



Better worksites
Better weekends
Better world

Standards Development Procedures

PSAI Standards and Guidance Committee

Copyright 2021 by The Portable Sanitation Association International. All rights reserved. These procedures were approved by the Standards and Guidance Committee on March 06, 2024 and approved by the PSAI Board of Directors on March 06, 2024.

They were then approved by the American National Standards Institute (ANSI) on August 8, 2024.

These procedures are available to any interested parties. Reproduction and distribution of this document in whole or in part by any medium is permitted. Appropriate acknowledgement of the source and ownership of the material should be indicated on any reproduction.

Please note that this document may be revised periodically. The latest edition will be made available on the PSAI website at no charge. The document on the PSAI website is considered to be the definitive version. For further information, contact the PSAI Standards and Guidance Department.

Portable Sanitation Association International
1601 Utica Ave South Suite 213, Minneapolis, MN 55416
+1-952-854-8300 www.psa.org

This page intentionally left blank.

Table of Contents

1 - GENERAL PURPOSE AND STATEMENT OF INTENT	4
2 - SCOPE	4
3 - TYPES OF PSAI STANDARDS–RELATED ACTIVITY	5
4 – DUE PROCESS	5
4.1 -OPENNESS	5
4.2 -LACK OF DOMINANCE	6
4.3 -BALANCE	6
4.4 -COORDINATION AND HARMONIZATION	6
4.5 -NOTIFICATION OF STANDARDS DEVELOPMENT	6
4.6 -CONSIDERATION OF VIEWS AND OBJECTIONS	7
4.7 -CONSENSUS VOTE	7
4.8 -APPEALS	7
4.9 -AVAILABILITY OF STANDARDS DEVELOPMENT PROCEDURES	7
4.10 -COMPLIANCE WITH NORMATIVE AMERICAN NATIONAL STANDARDS POLICIES AND ADMINISTRATIVE PROCEDURES	8
5 - STRUCTURE AND GENERAL PROCEDURES	8
5.1 ROLES	8
5.2 PROJECT INITIATION	9
5.3 CONTENT DEVELOPMENT AND PUBLIC REVIEW	10
5.4 CONSENSUS PROCESS	11
5.5 DISPOSITION OF VIEWS AND OBJECTIONS	16
5.6 APPEALS PROCESS	18
5.7 REQUESTING ANSI APPROVAL	19
5.8 SUBMISSION OF FORMS TO ANSI	23
6 - REVIEW OF AMERICAN NATIONAL STANDARDS	21
6.1 ROUTINE REVIEW OF AMERICAN NATIONAL STANDARDS	21
6.2 REQUESTING AN EXTENSION FROM ANSI	21
6.3 EXPIRATION OF AMERICAN NATIONAL STANDARDS	21
7 - NORMATIVE POLICIES	21
7.1 TERMS AND DEFINITIONS	21
7.2 PATENT POLICY	22
7.3 COMMERCIAL TERMS AND CONDITIONS	23
7.4 ANTITRUST POLICY	24
7.5 EVIDENCE OF COMPLIANCE	24
7.6 METRIC POLICY	24
7.7 INTERPRETATIONS POLICY	25
8 – WITHDRAWAL OF A STANDARD	26
8.1 WITHDRAWAL OF SUPPORT BY THE PSAI	26
8.2 WITHDRAWAL OF SUPPORT FROM THE CONSENSUS BODY	26
9 – DISCONTINUANCE OF A STANDARDS PROJECT	26
10 - RECORDS	26

1 GENERAL PURPOSE AND STATEMENT OF INTENT

This manual outlines the procedures used by the Portable Sanitation Association International (PSAI) to develop voluntary standards documents whether or not they are ultimately submitted to the American National Standards Institute (ANSI) for approval as an American National Standard (ANS).

These procedures are intended to meet the requirements for due process and development of consensus as given in *American National Standards Institute (ANSI) Essential Requirements: Due Process Requirements for American National Standards* and updated from time to time.

It is the PSAI's goal to maintain its accreditation as an ANSI standards developer and to meet all criteria for accreditation found in the current edition of the *ANSI Essential Requirements* including maintenance of its organizational status as an incorporated, registered legal entity. Hence, these procedures will be amended as required to remain in compliance with the current edition of the *ANSI Essential Requirements* and all other normative policies and administrative procedures established by the ANSI Executive Standards Council (ExSC).

The PSAI's Standards Development Procedures will be maintained on file with ANSI as part of the PSAI's accreditation record. The procedures are also available to anyone upon request directly from the PSAI.

Any revisions to the PSAI's procedures will be submitted for review in a timely manner to the ANSI Executive Standards Council (ExSC) via the ANSI Procedures and Standards Administration (PSA) Department. It is possible that ANSI will request that additional revisions to the procedures be made following ANSI review. When that occurs, such revisions will be incorporated into these procedures in a timely manner and resubmitted to ANSI. Submission and approval of the revised procedures is necessary before implementation of changes will occur at the PSAI.

2 SCOPE

The Portable Sanitation Association International (PSAI) strives to develop and maintain a series of voluntary standards related to sanitation with an emphasis on operational standards in nonsewered environments. These standards are intended for use by general contractors, subcontractors, employers, event planners, governments, and the general public, in circumstances in which sewerage waste systems are inadequate or unavailable.

Standards activities include but are not limited to:

- Lists of terms, definitions, or symbols applicable to any operational activity within the mission and scope of the PSAI.
- Characteristics, performance, and safety requirements associated with field operations for devices, equipment, and systems in nonsewered environments.

- Assessment of practices to improve the efficiency, comfort, user health and safety, and to minimize environmental impacts of nonsewered sanitation alternatives.
- Determination of minimum requirements for equipment quantities, placement, and service in various conditions.
- Other ancillary standards or guidelines that might be needed to support these activities.

