

Section III Part A – Operating Procedures

HELP Procedures for the Development and Maintenance of American National Standards

1. General

1.1.Intent

These procedures apply to developing, revising, approving, reaffirming and withdrawing “standards” developed by HELP. The definition of the term “standards” is contained under item 1.2.Scope and Definition

1.2.Scope

These procedures shall govern the activities of HELP related to the development, approval, revision, reaffirmation and withdrawal of “standards,” which, for these purposes, shall include all specifications, recommendations, best practices, guidance, curricula, codes, and standards to facilitate a safe and orderly transition to hydrogen and alternative fuel sources.

1.3.American National Standards

HELP will conform to the *American National Standards Institute (ANSI) Essential Requirements* and submit all ANSI-required forms when intending to develop American National Standards.

2. Organization of the HELP Panel and Committees

HELP is composed of various members that have a direct and material interest in the transition to hydrogen power. HELP is the final consensus body for approval of all American National Standards. Project Committees shall be established by HELP and will be responsible for developing, maintaining and achieving consensus on HELP standards in response to National Association of State Fire Marshals (NASFM) priorities. The committee will consist of its members and a chair. The committee shall have a title, scope and an interest classification system for its members. The membership of both HELP and its Project Committees shall be sufficiently diverse to ensure reasonable balance without dominance by a single interest category. The following categories are authorized:

- 2.1. Emergency Responders includes fire officials, police officials, EMT officials and others who respond to emergency situations.
- 2.2. Federal and State Authorities includes elected and appointed officials, and representatives of government agencies.
- 2.3. Industry includes individuals or organizations that have a commercial interest in HELP’s standards activities (e.g. auto manufacturers, fuel cell distributors, etc...).

2.4. General includes individuals who do not fit into any of the above categories yet still have a real and material interest in HELP's standard activities (e.g., Consumer groups, environmental organizations).

3. Responsibilities:

3.1. The HELP Panel shall:

- (1) Approve initiation of a standards project.
- (2) Adopt committee procedures and revisions.
- (3) Approve termination of the project committee.
- (4) Approve and adopt proposed standards, changes or the withdrawal of existing standards.
- (5) Approve discontinuance of standard projects.
- (6) Appoint new project committee members and assign their interest categories.

3.2. Project Committee Membership. Project committee members shall be responsible for:

- (1) Developing proposed American National Standards within the scope of the project committee.
- (2) Considering and Acting on identified views and objections.
- (3) Responding to requests for interpretations of the standard(s) developed by the project committee.
- (4) Complying with project committee procedures and revisions thereof.
- (5) Other matters requiring project committee action as provided in these procedures.

3.3. The Hydrogen Executive Leadership Panel Secretariat shall be responsible for:

- (1) Organizing the project committees (See Section 2.1).
- (2) Overseeing compliance with these procedures.
- (3) Maintaining rosters of all project committees, subcommittees and ad hoc groups and a list of specifications, codes and standards for which they are responsible.
- (4) Providing administrative support for project committees, including secretarial services; arranging for meetings; preparation and distribution of meeting agendas, minutes, ballots and draft standards; and maintenance of adequate records.
- (5) Submitting proposed specifications, codes, standards and revisions approved by the project committee for public review, ANSI review and approval as American National Standards.
- (6) Performing other administrative functions as required by these procedures.

- (7) Publishing approved specifications, codes, standards and approved revisions.

4. Officers

There shall be a chair and a vice-chair appointed from the individual members of the project committee, subject to approval by a majority vote of the project committee. Each will serve until a successor is selected and ready to serve. The vice-chair shall carry out the chair's duties if the chair is temporarily unable to do so.

5. Membership

HELP and all project committees shall consist of members having a direct and material interest in the activities of HELP and the project committees. The membership of both HELP and its Project Committees shall be sufficiently diverse to ensure reasonable balance without dominance by a single interest category. The addition or termination of members shall be subject to approval of HELP.

5.1. Nominations

Nominations for HELP membership and project committee membership shall be addressed to HELP, shall indicate the applicant's direct and material interest in the project committee's work and shall show the applicant's qualifications and willingness to participate actively. In recommending appropriate action on nominations for membership, HELP shall consider the:

- (1) Need for active participation by each interest.
- (2) Potential for dominance by a single interest category.
- (3) Extent of interest expressed by the applicant and the applicant's willingness to participate actively.
- (4) Qualifications of the applicant.

HELP may consider reasonable limits on project committee size.

