



TECHNOLOGY COUNCIL MEETING
Winter Conference, Chicago, IL
Wednesday, January 24, 2018

NOTE: *These are not the official minutes until approved by Technology Council.*

*All reports listed in these minutes can be found on
Basecamp/Meetings/2018_01_24 Tech Council Subcommittee Reports for Chicago Minutes.*

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MAJOR MOTIONS PASSED
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Motion #	Description
1	Technology Council approved the Fall Meeting, October 9, 2017 and TechC GoToMeeting, December 13, 2017 minutes as presented.
2	Technology Council recommended to the Board that ASHRAE cosponsor Standard for Restoration of Buildings Impacted by Combustion Particles, with Restoration Industry Association (RIA) and the Indoor Air Quality Association (IAQA) with ASHRAE as the lead organization.
3-21	Technology Council approved Standard's committee consent motions 3-21 as presented.
22A	Technology Council to recommend to Publishing and Education Council that the business model for standards distribution <u>be evaluated to better serve our customers.</u>
24	Technology Council to recommend to the Board that revisions to the Procedures for ASHRAE Standards Actions (PASA), be approved as shown in Attachment A
25	Technology Council recommend to the Board that revisions to the Procedures for ASHRAE Standards Actions (PASA), be approved as shown in Attachment B.
27	Technology Council reaffirmed the <i>Filtration and Air Cleaning</i> Position Document (PD).
28	Technology Council reaffirmed the <i>Unvented Combustion Devices and Indoor Air Quality</i> Position Document (PD).
29	Technology Council approved the written response to the Complaint regarding SSPC 170. Attachment C.
30	Technology Council approved that research project 1733-RP, Develop Design Criteria for Psychrometric Air Sampler and Mixer Apparatus for Use in ASHRAE Test Standards, be awarded to the Oklahoma State University, for a period of 20 months at a total cost to ASHRAE of \$144,249.
31	Technology Council approved that research project 1760-RP, Update of Clothing Database for Existing and new Western Clothing Ensembles, including Effects of Posture, Body, and Air Movement, be awarded to the Loughborough University, for a period of 15 months at a total cost to ASHRAE of \$168,669.

ACTION ITEMS

Winter Conference, Chicago, IL
Wednesday, January 24, 2018

AI #	Responsibility	Goal Due Date	Status	Summary
1	Scoggins, Schwedler	March 2018 ExCom Meeting		Board ExCom form an ad hoc committee to examine the business model of ASHRAE Standards. Possible participants could include Standards, Tech Council, Pub Ed Council, Finance and other bodies.
2	Staff	2018 Annual Meeting		Contact ANSI pertaining to the ROB 1.201.004.9 and determine whether or not ANSI has an issue with this section.
3	OPS	2018 Annual Meeting		Review ROB section 1.201.004.9 to determine which items are duplicated and where they are duplicated.
4	Disaster Response ad hoc	2018 Annual Meeting		Set up ad hoc to form a method to develop "Go Bags" for various disaster. Consider including; Members Council, GGAC, and IAQA. Markel (Chair), Modera, Kishor, Cramm.
5	RAC	2018 Annual Meeting		Produce a menu of research topics that the Development Committee could use to solicit funding from sources outside of present funding channels.
6	Standards	2018 Annual Meeting		Send forum report back to Standards committee to determine actionable items and develop a plan to address those items.
7	TAC	2018 Annual Meeting		Report on Strategic Plan 2B implementation to Tech Council.
8	Standards	2018 Annual Meeting		Provide response on Strategic Plan 3C Feasibility of Performance Based Standards.

