

ACCREDITED STANDARDS COMMITTEE

Z245

Equipment Technology and Operations for Wastes and Recyclable Materials

Operating Procedures

Table of Contents

Table of Contents i
0 Introduction 1
1 Title 2
2 Scope 2
3 Responsibilities 2
3.1 Committee Membership 2
3.2 Secretariat 2
4 Officers 3
5 Membership 3
5.1 Application 3
5.1.1 Recommendation 3
5.1.2 Diverse Interests 3
5.1.3 Combined Interests 3
5.2 Review of Membership 3
5 3 Observers and Individual Experts 4
5.4 Interest Categories 4
5.5 Balance 4
5.6 Membership Roster 5
6 Subgroups Created by the Committee (See Annex B for Details 5
6.1 Chairperson and Members of Subgroups 5
7 Communications 6
7.1 Formal Internal Communication 6
7.2 External Communication 6
7.3 Interpretation of Standards 6
7.3.1 Interpretations Procedure 6
7.3.2 Interpretations Records 6
8 Meetings 6
8.1 Open Meetings 7
8.2 Quorum 7
9 Voting 7
9.1 Vote Responses 7
9.1.1 Vote of Alternate 7
9.1.2 Single Vote 8
9.1.3 Proxy Votes 8
9.1.4 Voting Period 8
9.1.5 Evidence of Consensus and Consensus Body Vote 8
9.1.6 Consideration of Negative Votes with Comments Related to a Proposal 8
9.1.7 Changing of Votes 9
9.2 Actions Requiring Approval by a Majority 9
9.3 Actions Requiring Approval by Two-Thirds of Those Voting 9
9.4 Authorization of Letter Ballots 10

9.5 Other Review 10
9.6 Coordination and Harmonization 11
9.6.1 Definition of Conflict 11
9.6.2 Coordination/Harmonization 11
9.7 Consideration of Views and Objections 11
9.8 Report of Final Result 11
10 Submittal of Standard 11
10.1 Information Submitted 12
10.2 Withdrawal of an American National Standard 12
10.3 Discontinuance of a Standards Project 12
11 Termination of the Committee 12
12 Appeals 12
12.1 Complaint 12
12.2 Response 12
12.3 Hearing 13
12.4 Appeals Panel 13
12.5 Conduct of the Hearing 13
12.5.1 Decision 13
13 Parliamentary Procedures 13

Annex A (normative) – Accredited Standards Committee Z245 Policies Regarding the Development of American National Standards

A.1 Patent Policy for Inclusion of Patented Items in American National Standards Developed by the Committee 14
A.2 Commercial Terms and Conditions 14
A.3 Records Retention Policy 14
A.4 Metric Policy 14
A.5 Antitrust Policy 14
A.6 Provisional Amendment Procedures 14

Annex B (normative) – Accredited Standards Committee Z245 Subgroups

B.1 Approved Subgroups 15
B.2 Subgroup Procedures 17

Annex C (normative) – Accredited Standards Committee Z245 Definitions

C.1 Definitions 18

ACCREDITED STANDARDS COMMITTEE Z245

0 Introduction

In 1972 Committee Z245 was accredited by the American National Standards Institute (ANSI) to develop standards by the "committee" method. The Committee was reaccredited on September 23, 2015.

Adoption of these Operating Procedures by ASC Z245 and their approval by ANSI of their compliance with *"ANSI Essential Requirements: Due process requirements for American National Standards"* are part of the requirements for continued accreditation of the Committee.

The Secretariat of Accredited Standards Committee Z245 is:

National Waste & Recycling Association
1550 Crystal Drive, Suite 804
Arlington, Virginia 22202
Telephone: (202) 244-4700
Fax: (202) 966-4824
E-mail: Secretary@wasterecycling.org

ACCREDITED STANDARDS COMMITTEE Z245

Operating Procedures

1 Title

The title of the consensus body is Accredited Standards Committee Z245, Equipment Technology and Operations for Wastes and Recyclable Materials Z245.

2 Scope

The scope of Accredited Standards Committee Z245 is:

Design, manufacture, installation, modification, servicing, maintenance and use of equipment technology, including the operations of facilities and activities in which this technology is incorporated, for the purposes of collection, transportation, containment, processing, treatment and disposal of wastes and the collection, transportation, containment and processing of recyclable materials.