3 TYPES OF PSAI STANDARDS-RELATED ACTIVITY

PSAI standards-related activities are classified as:

- Standards development – documents with fixed requirements which have been created by means meeting all ANSI-required processes and procedures.
- Recommended practices – documents in which procedures and operational approaches are presented for implementing the requirements of an existing standard or for conducting operations when no standards exist.
- Guidance – the documentation of alternative approaches and considerations for the implementation of standards or recommended practices, or for temporary modification of standards or practices due to exigencies that require immediate response. This information may be included within a recommended practices document and clearly labeled as guidance, or it may be created as a stand-alone document.

The following procedures are required for the development of standards. They should be considered and followed to the extent feasible in the creation of recommended practices and guidance.

4 DUE PROCESS

All PSAI standards development activity as described in these procedures will adhere to the following guidelines to ensure due process. Due process means that any parties (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. Due process allows for equity and fair play. The following constitute the minimum acceptable due process requirements for the development of consensus.

4.1 OPENNESS

Participation shall be open to all parties who are directly and materially interested by the standard in question.

4.1.1 There shall be no undue financial barriers to participation.

4.1.2 Voting membership on the consensus body shall not be conditional upon

membership in the PSAI or any organization, nor unreasonably restricted on the basis of technical qualifications or other such requirements.

4.1.3. Timely and adequate notice 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 interested parties.

4.1.4 Notice will include a clear and meaningful description of the purpose of the proposed activity and shall identify a readily available source for further information.

4.1.5 The name, organization, and interest category of each consensus body member shall be made available to interested parties upon request. The affiliation of a consensus body member refers to the entity that the consensus body member represents, which may or may not be that person's employer. If the consensus body member is serving in an individual capacity, then the name of the individual, their sponsors¹ (if any) and interest category shall be made available upon request. Contact information is not required.

4.2 LACK OF DOMINANCE

The standards development process shall not be dominated by any single interest category, individual or organization. Dominance means a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints. Unless it is claimed in writing (including electronic communications) by a directly and materially interested party that a single interest category, individual, or organization dominated the standards development process, no test for dominance is required.

4.3 BALANCE

The standards development process will ideally have a balance of interests. Participants from diverse interest categories shall be sought with the objective of achieving balance. If a consensus body lacks balance in accordance with the historical criteria for balance, and no specific alternative formulation of balance was approved by the ANSI Executive Standards Council, outreach to achieve balance shall be undertaken.

4.3.1 Historically the criteria for balance are that:

- No single interest category constitutes more than one-third of the membership of a consensus body dealing with safety-related standards or
- No single interest category constitutes a majority of the membership of a consensus body dealing with standards related to topics other than safety.

4.3.2 Definitions of the relevant interest categories will be made available to all

¹ A sponsor is defined as an organization that provides funds specifically to support the individual's participation in the standards activities of the consensus body.

interested parties. See 5.4.2 for a list of interest categories with definitions. Where appropriate, additional interest categories will be considered. However, interest categories shall not be created for the purpose of avoiding balance requirements.

4.4 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.

4.4.1 Conflict within the standard development process refers to a situation where, viewed from the perspective of a future implementer, the terms of one standard are inconsistent or incompatible with the terms of another standard such that implementation of one standard under terms allowable under that standard would preclude proper implementation of the other standard in accordance with its terms.

4.4.2 The PSAI will make a good-faith effort to resolve potential conflicts and to coordinate standardization activities intended to result in harmonized ANSs. A “good faith effort” requires substantial, thorough, and comprehensive efforts to harmonize a candidate ANS and existing ANSs. Such efforts will include, at a minimum, compliance with all relevant sections of ANSI’s Essential Requirements and the PSAI’s Standards Development Procedures. Evidence of these efforts will be maintained in order to demonstrate compliance with this requirement.

4.5 NOTIFICATION OF STANDARDS DEVELOPMENT

Timely and adequate notice of standards development activity shall be announced in media suitable to demonstrate that a meaningful opportunity for participation, debate and deliberation by all directly and materially interested parties in a fair and equitable manner was provided.

4.6 CONSIDERATION OF VIEWS AND OBJECTIONS

Prompt consideration shall be given to the written views and objections of all participants, including those commenting on the PINS announcement or public comment listing in *Standards Action*.

4.7 CONSENSUS VOTE

Evidence of consensus in accordance with these requirements as approved by ANSI shall be documented.

4.8 APPEALS

The PSAI’s written procedures for appeals will be available to the public as well as anyone participating on a related committee or consensus body. The appeal procedure contains an identifiable, realistic, and readily available appeals mechanism for the impartial handling of procedural appeals regarding any action or inaction, including a technical issue was afforded due process.

4.9 AVAILABILITY OF STANDARDS DEVELOPMENT PROCEDURES

These written procedures shall govern the methods used for standards development and shall be available to any interested parties.

4.10 COMPLIANCE WITH NORMATIVE AMERICAN NATIONAL STANDARDS POLICIES AND ADMINISTRATIVE PROCEDURES

The PSAI will comply with the normative policies and administrative procedures established by the ANSI Executive Standards Council or its designee.

5 STRUCTURE AND GENERAL PROCEDURES

The Portable Sanitation Association International (PSAI) is an ANSI-Accredited Standards Development Organization. As such the PSAI shall be responsible for the overall administration of the standards program and shall provide the facilities and personnel required to effectively operate as an ANSI accredited Standards Development Organization.

5.1 ROLES

Within the PSAI, the standards program shall be carried out with the cooperation of individuals and groups in the following roles.

5.1.1 The PSAI Board of Directors (BOD) is the ultimate authority for determining whether a proposed standard is aligned with the PSAI's mission and competencies, and whether it shall thus be developed, adopted and/or submitted to ANSI for designation as an American National Standard (ANS). The President of the BOD shall appoint the chair of the Standards and Guidance Committee.

5.1.2 The Standards and Guidance Committee (SGC) shall research and recommend industry standards that serve the best interests of the public and raise the image of the portable sanitation industry. The SGC also shall provide guidance on standards implementation, and when necessary shall engage with local lawmakers/decision-makers to promote adoption of the standards. To these ends the SGC is responsible for the coordination of standards activities including generating standards proposals and receiving proposals submitted by others, ensuring the PSAI Standards Development Procedures are followed, and providing reports and recommendations to the PSAI Board of Directors. The SGC may also function as the preliminary drafting group for standards documents.

