

Procedures for Standards Development

AMERICAN PETROLEUM INSTITUTE
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Foreword

The American Petroleum Institute (API) *Procedures for Standards Development* (Procedures) provide specific guidance for API standards activities including; project justification and initiation of new standards; approval balloting; requirements for balance, consensus and due process; procedures for revision, reaffirmation and withdrawal; criteria for processing requests for interpretations; intellectual property and patent policy guidance; and API's appeals process.

These Procedures govern the development of all standards published exclusively by API and jointly with other standards developing organizations. All API standards development activities shall be conducted in accordance with these Procedures.

These Procedures also provides guidance that allows for the submittal of candidate API standards for approval as American National Standards including the national adoption of International Organization for Standardization (ISO) standards.

These Procedures have been approved by the ANSI Executive Standards Council effective September 13, 2011

For additional information on API's standards program contact the Standards Director, American Petroleum Institute, 1220 L Street, NW, Washington, DC 20005.

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Contents

1	Scope	1
1.1	Joint Committee	1
2	Standardization Authority	1
3	Standards	1
4	Definitions	1
5	Designation of API Standards	2
5.1	Specification	2
5.2	Recommended Practice	3
5.3	Standards	3
5.4	Codes	3
5.5	Other Terms	3
6	Draft Standards	3
7	Procedures	3
7.1	Due Process	3
7.2	Notification of Standards Action	4
7.3	Resource Needs	6
7.4	Membership on Standards Committees	7
7.5	Balloting	7
7.6	Interpretations	10
7.7	Appeals	10
7.8	Maintenance of Standards	11
7.9	Standards Meeting Procedures	14
7.10	Effective Date	14
8	Normative Policies	15
8.1	Records Retention	15
8.2	Referencing Standards in API Standards	15
8.3	Intellectual Property	15
8.4	Commercial Terms and Conditions	16
8.5	Metric Policy	16
8.6	Liaison	16
9	International Standards Activities	17
9.1	Adoption of ISO Standards as American National Standards	17

API Procedures for Standards Development

1 Scope

The procedures established in this document govern the development of standards published by the American Petroleum Institute (API). All API standards development activities shall be conducted in accordance with these Procedures.

API committees responsible for standards development may also maintain written procedures addressing individual committee organization, scope, membership and conduct. These Procedures shall not be amended by individual committee procedures or procedures developed for joint committee activities (see 1.1).

Questions regarding intellectual property issues such as copyrights, trademarks or patents shall be directed to the API Office of General Counsel.

1.1 Joint Committees

API committees working jointly with other standards developing organizations shall maintain written procedures addressing joint committee structure, scope, membership and operations.

2 Standardization Authority

The authority to develop standards has been authorized by the API Board of Directors and rests with the Segment and Standards Policy Committees of the American Petroleum Institute. This authority may be delegated to subordinate committees with responsibility for standards development.

3 Standards

Standard is a broad term covering all API documents that have been developed in accordance with these procedures. All API standards shall include the following statement in their foreword.

This document was produced under API standardization procedures that ensure appropriate notification and participation in the developmental process and is designated as an API standard. Questions concerning the interpretation of the content of this publication or comments and questions concerning the procedures under which this publication was developed should be directed in writing to the Standards Director, American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005.

4 Definitions

For the purposes of these procedures, the following definitions apply.

4.1 standards action

A standards action is defined as a substantive action taken or decision reached by an API committee or API staff relating to a standard or the manner in which such action was taken or decision was reached. Standards actions may include approval of new standards, revision, reaffirmation or withdrawal of existing standards and the decision to nationally adopt an international standard.

4.2 policy committee

A standards policy committee may be established by the API Board of Directors, an API General or Segment Committee, or an authorized subordinate level committee. Policy committees have overall responsibility for standards program management in a particular subject area. Membership on Policy Committees is limited to representatives of API member companies.

4.3

standards committee

A standards committee is assigned the overall responsibility for developing and approving API standards for a particular category or categories of equipment, materials, or practices in accordance with these Procedures. A standards committee may be responsible for an entire standards program or industry sector. Responsibility for standards programs may be assigned to intermediate committees with authority to form, guide, and coordinate standards committees as needed.

4.4

subgroup

A subgroup may be formed by a standards committee for the purposes of developing consensus through the balloting procedures described in Section 7.5 *Balloting*, and may also provide oversight to additional subordinate groups responsible for (1) the definitive content of one or more standards and (2) responding to views and objections therein.

4.5

editorial changes

Editorial changes are changes that correct errors or inconsistencies in a manuscript. Editorial changes have no effect on the way the standard is used or applied.

4.6

technically substantive changes

A technically substantive change is one that directly and materially affects the use of the standard. A non-exclusive list of technically substantive changes is as follows:

- “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.

4.7

shall vs. should

The use of “shall” and “should” in API standards convey the following meaning.

- Shall: As used in a standard, “shall” denotes a minimum requirement in order to conform to the standard.
- Should: As used in a standard, “should” denotes a recommendation or that which is advised but not required in order to conform to the standard.