MINUTES
TECHNOLOGY COUNCIL MEETING

Winter Conference, Chicago, IL
Wednesday, January 24, 2018

Voting Members Present

Ginger Scoggins, Chair
Mick Schwedler, Vice Chair
Van Baxter
Mike Bilderbeck
Douglas Fick
Ken Fulk
Art Giesler
Tom Lawrence
Larry Markel
Mark Modera
Bill Walter

Non-Voting Members Present

Don Brundage
Kelley Cramm
Martin Dieryckx
Elliott Horner
Kishor Khankari
Cesar Lim
Chris Mathis
Lan Chi Weekes
Theresa Weston

Absent

Charlie Culp, Voting Member
Byron Jones, Voting Member
Doug Reindl, Voting Member
Steve Emmerich
Tom Justice
Nicholas Shockley
John Shonder

Guests

Blake Ellis
Elizabeth Jedrlinic, TRANE
Ng Yong Kong
Jeremy Pollack, Manager of Government Affairs
Omar Rojas
Jim Scarborough, Senior Manager of State and Local
Government Affairs
Alice Yates, Director of Government Affairs

ASHRAE Staff

Steve Ferguson, Sr. MOS
Steve Hammerling, AMORTS
DD Latham, Admin
Susan LeBlanc, Standards Admin
Lilas Pratt, MOSP
Stephanie Reiniche, DOT
Mike Vaughn, Sr. MORTS

1. CALL TO ORDER

Chair Ginger Scoggins called the meeting to order at 9:05 a.m. Ms. Scoggins asked for any changes to the agenda. There being none, the agenda was accepted as presented. Vice Chair, Mick Schwedler was asked to record any action items during the meeting.

Secretary's Note: Quorum was met with 10 voting members, plus chair.

2. DEVELOPMENT COMMITTEE PRESENTATION

Dennis Wessel reported on the Development Committee's activities. A copy of the PowerPoint presentation can be found on Basecamp. (*See 02 DevC Presentation*)

3. ASHRAE DC OFFICE REPORT

Alice Yates reported on the activities of the Washington office, highlighting some of the more recent notable activities and GGAC's recommendations regarding office mission and direction. A copy of the Power Point presentation is available on Basecamp. (*See 03 GGAC Year End Report*)

4. APPROVAL OF TECH COUNCIL MINUTES

- M1** It was moved by Doug Fick and seconded by Van Baxter that the minutes of the TechC Fall Meeting dated October 9, 2017 and TechC Conference Call Meeting dated December 13, 2017 be approved as distributed.

TechC Vote: 9-0-1¹, CNV

5. STANDING COMMITTEE REPORTS

A. Standards

It was moved by Larry Markel and seconded by Doug Fick that:

- M2** Tech Council recommend to the Board that ASHRAE cosponsor the Standard for Restoration of Buildings Impacted by Combustion Particles, with Restoration Industry Association (RIA) and the Indoor Air Quality Association (IAQA) with ASHRAE as the lead organization.

BACKGROUND: When IAQA became an affiliate association of ASHRAE all of the PINS for the development of standards by Indoor Environmental Standards Organization (IESO) were moved under ASHRAE at ANSI. IESO is no longer an ANSI standards developer. RIA is not an ANSI standards developing organization. The issue of cosponsoring standards was not addressed when IAQA became an affiliate association of ASHRAE. RIA has significantly completed most of the work on the project so the ASHRAE resources needed to do this will be minimal.

This standard will provide a basis to determine how to perform restoration services of properties and contents, and how to determine services have been successful. The standard will address safety and environmental issues related to fire restoration and the re-occupancy of properties. The standard will be produced by a committee of representatives of the IESO SDC, the Restoration Industry Association, and other stakeholders as appropriate. The standard will be adopted and specified within the fire restoration industry, the insurance industry, and related parties.

TechC VOTE: 10-0-0, CNV

Publication Motions: The following consent motions 3 through 21 have no unresolved commenters and no negative votes from the project committee or Standards Committee for publication approval.

It was moved by Larry Markel and seconded by Doug Fick that motions 3 to 21 be moved as a consent agenda:

CM3-CM21

3. BSR/ASHRAE Addendum *h* (*removes the application fee requirement from Section 9.1.2*) to ANSI/ASHRAE Standard 34-2016, *Designation and Safety Classification of Refrigerants*, be approved for immediate publication.