5.1.3 Consensus bodies (CBs) are balanced groups of parties that are directly and materially interested by proposed standards activities. The CBs are formed and maintained for the development and ongoing maintenance of standards in a manner consistent with ANSI's Essential Requirements as published and updated by ANSI from time to time.

5.1.4 The Executive Director (ED) shall function as the Standards Administrator. In this role, the ED is responsible for organizing tasks, liaising with ANSI, managing correspondence between the various stakeholder groups, researching procedural issues, and advising stakeholder groups regarding ANSI's procedural requirements. The ED may also delegate these tasks to

other PSAI staff members operating under the ED's supervision.

5.2 PROJECT INITIATION

5.2.1 Proposals for standards activities may be submitted in writing by any individual, organization or existing consensus body at any time. Submissions should be sent to the Executive Director. A proposal shall contain the following information, as appropriate, for evaluation of the proposed standards activity.

- A statement of the objectives and scope;
- An assessment of need and potential impact;
- Identification of any existing standards (international and domestic) or standards activities by other ANSI standards organizations with regard to coordination and potential duplication;
- The availability of existing non-standardized documents and knowledge to serve as resources;
- Identification of specific interest groups or individuals that are directly or materially affected by or may be interested in the proposed standards activity.

5.2.2 Consideration of the proposal. All proposals shall be evaluated on their merits according to the following criteria.

- Whether the standards activity addresses a substantive need, is beneficial to the public and is consistent with the goals and mission of the PSAI;
- Whether the scope of the standards activity is clearly defined;
- Whether the scope of the standards activity duplicates existing standards activities of other ANSI standards development organizations, and confirms that the proposed activity does not do so unless the duplication is adequately justified;
- That an adequate coordination mechanism with other standards activities is specified;
- Whether an existing consensus body will be responsible for the standards activity or whether formation of a new consensus body is necessary;
- Whether mandatory or non-mandatory language is to be used.

5.2.3 Decision. Based upon the SGC's evaluation of the proposal, the SGC will recommend a course of action to the BOD. The decision may be one of the following.

- Approval to proceed with developing, revising, or reaffirming a standard as proposed, based on the belief that the standard is necessary and the PSAI is competent to serve as the standards developer.
- Provisional approval to proceed with developing, revising, or reaffirming the proposed standard with direction to the SGC regarding certain aspects of the project.
- Tabling of the question until the SGC provides additional information the BOD requests before making a decision
- Disapproval on the basis that the project is necessary but the PSAI lacks

the expertise to serve as the standards developer. In this case the SGC will be requested to seek another standards developing organization to undertake the project.

- Disapproval on the basis that the project is not deemed necessary or an appropriate use of the PSAI's resources.

5.2.4 Response to the standards activity proposal shall be provided within 60 days from receipt by the Standards Administrator and the record shall reflect the criteria listed in 5.2.2 above. A change in scope of any existing consensus body and revision, reaffirmation, or withdrawal of an existing standard shall also be considered as a proposed standards activity. The approval or disapproval of the initiation of standards activity shall be documented in Standards Administrator notes and in Board of Director minutes.

5.2.5 ANSI Notification. At the initiation of a project to develop or revise a PSAI standard as an American National Standard, PSAI shall notify ANSI by completing and submitting a Project Initiation Notification System (PINS) form in a timely manner. This will prompt ANSI to publish the project announcement in the publication, *Standards Action*.

- For PSAI standards that already have ANS status, timely submittal of the PINS means the PSAI must complete and submit the PINS to ANSI as soon as the BOD has approved the project and the SGC has begun its drafting of revisions.
- For any other PSAI standards that do not have a current ANS designation, and for new standards which are to be developed, timely submittal of the PINS means the PSAI must complete and submit the PINS to ANSI as soon as the BOD authorizes the SGC to seek ANS status for that standard.

5.2.6 Recordkeeping. The PSAI shall maintain the following records:

- The original proposal.
- The SGC's evaluation of the proposal according to the criteria in section 5.2.2 of these procedures.
- The SGC's minutes concerning the recommendation it will make to the BOD.
- The BOD minutes reflecting the authorization to begin developing or revising an existing ANS (or to pursue ANS status for a PSAI standard currently lacking designation as an ANS).
- The response to the parties or entity making the proposal.
- ED or staff notes taken in his/her capacity as the Standards Administrator for the project.
- A copy of the PINS submitted to ANSI.

5.3 CONTENT DEVELOPMENT AND PUBLIC REVIEW

5.3.1 Initial drafting. At its discretion, the SGC may develop preliminary draft language for the new or revised standard or it may choose to issue a call for participation in the drafting step. Regardless of this decision, the procedures below in sections 5.3 through 5.5 will be followed to ensure the standard

development process is open, balanced, and mindful of differing points of view.

5.3.2 Public review. Proposals for new PSAI standards will be made available for public comment using PSAI's newsletter, website, social media channels and related trade publications at a minimum. If the standard is intended to be an American National Standard, the PSAI shall transmit the required information to ANSI via its BSR-8 form for listing in *Standards Action* so that an opportunity for public comment is provided. The comment period shall be one of the following:

- A minimum of thirty (30) days if the full text of the revision(s) can be published in *Standards Action*;
- A minimum of forty-five (45) days if the document is available in an electronic format, deliverable within one day of a request and the source (e.g., URL or an email address) from which it can be obtained by the public is provided to ANSI for announcement in *Standards Action*;
- or
- A minimum of sixty (60) days, if neither of the aforementioned options is applicable.

The PSAI will take affirmative reasonable steps to notify directly and materially interested parties of a new standards activity, including the development of a new standard, the revision or reaffirmation of an existing standard. The PSAI can request a listing in *Standards Action* at any stage in the development of the proposal and this request can be concurrent with final balloting of the document.

If any substantive change is subsequently made in a proposed American National Standard during the consensus development process requires re-submittal of another BSR-8 Form to initiate another public review period.

