committee.

6.0 SECRETARIAT

6.1 Administrative Function

The Secretariat shall provide the administrative services required by the Committee and its Panels to develop standards in accordance with these procedures. 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, letter 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;
- (6) Correlate the processing of standards proposals under these procedures with the procedures of a co-secretariat, as applicable.
- (7) Publication of standards and addenda developed by the Committee and approved as American National Standard;
- (8) Maintenance of a list of standards under the Committee's jurisdiction;
- (9) Providing the Committee's secretarial services; and
- (10) Other administrative functions as required by these procedures.

6.2 Committee Membership

6.2.1 Requests 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

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willingness to participate actively, and identify a representative to serve as member (and an alternate member if desired if the applicant is an organization, company or agency).

6.2.2 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 by each interest category;
- (2) Potential for imbalance of the committee;
- (3) Reasonable limits on Committee size;
- (4) Qualifications and extent of interest expressed by the applicant;
- (5) The representative identified by the applicant organization, company or government agency, and
- (6) Membership classification.

6.2.3 Review of Membership: The secretariat shall review the consensus body membership list annually. When a representative and his alternate fail repeatedly to return ballots or attend meetings, or consistently abstain 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. Where a member is found in habitual default of these obligations, the secretariat shall direct the matter to the Committee for appropriate action, which may include termination of membership.

6.2.4 Membership Roster: The Secretariat shall maintain a current and accurate roster of the Committee and its Panels.

6.2.4.1 Committee Roster: The committee roster 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; and
- (7) Tally of classification – total of voting members and subtotals for each interest category.

6.2.4.2 Panel Roster: The panel roster shall include the following:

- (1) Title of the Panel; and
- (2) Chairman and names and addresses of all members.

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

6.3 Meeting Schedule

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

6.4 Records

The Secretariat shall maintain appropriate records of the Committee and its Panels, in sufficient detail to enable review and understanding of these activities, for one complete standards cycle, or until the

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standard is revised. Records concerning withdrawn standards shall be retained for at least five years from date of withdrawal. These records shall include but shall not necessarily be limited to:

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

7.0 REVIEW OF STANDARDS

7.1 Revisions of Standards

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

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

7.2 Reaffirmation of Standards

The Committee shall complete a review by the fifth anniversary of ANSI approval of an existing standard which has not been revised for five years. If it is determined that the standard is needed but that no modification is required, the Committee shall approve for submittal to ANSI the reaffirmation of the standard without revision.

7.3 Withdrawal of Standards

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.

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 on consensus and providing due process in accordance with ANSI procedures.

The Z223 Committee and the NFPA 54 Committee process revisions to the National Fuel Gas Code utilizing independent but coordinated processes². The Z223 Committee is balloted on all proposals and comments and the ballot results are compiled in accordance with these procedures. See Attachment A for the joint development process comparison.

8.1 Units of Measurement

The system of measurement used in ASC Z223 documents shall conform to one of the following conventions:

- (1) Measurements shall be presented in International Units, commonly known as SI or metric units and referred to herein as SI units, alone.

² The National Fuel Gas Code is developed under two ANSI accredited processes (Accredited Standards Committee Z223 and NFPA Audited Designator) and thus has two designations Z223.1 and NFPA 54. AGA and NFPA harmonize the two processes to avoid duplication and potential conflict.

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- (2) Measurements shall be presented in SI units followed in parentheses by the equivalent value presented in inch-pound units.
- (3) Measurements shall be presented in inch-pound units followed in parentheses by the equivalent value presented in SI units.
- (4) For measurements presented in inch-pound in tables, the metric conversion factors may be provided either under the table or in the section that references the use of tables.

8.2 Initiation of Standards or Standards Revisions

8.2.1 Requests: Any written request or recommendation received relative to developing a new standard within the scope of this Committee shall be referred to the appropriate Advisory Panel(s), or to the Committee. The Committee may elect to establish an ad hoc task force to consider the request.