NOTE In some cases, third parties or authorities having jurisdiction may choose to incorporate API standards by reference, and may mandate compliance with all requirements and recommendations. All uses of the words “should” and “shall”, therefore, must be based on sufficient information of the standard’s current and potential future use.

5 Designation of API Standards

All API standards shall be identified by an alphanumeric designation. API standards may include the following terms (5.1 through 5.3) in the title and/or the alphanumeric designation to provide additional clarity. All API standards carrying these designations are compliant with these Procedures.

5.1 Specifications

Documents that are written in such a way as to facilitate communications between purchasers, manufacturers, and/or service suppliers. Specifications may include datasheets which may be used in industrial transactions.

5.2 Recommended Practices

Documents that communicate recognized industry practices. Recommended practices (RPs) may include both mandatory and non-mandatory requirements.

5.3 Standards

Documents that combine elements of both specifications and recommended practices.

5.4 Codes

Documents that may be adopted by regulatory agencies or authorities having jurisdiction. This may include “inspection-based” material.

5.5 Other Terms

Any other terms such as, but not limited to, guide, publication or guidance document shall not be used in the title of API Standards.

5.5.1 Bulletins and Technical Reports

Documents that convey technical information on a specific subject or topic and are generally issued on a one time-basis are not standards and are not addressed by these Procedures but may be approved for publication by API standards committees

5.5.1.1 Registration of Technical Reports with ANSI

An API Technical Report may be registered with ANSI for publication and shall include the official designation as a “Technical Report prepared by the American Petroleum Institute and registered with ANSI”. Registration requires compliance with ANSI’s *Procedures for the Registration of Technical Reports with ANSI* and submission for registration to ANSI using the *Formal Submittal for Registration as a Technical Report* form PSA-01. (For additional information on the procedures for ANSI Technical Reports see <http://www.ansi.org>.)

6 Draft Standards

A draft standard is a document that has been developed under these procedures and is distributed for additional comment. Most draft standards are not published; however, with the approval of the appropriate committee, draft standards may be published for a specified period of time to obtain more widespread circulation to interested parties. A draft standard may be published as long as it is identified as such on its cover and includes an express disclaimer approved by the API Office of General Counsel.

7 Procedures

The following procedural requirements apply to the development of consensus for approval, revision, reaffirmation, and withdrawal of API standards.

7.1 Due Process

Participation in API standards activities is open to all parties (persons and organizations) that have a direct and material interest in the subject of a standard. Consideration shall be given to the written views and objections of all participants and the right to appeal shall be made available to adversely affected parties (see 7.7).

7.1.1 Balance

API seeks broad input to its standardization activities including the participation of all parties representing interest categories appropriate to the nature of the standard, and allows for open attendance at standards meetings. API strives for balanced representation (for example, targeting one-third representation for the traditional model of the

three interest categories of operator-user, manufacturer-service supplier, and general interest) in an effort to avoid a majority of any one interest category.

7.1.1.1 Interest Categories

In defining the interest categories appropriate to API standards activities, consideration shall be given to at least the following.

- a) Operator-user—the entity that is using the product specified in the standard or performing the operations or practices described in the standard.
- b) Manufacturer-service Supplier—the entity that is fabricating a product specified in the standard or used in performing the operations or practices described in the standard or the entity that is providing a service in compliance with the standard.
- c) General Interest—an entity that is neither of the above but has a direct and material interest in the product, operation, or practice described in the standard. Typically this category includes consultants.

Other interest categories such as the following may be established within a standards committee in order to insure adequate levels of representation.

- d) Government—Federal, state, or other regional regulatory body.
- e) Academia—College or university-affiliated expert.
- f) Association—Professional society or non-governmental authority.
- g) Non-Governmental Observer (NGO)—Labor, consumer interest.

7.1.2 Consensus

API develops industry standards on the basis of consensus. Consensus is established when substantial agreement has been reached by directly and materially affected interests. Substantial agreement means more than a simple majority but not necessarily unanimity. Consensus requires that all views and objections be considered, and that an effort be made toward their resolution. For purposes of these Procedures, consensus shall be defined as a majority of those eligible to vote shall have voted *and* approval by at least two-thirds of those voting, excluding abstentions.

7.1.2.1 Consensus Body Outreach

The size of a consensus body meeting the requirements of 7.1.1 shall be appropriate to the standard being discussed, and should typically consist of at least ten members. In the event that there are insufficient consensus body members identified, or the requisite interest categories are not adequately represented, API shall make efforts to contact organizations or individuals deemed appropriate for consensus body membership and document those efforts.

7.2 Notification of Standards Activities

The standards activities listed in 7.2 a) through 7.2 d) shall be announced in a suitable manner in order to provide an opportunity for participation by all direct and materially affected parties. Such announcements may be in the form of notices or copies of committee notices, to known interested parties or announcements in suitable media, including electronic, appropriate for the known affected interests.

- a) Meetings of standards committees.
- b) Intent to develop, revise, reissue, or withdraw standards.
- c) Availability of drafts of standards.