5.4 CONSENSUS PROCESS

To determine consensus for approval of PSAI standards as American National Standards, the PSAI identifies, to the extent possible, those parties who are directly and materially interested by the activity in question and conducts a letter ballot or "canvass" of those interests to determine consensus on a document.

5.4.1 Pre-canvass interest survey and determination of interest. As the first step in seeking consensus through the canvass process, PSAI first develops a list of potential canvasees consisting of those organizations, companies, government agencies, standards developers, individuals, etc., known to be, or who have indicated that they are, directly and materially interested by the standard. A record of the potential canvasee list shall be maintained. In order to determine if potential canvasees are interested in participating, PSAI shall conduct a pre-canvass survey. This will include informing the potential canvasees in writing about the standard in development, and use of the consensus process.

5.4.1.1 The PSAI's letter shall contain the title, designation, scope, description of the standard along with the history of its development, purpose and intended application of the standard, and an explanation of the ANSI function.

5.4.1.2 Potential canvasees are normally given ten (10) business days from the date of PSAI's pre-canvass interest survey letter to respond. The timeline for response shall be so noted in the letter and canvasees that do not respond by the initial due date shall be sent a reminder.

5.4.1.3 If a canvasee requests additional time, an extension of up to ten (10) calendar days from the date of the PSAI pre-canvass interest survey letter is normally given.

5.4.2 Category classification. Canvasees who are interested in participating shall declare their interest category classification. No individual shall represent more than one interest category. Interest classifications shall include:

- Operator/Producer – Someone who owns or works for a company that provides sanitation services.
- Manufacturer – Someone who owns or works for a company that manufactures sanitation products including but not limited to: trucks, trailers, portable or mobile restroom units, and/or supplies such as cleaners, deodorizers, hand soaps, toilet tissue, etc.
- Distributor/Retailer/Broker – Someone who owns or works for a company that distributes, rents, or sells products - made by other companies - which are used by the sanitation industry.
- Testing Laboratory – Someone who owns or works for a lab that tests equipment, supplies or processes for the sanitation industry.
- Insurance – Someone who owns or works for a company that provides or underwrites insurance for the sanitation industry.
- Regulatory Agency – Someone who works for an agency that regulates sanitation-related matters such as wastewater, environmental protection, public health or related areas of concern.
- User: Consumer – Someone who uses or contracts for sanitation services affected by the standard in his/her role as a private individual.
- User: Government – Someone who uses or contracts for sanitation services affected by the standard in his/her role with a government entity.
- User: Labor – Someone who uses sanitation services affected by the standard when at work.
- User: Industrial – Someone who owns or works for a company that is affected by the standard because of the company's business or industrial activities.
- Directly Affected Public – An infrequent user of the services covered in the standards, but the implementation of the standard affects the individual through impacts on his/her home, place of business, or general well being.

- General Interest – Someone affected primarily through his/her interest in the topics covered in the standard who doesn't fit in any of the other categories in this list.

Representatives from professional societies, or affiliation groups, representing any of the above interest classifications may participate in the consensus process. They will be counted as representatives of the interest classification that best describes their directly and materially interested stakeholders.

5.4.3 Preparation of the Canvass List. Once the pre-canvass interest surveys have been returned, PSAI shall prepare the canvass list. All those who have agreed to participate shall be included on the canvass list, together with their agreed-upon interest categories in accordance with the requirements for balance and lack of dominance described in section 4.3. The affiliation and interest category of each member of the consensus body shall be made available to interested parties upon request.

5.4.3.1 Pre-canvass interest surveys shall be reviewed for completion and correctness. In the event a member of the pre-canvass survey selects more than one interest category or selects an interest category that PSAI staff believes does not accurately reflect the category of interest, PSAI shall contact the pre-canvass interest survey member to verify the correct interest category. PSAI shall maintain a record of the communication for future reference.

5.4.3.2 When interest in participation on the consensus body panel is been indicated via a method other than return of the pre-canvass interest survey, PSAI shall maintain a record of the expressed interest and the member's interest category by including, for example, a note to the file regarding a telephone conversation or a copy of an email exchange. The record is needed to support the member's addition to the consensus body panel.

5.4.3.3 In the event that a member that has expressed an interest in participating on the consensus body panel but has not provided required information such as the interest category, PSAI shall make an attempt to obtain the information. A record shall be maintained of the communications made with the member. If the information is not obtainable following the request, PSAI shall notify the member in writing that they are not able to be added to consensus body panel due to lack of required information and noting that the member can participate in review of the standard via the ANSI Public Review process. A record of the communications with the member shall be Maintained.

5.4.3.4 Every effort shall be made to include all interested parties on

the consensus body panel. However, it is possible that participation on the consensus panel must be limited to achieve balance. In such cases, PSAI shall notify the members that cannot be added to the consensus panel of the option to participate in the review via the ANSI Public Review process. A record shall be maintained explaining the circumstances that led to the member's exclusion from the consensus panel and that the member has been advised of the option to participate via the ANSI Public Review process.

5.4.4 Subsequent balloting. Once an interest survey has been completed for a standard, subsequent and/or further balloting of the document is not required. In addition, PSAI may conduct a single interest survey for a group or category of standards. A canvasee who has indicated a desire to be on PSAI's canvass list for a particular category or categories of standards shall receive the draft document(s), letter ballot(s), and all appropriate information as noted in Section 5.4.5 of this document.

5.4.5 Conducting the canvass. The PSAI can begin conducting the canvass once the list of potential canvasees is completed.

5.4.5.1 The voting period shall be no less than 15 business days.

5.4.5.2 The PSAI shall transmit, at minimum, the following information to all canvasees and other interested parties so requesting unless PSAI has previously supplied this information:

- The purpose and intended application of the standard;
- A brief history and explanation of how the standard was developed;
- An explanation of ANSI's function and the voluntary consensus standards system;
- A copy of the consensus body roster, consisting of the name, affiliation, and category of interest of each canvasee;
- A copy of the complete proposed American National Standard or the relevant portion under consideration when the canvasee has previously received the complete standard;
- Official letter ballot(s) to all canvasees;
- A copy of procedure, as applies to a negative vote, views, comments and the appeals process.