5.2. Obligations of membership on HELP and project committees.

HELP shall review the membership list annually with respect to the following: Members are expected to fulfill attendance, correspondence and other obligations. Requests for resignation will be solicited when a member has missed more than one meeting per year, has missed more than one letter ballot, or is found in habitual default of correspondence and other obligations.

5.3. Membership Roster

HELP shall prepare and maintain current project committee roster(s) and shall distribute to the members of the project committee(s) at least annually and otherwise on request. The roster(s) shall include the following:

- (1) Title of the project committee and its designation.
- (2) Scope of the project committee.
- (3) Secretariat – name of the organization, name of secretary, and address(es).
- (4) Officers: chair and vice-chair.
- (5) Members name, address, and business affiliation.
- (6) Classification of each member.
- (7) Tally of classifications (total of voting members and subtotals for each interest category).
- (8) For each subcommittee/task committee: title, chair, and names and addresses of all members.

6. Subgroups Created by the Project committee

Subgroups (subcommittees, working groups, technical committees, writing groups, etc.) are created to expedite the work of the project committee, their formation and termination is subject to approval by a majority vote of the project committee. Draft standards and any substantive change in the content of a standard proposed by a subgroup shall be referred to the project committee for approval and then to the HELP Panel for final approval.

7. Meetings

HELP meetings shall occur three times per annum. During the spring meeting, HELP shall approve the creation of project committees and initiation of standards activities. During the summer meeting, HELP shall approve and adopt proposed standards, changes or withdrawal of existing standards. During the fall meeting, HELP shall approve discontinuance of standard projects and resolve any appeals resulting from standards decisions made at the summer meeting.

Project committee meetings shall be held to conduct business, such as assignments, receiving reports, considering draft standards, resolving differences among subgroups, and considering views and objections. Meetings shall be held at the request of the project committee chairman or HELP or by petition of one-third or more of project committee members. Subgroup meetings shall be held as requested by the main project committee chairman, subgroup chairman or HELP.

7.1. Open Meetings

Meetings of the project committee shall be open to all members and others having a direct and material interest. At least 30 days of notice of meetings shall be given by the Secretariat in media designed to reach directly and materially affected interests. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and others expressing interest.

7.2. Quorum

A majority of HELP members shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions taken at a meeting are not official until approved by letter ballot or at a subsequent meeting.

A majority of the members of the project committee shall constitute a quorum for conducting business at a committee meeting. If a quorum is not present actions taken at a meeting are not official until approved at a subsequent meeting.

8. Voting

Letter ballots are required for all new standards and revisions, reaffirmations, and withdrawal thereof.

8.1. Authorization of letter ballots

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

- (1) Majority vote of those present at a HELP meeting.
- (2) The Chairman
- (3) Petition of 1/3 or more of HELP members.

8.2. Each member shall vote one of the following positions:

- (1) Affirmative.
- (2) Affirmative, with comment.
- (3) Negative, with reasons (the reasons for a negative vote shall be given and if possible should include specific wording or actions that would resolve the objection).
- (4) Abstain, with reasons.

A HELP member shall sign letter ballots.

8.3. Voting Period

The voting period for letter ballots shall end thirty (30) days from the date of issue or as soon as all ballots are returned, whichever comes earlier. An extension may be granted at the chairman's option, when warranted.

A follow-up letter requesting immediate return of the ballot shall be sent to members whose votes have not been received within ten (10) working days before the ballot closes.

Within 30 days after the close of the letter ballot, HELP shall report the results,

including negative views, to the chairman. All negative votes shall be resolved in accordance with section 8.7.

8.4.Actions Requiring Approval by a Majority

The following actions require approval by a majority of the members present at a HELP meeting:

- (1) Approval of minutes.
- (2) Authorization of a letter ballot.

The following actions require a letter ballot with approval by at least a majority of HELP membership.

- (1) Approval of a new standard or reaffirmation of an existing standard.
- (2) Approval of revision or addendum to part or all of a standard
- (3) Approval for submission to ANSI of change of scope.
- (4) Creation or termination of a project committee

The following actions require approval by a majority of the membership of the project committee either at a meeting or by letter ballot:

- (1) Confirmation of officers.;
- (2) Formation of a subgroup, including its procedures, scope and duties.
- (3) Disbandment of subgroups.
- (4) Addition of new committee members and designation of their interest categories.