3 Responsibilities

3.1 Committee Membership

The committee shall be responsible for:

a) Approving proposals for new American National Standards within its scope generated by its subgroups.
b) Maintaining the American National Standards developed by the committee
c) Adopting committee procedures and revisions thereof consistent with current edition of *ANSI Essential Requirements: Due process requirements for American National Standards*
d) Considering and acting on proposals for termination of the committee
e) Approving proposals for interpretations provided by the committee in response to requests
f) Approving the chairperson and vice-chairperson of the committee
g) Approving chairpersons for the subgroups
h) Other matters requiring committee action as provided in these procedures.

3.2 Secretariat

The secretariat shall:

a) Organize the committee
b) Apply for committee accreditation by ANSI and maintain accreditation in accordance with ANSI requirements, including submission of the committee roster.
c) Oversee the committee's compliance with these procedures.
d) Maintain rosters of the committee and subgroups
e) Provide a committee secretary to perform administrative work, including secretarial services; meeting notices and arrangements; preparation and distribution of meeting agendas, minutes, ballots and draft standards; and maintenance of adequate records.
f) Submit candidate standards approved by the committee, with supporting documentation, for ANSI review and approval as American National Standards.
g) Publish or arrange with ANSI for publication of its standards, revisions, and addenda.
h) Perform other administrative functions as required by these procedures.

4 Officers

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

5 Membership

Members of the committee shall consist of organizations (preferably national in scope), companies, government agencies, individuals, etc., having a direct and material interest in the activities of the committee.

5.1 Application

A request for membership shall be addressed to the secretariat, shall indicate the applicant's direct and material interest in the committee's work and qualifications and willingness to participate actively, and, if the applicant is an organization, company, or government agency, shall identify representative(s) (and an alternate(s), if desired).

5.1.1 Recommendation

In recommending appropriate action to the committee on applications for membership, the secretariat shall consider the:

a) Need for active participation by each interest.
b) Potential for imbalance by a single interest category.
c) Extent of interest expressed by the applicant and the applicant's willingness to participate actively.
d) The representative identified by the applicant organization, company, or government agency.

The secretariat may consider reasonable limits on committee size.

5.1.2 Diverse Interests

If distinct divisions of an organization can demonstrate independent interests and authority to make independent decisions in the area of the activity of the committee, each may apply for membership. For example, one division or operating company of a private corporation may show a producing or selling interest while another may show a buyer/user interest; or a government agency may show a buyer/user interest in one department and a separate regulatory concern in another department.

5.1.3 Combined Interests

When appropriate, the secretariat may recommend that the applicant seek representation through an organization which is already a member and represents the same or similar interest.

5.2 Review of Membership

The secretariat shall review the membership list annually with respect to the criteria of Section 5. Members are expected to fulfill obligations of active participation. Where a member is found in habitual

default of these obligations, the secretariat shall direct the matter to the committee for appropriate action, which may include termination of membership.

5.3 Observers and Individual Experts

Individuals and organizations having an interest in the committee's work may request listing as observers. The committee may also select individual experts to assist it. Individual experts shall serve for a renewable term of one year and shall be subject to approval by vote of the committee upon recommendation by the chairperson and the secretariat. Observers and individual experts shall be advised of the committee activities, may attend meetings, and may submit comments for consideration, but shall have no vote.

5.4 Interest Categories

All appropriate interests that might be directly and materially affected by the standards activity of the committee shall have the opportunity for fair and equitable participation without dominance by any single interest. Each member shall propose his or her own interest category, individual or organization, as appropriate and in accordance with the committee's established interest categories.
The established interest categories for the committee are:

a) Manufacturer – manufacturer of equipment included within the scope of the committee

b) User – end-user of equipment or facilities included within the scope of the committee (e.g., solid waste hauling company, material recycling facility operator, commercial waste generator)

c) Regulatory Agency – a federal, state or local regulatory authority having jurisdiction over the approval of equipment or facilities included within the scope of the committee or having jurisdiction for the safe operation of those equipment or facilities.

d) Distributor or Dealer – an individual or company involved with the sale, installation or modification of equipment included within the scope of the committee

e) General Interest – organization or individual that has an interest within the subject matter of the standards, but neither produces nor uses it directly (e.g., academia, testing laboratory)

5.5 Balance

The committee shall strive to achieve and maintain a balance of interests on the consensus body. Historically, the criteria for balance are that a) no single interest category constitutes more than one-third of the membership of the consensus body dealing with safety-related standards or b) no single interest category constitutes a majority of the membership of the consensus body with other than safety-related standards.