8.2.2 Scheduled Revision: ANSI Z223.1 National Fuel Gas Code is revised on a three year cycle in coordination with the National Fire Protection Association's NFPA 54 revision schedule. Scheduled revisions begin with the Call for Public Input.

8.2.3 PINS Form: The Secretariate shall submit a Project Initiation Notification (PINS) Form to ANSI at least 30 days prior to the Public Input due date. Any comment received in response to the PINS announcement shall be addressed in accordance with clause 2.5 of the most current version of the ANSI Essential Requirements.

8.2.4 Advisory Panel(s): Advisory Panels are comprised of subject matter experts on a specific topic that falls within the scope of the National Fuel Gas Code, per Section 4.0 of these procedures. Advisory Panels may review Public Inputs or topics of interest to the Committee to develop recommended actions to the Committee.

8.2.5 Advisory Panel 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 expeditious consideration cannot be handled by correspondence.

8.2.6 Advisory Panel Meeting Agenda: 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 representatives, may attend the meeting to present their views.

The Advisory Panel shall consider each item on the meeting agenda to determine if the initiation of a standard or a revision to an existing standard is warranted. The Advisory Panel shall recommend action on each Public Input for Committee consideration. Submitters of proposals rejected by the panel shall be advised in writing of the reasons for the rejection and that they may have their concerns heard by the Committee.

8.2.7 Correlating Panel: A correlating panel may be established to coordinate between the National Fuel Gas Code technical committees (Z223 and NFPA 54) with other NFPA technical committees to ensure consistent requirements among standards.

8.2.8 Correlating Panel Meetings: Meetings may be scheduled at such time as there are sufficient recommendations from the Advisory panels.

8.2.9 Correlating Panel Meeting Agenda: Meeting agendas shall be prepared for all pending business items, including all Advisory Panel recommendations. As appropriate, originators of agendas items shall be advised of the time and place of the meeting and invited to attend the meeting to present their views.

The Correlating Panel shall review all business items and forward its recommendations to the Committee.

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8.3 Committee Action – Public Input Stage

8.3.1 The Committee shall consider all Public Inputs for revision of the standards at a joint meeting of the Z223 and NFPA 54 Committees. Preliminary action on each Public Input is determined by a meeting vote requiring simple majority of the eligible voting members in attendance, and each preliminary action shall be accompanied by a committee statement.

8.3.1.1 Preliminary action on Public Inputs can consist of developing a First Revision that addresses the proposal or resolution (rejection) of the proposal.

8.3.1.2 The Committee may also develop Committee Inputs, which are a potential revision for the purpose of seeking public consideration and soliciting Public Comments. Committee Inputs are approved by a simple majority of the eligible voting members at the meeting.

NOTE: The Public Input Stage is a preliminary stage for assisting the Committee in developing its draft and for raising new issues for public review and consideration. It is not a public comment period for the purposes of the ANSI Essential Requirements. While the Committee must review all Public Input and provide limited responses, the Committee does not act to formally accept or reject Public Input and are not required to address all specific issues raised in the Public Input. The Public Comment Stage (Section 8.4) is the period in which the Committee is required to give consideration to the written views and objection of all Public Commenters and to make efforts to resolve objections within the meaning of the ANSI Essential Requirements.

8.3.2 The Public Input Report, produced by NFPA³, shall be posted on the Z223 Committee webpage and shall contain the Committee’s preliminary action on all Public Inputs.

8.3.2.1 The Public Input Report shall serve as written notice to submitters of Public Inputs rejected by the Committee. The committee statement may advise the submitter of flaws in their proposal, give reasons why the Committee disagreed with the proposal, or provide guidance for further information/refinement needed to substantiate the proposal or gain Committee support.

8.3.2.2 The proponent of rejected Public Inputs may submit related proposals during the Public Comment stage of development. Any issue raised during the Public Input stage but not followed up with the submission of an appropriate Public Comment shall be considered resolved.

8.3.3 The Committee shall determine, in accordance with the voting procedures under 3.5, if a First Revision is approved and to be distributed for comment. This shall be the First Draft Ballot; all First Revisions that are approved by ballot shall be compiled and constitute the First Revision Draft..