4. BSR/ASHRAE Addendum *j* (*adds the zeotropic refrigerant blend R-460C*) to ANSI/ASHRAE Standard 34-2016, *Designation and Safety Classification of Refrigerants*, be approved for immediate publication.

¹ Tom Lawrence abstained as he did not attend these meetings.

5. BSR/ASHRAE Addendum *k* (*adds the zeotropic refrigerant blend R-464A*) to ANSI/ASHRAE Standard 34-2016, *Designation and Safety Classification of Refrigerants*, be approved for immediate publication.
6. BSR/ASHRAE Addendum *l* (*adds the zeotropic refrigerant blend R-407l*) to ANSI/ASHRAE Standard 34-2016, *Designation and Safety Classification of Refrigerants*, be approved for immediate publication.
7. BSR/ASHRAE Addendum *m* (*adds the zeotropic refrigerant blend R-465A*) to ANSI/ASHRAE Standard 34-2016, *Designation and Safety Classification of Refrigerants*, be approved for immediate publication.
8. BSR/ASHRAE Addendum *n* (*toxicity classification procedure*) to ANSI/ASHRAE Standard 34-2016, *Designation and Safety Classification of Refrigerants*, be approved for immediate publication.
9. BSR/ASHRAE Addendum *e* (*updates Informative Appendix F on outdoor air quality standards*) to ANSI/ASHRAE Standard 62.1-2016, *Ventilation for Acceptable Indoor Air Quality*, be approved.
10. BSR/ASHRAE Addendum *g* (*establishes requirements for compartmentalization airtightness*) to ANSI/ASHRAE Standard 62.2-2016, *Ventilation and Acceptable Indoor Air Quality in Residential Buildings*, be approved.
11. BSR/ASHRAE Addendum *i* (*address the airflow deficit*) to ANSI/ASHRAE Standard 62.2-2016, *Ventilation and Acceptable Indoor Air Quality in Residential Buildings*, be approved.
12. BSR/ASHRAE/IES Addendum *a* (*replaces “Ventilation air” to “outdoor air”*) to ANSI/ASHRAE/IES Standard 90.1-2016, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, be approved.
13. BSR/ASHRAE/IES Addendum *g* (*reduces deadband airflow*) to ANSI/ASHRAE/IES Standard 90.1-2016, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, be approved.
14. BSR/ASHRAE/IES Addendum *h* (*clarifies ERV requirements*) to ANSI/ASHRAE/IES Standard 90.1-2016, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, be approved.
15. BSR/ASHRAE/IES Addendum *l* (*adds the calculation for systems 12 and 13*) to ANSI/ASHRAE/IES Standard 90.1-2016, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, be approved.
16. BSR/ASHRAE/IES Addendum *n* (*modifies unused terminology*) to ANSI/ASHRAE/IES Standard 90.1-2016, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, be approved.
17. BSR/ASHRAE/IES Addendum *p* (*clarifies Table 6.8.1-14*) to ANSI/ASHRAE/IES Standard 90.1-2016, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, be approved.

18. BSR/ASHRAE/IES Addendum *r* (specifies the air economizer control type for Appendix G) to ANSI/ASHRAE/IES Standard 90.1-2016, *Energy Standard for Buildings Except Low-Rise Residential Buildings*, be approved.

19. ANSI/ASHRAE Addendum *a* (clarifies the definition of “alteration” in Standard 90.1) to ANSI/ASHRAE Standard 90.4-2016, *Energy Standard for Data Centers*, be approved.

20. ANSI/ASHRAE Addendum *b* (removes redundant wording in Section 4.1.1.2) to ANSI/ASHRAE Standard 90.4-2016, *Energy Standard for Data Centers*, be approved.

21. BSR/ASHRAE Addendum *f* (clarifies the requirements for buildings containing health care facilities) to ANSI/ASHRAE Standard 188-2015, *Legionellosis: Risk Management for Building Water Systems*, be approved.