5.6 Membership Roster

The secretariat shall maintain current and accurate committee and subgroup rosters and shall distribute them to the members at least annually and otherwise on request. The roster shall include the following:

a) Title of the committee and its designation.
b) Scope of the committee.
c) Secretariat name of organization, name of secretary, and address
d) Officers - chairperson and vice chairperson-.

e) Members - name of organization or agency, its representative(s) and alternate(s) (as applicable), addresses, and business affiliations; or name, address, and business affiliation of individual member(s).
f) Classification of each member.
g) Tally of classifications total of voting members and subtotals for each interest category.
h) For each subgroup title, chairperson, and names and addresses of all members.

6 Subgroups Created by the Committee (See Annex B for Details)

When one or more subgroups (subcommittees, working groups, technical subcommittees, writing groups, etc.) are formed, their formation (and later disbandment) requires approval by a majority vote of the committee and appropriate public notice. The scope and duties delegated to the subgroup shall be approved at the time it is formed, and subsequent changes in scope or duties shall also require approval.

An established subgroup is responsible for assisting the committee by:

a) Developing new American National Standards within its scope
b) Maintaining the standards the subgroup developed.
c) Responding to views and objections on the standards in their purview
d) Submitting draft standards, revisions of standards it developed, replies in request for interpretations and recommendations for withdrawal of standards to the committee for consideration

Such subgroups shall maintain a membership roster which shall include the following:

a) Title of the subgroup and its designation.
b) Scope of the subgroup
a) Secretariat name of organization, name of secretary, and address.
b) Officers - chairperson and vice chairperson-, if appointed
c) Members - name of organization or agency, its representative(s) and alternate(s) (as applicable), addresses, and business affiliations; or name, address, and business affiliation of individual member(s).
d) Classification of each member.

Subgroups, not being the consensus body, shall seek broad representation and shall be open to any directly and materially affected party regardless of interest category.

6.1 Chairperson and Members of Subgroups

The chairperson of a subgroup shall be appointed by the chairperson of the committee and confirmed by the committee. The scope, duties, and membership of all subgroups shall be reviewed by the committee annually. The officers and members of a subgroup need not be members of the committee.

7 Communications

Where noted in these Procedures the term “in writing” or “by correspondence” shall include the use of electronic means, such as electronic mail (e-mail), facsimile (fax), or other electronic means. In addition, electronic means may be used to authorize letter ballots, issue letter ballots, issue voting results, and issue the disposition of views and objections. Committee members who decline to use electronic communications shall request that the secretariat provide paper copies instead.

7.1 Formal Internal Communication

If correspondence between subgroups or between working groups of different subgroups involves issues or decisions (i.e., non-routine matters) affecting other subgroups, copies shall be sent to the secretariat, all affected subgroup chairs, and to the committee officers.

7.2 External Communication

Inquiries relating to the committee should be directed to the secretariat, and members should so inform individuals who raise such questions. All replies to inquiries shall be made through the secretariat.

7.3 Interpretation of Standards

Official interpretations of American National Standards developed and maintained by Accredited Standards Committee Z245 shall only be made by the committee. Members of the committee, its subgroups, or the secretariat shall not provide interpretations. Any personal opinions rendered by committee members, subgroup members, or the secretariat shall be stated as such and shall not constitute interpretation regarding the committee's approved American National Standards.

7.3.1 Interpretations Procedure

All written inquiries requesting interpretation of the language of the committee's approved American National Standards shall be directed to the secretariat. The secretariat shall promptly acknowledge receipt of the request. An acknowledgment of receipt of the request shall be provided to the requester with written information on the actions that will be taken.

Official requests for interpretation shall be submitted in writing to the secretariat in sufficient detail and clarity to enable the committee to understand and interpret the request. The requestor shall identify the standard by name, number and date identifying the applicable clause or paragraph in the document. The secretariat will correspond with the requestor if further details or explanation are needed.