- d) Availability of ballots for approval of new or revised standards, reaffirmation or withdrawal of existing standards or national adoption of international standards.

7.2.1 Federal Register

API staff shall submit a list of planned standards activities each year (both new standards under development and existing standards under revision) to the National Institute of Standards and Technology for publication in the *Federal Register*.

7.2.2 American National Standards Institute

Activities related to API standards that are intended for submittal and/or processing through the American National Standards Institute (ANSI) shall be announced in *ANSI Standards Action*. The decision to submit an API standard to ANSI for approval shall be determined by the standards committee responsible for the document in consultation with API staff. API shall maintain ownership of all copyrights and other rights to such API standards, but may license ANSI to distribute the standard.

7.2.2.1 Submittal of ANSI Documentation

When it has been determined that an API standard shall be submitted to ANSI for approval as an American National Standard, or a candidate international standard shall be nationally adopted as an American National Standard, the following documents shall be prepared and submitted to ANSI by API staff. Consult the latest revision of the *ANSI Essential Requirements: Due Process Requirements for American National Standards (ANSI Essential Requirements)* for complete information (<http://www.ansi.org>).

7.2.2.1.1 PINS Form

Upon the approval of the project justification (see 7.3) to develop or revise an ANSI/API standard (including the national adoption of international standards), notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form for listing in *Standards Action*. A PINS form is not required, at the initiation of a project to reaffirm or withdraw an ANSI/API Standard. Prompt consideration shall be given to the written views and objections of those individuals commenting on the PINS announcement.

7.2.2.1.2 BSR-8 Form

Proposals for new ANSI/API standards, proposals to revise, reaffirm, or withdraw approval of existing ANSI/API standards and proposals to nationally adopt a candidate ISO standards shall be transmitted to ANSI using a BSR-8 form for listing in *Standards Action* in order to provide an opportunity for public comment. Submission of the BSR-8 form should be concurrent with final balloting. Prompt consideration shall be given to the written views and objections of those individuals commenting as a result of the public review.

7.2.2.1.3 BSR-9 Form

Following the resolution of comments and objections a BSR-9 form shall be submitted requesting BSR approval. In the event of an outstanding, unresolved objection, the objector shall be advised of their right to appeal, and there shall be a 30 day waiting period to allow the appeals filing period to elapse prior to submitting the BSR-9.

7.2.2.1.4 BSR-11 Form

In the event that a BSR-9 cannot be filed within a year following the ANSI review period, an extension be requested using the ANSI BSR-11 form.

7.2.2.1.5 Other Forms

The *ANSI Essential Requirements* shall be consulted for information regarding other issues including, but not limited to, continuously updated ANSI/API Standards and requests for extension of coverage ANSI/API Standards.

7.2.2.1.6 API Intellectual Property License Agreement

Prior to publication or distribution of any API standard or derivative works based on any API standard by any other organization, API and the other organization must execute an intellectual property licensing agreement on a form approved by API's Office of General Counsel.

7.3 Resource Needs

Before undertaking to develop or revise a standard, the appropriate committee shall review the need for the proposed activity, the time frame for completion, and the amount and type of resources required. Actual work on the drafting or revision of a standard shall not begin until the appropriate oversight committee approves the project.

7.3.1 Need

The factors described in 7.3.1.1 through 7.3.1.6 shall be considered as part of the project justification analysis.

7.3.1.1 Industry Practices

To the extent possible, API standards reflect current industry practices and encourage best practical environmental and safety performance throughout industry. The impact of new or emerging technologies should be considered.

7.3.1.2 Regulatory Impact

During the development of API standards it should be recognized that they may be adopted or incorporated by authorities having jurisdiction.

7.3.1.3 Effect of Not Initiating the Standards Activity

The effect of not initiating the standards activity may be characterized in terms of cost to industry or by other appropriate means.

7.3.1.4 Other Standards

The impact of other organizations' standards on the proposed standard or the potential overlap of other organizations' standards with the proposed standard should be considered.

7.3.1.5 Document Demand

API standards should meet broad industry needs. Potential demand for a new standard or for a proposed revision may be evaluated based on distribution data.

7.3.1.6 ANSI/ISO Candidate Standard

The value to industry of submitting the standard to the American National Standards Institute for processing as an American National Standard should be evaluated. Likewise, the value to industry of submitting the standard to the International Organization for Standardization (ISO) for potential adoption as an international standard should be evaluated. The *API-ISO Standards Submittal Review Process* shall be utilized to determine the level of support and interest an API committee may have in participating and supporting the submission of an API standard as the base document for the ISO standard.

7.3.2 Standard Development Plan

When a standards project is presented to the appropriate committee for consideration, the project shall be accompanied by a proposed timeline that includes a target initiation date for work on the standard to begin and a

target balloting date for the standard. This information shall be recorded on the *API Standards Resource and Research Request (SR3)* form.