TechC Vote: 10-0-0, CNV

It was moved by Larry Markel and seconded by Van Baxter that:

M22

Technology Council recommend to Publishing and Education Council that the business model for standards distribution be changed by making ASHRAE standards available over the internet at no cost.

Background: In the first recommendation from the *Report of the Presidential ad hoc Committee on ASHRAE's Role in the Globalization of Standards*, in order to increase the international use and influence of ASHRAE standards, making them available over the internet at no cost would enhance availability and would bring ASHRAE's policy in line with that of the Internet Engineering Task Force, whose Internet standards are arguably the most widely adopted and successful in the world. ASHRAE could still retain fees for the sale of printed copies, but providing electronic versions would help to increase the international use and influence of ASHRAE.

It was moved by Bill Walter and seconded by Larry Markel to amend the motion as follows:

M22A

That Technology Council recommend to Publishing and Education Council that the business model for standards distribution be evaluated to better serve our customers. ~~by making ASHRAE standards available over the internet at no cost.~~

Motion to amend.

TechC Vote: 10-0-0, CNV

Motion as Amended

TechC Vote: 9-1²-0, CNV

AI #1 Ginger Scoggins will request that the Board ExCom form an ad hoc committee to examine the business model of ASHRAE Standards. Possible participants could include Standards, Tech Council, Pub Ed Council, Finance and other bodies.

² Larry Markel voted no as he believes the discussion is larger than TechC and is already on-going. He believes it is bigger than Pub Ed, affects Members Council and dues, affects Finance and should be a Board level Ad Hoc formed to look at standards.

It was moved by Larry Markel and seconded by Bill Walter that:

- M23** Standards Committee recommends that Technology Council recommend to Publishing and Education Council that ASHRAE standards and guidelines be made available for free to project committees at the request of the project committee Chair, for the purpose of developing ASHRAE standards and guidelines.

Background: There is a need for project committees developing and revising ASHRAE standards and guidelines to have access to all other related ASHRAE standards and guidelines to ensure harmonization and prevent duplication.

It was moved by Mark Modera and seconded by Art Giesler:

- M23A** That the Motion be amended to add “electronic versions”.

TechC Vote: 9-0-1³, CNV

It was moved by Tom Lawrence and seconded by Bill Walter:

- M23B** That the motion be amended to add “that are relevant”.

TechC Vote: 9-1⁴-0, CNV

- M23C** That the motion be accepted as amended.

TechC Vote: 4-6-0, CNV
MOTION FAILED

Summary of discussions on the motion follow: The Council had a healthy discussion on the motion. Specifically concerns were expressed about the financial impact of the motion. There was no fiscal impact included with the motion. Some members felt this was something that should be looked into. The Council members discussed looking at other avenues and business models some that may also allow access at a reduced price. This may be addressed in the next strategic plan. Other standards developers are facing similar challenges and are beginning to look at different business models.

It was moved by Larry Markel and seconded by Doug Fick

- M24** That Standards Committee recommends to Tech Council to recommend to the Board that PASA Annex B, *Appeals Procedures* be approved as shown in **Attachment A**.

Background: This change modifies the appeals procedures to match current practice and clarify the steps in the process. Normally, these revisions to PASA require approval by Tech Council Operations, but these revisions were not approved prior to the Operations meeting on January 23, 2018. Standards Committee is requesting approval by Technology Council without approval by Operations in order for these changes to PASA to go out for public review at the same time as the other recommendation changes to PASA approved at this meeting.

³ Larry Markel abstained because he felt it was up to Staff to decide how copies of complimentary standards would be distributed.

⁴ Mick Schwedler voted no because the Council does not appear to be ready to vote on the motion and the revisions to the motion should be done elsewhere.

All changes to PASA will require public review through ANSI.