Written requests will be reviewed by the secretariat and forwarded to the appropriate subgroup and the chair of the full committee. The chairperson of the subgroup may form an ad hoc panel, as deemed appropriate, to review the request and prepare a written response for the committee to consider.

The committee will consider the written request and the reply that is to be sent to the requestor. If approved by the committee (a simple majority of those voting, less abstentions), the written response will be prepared by the secretariat and sent to the requestor.

7.3.2 Interpretations Records

A file of requests for interpretations and replies will be retained by the secretariat. The secretariat may distribute copies of the interpretations on request.

8 Meetings

Committee meetings shall be held as decided upon by the committee, the chairperson, the secretariat, or by petition of five or more members, to conduct business, such as making assignments, receiving reports of work, considering draft standards, resolving differences among subgroups, and considering views and objections from any source. Meetings of subgroups may be held as decided upon by the members or chairperson of the subgroup. The definition of "meetings" shall include telephone conference calls and other electronic means, such as Internet conferencing calls.

8.1 Open Meetings

Meetings of the committee shall be open to all members and others having a direct and material interest. At least four weeks' notice of regularly scheduled meetings shall be given by the secretariat in ANSI's *Standards Action*; or in other media designed to reach directly and materially affected interests; or in both. 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 to others expressing interest. The secretariat may optionally maintain a permanent mailing list of other interests.

8.2 Quorum

A majority of the members of the committee shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions taken shall be approved by letter ballot.

9 Voting

9.1 Vote Responses

Each member shall vote one of the following responses:

a) Affirmative.
b) Affirmative, with comment.
c) Negative, with reasons (the reason for a negative vote shall be given and should include specific wording or actions which would resolve the objection).
d) Abstain, with reasons (for example, "no interest").

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

The secretariat 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.

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. The secretariat is not required to solicit any comments from the negative voter, nor is the secretariat required to conduct a recirculation ballot of the negative vote. The secretariat is required to report the no vote as a “negative without comment” when making the final submittal to the Board of Standards Review.

For votes on membership and officer-related issues, the affirmative/negative/abstain method of voting shall be followed. Votes with regard to these issues need not be accompanied by reasons and need not be resolved or circulated to the committee.

9.1.1 Vote of Alternate

An alternate's vote shall be counted only if the principal representative fails to vote.

9.1.2 Single Vote

Generally, no representative shall have more than one vote. However, if two or more organizations appoint the same individual to represent each of them, that individual may cast a separate vote for each organization represented.

9.1.3 Proxy Votes

Proxy votes are not permitted.

9.1.4 Voting Period

The voting period for letter ballots shall end at least 30 days from the date of issue or as soon as all ballots are returned, whichever comes earlier. The secretariat shall send a follow-up notice requesting immediate return of the ballot to all committee members whose votes have not been received ten days before the ballot closes. An extension may be granted at the chairperson's option, if warranted.

9.1.5 Evidence of Consensus and Consensus Body Vote

Evidence of consensus in accordance with these procedures shall be documented. Consensus is demonstrated, in part, by a vote of the consensus body. Votes for the approval of a document or portion thereof as a candidate ANS may be obtained by letter, fax, recorded votes at a meeting or electronic means. All members of the committee shall have the opportunity to vote. When recorded votes are taken at meetings, members who are absent shall be given the opportunity to vote before or after the meeting.

9.1.6 Consideration of Negative Votes with Comments Related to a Proposal

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*.

In connection with an objection articulated during a public comment period, or submitted with a vote, an effort to resolve all expressed objections accompanied by comments related to the proposal under consideration shall be made, and each such objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefor. If resolution is not achieved, each such objector shall be informed in writing that an appeals process exists within procedures used by the standards developer. In addition, except in the case of Audited Designators, each objection resulting from public review or submitted by a member of the committee, and which is not resolved (see definition) must be reported to the ANSI BSR.

When this process is completed in accordance with these written procedures of the committee, the committee may consider any comments received after the closing of the public review and comment period or shall consider them in the same manner as a new proposal. Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be notified.