8.5.Public Review

Notification of standards activity shall be announced in suitable media as appropriate to demonstrate the opportunity for participation by all directly and materially affected persons. At the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form, or its equivalent, for announcement in *Standards Action*. A statement shall be submitted and published as part of the PINS announcement that shall include:

- (a) an explanation of the need for the project; and
- (b) identification of the stakeholders (e.g., telecom, consumer, medical, environmental, etc.) likely to be directly impacted by the standard.

Developers are encouraged to consult any relevant international or regional guides that may impact the proposed standard. If the response to sub-section (b) changes substantively as the standard is developed, a revised PINS shall be submitted and published. A PINS form may be submitted, but is not required, at the initiation

of a project to reaffirm or withdraw an American National Standard. Comments received in connection with a PINS announcement shall be handled in accordance with these procedures.

A PINS is not required for revisions of an American National Standard that is maintained under continuous maintenance and (1) is registered as such on the ANSI website, (2) has a notice in the standard that the standard is always open for comment and how to submit comments, and (3) has information on the developer's website that the standard is under continuous maintenance and how to submit comments.

If a developer receives written comments within 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 in *Standards Action*, a mandatory deliberation of representatives from the relevant stakeholder groups shall be held within 90 days from the comment deadline. Such a deliberation shall be organized by the developer and the commenter and shall be concluded before the developer may submit a draft standard for public review. If the deliberation does not take place within the 90-day period and the developer can demonstrate that it has made a good faith effort to schedule and otherwise organize it, then the developer will 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. The outcome of such a deliberation shall be conveyed in writing by the developer and commenter (ideally as a joint submission) to the ANSI Board of Standards Review (BSR) for consideration should the developer ultimately submit the related candidate standard to ANSI for approval. In the case of ANSI Audited Designators, the Audited Designator shall review the results of the deliberation prior to designating a standard as an ANS. While the outcome is not binding, participants are encouraged to develop a consensus on whether and how the standards development project should proceed.

In addition, proposals for new American National Standards and proposals to revise, reaffirm, or withdraw approval of existing American National Standards shall be transmitted to ANSI using the BSR-8 form, or its equivalent, for listing in *Standards Action* in order to provide an opportunity for public comment. The comment period shall be one of the following:

- A minimum of thirty days if the full text of the revision(s) can be published in *Standards Action*;
- A minimum of forty-five 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 E-mail address) from which it can be obtained by the public is provided to ANSI for announcement in *Standards Action*; or
- A minimum of sixty days, if neither of the aforementioned options is applicable.

Such listing may be requested at any stage in the development of the proposal, at the option of the standards developer, and may be concurrent with final balloting. However, any substantive change subsequently made in a proposed American National Standard requires listing of the change in *Standards Action*.

8.6. Disposition of Views and Objections

When the balloting has closed, the Secretariat shall forward the ballot tally to the HELP chairman, who will then decide whether the expressed views and objections shall be considered by correspondence or at a meeting. Prompt consideration shall be given to the written views and objections of all participants, including those from public review. An effort to resolve all written objections shall be made, and each objector shall be advised in writing of the disposition of the objection and the reasons therefore. If a resolution is not achieved, each objector shall be informed in writing that an appeals process is available in accordance with these procedures.

Substantive changes required for resolving objections and unresolved objections, including attempts at resolution shall be reported to the HELP Panel and committee members in writing in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within four weeks. Membership intending to change their votes shall notify the HELP Secretariat in writing of their intention. Any substantive revision to the document made in response to an attempt to resolve comments will undergo another public review in Standards Action.

When the above process is completed, comments received subsequent to the closing of the public review and comment period may be considered, or they shall be considered at the next review.

8.7. Report of the Final Result

When the balloting has closed, the Secretariat shall forward the ballot tally to the HELP chairman, who will then decide whether the expressed views and objections shall be considered by correspondence or at a meeting. Prompt consideration shall be given to the written views and objections of all participants, including those from public review. An effort to resolve all written objections shall be made, and each objector shall be advised in writing of the disposition of the objection and the reasons therefore. If a resolution is not achieved, each objector shall be informed in writing that an appeals process is available in accordance with these procedures.

Substantive changes required for resolving objections and unresolved objections (including attempts at resolution), shall be reported to the HELP Panel and committee members in writing in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within four weeks. Members

intending to change their votes shall notify the HELP Secretariat in writing of their intention.

When the above process is completed, comments received subsequent to the closing of the public review and comment period may be considered, or they shall be considered at the next review. Any substantive revision to the document made in response to an attempt to resolve comments is required to undergo another public review in Standard Action.

9. Submittal of the Standard

Upon completion of the procedures for voting, disposition of views, objections and appeals, the proposed standard shall be submitted to ANSI for review.