TechC Vote: 9-0-1⁵, CNV

B. Technical Activities (TAC)

TAC Chair, Kelley Cramm updated the Council on current TAC activities. There were no motions for Council consideration. Report can be found on Basecamp. *(See 05B TAC Report)*

C. Environmental Health (EHC)

EHC Chair, Lan Chi Weekes updated the Council on current EHC activities. There were no motions for Council consideration. Report can be found on Basecamp. *(See 05C EHC Report)*

D. Refrigeration (REF)

REF Vice Chair, Martin Dieryckx updated the Council on current REF activities. There were no motions for Council consideration. Report can be found on Basecamp *(See 05D REF Report)*

E. Residential (RBC)

RBC Chair, Chris Mathis updated the Council on current RBC activities. There were no motions for Council consideration. Report can be found on Basecamp. *(See 05E RBC Report)*

F. Research Administration (RAC)

RAC Chair, Kishor Khankari updated the Council on current RAC activities. There were no motions for Council consideration. Report can be found on Basecamp. *(See 05F RAC Report)*

6. SUBCOMMITTEE REPORTS

A. Operations (OPS) *(See 06A OPS Report)*

It was moved by Art Giesler that:

M25 Technology Council recommend to the Board that revisions to the Procedures for ASHRAE Standards Actions (PASA), be approved as shown in **Attachment B**.

BACKGROUND: Upon review of PASA, it was determined that modifications/clarifications were needed to various procedures. Attachment B contains recommended changes for the following subjects:

- A. Standards Reaffirmation Subcommittee (SRS) membership – This change clarifies that SRS membership is appointed in a different manner than normal Project Committee (PC) membership.
- B. Voting requirements – This change overhauls the voting requirements section to ensure the requirements are clear, especially with respect to responding to negative votes with a reason.
- C. What to do with comments on a subsequent public review – This change is in response to a prior PASA interpretation and clarifies that if there is a full subsequent public review then formal responses do not need to be approved for the original full public review. This is consistent with our current practice and ANSI Essential Requirements

⁵ Mark Modera abstained because he did not have enough time to review the motion.

- D. Project Discontinuation – This change clarifies the procedures for discontinuing a project. The current procedures indicate in an unclear manner when a discontinuance is automatic and when other committees (SRS and Standard Project Liaison Subcommittee (SPLS)) need to recommend formal action.
- E. Complaint of actions/inactions –This change modifies the procedures for complaints for action/inaction in an attempt to both streamline the procedures and reduce the potential for frivolous complaints.
- F. Non-substantive change – This change removes/edits the definition of non-substantive change as to ensure that a change (as defined) is either substantive or non-substantive. Right now there's a gap where it could be neither.

All changes to PASA will require public review through ANSI and do not go into effect until the process completes.

TechC Vote: 9-0-1⁶, CNV

It was moved by Art Giesler that:

M26 Technology Council recommend to the BOD, that the Rules of the Board (ROB) be revised as shown:

~~1.201.004.9 Indoor Air Quality or Ventilation Standards. Any existing and all future ASHRAE indoor air quality or ventilation code-intended standards must meet the following requirements:~~

~~A. The standard shall specify concentration limits of only those specific contaminants for which a nationally or internationally recognized authority (such as US EPA, OSHA or the World Health Organization) has established a maximum permissible concentration limit and for which standardized test procedures have been established. Nationally or internationally recognized authorities and procedures may be those developed by ANSI consensus procedures for private standards-setting organizations, those established by statute, or those duly adopted regulations issued by governmental agencies.~~

~~B. The standard may specify means and methods for limiting concentration of pollutants, provided they are related to contaminants normally considered in the design of HVAC systems serving the relevant space type.~~

~~C. The standard shall not require the measurement of contaminant or other airborne concentrations except those that can be measured using standardized test equipment and procedures in accordance with ASHRAE Standard 111 (or its successor) or other consensus Methods of Test. Standardized test equipment is defined as equipment normally available in the HVAC&R industry to test and balance technicians or that is common in building ventilation assessment.~~

~~D. The standard shall not make any claims or guarantees that compliance will provide health, comfort or occupant acceptability, but shall strive for those objectives, consistent with ASHRAE policy.~~