8.3.3.1 First Revisions that fail the ballot shall be deleted from the first draft and be redesignated as Committee Input.

8.4 Committee Action – Public Comment Stage

8.4.1 The Committee shall consider all Public Comments on revisions to the standard at a joint meeting of the Z223 and NFPA 54 Committees. Preliminary action on each Public Comment is determined by a meeting vote requiring simple majority of the eligible voting members in attendance, and each preliminary action shall be accompanied by a committee statement.

8.4.1.1 Preliminary action on Public Comments can consist of the following:

³ NFPA publishes the Public Input Report as part of the First Draft Ballot results; it is accompanied by the Committee Input Report and First Revisions Report. Posted on www.nfpa.org/54.

PROCEDURES FOR ACCREDITED STANDARDS COMMITTEE Z223

(a) Accept the comment. The proposed text, exactly as submitted, is incorporated into one or more Second Revisions.

(b) Reject the comment, but refer to a related Second Revision. The Committee may develop related text in one or more Second Revisions that is different from but addresses the Public Comment.

(c) Reject the comment. No Second Revision is developed.

(d) Reject but hold the comment. No Second Revision is developed but the comment is held for processing as a Public Input for next revision.

8.4.2 The Public Comment Report, produced by NFPA⁴, shall be posted on the Z223 Committee webpage and shall contain the Committee's preliminary action on all Public Comments.

8.4.2.1 The Public Comment Report shall serve as written notice to submitters of Public Comments rejected by the Committee.

8.4.3 The Committee shall determine, in accordance with the voting procedures under 3.5, if a Second Revision is approved and to be distributed for comment. This shall be the Second Draft Ballot; all Second Revisions that are approved by ballot shall be compiled and constitute the Second Revision Draft.

8.4.3.1 Second Revisions that fail the ballot shall be deleted from the second draft.

8.4.4 A second ANSI Public Review is required if there are substantive changes made to the draft as a result of addressing comments from the first ANSI Public Review.

8.5 Distribution for Comment

8.5.1 Preparation of Draft Standards: Any substantive standards revisions (first revisions, second revisions) approved by the Committee (see 3.5) shall be prepared for distribution for comment, detailing the draft standards (First Draft, Second Draft) and including reasons for the proposed changes.

8.5.2 Distribution: The Draft Standards shall be posted on the Z223 Committee webpage available to the public. Draft Standards are also 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.

8.5.3 Comments Received: Public Comments shall be submitted on a Public Comment form and include the commenter's name, company/affiliation, contact information, pertinent NFGC section, proposed change, and substantiation. Public Comments that do not include the required information may be rejected by the Committee for that reason. All comments received on the proposals as a result of the distribution shall be compiled by the Secretariat for Committee consideration.

8.5.3.1 As described in Section 8.0 of these procedures, ASC Z223 utilizes the NFPA audited designator consensus procedure to process revisions to the National Fuel Gas Code up to the publication of the NFPA Second Draft. Therefore, Public Comments received during the First ANSI Public Review shall be compiled by NFPA via their online portal.

8.6 Consideration of Comments

8.6.1 Reconsideration of Proposals: The Committee shall reconsider each standards proposal in light of comments received. An effort to resolve all expressed comments shall be made and the submitters of

⁴ NFPA publishes the Public Comment Report as part of the Second Draft Ballot results; it is accompanied by the Second Revisions Report. Posted on www.nfpa.org/54.

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comments rejected by the Committee shall be advised in writing of the reasons for the rejection and that they may appeal the action of the Committee. Appeals are limited to procedural noncompliance and exclude technical matters and must be addressed to AGA.

8.6.2 Committee Action: As a result of considering all comments received, the Committee shall act (see 3.5) to either:

- (1) Approve the proposal for submittal to ANSI (publication ballot);
- (2) Approve the proposal for redistribution for comment if substantively revised (Public Review ballot); or
- (3) Not approve the proposal if it is concluded the comments indicate a lack of consensus for the proposal.