5.4.5.3 Upon request, the PSAI shall provide to the canvasee a reasonable number of copies of the document being considered, to allow for a speedy determination of position by the canvasee. Should the document contain material that is not to be considered for approval as an American National Standard, such as an introduction or annex, a clear statement shall be included indicating those portions of the standard that are to be considered for approval by ANSI.

5.4.5.4 The ballot form used by the PSAI shall provide opportunity for

the canvasee to indicate their position (i.e., approval, objection (with reasons), or abstention (with comment)) with the advice that, to receive consideration, objections must be accompanied by supporting written reasons and, where possible, proposals for a solution to the problem raised.

5.4.5.5 At least one follow-up reminder shall be sent to canvasees not responding. A written record of the follow-up communication shall be maintained.

5.4.5.6 The canvass ballot may be closed at the end of fifteen (15) business days, or sooner if all canvasees have responded.

5.4.5.7 An extension of up to fifteen (15) business days shall be granted upon request from any canvasee giving a legitimate reason.

5.4.8.8 Those not on the canvass list who have a direct and material interest in the standard have an opportunity to participate in the review of the standard during the public review process, announced in *Standards Action*.

5.4.5.9 Following the voting period, ballot results shall be reported to the consensus body by the Executive Director/Standards Administrator within 30 days from the closing date of each ballot. The report shall include a break-down of the number of votes by voting category, comments received, responses to all comments, a summary of future action required by the consensus body, identification of non-responsive consensus body members and their membership status and size and balance of the consensus body. The report shall inform objection voters of the appeals process (see 5.6).

5.4.5.10 The consensus body shall receive a copy of objection ballots and supporting documentation within fifteen (15) calendar days to allow a change of vote within thirty (30) days. The Executive Director/Standards Administrator may rebut the comments of the objection(s) at the direction of the SGC on matters of substance or independently on matters of administrative/procedural detail. All unresolved objections and attempts at resolution shall be provided to the consensus body in order to afford all members the opportunity to respond, reaffirm, or change their vote.

5.4.5.11 After the period to change affirmative votes is closed, the results of the ballot shall be final. Unresolved objections shall be promptly considered by the SGC, the Executive Director and the PSAI Board of Directors. If deemed to be in the interest of improving the standard, changes may be developed that would resolve, in whole or part, the unresolved objection response(s).

5.4.5.12 Any substantive changes shall be subject to a re-ballot by the consensus body for the specific changes.

5.4.5.13 Unresolved objections shall be reported to the consensus body with an explanation in accordance with Section 5.5.

5.4.5.14 Unresolved objection must be reported to the ANSI Board of Standards Review, on the BSR-9 form.

5.4.6 Numerical Consensus Requirements. Approval of a new standard, revision or reaffirmation of an existing standard, or an addendum to part or all of an existing standard shall require the following two conditions:

- Voting by at least a majority of the canvass list; and
- Approval of the standard by at least two-thirds of those voting, excluding abstentions.

5.5 DISPOSITION OF VIEWS AND OBJECTIONS

Views and objections resulting from the canvass shall be dealt with in accordance with the following section. Prompt consideration shall also be given to the written views and objections of all participants, including those commenting on either the PINS announcement or public comment listing in *Standards Action*.

5.5.1 PINS announcement comments. If the PSAI receives a written request for additional information or for the opportunity to discuss the proposal from a directly and materially interested outside party or current consensus body member, during the 30-day PINS comment period, PSAI shall respond in writing within 30 days of the comment deadline.

If the PSAI receives written comments within thirty (30) days from the publication date of a PINS announcement in *Standards Action*, and said comments assert that a proposed standard duplicates or conflicts with an existing American National Standard (ANS) or a candidate ANS that has been announced previously (or concurrently) in *Standards Action*, a mandatory deliberation of representatives from the relevant stakeholder groups shall be held within ninety (90) days from the comment deadline. Such a deliberation shall be organized by the PSAI and the commenter, and shall be concluded before the PSAI submits a proposed standard for public review. If the deliberation does not take place within the 90-day period and the PSAI can demonstrate that it has made a good faith effort to schedule and otherwise organize it, then the PSAI will request to be excused from compliance with this requirement. The purpose of the deliberation is to provide the relevant stakeholders with an opportunity to discuss whether there is a compelling need for the proposed standards project.

5.5.2 PINS deliberation report. The outcome of a PINS deliberation shall be conveyed in writing (the "Deliberation Report") within 30 days after the conclusion of the deliberation by the PSAI to the commenter and to ANSI. Upon submission of the Deliberation Report, the PSAI may continue with the submission of the proposed standard for public review. If additional

deliberations take place, they should not delay the submission of the proposed standard for public review, and an updated Deliberation Report shall be conveyed within 30 days after each deliberation. Any actions agreed upon from the deliberations shall be carried out in a reasonably timely manner, but normally should not exceed 90 days following the deliberation. Subsequently, the PSAI shall include all of the Deliberation Report(s) with the BSR-9 submittal to the ANSI Board of Standards Review (BSR) for consideration should the PSAI ultimately submit the subject standard to ANSI for approval. Stakeholders who were involved in the PINS deliberation process may also file separate Deliberation Report(s) with ANSI and the PSAI within 30 days after conclusion of any deliberation for consideration by the BSR, if the standard is submitted to ANSI for approval.

While the outcome is not binding, unless binding provisions are agreed to by the PSAI, participants are encouraged to develop a consensus on whether and how the standards development project should proceed.

5.5.3 Public review and consensus body comments. In connection with an objection articulated during a public comment period, or submitted in connection with a vote, an effort to resolve all expressed objections shall be made, and each objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefore. The PSAI shall maintain a record to show that the objector received a written communication identifying how each objection was handled (e.g., incorporated immediately, considered by the appropriate body or incorporated during the next revision cycle) even if the resolution was obtained during a face-to-face meeting or verbally.

If resolution is not achieved, the objector shall be informed in writing that an appeals process exists within procedures used by the PSAI.

Each objection resulting from public review or submitted by a member of the consensus body which is not resolved will be reported to the ANSI Board of Standards Review (BSR).

