

Ally Kupferberg

From: Anne Caldas
Sent: Wednesday, March 17, 2021 12:33 PM
To: Claire Ramspeck
Cc: Jim Thompson; Anne Caldas
Subject: Response to public comments - Proposed revisions to the ANSI Essential Requirements - ASME
Attachments: ExSC_025_2021_ER TG Report from 2019.pdf; ExSC_017O_2019_ASME.pdf; ExSC_017_2019_030921.pdf

Greetings –

We hope that you are well.

Thank you for submitting the attached public comments in response to proposed revisions to the ANSI Essential Requirements (www.ansi.org/essentialrequirements) announced in Standards Action in December 2019. Background on the original proposed revision is included in the attached report (ExSC_025_2021). The ExSC has considered all public comments and as a result, edited the original proposed revision, now attached here in its final edited form (ExSC_017). This edited version was approved by the ANSI ExSC in February 2021 and will be submitted to the Executive Committee of the ANSI Board of Directors for final approval in March 2021 for incorporation into the 2022 edition of the ANSI Essential Requirements.

Please also note that consistent with recommendations in the attached ExSC TG Report, ANSI has updated our website to provide easy access to information about the American National Standards (ANS) process and how to participate in it. Please visit the new ANS pages, including these: <https://www.ansi.org/american-national-standards/ans-introduction/overview#introduction> , <https://www.ansi.org/american-national-standards/info-for-the-general-public/general-public> and <https://www.ansi.org/american-national-standards/info-for-standards-developers/standards-developers> .

Responses to ASME's comments and suggestions are presented here by section:

Lines 7-18: Section 2.1 – Openness

- **ASME (O):** Line 16, editorial, delete parentheses: ACCEPTED.
- **ASME (O):** Lines 16-18, propose a definition of "sponsor" in relation to the definition of "affiliation". ACCEPTED with an edit, see attached updated text.
- **ASME (O):** Lines 16-18, propose usage of plurals for "employer" and "sponsor". ACCEPTED in the context of the updated version of the text.
- **ASME (O):** Line 18: add "upon request". ACCEPTED.

Lines 25-71: 2.3 Balance

- **ASME (O):** Line 35, FN 2 edit "consultant". "For purposes of this section, a "consultant" is someone who agrees to provide professional service ~~advice or representation~~ in exchange for compensation, financial or otherwise." ACCEPTED.
- **ASME (O):** Line 38, change "participant" to "member" to be consistent with "consensus body member". ACCEPTED.

Line 52: Footnote 3 – Interest Category examples

- **ASME (O):** Line 52, delete "~~However, interest categories shall not be created for the purpose of avoiding balance requirements.~~" Suggests it is not appropriate as it is difficult to demonstrate and an example of an ethical violation that should not have to be explicitly prohibited. NOT ACCEPTED. New ASDs or the uninformed may not view this as an

ethical violation and it addresses some of the concerns that balance can be manipulated – intentionally or unintentionally.

Lines 73-88: 1.5 & 2.5 Notification of Standards Development

- **ASME (O):** Lines 75-77, suggest edit for consistency: "Reasonable timely notification of standards development activity shall be announced in suitable media suitable as appropriate to demonstrate ~~and provide~~ that a meaningful opportunity for participation, debate and deliberation by all directly and materially affected persons in a fair and equitable manner was provided." ACCEPTED IN PART. Please see the edited version of the proposal that uses "timely and adequate" and other of ASME's suggested edits.
- **ASME (O):** Lines 81-84, suggest edits for consistency: "Reasonable timely notification of standards activity, including formation of a consensus body or a consensus body meeting, shall be announced in suitable media suitable as appropriate to demonstrate ~~and provide~~ that a meaningful the opportunity for participation by all directly and materially affected persons in a fair and equitable manner was provided." ACCEPTED IN PART. Please see the edited version of the proposal that uses "timely and adequate" and other of ASME's suggested edits.

Lines 81-105: Section 2.5.1 PINS

- **ASME (O):** Line 99: remove parentheses, add "or" – ACCEPTED.

Lines 107-156: Appeals

- **ASME (O):** Line 137, edit to clarify Appeals provision: ACCEPTED in part; see updated version of the proposed revision.
- **ASME (O):** Lines 138-140: Suggest deletion of text added to the ER regarding appeals options; the text is part of the ExSC's Operating procedures. NOT ACCEPTED: Sentiment was expressed that appeals procedures are not known, so including the language seems helpful – and it is not new language, as it exists in the ExSC's Operating Procedures. See other ASME edits related to appeals that were accepted.
- **ASME (O):** Line 142, edit: Make two sentences. ACCEPTED.

Again, thank you for your interest and your comments.

Sincerely,
Anne

Anne Caldas
Secretary, ANSI Executive Standards Council
ANSI
212-642-4914
acaldas@ansi.org
www.ansi.org



www.ansi.org/uss