8.7 Reaffirmation's and Withdrawals

The Committee shall consider proposed reaffirmations and withdrawals to determine if they are to be submitted to ANSI (see 3.5)

8.8 Discontinuance of a standards project

The committee may abandon the processing of a proposed new or revised American National Standard or portion thereof if it has followed its procedures herein. ASC Z223 shall notify ANSI in the case where a standard project is discontinued via email. A written justification for such an action shall be made available upon receipt of any written request received within 60 days of the date of the final action.

8.9 Submittal to ANSI

8.9.1 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.

8.9.1.1 When the need exists to expedite approval of a standards proposal by ANSI, the Committee public review process (see 8.4) or Committee consideration (see 8.5 and 8.6) may take place concurrent with the ANSI public review period.

8.9.2 Response to Comments: The Secretariat shall respond to comments received as a result of ANSI public review. Public review commenters will receive a written disposition of their comments with the reasons therefore; if the comments remain unresolved, the commenters will be informed in writing of the right to appeal. Appeals are limited to procedural noncompliance and exclude technical matters and must be addressed to AGA.

8.9.3 Unresolved comments from ANSI public review along with attempts at resolution will be recirculated to the consensus body to give them the opportunity to respond, reaffirm or change their vote.

8.9.4 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.

8.9.5 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.

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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. Appeals are limited to procedural noncompliance and exclude technical matters and must be addressed to AGA.

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 at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the section(s) of the standard and/or the Committee procedures that are at issue, actions and/or inactions that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) shall be noted, including the outcome of each. At least 5 identical copies of all documents pertaining to the appeal shall be supplied by the appellant.

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 10 working days' notice.

9.4 Appeals Panel

The Appeals Panel shall consist of no less than 3 persons who have not been directly involved in the matter in dispute, and will not 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 a majority of the members shall be acceptable 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 appearance, the appellant shall designate a representative to appear on his 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 actions/inactions, and the efficacy of requested remedial action. The respondent has the burden of demonstrating the Committee and the Secretariat took all actions required by the Committee procedures, 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 Appeals Panel may address questions to 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 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:

PROCEDURES FOR ACCREDITED STANDARDS COMMITTEE Z223

- (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 objections; or
- (3) Finding that new, substantive evidence has been introduced, remanding the entire action to the Committee or the Secretariat for appropriate reconsideration.

10.0 INTERPRETATIONS PROCEDURES

The Committee shall interpret the standards under its jurisdiction in accordance with its Interpretations Procedures.

10.1 General

The following is the Interpretations Procedure to be used by Accredited Standards Committee on National Fuel Gas Code, Z223, for the purpose of providing interpretations of any specific provision(s) of the National Fuel Gas Code (Z223.1).

NOTE: This Interpretations Procedure does not prevent the Committee Chairman, Vice Chairman, Secretariat or any member of the Committee or the appropriate Advisory Panel from commenting on the meaning or intent of any provision of the Code provided:

- (a) The person rendering the opinion, orally or in writing, clearly states that "the opinion is personal and does not represent the position of the Committee and may not be considered to be relied on as such," and
- (b) Written opinions are rendered only in response to written requests and a copy of the request and the response are sent to both of the Committee's Secretariats: the American Gas Association and the National Fire Protection Association.

10.2 Nature of Interpretations

Two general forms of Interpretations are recognized:

- (a) Interpretation of the literal text; and
- (b) Interpretation of the intent of the Committee when the particular text was adopted.

10.3 Editions to be interpreted

Interpretations shall be rendered only on the text of the latest edition of the Code, except at the discretion of the Committee Chairman.

10.4 Method of Requesting Interpretations

A request for an interpretation shall be directed to the Chairman or Secretary of the Committee, 400 N. Capitol St., NW, Washington, DC 20001. The request shall include a statement in which shall appear specific references to the need for an interpretation, and shall identify the portion (section, paragraph, etc.) of the Code and the edition of the Code on which an interpretation is requested. Such a request shall be in writing, shall indicate the interest of the requester, and shall be duly signed. Brochures, photographs or other such material necessary to consider the request shall be provided by the requester. When applications involve actual field situations, they shall so state and all parties involved shall be named.