The PSAI is not required to consider negative votes accompanied by comments not related to the proposal under consideration, or negative votes without comments. The PSAI shall indicate conspicuously on the letter ballot that negative votes must be accompanied by comments related to the proposal and that votes unaccompanied by such comments will be recorded as “negative without comments” without further notice to the voter. If comments not related to the proposal are submitted with a negative vote, the comments shall be documented and considered in the same manner as submittal of a new proposal, and will notify the submitter of the comments that this action is being taken. If clear instruction is provided on the ballot, and a negative vote unaccompanied by comments related to the proposal is received notwithstanding, the vote may be counted as a “negative without comment” for the purposes of establishing a quorum and reporting to ANSI. However,

such votes (i.e., negative vote without comment or negative vote accompanied by comments not related to the proposal) shall not be factored into the numerical requirements for consensus. The PSAI is not required to solicit any comments from the negative voter. The PSAI is not required to conduct a recirculation ballot of the negative vote. The PSAI is required to report the “no” vote as a “negative without comment” when making the final submittal to the BSR unless the PSAI has been granted the authority to designate its standards as American National Standards without approval by the BSR.

5.5.4 Concluding the consensus process. When the public review and canvass process is completed in accordance with the PSAI’s written procedures, the PSAI may consider any comments received subsequent to the closing, or consider them at the next review.

5.5.4.1 Each unresolved objection and attempt at resolution, and any substantive change made in a proposed American National Standard shall be reported to the consensus body in order to afford all members an opportunity to respond, reaffirm, or change their vote within thirty (30) days.

5.5.4.2 Substantive changes made in a proposed American National Standard shall be listed in *Standards Action* through submittal of another BSR-8 to ANSI.

5.6 APPEALS PROCESS

Parties who are directly and materially interested and who have been or may be adversely affected by a procedural action or inaction of the consensus body or the PSAI shall have the right to appeal.

5.6.1 Complaint. The appellant shall file a written complaint with the PSAI within thirty (30) days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effect, the clause(s) of these procedures or the standard that is at issue, actions 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) and the outcome of each shall be noted.

5.6.2 Response. Within thirty (30) days after receipt of the complaint, the PSAI shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent’s knowledge.

5.6.3 Hearing. If the appellant and the PSAI are unable to resolve the written complaint informally in a manner consistent with these procedures, the PSAI shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten (10) working days notice.

5.6.4 Appeals Panel. The appeals panel shall consist of three (3) individuals

who have not been directly involved in the matter in dispute and who will not be materially or directly interested by any decision made, or to be made, in the dispute. At least two (2) members shall be acceptable to the appellant and at least two (2) shall be acceptable to the PSAI.

5.6.5 Conduct of the Hearing. The appellant has the burden of demonstrating adverse effects, improper actions or inactions and the efficiency of the requested remedial action(s). The PSAI has the burden of demonstrating that the consensus body and the PSAI took all actions in compliance with these procedures and that the requested remedial action(s) would be ineffective or detrimental. Each party may add 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.

5.6.6 Decision. The appeals panel shall render its decision in writing to the appellant within thirty (30) days, stating findings of fact and conclusions, with reasons, based on a preponderance of the evidence presented to the appeals panel. Consideration shall be given to the following positions, among others, in formulating the decision.

- Finding for the appellant, remanding the action to the consensus body or the PSAI with a specific statement of the issues and facts in regard to which fair and equitable action was not taken.
- Finding for the PSAI, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections.
- Finding that new, substantive evidence has been introduced and remanding the entire action to the consensus body or the PSAI for appropriate reconsideration.

5.7 REQUESTING ANSI APPROVAL

Once the appropriate evidence of consensus is completed in accordance with the procedures described in previous sections of this document and both of the numerical consensus requirements stated in 5.4.6 are met, PSAI may submit a completed BSR-9 Form to ANSI to request final approval of the PSAI standards as an American National Standards. If PSAI does not wish to seek ANSI approval/designation of the standard, this step is omitted.

5.7.1 Requirements for submission to ANSI. The BSR-9 shall be completed and submitted to ANSI. Information requested on this form includes the following:

- Designation of the standard
- Title of the standard
- Project intent
- Copy of the consensus body roster (consisting of the name, affiliation and category of interest of each canvasee and their vote)
- Total number of unresolved objections

- Evidence of attempted resolution
- Dates on which unresolved objections (public review/consensus) were provided to consensus body
- Confirmation that unresolved objectors were informed of their right to appeal
- Indication if any unresolved objector's appeals
- Date of final consensus body vote
- Evidence of consensus (final consensus body vote tally)
- Statement regarding patents
- Statement of the two PSAI numerical requirements for voting as stated in Section 5.4.6 of this document
- Confirmation that ANSI Essential Requirements were followed

5.7.2 Approval by ANSI. Upon approval confirmation from ANSI, the PSAI shall prepare an updated version of the standard that includes the ANSI logo and updated title. The text of the standard's introduction shall include the ANSI approval date. The PSAI shall then follow all ANSI required procedures for publishing the standard.

5.7.3 Designation of American National Standards. A standard that is approved as an American National Standard shall have its cover or title page marked with an approval logo furnished by ANSI or the words "an American National Standard." In addition, American National Standards shall be marked in such a way as to identify the version of the standard or shall be identified by a unique alphanumeric designation in accordance with the guidelines contained herein. The ANSI approval logo and the words "an American National Standard" shall not be used to identify any PSAI standard that has not received approval as an ANS by the ANSI Board of Standards Review or been approved by an accredited standards developer who has been granted authority to designate its standards as American National Standards.

5.7.3.1 Portions of a PSAI published document that were not approved through the ANS consensus process shall not contain requirements necessary for conformance with the approved American National Standard (ANS) and shall be (a) clearly identified at the beginning and end of each such portion of the document, or (b) such information shall be overprinted on the cover page. These portions of the document shall be marked with the following, or similar, explanatory language: "The information contained in this (portion of a document) is not part of this American National Standard (ANS) and has not been processed in accordance with ANSI's requirements for an ANS. As such, this (portion of a document) may contain material that has not been subjected to public review or a consensus process. In addition, it does not contain requirements necessary for conformance to the standard."