Each unresolved objection and attempt at resolution, and any substantive change made in a proposed American National Standard shall be reported to the committee to afford all members of the committee an opportunity to respond, reaffirm, or change their vote.
The period given for this further consideration shall be determined by the secretariat, in consultation with the chairperson, but shall be not less than 14 days.

All substantive changes shall be submitted to ANSI for further public review.

If the negative vote with reason is non-persuasive, then the vote will be recorded as negative with reason and the committee’s review documented in the formal submission to ANSI.

9.1.7 Changing of Votes

Members may change their submitted vote on ballot prior to the close of the ballot or in response to consideration of negative vote with comments related to a proposal (see 9.1.6). The secretariat shall not change the vote unless instructed to do so by the voter. If the change of vote was not submitted in writing, then written confirmation of such a vote change shall be provided to the voter by the secretariat. The secretariat shall maintain records of evidence regarding any change of an original vote.

9.2 Actions Requiring Approval by a Majority

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

a) Confirmation of officers appointed by the secretariat.
b) Confirmation of subgroup chairpersons appointed by the committee chairperson
c) Formation of a subgroup, including its scope and duties.
d) Disbandment of subgroups.
e) Addition of new committee members and designation of their interest categories.
f) Termination of membership where a member is found in habitual default of his obligations
g) Approval of withdrawal of an existing standard.

Other actions requiring a committee or subgroup vote may be approved by a majority of the members present at a meeting, including:

a) Approval of minutes.
b) Authorization of a letter ballot.

9.3 Actions Requiring Approval by Two Thirds of Those Voting

Votes for the approval of a document or portion thereof as a candidate American National Standard may be obtained by letter, fax, recorded votes at a meeting or electronic means. All members of the consensus body shall have the opportunity to vote. When recorded votes are taken at meetings, members who are absent shall be given the opportunity to vote before or after the meeting provided balloting is still open.

The following actions require a letter ballot or an equivalent formal recorded vote by at least most of the membership (counting abstentions) and at least two thirds of those voting approve (excluding abstentions):

a) Adoption of committee procedures, categories of interests, or revisions thereof.
b) Approval of a new standard or reaffirmation of an existing standard.
c) Approval of revision or addendum to part or all a standard.
c) Approval to abandon development of a new standard or revision of a standard
d) Approval of change of committee scope.
e) Approval of termination of the committee.

9.4 Authorization of Letter Ballots

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

a) Majority vote of those present at a committee or subgroup meeting.
b) The chairperson.
c) The secretariat.
d) Petition of five or more members of the committee. The names of the petitioners shall be circulated to the full committee.

Committee members who decline to use electronic communications for receipt and response to electronic letter ballots shall request that the secretariat issue a paper ballot for their use.

9.5 Other Review*

At the initiation of a project to develop or revise an American National Standard, the secretariat shall send notification to ANSI using the Project Initiation Notification System (PINS) form, or its equivalent, for listing in *Standards Action*. For a project to develop a new American National Standard, the secretariat shall send notification to ANSI using the PINS form in a timely manner after receiving, in writing, the scope and affected stakeholders of the proposed project. If the project is to revise an existing ANS, the secretariat shall send notification to ANSI using the PINS form after the determination to begin revising has been announced and before any work is initiated on the draft.

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.

If the secretariat 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 secretariat and the commenter and shall be concluded before the committee may submit a draft standard for public review. If the deliberation does not take place within the 90-day period and the secretariat can demonstrate that it has made a good faith effort to schedule and otherwise organize it, then the secretariat 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 a PINS deliberation shall be conveyed in writing (the “Deliberation Report”) within 30 days after the conclusion of the deliberation by the secretariat the commenter and to ANSI. Upon submission of the Deliberation Report, the developer 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 by the deliberations shall be carried out in a reasonably timely manner but normally should not exceed 90 days following the deliberation. Subsequently, the developer shall include all the Deliberation Report(s) with the BSR-9 submittal to the ANSI Board of Standards Review (BSR) for consideration should the developer 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 developer 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, participants are encouraged to develop a consensus on whether and how the standards development project should proceed.