PROCEDURES FOR ACCREDITED STANDARDS COMMITTEE Z223

10.5 Qualifications for Processing

A request for an interpretation may be processed if it:

- (a) Complies with 10.2 and 10.4 above;
- (b) Does not involve a determination of compliance with this Code of a design, installation, or product or equivalency of protection;
- (c) Does not involve a review of plans or specifications, or require judgment or knowledge that can only be acquired as a result of onsite inspection; and
- (d) Does not involve text that clearly and decisively provides the requested information. The Committee officers shall determine whether a request for an interpretation meets the above qualifications.

10.6 Editing of Interpretation Request

A request for an interpretation may be rephrased. The rephrased version and any pertinent background information shall be sent to the requester for agreement.

10.7 Establishment of Interpretations Panel

If accepted for consideration, each request shall be submitted to an Interpretations Panel comprised of five or more members appointed by the Committee Chairman. No person shall be eligible for appointment to an Interpretations Panel if he is directly involved in the particular case prompting the request for the interpretation. The Interpretation Panel should include members representing the same interest categories of the requester and other parties involved.

The Committee Chairman shall appoint one member of the Interpretations Panel as the Chairman who shall also be responsible for the preparation of the Interpretation itself.

An interpretations panel need not be established where the Committee Chairman determines the interpretation request can be addressed by the full committee during a meeting.

10.8 Distribution of Interpretation Request

The final interpretation request shall be distributed to the entire Committee membership simultaneously with its distribution to the Interpretations Panel. Members will be invited to submit comments to the Panel by a date specified by the Panel Chairman. Committee members commenting shall indicate if they are directly involved in the particular case prompting the request for interpretation.

10.9 Voting on Interpretations

When more than 20 percent of the Interpretations Panel disagree on the interpretation, the request for interpretation shall be referred to the Committee. Under these conditions, adoption of a Formal Interpretation shall require approval by at least two-thirds of those voting and by at least a majority of the entire voting membership of the Committee. When the necessary agreement is not received, the item shall be placed on the agenda for regular processing by the Committee for subsequent possible action.

10.10 Record of Interpretation

When an interpretation is rendered, the Administrative Secretariat staff shall provide the requester with a copy of the interpretation in writing. The Administrative Secretariat staff shall maintain a record of interpretations of the Code.

PROCEDURES FOR ACCREDITED STANDARDS COMMITTEE Z223

10.11 Action Following Issuance of Official Interpretations

When an interpretation is rendered, the Committee shall review the Code to determine if any change is warranted. If a change in the Code is indicated, it shall be processed in conformance with the Committee's established procedures for revising standards.

10.12 Applicability of Interpretations

An interpretation shall apply to the edition of the Code for which the Interpretation is made, and to any subsequent edition of which the involved text is identical unless superseded by a later interpretation.

10.13 Appeal of Interpretation

An interpretation rendered by the Interpretations Panel may be appealed to the Committee.

11.0 COMMERCIAL TERMS AND CONDITIONS

The Z222. National Fuel Gas Code shall conform with the current version of the ANSI Essential Requirements' Section 3.2 Commercial Terms and Conditions.

12.0 PATENT POLICY

Where the National Fuel Gas Code requires the use of an essential patent claim, it shall be permitted in accordance with Section 3.1 of the most current version of ANSI Essential Requirements.

13.0 PARLIAMENTARY AUTHORITY

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

INFORMATIONAL ONLY - ATTACHMENT A

JOINT DEVELOPMENT PROCESS NATIONAL FUEL GAS CODE

The National Fuel Gas Code is developed under two ANSI accredited processes (Accredited Standards Committee Z223 and NFPA Audited Designator) and thus has two designations Z223.1 and NFPA 54. The two secretariats, AGA and NFPA, attempt to harmonize the two processes as much as feasible to avoid duplication and potential conflict for the public and committee members. The two secretariats also encourage members to join both committees and therefore a majority of the current representatives are members of both. The code revision cycle takes appropriately two years to complete. A new edition of the code is published every three years.