7.4 Membership on Standards Committees

Membership on standards committees is open to all parties having a direct and material interest. Membership in API is not a requirement for membership on standards developing committees, however membership in API is required for membership on standards policy committees.

7.5 Balloting

Balloting shall be conducted using API's electronic balloting (e-ballot) system. Voters and commenters are required to respond using the e-ballot system to facilitate the preparation of ballot summaries and comment registries suitable for recording the disposition of all comments.

7.5.1 Voting During Meetings

The right to vote in any meeting is exclusively that of the respective officers and members of the committee holding the meeting. In the absence of a member, a duly appointed alternate or designated representative may exercise the member's right to vote. No standards actions become final however, until ratified by an e-ballot of the committee or consensus group.

7.5.2 Ballots

Standards actions, including approval of a new standard, the revision or reaffirmation of an existing standard or the national adoption of an international standard must be approved by e-ballot of a standards committee or consensus group.

No draft standard or standards revision shall be sent to any external standards organization for their adoption or potential use unless the standard has been balloted and approved in accordance with these Procedures.

A reasonable period of time shall be set for balloting (generally six weeks). Such period shall be established by the standards committee chair in consultation with API staff. E-ballots shall be prepared and distributed by API staff to members of the standards committee or consensus group who are eligible to vote and their alternates (if any). Information on accessing copies of ballot drafts and submitting comments shall be distributed to those who have expressed an interest in participating in the ballot, and a copy of the ballot draft shall also be provided to the API Office of General Counsel for legal review at the initiation of the ballot.

7.5.3 Ballot Format

Ballot shall concisely state the proposed action being balloted. All ballots shall provide for four voting options:

- a) Affirmative;
- b) Affirmative with comment;
- c) Negative with comments;
- d) Abstain with reason;

The ballot shall indicate that negative votes are required to be accompanied by comments related to the proposal and that votes unaccompanied by such comments will be recorded as "invalid negatives" without further notice to the voter.

7.5.4 Individual Ballot Qualification

Only one ballot is allowed for each company voting member or the voting member's alternate. If ballots are received from the member who is eligible to vote and the alternate of the same company, the member's vote shall prevail. If ballots are received from alternates representing the same company, the earliest ballot received by API shall prevail. Each valid ballot received by API must identify the member who is eligible to vote or the alternate to the member casting the ballot, show the company affiliation, be dated, and be returned by the ballot closing date. Comments shall be easily understood, concise, and clearly indicate the part of the document to which it pertains. It is recommended that alternative wording to resolve the comment should be provided.

7.5.4.1 Joint API Committee Ballots

In cases where joint balloting of multiple API committees is determined to be appropriate because of the need to solicit input from multiple disciplines, special arrangements shall be made to ensure compliance with these Procedures. These arrangements include noting such joint ballot requirements in the SR3 form (see 7.3.2), approval of the joint ballot by the parent committee, and coordination between voting members of the joint committees representing the same company

7.5.5 Ballot Approval

For a proposed ballot action to be considered approved, all comments shall be considered and in accordance with 7.1.2, *both* of the following conditions shall be satisfied:

- a) a majority of the members who are eligible to vote shall have voted; and
- b) at least two-thirds of the combined valid affirmative and valid negative votes (excluding abstentions) shall be affirmative.

7.5.6 Consideration of Comments and Objections

All comments, resulting from the public review or submitted by a member of the consensus body, shall be considered and attempts made to resolve them in accordance with this subsection before a ballot is considered to have been approved by the committee. The chairman of the appropriate committee, in conjunction with API staff and committee members or a designated subgroup, when appropriate, is responsible for the consideration of ballot comments pertaining to technical, safety, or environmental assertions and assertions of ambiguity, inaccuracy, or omission. All commentators shall be advised of the disposition of comments and objections in writing or through electronic communications.

API staff is responsible for the consideration of ballot comments pertaining to API policies and procedures, including format, style, graphics, use of copyrighted material and patent-related issues.

For ANSI/API standards, a BSR-8 form should be submitted to ANSI concurrent with the final ballot. A BSR-9 form should be filed at the completion of the comment resolution process.

7.5.6.1 Negative Votes

API *shall* consider all negative votes which are accompanied by comments that are related to the proposal under consideration. This includes negative votes accompanied by comments of a procedural or philosophical nature. These types of comments shall not be dismissed due to the fact that they do not necessarily provide alternative language or a specific remedy to the negative vote.

API *shall not* consider negative votes without comments and negative votes accompanied by comments not related to the proposal under consideration (invalid negatives). 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.

7.5.6.2 Recirculation

Each unresolved objection and attempt at resolution, and any substantive change made in a proposed API standard shall be reported to the consensus body in order to afford all members of the consensus body an opportunity to respond, reaffirm, or change their vote in accordance with the following criteria.