5.7.3.2 American National Standards shall be identified by a unique alphanumeric designation (e.g., ANSI/PSAI Z4.3- 2016).

5.8 SUBMISSION OF FORMS TO ANSI

All ANSI forms referenced in these procedures shall be completed via the ANSI form submission portal. A copy of each form submitted shall be maintained by PSAI as a record to demonstrate compliance during ANSI audits.

6 REVIEW OF AMERICAN NATIONAL STANDARDS

6.1 ROUTINE REVIEW OF AMERICAN NATIONAL STANDARDS

PSAI standards that are approved as ANS should be reviewed and action should be taken to revise or reaffirm the ANS designated standards on a schedule not to exceed five years from the date of the ANS approval received from ANSI.

6.1.1 Timeline. To allow sufficient time for the review to occur within the five year window, PSAI should initiate the internal discussion regarding the possible need for revision/reaffirmation sooner (for example, after the fourth anniversary of the approval of the standard if possible) and should submit the PINS or BSR-8/108 form as far in advance of the fifth anniversary as possible to increase the likelihood that the full process is completed by the fifth anniversary.

6.1.2 Early review. If there is a change in any of the relevant issues covered by an existing standard, the review process may be initiated at any time.

6.1.3 Internal status review. PSAI maintains a list of the approval dates of all ANS standards and reviews the status of its standards with its SGC, the Executive Director/staff, and the Board of Directors at least annually.

6.2 EXPIRATION OF AMERICAN NATIONAL STANDARDS

No extension of time beyond ten (10) years from the date of the ANS approval will be granted by ANSI. ANSI approval of PSAI standards automatically expires on the tenth anniversary date of approval as an ANS. To avoid expiration, the PSAI will typically formally withdraw the standard. If appropriate, the standard can be resubmitted at a later date by following these procedures.

7 NORMATIVE POLICIES

7.1 TERMS AND DEFINITIONS

The PSAI will conform its use of terms to the definitions provided by ANSI in Annex A of its Essential Requirements as published and updated from time to time.

7.2 PATENT POLICY

There is no objection in principle to drafting an American National Standard (ANS) in terms that include the use of an essential patent claim (one whose use would be required for compliance with that standard) if it is considered that technical reasons justify this approach. However, standards the PSAI develops generally do not involve essential patent claims, i.e., standards that require the use of a specific patented product or process for compliance with that standard. In the unlikely event this occurs, participants in the standards development process are encouraged to bring patents with claims believed to be essential to the attention of the PSAI. If the PSAI receives a notice that a proposed, revised or approved standard may require the use of such a patent claim that is not already covered by an existing assurance, the procedures in this section shall be followed.

7.2.1 Statement from patent holder. The PSAI shall receive from the patent holder or a party authorized to make assurances on its behalf, in written or electronic form, either: a) assurance in the form of a general disclaimer to the effect that such party does not hold and does not currently intend holding any essential patent claim(s); or b) assurance that a license to such essential patent claim(s) will be made available to applicants desiring to utilize the license for the purpose of implementing the standard either: i) under reasonable terms and conditions that are demonstrably free of any unfair discrimination; or ii) without compensation and under reasonable terms and conditions that are demonstrably free of any unfair discrimination. Such assurance shall indicate that the patent holder (or third party authorized to make assurances on its behalf) will include in any documents transferring ownership of patents subject to the assurance, provisions sufficient to ensure that the commitments in the assurance are binding on the transferee, and that the transferee will similarly include appropriate provisions in the event of future transfers with the goal of binding each successor-in-interest. The assurance shall also indicate that it is intended to be binding on successors-in-interest regardless of whether such provisions are included in the relevant transfer documents.

7.2.2 Record of statement. A record of the patent holder's statement shall be retained in the files of both the PSAI and ANSI.

7.2.3 Notice. When the PSAI receives from a patent holder the assurance set forth in 7.2.1.b above, the standard shall include a note substantially as follows: NOTE – The user's attention is called to the possibility that compliance with this standard may require use of an invention covered by patent rights. By publication of this standard, no position is taken with respect to the validity of any such claim(s) or of any patent rights in connection therewith. If a patent holder has filed a statement of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license, then details may be obtained from the standards developer.

7.2.4 Responsibility for identifying patents. Neither the PSAI nor ANSI is

responsible for identifying patents for which a license may be required by an American National Standard or for conducting inquiries into the legal validity or scope of those patents that are brought to their attention.

7.3 COMMERCIAL TERMS AND CONDITIONS

Except as otherwise permitted by ANSI's Essential Requirements, an ANS developed by the PSAI shall not include terms or conditions that are primarily contractual or commercial in nature, as opposed to technical, engineering or scientific in nature. Thus, for example, an ANS shall not include contractual requirements; endorse or require the use of proprietary products or services; or endorse or require the use of particular conformity-assessment bodies, testing facilities or training organizations.

7.3.1 Contractual Requirements. Except as provided below, an ANS shall not include contractual requirements such as those relating to particular products or services, guarantees, warranties, reworks, indemnities, buybacks, price related terms and other conditions of sale or use.

7.3.2 Endorsements of Proprietary Products or Services. An ANS shall not endorse or require the purchase or use of proprietary products or service providers as a condition of implementing the standard. Proprietary in this context means products or services that are the property of an owner and cannot be obtained or recreated without the consent of the owner. For example, an ANS may not endorse or require the purchase or use of brandname tools or components, licenses, manufacturer lists, service provider lists or copyrighted materials. The term "copyrighted materials" is not intended to include: (a) manufacturers' instruction/safety manuals; or (b) third-party standards, when such documents are incorporated by reference into the text of an ANS for non-commercial technical, or safety-related purposes, as long as such references do not otherwise violate other provisions of the Commercial Terms and Conditions Policy (e.g., they cannot also include warranties, guarantees and like commercial clauses).