*Although a 60-day public comment period is not required in all instances, several provisions in the *ANSI Essential Requirements*, when read in combination, satisfy the WTO’s 60-day rule. Before adopting a standard, ANSI-Accredited Standards Developers shall allow a period of at least 60 days in total for submission of comments on the draft standard if requested by an interested party within the territory of a Member of the WTO. Exceptions outlined in the rule are permitted due to issues of safety, health or environment. (See *WTO Agreement on Technical Barriers to Trade (TBT), Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards (CGP) Substantive Provision L*.)

9.6 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.

9.6.1 Definition of Conflict

Conflict within the ANS 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 the other standard such that the implementation of one standard under terms allowable under that standard would preclude proper implementation of the other standard in accordance with its terms.

9.6.2 Coordination/Harmonization

Accredited Standards Committee Z245 shall make a good-faith effort to resolve potential conflicts and to coordinate standardization activities intended to result in harmonized American National Standards. A "good faith" effort shall require substantial, thorough and comprehensive efforts to harmonize a candidate ANS and existing ANSs. Such efforts shall include, at a minimum, compliance with all relevant sections of these procedures. If "good faith" efforts are required, the evidence of such efforts to demonstrate compliance with this requirement shall be retained in accordance with the Records retention Policy

9.7 Consideration of Views and Objections

Prompt consideration by the standard developer organization shall 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*.

In connection with an objection articulated during a public comment period, or submitted with a vote, an effort to resolve all expressed objections accompanied by comments related to the proposal under consideration shall be made, and each such objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefor. If resolution is not achieved, each such objector shall be informed in writing that an appeals process exists within procedures used by the secretariat. In addition, each objection resulting from public review or submitted by a member of the consensus body, and which is not resolved shall be reported to the ANSI BSR.

When this process is completed in accordance with these operating procedures, the secretariat may consider any comments received after the closing of the public review and comment period or shall consider them in the same manner as a new proposal. Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be notified.

Each unresolved objection and attempt at resolution, and any substantive change made in a proposed American National Standard shall be reported to the committee to afford all members of the committee an opportunity to respond, reaffirm, or change their vote.

9.8 Report of Final Result

The final result of the voting shall be reported, by interest categories, to the committee.

10 Submittal of Standard

Upon completion of the procedures for voting, disposition of views and objections, and appeals, the proposed standard shall be submitted to ANSI by the secretariat. If the secretariat does not submit the proposal to ANSI within a reasonable period of time, any member(s) of the committee may make the submittal.

10.1 Information Submitted

The information supplied to ANSI shall be as listed on the American National Standard (ANS) Formal Submittal Checklist (BSR9).

10.2 Withdrawal of an American National Standard

If the committee withdraws its approval of one or more of its American National Standards, the secretariat shall notify ANSI immediately and the standard shall be withdrawn as an ANS and announced in *Standards Action.*

10.3 Discontinuance of a Standards Project

The committee may abandon the processing of a proposed new or revised American National Standard or portion thereof with a simple majority vote (defined as more than one half in favor of discontinuance). A

written justification of such an action from the committee shall be sent to the secretariat within 30 days of the action's passage.

Upon receipt of written justification of such action, the secretariat will immediately notify ANSI of such actions which will be announced in *Standards Action*.

11 Termination of the Committee

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

a) Reasons why the committee should be terminated.
b) The name of the organization(s) that will assume responsibility for maintenance of any existing American National Standard(s) that are the responsibility of the committee.

If it appears, after review by the secretariat and by discussion among the proponent of the action, that the desired objectives can best be reached by termination, the proposal and supporting documentation shall be submitted to the committee with a letter ballot to terminate the committee and transfer responsibility, as appropriate, for the affected standards. Concurrently, the proposal shall be announced for comment in *Standards Action*.

12 Appeals

Directly and materially affected interests who believe they have been or will be adversely affected by a standard within the committee's jurisdiction, or by the lack thereof, shall have the right to appeal procedural actions or inactions of the committee or the secretariat.

12.1 Complaint

The appellant shall file a written complaint with the secretariat 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 standard that are 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.

12.2 Response

Within 30 days after receipt of the complaint, the respondent (chairperson or secretariat representative) shall respond in writing to the appellant, providing the plan that will be used to address the complaint and a schedule of the events that will occur. The total time for detailed response to the appellant's complaint shall not exceed two months. The response shall be provided by the subgroup responsible for the development and maintenance of the document or action being contested. Responses shall be provided through the secretariat or chairperson of the committee after review by an ad hoc working group of the committee appointed by the chairperson of the committee.