- a) Comments with affirmative ballots determined to be persuasive and editorial; the proposed editorial changes are incorporated into the document.
- b) Comments with affirmative ballots determined to be persuasive and technically substantive; the proposed changes are recirculated in accordance with this section to the appropriate committee or consensus group offering them an opportunity to respond, revise or reaffirm their vote prior to incorporation into the document.
- c) Comments with affirmative ballots determined to be non-persuasive are not considered further.
- d) Comments with negative ballots determined to be persuasive and technically substantive; the proposed changes are recirculated in accordance with this section to the appropriate committee or consensus group offering them an opportunity to respond, revise or reaffirm their vote prior to incorporation into the document.
- e) Comments with negative ballots determined to be non-persuasive are not considered further. The final disposition of these comments shall be communicated in writing or through electronic communications to the voter and shall include notification of the right to appeal. The non-persuasive objection shall also be recirculated to the consensus body in accordance with this section to the appropriate committee or consensus group offering them an opportunity to respond, revise or reaffirm their vote.
- f) Comments with negative ballots that are determined to be unrelated to the item being balloted or negative ballots submitted without comments shall not be considered further and will be recorded as “negatives without comments” for purposes of reporting to ANSI with no further notice to the submitter.
- g) Comments with negative ballots may be withdrawn by the voter after consultation with the chairman or the designated subgroup and changed in writing or through electronic communications by the voter to either an abstention or an affirmative.

7.5.6.3 Optional Reballot

In some cases it may be desirable to reballot an entire document or reballot a portion of a document in lieu of recirculation. The decision to use the reballot option shall be made by the committee chairman in consultation with API staff.

7.5.6.3.1 Reballoting Entire Standard

When the decision is made to reballot an entire document, the ballot should clearly explain the reason for the reballot. When an entire document is reballoted, the results of that ballot shall supersede the previous ballot and shall be the results which are reported to the committee and included with the BSR-9 submission in the event that the document is submitted for ANSI approval.

7.5.6.3.2 Reballoting a Portion of a Standard

When the decision is made to reballot a portion of the document in lieu of recirculation, comments are considered in accordance with 7.5.6. The results of the reballot shall be included with the BSR-9 submission in the event that the document is submitted for ANSI approval.

Documentation of all comment resolution decisions including consideration given to all negative ballots shall be recorded on the comment registry provided by API and submitted to API prior to proceeding to publication.

7.5.7 Legal Review

Standards shall not be considered final until the Office of General Counsel has reviewed and approved the document.

7.6 Interpretations

An interpretation is the answer to a question on the meaning of a standard. Requests for interpretations of API standards must be submitted in writing. Only API staff are authorized to issue interpretations.

7.6.1 Applicability

If the subject standard was not intended to answer the question posed, then the inquirer shall be advised in writing that an interpretation will not be issued. The answer to a question about the factual content of a standard is not an interpretation and the inquirer shall be advised in writing that an interpretation will not be issued. Interpretations are not intended to supply consulting information on the application of a standard and the inquirer will be advised in writing that API does not provide consulting services and that an interpretation will not be issued.

7.6.2 Review by Others than API Staff

API staff shall make interpretations in writing after consultation, if necessary, with committee members and the API Office of General Counsel. There shall be no consultation with competing suppliers or manufacturers of the product or services to which the standard applies or might apply. If consultation is made with committee members, the Office of General Counsel shall also be consulted.

In the event that the API staff determines that there is insufficient expertise or resources available to respond to the interpretation request in a timely manner in accordance with these procedures, the inquirer shall be notified in writing that API cannot provide an interpretation.

7.6.3 Time for Review

Due to the complex nature of the interpretation request, API cannot guarantee a turnaround time for responding to requests, and all inquirers will be advised of this at the time the request for interpretation is taken under consideration.

7.6.4 Notification

Completed interpretations will be sent to the inquirer and the appropriate API committee, and periodically published or made available electronically.

7.7 Appeals

Appeals shall be granted and considered in accordance with these Procedures.

In general, directly and materially affected parties who believe they are, or will be adversely affected by a standards action are eligible to file an appeal. Administrative procedures for conflict resolution in the standards development process, including consideration of negative ballots, must be exhausted before lodging any appeal. Appeals shall be considered by the committee or committees responsible for the issue. The decision of the appeal authority is final; however, the API Global Industry Services Committee may, at its discretion, review the decision to ensure that the decision is in conformance with API policies.

7.7.1 Submission

Appeals must be submitted in writing to the API Standards Director with a check of \$500.00 as a filing fee. This fee may be waived or reduced upon presentation of evidence of the appellant showing hardship. The appeal shall include a statement identifying specifically the action or inaction objected to; the basis for the objection, including

any adverse impacts on the complainant; and suggested remedial action. The appeal must be filed with API within 30 days of the date of notification of the action causing the complaint or at any time with regard to inactions. Further, challenges to published standards must be initiated within 1 year of their distribution unless it can be demonstrated that the objection is based on grounds that have subsequently arisen. The API Standards Director shall investigate the objections raised, respond promptly and attempt to resolve the issue within 45 calendar days of receipt.

7.7.2 Hearing

If the Director cannot resolve the objections, a hearing by the appropriate committee or its designated appeals board shall be convened. The hearing should be held within 45 calendar days of the date on which it is agreed that an informal resolution is not feasible.