The following table provides a summary of the process steps and how two processes are coordinated.

ASC Z223	NFPA 54	COORDINATED PROCESS
PINS form is submitted to ANSI.	Revision cycle in accordance with NFPA schedule.	<ul style="list-style-type: none"> • AGA submits PINS at least 30 days before due date for Public Input on behalf of ASC Z223.
Call for Proposals. Deadline in accordance with ANSI Standards Action publication schedule.	Call for Proposals. Deadline in accordance with NFPA standards development schedule.	<ul style="list-style-type: none"> • The call for proposals is jointly issued. Proposal receipt deadlines are set as close to each other as possible with the "latest" due date used as the final deadline. • All proposals are combined into one document for joint committee consideration.
Discussion and Action on Proposals -- Advisory Panel Meetings	Discussion and Action on Proposals - - Advisory Panel Meeting	<ul style="list-style-type: none"> • The membership of the three advisory panels is the same for both committees. • The panels meet and vote a recommendation on each proposal. A simple majority approves actions. All actions other than Accept require the panel to record a reason for the action taken. • The panel recommendations and reasons are forward to the committees. • Submitters of proposals rejected by the Advisory Panel are notified that they may have their concerns heard by the Z223 Committee.
Discussion and Action on Proposals -- Committee Meeting	Discussion and Action on Proposals - - Committee Meeting	<ul style="list-style-type: none"> • The two committees meet jointly. • The joint committee conducts an initial vote on each proposal (based on the panel recommendation and reasons), which determines the committee action that will appear on the letter ballot. A simple majority approves actions. All actions require the committee to record a reason for the action taken. • One document containing all of the actions and the reasons is created for the letter ballot.

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**JOINT DEVELOPMENT PROCESS
NATIONAL FUEL GAS CODE**

ASC Z223	NFPA 54	COORDINATED PROCESS
Letter Ballot on Committee Actions Taken on Public Input.	Letter Ballot on Committee Actions Taken on Public Input.	<ul style="list-style-type: none"> • NFPA conducts the letter ballot for both committees. • NFPA collects the ballots and conducts the circulation of negative and abstaining votes. Members can vote Affirm, Negative or Abstain on the committee actions from the meeting. Members are required to record a reason if they vote negative or abstain. • NFPA and AGA compile the voting results separately to determine the outcome under each committee's membership. Both committees require two-thirds majority for the approval of the action. • The resulting document becomes the NFPA First Draft. • The ASC Z223 committee uses the First Draft as their first public review document.
First Public Review. BSR 8 form is submitted to ANSI, the 45-day review period is in accordance with ANSI Standards Action publication schedule.	First Draft. A review period is in accordance with the NFPA standards development schedule.	<ul style="list-style-type: none"> • Comment due deadlines are set as close as possible to each other with the "latest" due date used as the final date. • All comments are combined into one document for the committees' consideration. • NFPA and AGA make available on their website the First Draft. • NFPA and AGA, using their separate communication channels, provide public notification to all interested persons to the availability of the First Draft.
Discussion and Action on Comments – -- Committee Meeting	Discussion and Action on Comments -- Committee Meeting	<ul style="list-style-type: none"> • The two Committees meet jointly. • The joint committee conducts an initial vote on each comment, which determines the committee action that will appear on the letter ballot. A simple majority approves actions. All actions require the committee to record a reason for the action taken. • One document containing all of the actions and reasons is created for the letter ballot.