~~E. The standard may contain factors for use in design of calculations such as mixing efficiencies and air change effectiveness, as long as it is the consensus of the standards-writing body that these factors are important to providing acceptable indoor air quality.~~

⁶ Mark Modera abstained

BACKGROUND: This ROB was developed many years ago in response to a series of membership votes on indoor air quality issues and reports from presidential ad hoc committees, driven by the concerns on the part of some ASHRAE members that our indoor air quality standards were inappropriately addressing health issues. The ad hoc committee findings and other BOD-level discussions concluded that it was entirely appropriate for ASHRAE standards to be motivated by health, as they had been for many years. The rule proposed for deletion was developed to quell some remaining concerns. However, this rule has not been invoked since its adoption and it may be inconsistent with the key ANSI principle that the consensus body (the standard project committee in the case of ASHRAE) be solely responsible for the content of a standard.

Art Giesler moved and Bill Walter seconded

That Motion 26 be postponed until the Houston meeting and after talking with ANSI.

TechC Vote: 7-3-0, CNV
MOTION POSTPONED

Secretary's Note: During the meeting concerns were expressed as to whether or not the existing Rules of the Board would violate ANSI procedures. Staff was asked to get an opinion from ANSI. Comments were also made that portions of ROB 1.201.004.9 are duplicated in other parts of the ROB.

AI#2 - Staff to contact ANSI pertaining to the ROB 1.201.004.9 and determine whether or not ANSI has an issue with this section.

AI#3 - OPS to review ROB section 1.201.004.9 to determine which items are duplicated and where they are duplicated.

B. Special Projects

Special Projects Chair, Ken Fulk updated the Council on the committee's activities. There were no motions for Council consideration. Report can be found on Basecamp. (See 06B SP Report)

C. Document Review (DRSC) (See 06C DRSC Report)

It was moved by Mick Schwedler that:

M27 Technology Council reaffirm the *Filtration and Air Cleaning* Position Document (PD).

BACKGROUND: The current PD (*ATT-A of DRSC Report 06C*) expires January 29, 2018. A revision has been approved by BOD ExCom but reaffirmation is necessary to assure information is available until revision is completed.

TechC Vote: 10-0-0, CNV

It was moved by Mick Schwedler that:

M28 Technology Council reaffirmed the *Unvented Combustion Devices and Indoor Air Quality* Position Document (PD).

BACKGROUND: The current PD (*ATT-B of DRSC Report 06C*) expired June 16, 2017. EHC reviewed and determined the content is still current and of interest, so it does not need a revision, but should not be withdrawn.

TechC Vote: 10-0-0, CNV

7. LIAISON REPORTS

The following liaison reports were presented for the council's review.

A. GGAC

GGAC liaison, Mike Bilderbeck updated the Council on GGAC's activities.

1. GGAC is recommending changes to its membership that will not require a Presidential Member be the chair. GGAC is also considering doing away with the pair of vice-chairs in favor of only one vice-chair.
2. GGAC embarked on a "MAPS Project" that will show an interested government entity the nearest GGAC resource. This resource data is based on an interactive map of the US for now, broken down to individual counties.
3. A list of available ASHRAE publications (Standards, Guidelines, Position Papers, Learning Courses and Special Publications) that might be of interest to government entities has been created. This led them to realize there is apparently no single resource for this data for the typical member (the resource for a member could also include Transactions, Research Report and Journal articles). The plan is to take this idea for this member-service to Members Council.
4. Promotion of Building EQ is a priority for GGAC.
5. There is a GGAC ExCom planning meeting scheduled in April 2018.

B. A2L Refrigerants

A2L liaison, Doug Reindl submitted an updated report for the Council's review.

Background:

The SSPC is working on two addenda to address A2L refrigerants. Addendum d addresses changes to the standard to accommodate refrigeration and air conditioning systems that would utilize A2L refrigerants in direct systems and Addendum h address changes to accommodate A2L refrigerants for refrigeration equipment located in machinery room spaces.