Competing suppliers or manufacturers of the process or service that is the subject of the appeal shall not participate in the appeals process. An appeals board shall generally consist of three individuals selected by the Director in consultation with the committee chair, API Executive Staff member, and the Office of General Counsel. Board members shall not have been directly involved in the disputed matter. The appeals board may call upon experts familiar with the issues of the dispute. The appellant must be notified of the appeals board's composition and given the opportunity to object to members on the appeals board. Objections must be substantiated to be considered.

The appellant shall be given the opportunity to appear before the appeals board and present arguments in support of his or her objection. The appeals board shall consider whether applicable API policies and procedures were satisfied and whether the procedural and substantive actions or requirements complained of merit corrective action.

7.7.3 Decision

The appeals board shall issue a written decision following the hearing, within 45 calendar days. The decision shall indicate the conclusions reached, and their basis. The Standards Director shall ensure that a complete record of the appeal is compiled and maintained in conformance with API's record retention policy (see 8.1). The appellant shall be permitted access to the records.

Specified time limits in this policy may be modified by the API Standards Director responsible for the appealed standard upon demonstration of reasonable cause.

7.8 Maintenance of Standards

7.8.1 Definitions

7.8.1.1 Periodic Maintenance

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.

7.8.1.2 Continuous Maintenance

Maintenance of a standard by consideration of recommended changes to any part of it according to a documented schedule for consideration and action by the consensus body.

7.8.1.3 Stabilized Maintenance

Maintenance of an eligible (see 7.8.4) standard on a 10-year review cycle by a standards policy committee.

7.8.2 Periodic Maintenance Option

All standards under periodic maintenance shall be reviewed when technological changes affect their currency or at least once every 5 years unless revised or withdrawn sooner by the appropriate standards committee. If a

standard has not been revised by the end of year four of the 5-year period, API staff will advise the responsible standards committee, who will then a) revise the standard, b) reaffirm it, or c) withdraw it. The standards committee may ask its parent committee for an extension of up to 2 years for the revision, reaffirmation, or withdrawal of a standard. Any standard that is not acted upon (revised, reaffirmed, or withdrawn) at the end of 7 years will be administratively withdrawn as an API standard. Requests for extensions should demonstrate that work is underway to revise, reaffirm or withdraw the document. Requests for extensions of ANSI/API standards should be submitted to ANSI within 30 days of five years following the ANSI approval.

7.8.2.1 Reaffirmation

Documents under the periodic maintenance option that meet the requirements for reaffirmation shall be marked on the cover with a designation that includes (R201x) indicating the year of reaffirmation.

7.8.3 Continuous Maintenance Option

No portion of the standard shall be excluded from the revision process under the continuous maintenance option.

7.8.3.1 Submission of Proposed Revisions

7.8.3.1.1 General

Proposals for revision of a standard under continuous maintenance shall be submitted in writing to the attention of the Standards Director, American Petroleum Institute, 1220 L Street, NW, Washington, D.C. 20005-4070, standards@api.org. The Director shall review the proposal and assign it to the designated Standards Associate for processing.

7.8.3.1.2 Review of Proposed Revisions

The designated Standards Associate shall review each proposal prior to submission to the appropriate committee. If the associate concludes the proposal requires further clarification, the submitter may be given up to 14 additional business days to resubmit the proposed revision. The Standards Associate shall then forward the proposal to the chair of the committee responsible for developing and/or maintaining the standard for consideration.

7.8.3.1.3 Submission Deadlines

Proposals for revision of a standard under continuous maintenance shall be received at least 30 days prior for consideration at the next scheduled committee meeting. Proposals received after the deadline date shall be considered at the next scheduled meeting of the committee.

7.8.3.2 Publication

7.8.3.2.1 Addenda

Standards actions approved under the continuous maintenance option shall be incorporated in the next addendum or edition. When an addendum is issued, the addendum number and year of publication shall be published on the cover. If the addendum is of significant extent and complexity, a new edition of the standard may be published.

7.8.3.2.2 New Edition, Reaffirmation, or Withdrawal

Publication of a new edition of a standard under the continuous maintenance option shall occur within five years of the publication of the previous edition. The new edition may either be a complete revision or an incorporation of all the addenda approved since publication of the previous edition. If no revisions or addenda are approved for publication within four years of the prior publication date, action to reaffirm or withdraw the standard shall be initiated by the responsible standards committee.

7.8.3.3 Change Proposals

API standards committees operating under continuous maintenance will normally meet semi-annually. Change proposals must be received by the API Standards Department 30 days prior to the meeting dates for consideration at the next meeting. Proposal received after the deadline date will be considered at the next succeeding meeting. Information on meetings is available at <http://www.api.org>.

7.8.3.3.1 ANSI Public Review

In accordance with 7.2.2.1, a BSR-8 form shall be prepared and submitted to ANSI in order to provide an opportunity for public comment on the proposed revision items. Submission of the BSR-8 shall be concurrent with final balloting. A BSR-9 form shall be submitted following the resolution of comments and objections.