However, for informational purposes, where known sources exist for products or services necessary to comply with the ANS, it is permissible, but not obligatory, to identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services shall be reasonably available from the referenced sources, the words "or the equivalent" shall be added to the reference, and the reference shall also expressly state that identification of products or services is not an endorsement of those products or services or their suppliers.

7.3.3 Conformity Assessment, Testing and Training. In connection with ANS that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity may be standardized as long as the description of the process or criteria is limited to technical, engineering or scientific concerns and does not include what would otherwise be contractual or commercial terms.

It is permissible for health, safety or environmental protection reasons to include a generic requirement for third-party, i.e., independent, conformity assessment, testing or training. ANS shall not dictate the use or non-use of a particular conformity-assessment body, testing facility or training organization.

However, for informational purposes, where known sources exist for products or services necessary to determine compliance with the ANS, it is permissible, but not obligatory, to identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services shall be reasonably available from the referenced sources, the words "or the equivalent" shall be added to the reference, and the reference shall also expressly state that identification of sources is not an endorsement of those sources.

7.4 ANTITRUST POLICY

PSAI standards shall be developed in accordance with applicable antitrust and competition laws and meetings amongst competitors to develop standards are to be conducted in accordance with these laws.

7.5 EVIDENCE OF COMPLIANCE

The PSAI shall retain records to demonstrate compliance with all aspects of these procedures. These records shall include but not be limited to canvasee databases, ballots and ballot reports, appeals resolutions, and all other relevant records and correspondence related to the standards process.

7.5.1 Standards undergoing periodic maintenance. Records shall be retained for one complete standards cycle, or until the standard is revised or reaffirmed. The records shall be available for audit as directed by the ANSI Executive Standards Council (ExSC).

7.5.2 Standards undergoing continuous maintenance. Records shall be retained for a minimum of five years or until approval of the revision or reaffirmation of the complete standard. The records shall be available for audit as directed by the ANSI Executive Standards Council (ExSC).

7.5.3 Withdrawn standards. Records concerning withdrawals of all American National Standards shall be retained for at least five years from the date of withdrawal or for a duration consistent with the audit schedule.

7.6 METRIC POLICY

The PSAI shall have on file at ANSI a metric policy. PSAI standards shall use either SI units (metric) or English Units (inch-lb). The preferred units shall reflect the best interest of the end-user. Conversions from one unit system to the other shall be provided in parenthesis following units in the text of the standards. For figures, tables, and other instances where parenthetical conversions are unsuitable, unit conversions shall be provided in an appendix or with the specific tables and figures.

7.7 INTERPRETATIONS POLICY

7.7.1 Official policy. The PSAI shall have on file at ANSI an interpretations policy. Official interpretations of PSAI standards that have been designated as ANSs shall be made only by the PSAI. ANSI shall not issue, nor shall any parties 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 PSAI.

7.7.2 Requests for interpretations of PSAI standards. Requests shall be submitted to the Executive Director in writing. Requests for interpretation shall include:

- a) Name of organization submitting request;
- b) Name of individual within the submitting organization who may be contacted concerning the request;
- c) Date by which interpretation is desired;
- d) Appropriate references to the standard's clauses that have a bearing on the problem cited in the request;
- e) A concise explanation of the problem requiring a technical interpretation;
- f) Any supporting documentation that will assist in understanding or describing the problem;
- g) Any recommendations the requesting organization would like to make concerning a possible technical interpretation, along with appropriate justification or comments.

7.7.3 Processing a request for technical interpretation. Upon receipt, the SGC shall develop a draft proposed technical interpretation to the request in consultation with parties recognized as expert in the particular subject matter of the interpretation request. The BOD shall review the proposed interpretation and take action either approving it or referring it back to the SGC for additional consideration.

7.7.4 Dissemination of final technical interpretations. Upon finalization of the interpretation by the SGC and approval by the BOD, the PSAI shall be responsible for the dissemination of the final technical interpretation. The final technical interpretation shall consist of the following information:

- a) Definition of the problem being resolved;
- b) Discussion of the issues relevant to the problem;
- c) Discussion of the solution to the problem (interpretation);
- d) Effective date of the technical interpretation.

The final interpretation shall be posted on the organization's website, and it shall be disseminated in writing to the members of the canvass list which approved the standard, to American National Standards Institute (ANSI), to the requester; and to others as deemed appropriate.

The PSAI shall maintain a central registry of technical interpretations for reference. Revisions to the standard resulting from requests for interpretations shall be processed in accordance with these procedures.

8 WITHDRAWAL OF A STANDARD

8.1 WITHDRAWAL OF SUPPORT BY THE PSAI

An American National Standard must be supported by an ANSI-Accredited Standards Developer. If the PSAI 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 the PSAI does withdraw one or more of its American National Standards, then the PSAI shall notify ANSI immediately and the standard shall be withdrawn as an ANS and announced in *Standards Action*.

8.2 WITHDRAWAL OF SUPPORT FROM THE CONSENSUS BODY

Withdrawal of an existing standard, or an addendum to part or all of an existing standard by the consensus body shall require approval by at least a majority of the canvass list, excluding abstentions and invalid responses, and at least two-thirds of those voting, excluding abstentions and invalid responses. If the criteria for withdrawal of an American National Standard are met, the PSAI shall notify ANSI immediately and the standard shall be withdrawn as an ANS and announced in *Standards Action*.

9 DISCONTINUANCE OF A STANDARDS PROJECT

The PSAI may abandon the processing of a proposed new or revised American National Standard or portion thereof if it has followed its accredited procedures. A written justification for such an action shall be made available upon receipt of any written request received by the PSAI within 60 calendar days of the date of the final action. Appeals of such actions shall be made to the ExSC based on procedural noncompliance.

10 RECORDS

Records shall be maintained by the Executive Director on the premises of the PSAI. Those records named in section 7.5 of these procedures shall be maintained for the periods of time listed for each standards activity. Additional records shall be maintained for a period of no less than five (5) years or for a complete revision cycle, whichever is greater and shall include but not be limited to:

- SGC and BOD Meeting minutes
- Executive Director/staff notes kept in their role(s) as Standards Administrator
- Relevant correspondence