12.3 Hearing

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

12.4 Appeals Panel

The appeals panel shall consist of three individuals 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.

12.5 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 committee 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.

12.5.1 Decision

The appeals panel shall render its decision in writing to both the appellant and to the respondent, within 30 calendar days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision.

d) Finding for the appellant remanding the action to the committee or the secretariat with a specific statement of the issues and facts regarding which fair and equitable action was not taken.
a) 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.
e) Finding that new, substantive evidence has been introduced and remanding the entire action to the committee or the secretariat for appropriate reconsideration.

13 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.

Annex A
(normative)

Accredited Standards Committee Z245 Policies
Regarding the Development of American National Standards

A.1 Patent Policy for Inclusion of Patented Items in American National Standards Developed by the Committee

Z245 agrees to comply with the ANSI Patent Policy.

A.2 Commercial Terms and Conditions

The committee shall follow the provisions regarding commercial terms and conditions contained in the current edition of *ANSI Essential Procedures: Due process requirements for American National Standards*

A.3 Records Retention Policy

The secretariat shall prepare and maintain records to provide evidence of compliance with these procedures. Records concerning new, revised, or reaffirmed American National Standards maintained under the periodic maintenance option shall be retained for one complete standards cycle, or until the standard is revised. Records concerning withdrawals of all American National Standards shall be retained for at least five years from the date of withdrawal.

A.4 Metric Policy

While the International System of Units (SI) are the preferred units of measurement in American National Standards, Accredited Standards Committee Z245 acknowledges that the customary U.S. measurements (English units) continue to be the primary basis for all dimensions for the products covered by the scope of the committee.

The units contained in standards developed by the committee shall be expressed as customary U.S. measurements with soft metric conversions provided for reference in parentheses.

A.5 Antitrust Policy

The committee shall develop standards in accordance with applicable U.S. antitrust and competition laws and meetings amongst competitors to develop American National Standards will be conducted in accordance with these laws.

A.6 Provisional Amendment Procedures

Z245 agrees to comply with the ANSI Procedures for the Development of a Provisional American National Standard (ANS) or a Provisional Amendment to an ANS.

Annex B
(normative)

Accredited Standards Committee Z245 Subgroups

B.1 Approved Subgroups

The following subcommittees are established as subgroups of the committee in accordance with these operating procedures:

a) Subcommittee 1 on Refuse Vehicles – Safety Requirements

Scope: Requirements for construction, reconstruction, modification, care, maintenance, operation, and use of mobile waste or recyclable materials collecting transportation and compacting equipment. The scope includes the following refuse collecting and compacting equipment mounted on refuse truck chassis: rear-loading, front-loading, and side loading compacting equipment; tilt frame and hoist-type equipment; grapple loaders; satellite vehicles; waste transfer vehicles; recycling collection vehicles; and mechanized container collecting and lifting equipment.

Duties: Develop and maintain standard Z245.1 on *Mobile Wastes and Recyclable Materials Collection, Transportation, and Compaction Equipment — Safety Requirements* and submit to the committee for consideration for approval for submission as an American National Standard.

b) Subcommittee 2 on Stationary Compactors – Safety Requirements

Scope: Requirements for design, construction, reconstruction, modification, maintenance, repair, operation, and use of commercial stationary compacting equipment used in apartment, institutional, commercial and industrial locations, including transfer stations and recycling facilities.

Duties: Develop and maintain standards Z245.2 on *Stationary Compactors — Safety Requirements for Installation, Maintenance and Operation* and Z245.21 on *Stationary Compactors — Safety Requirements* and submit to the committee for consideration for approval for submission as American National Standards.

c) Subcommittee 3 on Carts and Containers – Safety Requirements

Scope: Requirements for all waste containers commonly used in the collection, processing and disposal of solid wastes, in residential, commercial and industrial applications. These containers may also be used in conjunction with both mobile and stationary lifting, dumping, and transportation technologies.