7.8.3.4 Notice in the Standard

The following notice shall be included in public review drafts, published standards, and addenda of standards maintained under the continuous maintenance option:

The American Petroleum Institute maintains this standard under continuous maintenance procedures. These procedures establish a documented program for regular publication of addenda or revisions, including timely and documented consensus action on requests for revisions to any part of the standard. Proposed revisions shall be submitted at any time to the Director, Standards, American Petroleum Institute, 1220 L Street, NW, Washington, D.C. 20005-4070, standards@api.org.

7.8.3.5 Standards Committee Action

7.8.3.5.1 Disposition of Proposals

The responsible standards committee shall take consensus action on each proposed revision within one year of receipt of the proposal. The committee's disposition of each proposal shall be documented in meeting notes, minutes, or other records and submitted to API.

7.8.3.5.2 Revisions of Standards

Substantive revisions to standards maintained under the continuous maintenance option shall be subject to all the requirements of 7.5.

7.8.4 Stabilized Maintenance Option

A standard that is maintained under the stabilized maintenance option shall satisfy the following eligibility criteria:

- a) the standard addresses mature technology or practices, and as a result, is not likely to require revision; and
- b) the standard is other than safety or health related; and
- c) the standard has been reaffirmed at least once; and
- d) at least ten years have passed since the approval or last revision of the standard; and
- e) the standard is required for use in connection with existing implementations or for reference purposes.

A standard maintained under the stabilized maintenance option is not required to be revised or reaffirmed on a routine 5-year cycle; however, it shall be subject to review of such status by the appropriate policy committee on a 10-year cycle.

If the stabilized standard is an American National Standard and it is determined in connection with this review that the standard shall continue to be maintained under the stabilized maintenance option and as such does not require revision or withdrawal, then this shall be communicated to ANSI by API and a related announcement shall be made in *Standards Action*. Notification to ANSI shall be accomplished via the submittal of an informational announcement if the standard will continue to be maintained under the stabilized maintenance option or will be withdrawn, or via a PINS, if the standard will be revised.

If a recommendation is made at any time by a materially affected and interested party that a standard maintained under the stabilized maintenance option requires revision or should be withdrawn, then that recommendation shall be considered in the same manner as a new proposal but within a maximum of 60 days from receipt. A recommendation should include rationale to begin a revision, and shall not be dismissed due to the fact that it does not necessarily suggest a specific revision. The submitter of such a recommendation shall be responded to in writing within 60 days of the receipt of the recommendation and advised of the decision relative to the maintenance status of the standard. A standard that is maintained under the stabilized maintenance option shall include a clear statement of the intent to consider requests for change and information on the submittal of such requests.

The decision to maintain a standard under the stabilized maintenance option and the process by which it is maintained shall be subject to appeal to API.

7.8.5 Criteria for Withdrawal

API standards shall be revised or withdrawn if the Office of General Counsel determines that there are significant legal issues arising out of the publication of the standard. In the event that the standard is an ANSI/API standard, API shall notify ANSI immediately and the standard shall be withdrawn as an American National Standard and announced in *Standards Action*.

7.9 Standards Meeting Procedures

Committees dealing with standards activities shall meet as needed to conduct their work.

Notices of meetings accompanied by an agenda shall be prepared and distributed to appropriate committees, subcommittees, task or work groups, and known interested parties. With the exception of those portions of meetings dealing with policy and/or budget issues, standards meetings are open to all interested parties.

7.9.1 Minutes

The committee, subcommittee, or task or work group secretary shall prepare minutes. Minutes of each meeting contain the names of the committee, subcommittee, task group, or work group and its members; date(s) of the meeting; a list of members attending and visitors present; the time the meeting opened and its location; approval of previous minutes, if appropriate; a synopsis of each subject discussed and action items; and the time the meeting adjourned.

Minutes of API meetings should be limited to a short concise statement of the issue that was discussed, the resolution of the issue, and any future action items.

7.10 Effective Date

The effective date of an API standard shall be the date of publication printed on the cover.

7.10.1 Effective Date of Standards used in the API Monogram Program and APIQR Registration Program

The effective date of a standard or specification, including those used in the API Monogram and APIQR program shall be clearly identified as the effective date for those programs and shall be printed on the cover. The effective date is typically approximately six (6) months after the standard, specification or revision is published by API. A longer or shorter period between the date of distribution and effective date may be established by the responsible subcommittee or by API. If a standard or specification is reaffirmed, subsequent copies of the document shall

carry the original effective date of the applicable edition and its reaffirmation date. Alternatively, a new edition may be issued. The foreword of new or revised standards shall include the following statement: "For API Monogram Program licensees and APIQR program registrants, this Standard shall become effective on the program date printed on the cover but may be used voluntarily from the date of publication."

8 Normative Policies

8.1 Records Retention

Records concerning the documentation of origin, development and completion of API's technical standards, including basic data correlations, equations or other technical material necessary to allow the documentation of the standard's development shall be retained permanently. These may include meeting minutes, ballot results or general correspondence if contained therein.