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**JOINT DEVELOPMENT PROCESS
NATIONAL FUEL GAS CODE**

ASC Z223	NFPA 54	COORDINATED PROCESS
Letter Ballot on Committee Actions Taken on Comments	Letter Ballot on Committee Actions Taken on Comments	<ul style="list-style-type: none"> • NFPA conducts the letter ballot for both committees. • NFPA collects the ballots and conducts the circulation of negative and abstaining votes. Members can vote Affirm, Negative or Abstain on the committee actions from the meeting. Members are required to record a reason if they vote negative or abstain. • NFPA and AGA compile voting results separately to determine the outcome under each committee's membership. Both committees require a two-thirds majority for the approval of the action. • The resulting document becomes the NFPA Second Draft. • Substantive changes from the First Draft, as recorded in the Second Draft, are issued by ASC Z223 as their Second Public Review Document. • NFPA makes available the Second Draft on their website. All commenters have the opportunity to raise objections following NFPA procedures and request a membership vote at the NFPA Association Technical Meeting. NFPA procedures require the filing of a Notice of Intent to Make a Motion in advance of the Association Technical Meeting.
<p>At this point forward, the processing of additional comments, resolution, appeals and final approval are handled separately under the two processes. Both secretariats set a goal for process completion by late August.</p>		

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**JOINT DEVELOPMENT PROCESS
NATIONAL FUEL GAS CODE**

ASC Z223	NFPA 54
<p align="center">Second Public Review</p> <ul style="list-style-type: none"> The BSR 8 form is submitted to ANSI. The 45-day review period is in accordance with ANSI Standards Action publication schedule. AGA notifies all commenters and interested persons that the ASC Z223 committee is conducting a second public review on substantive changes. 	<p align="center">Report on Comments</p> <ul style="list-style-type: none"> NFPA Membership is notified to the availability of the Second Draft and committee reports.
<p align="center">Discussion and Action on Comments From the Second Public Review</p> <ul style="list-style-type: none"> All comments are distributed to the committee as part of a letter ballot. The letter ballot and vote circulation, resolution and appeals processes are undertaken in accordance with the Committee's procedures. 	
<p align="center">Resulting Differences</p> <ul style="list-style-type: none"> If, as a result of the second public review and letter ballot, the Z223 committee approves substantive revisions that are not in the Second Draft, one of the following actions will be taken: <ul style="list-style-type: none"> If the difference is a deleting of a change, the secretariat will bring those revisions to the NFPA Association Technical Meeting for NFPA membership vote. If the difference is an addition or revision of a change, the secretariat will initiate a TIA. The purpose is to have the NFPA membership approve the same revisions to eliminate any potential differences in the code. 	
<p align="center">Additional Z223 Public Reviews</p> <ul style="list-style-type: none"> Additional Z223 public reviews are held as many times as required each time the committee makes a substantive change. Typically, only two public reviews are needed. 	
<p align="center">Final Ballot</p> <ul style="list-style-type: none"> Committee Letter ballot on final version of the National Fuel Gas Code. The letter ballot and vote circulation, resolution and appeals processes are undertaken in accordance with the Committee's procedures. 	
	<p align="center">NFPA Spring Meeting</p> <ul style="list-style-type: none"> NFPA Membership votes on the committee actions and on any floor motions.

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**JOINT DEVELOPMENT PROCESS
NATIONAL FUEL GAS CODE**

ASC Z223	NFPA 54
<p>Resulting Differences</p> <p>The resolution of any differences that develop as a result of the additional public reviews (under the ASC Z223 process) and from the NFPA membership actions (under NFPA process) would be coordinated by the secretariats. Possible resolution includes separate or joint committee actions to harmonize the differences by issuing of TIA (NFPA) or Addenda (Z223). To date, this step has not been needed.</p>	
<p>ANSI BSR Approval</p> <p>BSR 9 Form is submitted to ANSI for approval.</p>	<p>NFPA Approval</p> <p>The NFPA Standards Council approves document.</p>
<p>Code Publication</p> <p>The code is published every three years immediately following approval.</p>	

INFORMATIONAL ONLY - ATTACHMENT B

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.

INFORMATIONAL ONLY - ATTACHMENT B

**AMERICAN GAS ASSOCIATION
ANTITRUST COMPLIANCE GUIDELINES**

- **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, or your legal counsel.

American Gas Association

Office of General Counsel

Issued: December 1997

Revised: December 2008