Duties: Develop and maintain standard Z245.30 on *Waste Containers — Safety Requirements* and submit to the committee for consideration for approval for submission as an American National Standard.

d) Subcommittee 4 on Facilities – Safety Requirements

Scope: Requirements for the design, construction, modification, maintenance and operation of facilities used in the processing of commingled wastes and recyclable materials, transfer of solid wastes and disposal of solid wastes.

Duties: Duties: Develop and maintain standards Z245.41 on *Facilities for the Processing of Commingled Recyclable Materials — Safety Requirements* and Z245.42 *on Waste Transfer Station – Safety Requirements* and submit to the committee for consideration for approval for submission as an American National Standards.

e) Subcommittee 5 on Baling Equipment – Safety Requirements

Scope: Requirements for the design, construction, installation, maintenance and operation of commercial baling equipment commonly used in recycling, solid waste disposal and raw materials handling.

Duties: Develop and maintain standards Z245.5 on *Baling Equipment — Safety Requirements for Installation, Maintenance and Operation* and Z245.21 on *Baling Equipment — Safety Requirements* and submit to the committee for consideration for approval for submission as American National Standards.

f) Subcommittee 6 on Carts & Containers – Compatibility Dimensions

Scope: Requirements for dimensions for refuse containers commonly used in conjunction with mobile equipment used to collect, compact and transport waste and recyclables, and occasionally with stationary waste processing and compaction equipment that use mechanical means to lift and empty these containers into the loading hopper in order to assist manufacturers of truck bodies and lifting equipment in designing devices that can safely accommodate a wide range of commonly used containers.

Duties: Develop and maintain standard Z245.60 on *Waste Containers — Compatibility Dimensions* and submit to the committee for consideration for approval for submission as an American National Standard.

g) Subcommittee 7 on Size Reduction Equipment – Safety Requirements

Scope: Requirements for design, construction, modification, installation, integration, maintenance, and operation of size reduction equipment used in industrial, commercial, or institutional recycling or disposal activities. This scope does not apply to shredding or disposal devices intended primarily for home or office use.

Duties: Develop and maintain standard Z245.71 on *Size Reduction Equipment — Safety Requirements* and Z245.72 on *Industrial Mobile Tub Grinders – Safety Requirements* and submit to the committee for consideration for approval for submission as American National Standards.

h) Subcommittee 8 on Landfill Operations – Safety Requirements

Scope: Requirements for design, construction, modification, operation, maintenance, service, repair, mine, regulating or using landfills. Exception: This standard does not address the

engineering aspects and scope of ANSI/CSA 149.6). This standard follows Subtitle D for landfills: MSW, special waste, C & D, but not hazardous waste.
Duties: Develop and maintain standard Z245.8 on Landfill Operations — Safety Requirements and submit to the committee for consideration for approval for submission as an American National Standard.

B.2 Subgroup Procedures

The following procedures to be used by subgroups in the standards development and maintenance process shall be the same as those used by committee:

a. Meetings in accordance with section 8 of these procedures
b. Voting in accordance with section 9.1 through 9.1.7 and 9.4 of these procedures. All standards development actions require approval by two-thirds of those voting.

Annex C
(normative)

Accredited Standards Committee Z245 Definitions

C.1 Definitions

- Committee – Accredited Standards Committee Z245
- Consensus body – Accredited Standards Committee Z245
- Periodic maintenance: Periodic maintenance is defined as the maintenance of a standard by review of the entire document and action to revise or reaffirm it on a schedule not to exceed five years from the date of its approval as an American National Standard.
- Proxy: A written and signed document by which a voting member of a consensus body authorizes another person to vote in the member's stead.
- Resolved: A negative vote cast by a member of the consensus body, or a comment submitted because of public review where the negative voter agrees to change his/her vote, or the negative commenter accepts the proposed resolution of his/her comment.
- Substantive Change: A substantive change in a proposed American National Standard is one that directly and materially affects the use of the standard. Examples of substantive changes are below:
    - "shall" to "should" or "should" to "shall";
    - addition, deletion or revision of requirements, regardless of the number of changes;
    - addition of mandatory compliance with referenced standards.
- Unresolved: Either (a) a negative vote submitted by a consensus body member or (b) written comments, submitted by a person during public review expressing disagreement with some or all the proposed standard, that have not been satisfied and/or withdrawn after having been addressed according to the developer's approved procedures.