Standardization minutes, ballot results and general correspondence shall be retained for five years or until publication of the next edition of the standard. Records concerning withdrawn standards shall be retained for five years from the date of withdrawal.

8.2 Referencing Standards in API Standards

API standards may reference other API standards or standards developed by other organizations as needed. When one API standard references another, it shall be referenced by alphanumeric designation and title rather than copied into the referencing document.

8.2.1 Dating of Standards Referenced in Another Standard

The committee developing the standard shall determine whether to reference a specific date of issue or use the phrase "latest edition" when referencing documents.

8.3 Intellectual Property

8.3.1 Participant's Obligations

API considers their standards to be a valuable asset of the Institute that are protected by a variety of federal and state laws. By participating in API's standardization programs, participants agree to the following principles.

8.3.1.1 Copying and Distribution

Individuals shall not copy or distribute final or draft standards without the authorization of API staff.

8.3.1.2 Ownership

Unless expressly agreed otherwise by API, all material and information that is provided by participants and is incorporated into API publications is considered the sole and exclusive property of API.

8.3.1.3 Third Party Information

Participants shall not provide any documents, data, or information if the use of such material by API in a standard would infringe upon the rights of any third parties in the information including, but not limited to, copyrights, patents, trade secrets, trademarks, publicity and privacy. Participants shall immediately notify API if participant determines that any information that is contained in a final or draft API standard would violate the rights of third parties if published by API or if used by a third party.

8.3.2 Patents

It is API's intent to fully comply with the 2010 edition of the *ANSI Essential Requirements: Due Process Requirements for American National Standards* and sets for the following additional policy statements that are also compliant with the 2010 edition. As a general rule, API standards are developed using performance-based language. In accordance with 7.1, *Due Process*, any patent holder may participate in API standards activities, but patents which would be required for compliance with that standard should not be included in API standards. These types of patents may, in exceptional circumstances, be included in API standards provided that: (i) there are significant technical reasons why the standard cannot be drafted without the use of terms covered by patent rights, and (ii) where the patent holder has expressly agreed in written or electronic form to a letter of assurance approved by the API Office of General Counsel granting either:

- a) a royalty free license under reasonable terms and conditions that are demonstrably free of any unfair discrimination to applicants desiring to utilize the license for the purpose of implementing the standard, or
- b) a release to API and all users of the document from any claims of patent infringement based on the publication or use of the standard.

8.3.3 Record of Statement

A record of the patent holder's statement shall be placed and retained in API's and ANSI's permanent standards files.

8.3.4 Notice

When the Institute receives from a patent holder the assurance set forth above, the standard shall include a note approved by the API Office of General Counsel that notifies users of the patent holder's statement concerning patent rights.

8.3.5 Responsibility for Identifying Patents

The Institute shall not be responsible for identifying all patents for which a license may be required or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.

8.4 Commercial Terms and Conditions

Provisions involving business relations between buyer and seller such as guarantees, warranties, and other commercial terms and conditions shall not be included in an API standard. The appearance that a standard endorses any particular products, services or companies must be avoided. Therefore, it generally is not acceptable to include manufacturer lists, service provider lists, or similar material in the text of a standard or in an annex (or the equivalent). Where a sole source exists for essential equipment, materials or services necessary to comply with or to determine compliance with the standard, it is permissible to supply the name and address of the source in a footnote or informative annex as long as the words "or the equivalent" are added to the reference. In connection with standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity can be standardized as long as the description of the process or criteria is limited to technical and engineering concerns and does not include what would otherwise be a commercial term.

8.5 Metric Policy

International System of Units (SI) is the preferred units of measurement for API standards. US units may also be utilized; however the document shall be published in an SI-preferred format, i.e. SI (US).

8.6 Liaison

API standards committees that develop standards in subject areas for which other national or international organizations develop related standards of substantial interest to the petroleum industry shall maintain committee

and/or API staff liaison with such organizations to avoid unnecessary duplication of efforts. API shall pursue active participation or leadership roles in such organizations when such action is determined by the applicable API General or Segment Committee to be in the best interests of the industry.

9 International Standards Activities

9.1 Adoption of ISO Standards as American National Standards

The *API Guide for Adoption of ISO Standards as American National Standards* provides guidance when preparing to nationally adopt an ISO standard as an ANSI/API standard. It has been prepared from information found in *ISO/IEC Guide 21-1 Regional or national adoption of International Standards and other International Deliverables—Part 1: Adoption of International Standards* and *ISO/IEC Guide 21-2 Regional or national adoption of International Standards and other International Deliverables—Part 2: Adoption of International Deliverables other than International Standards*.

9.1.1 Expedited Procedures for the Identical Adoption of an ISO Standard

API reserves the right to exercise the option of following the expedited procedures set forth in the *ANSI Procedures for the National Adoption of ISO and IEC Standards as American National Standards*. Consensus shall be in accordance with 7.5.5 of these Procedures.



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