9.1. Information Submitted

HELP shall submit to ANSI all the necessary evidence of compliance with ANSI's criteria of approval of an American National Standard in accordance with Section 4.2.1.1 of the ANSI Essential Requirements.

10. Termination of a Project committee

A proposal to terminate a project committee may be made by a directly and materially affected interest. The proposal shall be submitted in writing to the HELP Panel and shall include at least the following:

- (1) Reasons why the project committee should be terminated.
- (2) The name(s) of the organization(s) that will assume responsibility for maintenance of any existing American National Standard(s) that are the responsibility of the Project committee.

11. Withdrawal of a Standard

When approved by HELP, the Secretariat shall notify ANSI with the request to withdraw the standard. Procedures for the withdrawal shall comply with Section 4.3.1.3.2 of the ANSI Essential Requirements.

12. Requests for Interpretation

Requests for formal interpretation of a specification, code or standard shall be in writing and directed to the Secretariat. The Secretariat shall acknowledge the request within 30 days of receipt, and may issue a tentative interpretation or refer to a previous interpretation. No interpretation is binding unless it is approved by a majority of the project committee and the HELP Panel in a letter ballot in accordance with Section 8.2. The chairman of the project committee shall appoint an ad hoc project committee to develop a proposed interpretation for letter ballot.

13. Appeals

Directly and materially affected interests that believe they have been or will be adversely affected by a specification, code or standard within a project committee's jurisdiction, or by the lack thereof, shall have the right to appeal substantive or procedural actions or inactions of the project committee or the Secretariat. Appeals may also be filed for procedural complaints, including whether a technical issue was afforded due process.

13.1. Complaint

The appellant shall file a written complaint with HELP within 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 effects; the section(s) of these procedures or the specification, code, or standard that is at issue; actions or inactions that are at issue; and the specific action(s) that would satisfy the complainant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

13.2. Response

Within 30 days after the receipt of the complaint, HELP shall respond in writing to the appellant specifically addressing each allegation in the complaint to the extent possible. HELP may attempt to resolve the complaint informally. HELP shall vote by a majority for one of the following positions:

- (1) Finding for the appellant with a specific statement of the issues and facts in regard to which fair and equitable action was not taken.;
- (2) Finding for HELP with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections.
- (3) Finding new and substantive evidence has been introduced and remanding the entire action to the project committee for reconsideration.

13.3. Hearing

If the appellant and HELP are unable to resolve the written complaint informally in a manner consistent with these procedures, the NASFM Board shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten (10) working days notice. The appeals panel shall be appointed by HELP but the NASFM Board will have the final say in resolving the written complaint.

13.4. Appeals panel

The appeals panel shall consist of three individuals appointed by the NASFM board who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the respondent.

13.5. Conduct of the hearing

The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the consensus body and the Secretariat took all actions in compliance with these procedures 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.

13.6. Decision

The appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefore, 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:

- 1) Finding for the appellant, remanding the action to the consensus body 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 the appellant's objections.
- 3) Finding that new, substantive evidence has been introduced and remanding the entire action to the consensus body or the Secretariat for appropriate reconsideration.

13.7. Appeals at ANSI

The appellant shall have the right to further appeal to ANSI in accordance with the ANSI Essential Requirements.

14. Revisions to Procedures

Proposed revisions to these procedures shall be initiated by the Secretariat or submitted to the Secretariat in writing with an explanation or the reason for the revision. The Secretariat shall submit the proposed revision for approval by a

majority vote of the HELP Panel, then will submit the revised procedures to ANSI for approval.

15. Parliamentary Procedures

On questions of parliamentary procedure not covered in these procedures, *Robert's Rules of Order* (latest edition) may be used to expedite due process.

16. Metric Policy

All ANSI/HELP standards not written using the International System of Units (SI) shall include either appropriate conversion correlating non-SI units to the corresponding SI equivalent, or dual units.

17. Record Retention Policy

Records shall be prepared and maintained to provide compliance with these procedures. Records concerning new, revised or reaffirmed American National Standards shall be retained for one complete standards cycle.

Records concerning withdrawals of all American National Standards shall be retained for at least five years from the date of withdrawal.

18. Patent Policy

HELP's Patent Policy shall be in accordance with the ANSI Patent Policy, as contained in the ANSI Essential Requirements.

19. ANSI Commercial Terms and Conditions Policy

HELP will comply with ANSI Commercial Terms and Conditions Policy as stated in Section 3.2 of the ANSI Essential Requirements.