Status Update:

SSPC 15 met on Saturday afternoon and all day on Sunday in Chicago. The committee completed and approved responses to commenters from the first public review of both Addendum d and Addendum h. The committee made significant progress at revising the two addenda in response to the public review comments. In addition, the committee considered new research related to A2L refrigerants for machinery room applications along with a pending publication as part of its revision to Addendum h. The SSPC 15 chair is planning on circulating final versions of both Addendum d and Addendum h for approval by letter ballot in February for a 2nd public review.

8. DIRECTOR OF TECHNOLOGY

Director of Technology, Stephanie Reiniche updated the Technology Department activities with the Council and the report can be found on Basecamp. (See 08 DOT Report)

9. OTHER ITEMS

A. Discussion of Disaster Response Team

AI#4 - Set up ad hoc to form a method to develop "Go Bags" for various disaster. Consider including; Members Council, GGAC, and IAQA. Markel (Chair), Modera, Kishor, Cramm. Report from Ad Hoc a path forward for disaster response.

B. Explore other agencies that might assist with research funding.

AI#5 - RAC to produce a menu of research topics that the Development Committee could use to solicit funding from sources outside of present funding channels.

C. Report on Standards Forum

AI#6 -Send forum report back to Standards committee to determine actionable items and develop a plan to address those items.

D. Update on Strategic Plan

AI#7 - TAC to Report on Strategic Plan 2B implementation to Tech Council in Houston.

AI#8 - Standards to provide response on Strategic Plan 3C Feasibility of Performance Based Standards.

10. EXECUTIVE SESSION

A. Complaint for Action/Inaction

It was moved by Larry Markel and seconded by Doug Fick that:

- M29** Technology Council approve the response to the Complaint for Action/Inaction regarding SSPC 170 as shown in **Attachment C**.

TechC Vote: Motion Passed

B. RAC Research Projects

It was moved by Doug Fick and seconded by Art Giesler that:

- M30** Research project 1733-TRP, Develop Design Criteria for Psychrometric Air Sampler and Mixer Apparatus for Use in ASHRAE Test Standards, be awarded to the Oklahoma State University, for a period of 20 months at a total cost to ASHRAE of \$144,249.

TechC Vote: Motion Passed

It was moved by Doug Fick and seconded by Art Giesler that:

- M31** Research project 1760-TRP, Update of Clothing Database for Existing and new Western Clothing Ensembles, including Effects of Posture, Body, and Air Movement, be awarded to the Loughborough University, for a period of 15 months at a total cost to ASHRAE of \$168,669.

TechC Vote: Motion Passed

There being no further business to come before the Council, the meeting was adjourned at 12 noon.

This normative annex is part of the Procedures (PASA)

ANNEX B: APPEALS OF BOARD OF DIRECTORS' STANDARDS ACTIONS OR INACTIONS

B1 SCOPE

This procedure applies to appeals of ASHRAE Standards and of jointly sponsored standards for which ASHRAE is the lead sponsor.

B2 APPEALABLE MATTERS

An action or inaction of the Board of Directors (BOD) to adopt a new ASHRAE standard, an addendum to an existing standard, or to revise, reaffirm, or withdraw an existing ASHRAE standard is subject to appeal.

B3 WHO MAY APPEAL

Any person directly and materially affected by the publication of a new, revision, reaffirmation, or withdrawal of an ASHRAE standard, or lack of such action, may appeal the BOD action or inaction. The Appellant must be an unresolved public review commenter, associated with a new, revision, reaffirmation or withdrawal of the ASHRAE standard being appealed, or a PC member who cast a negative vote with reason(s) in relation to his/her vote on the consensus body associated with the creation, revision, reaffirmation or withdrawal of the ASHRAE standard being appealed.

B4 SCOPE OF APPEAL AND BURDEN OF PROOF

An appeal of a BOD standards action or inaction shall be solely based upon procedural grounds. When appeals are filed, the Appellant shall demonstrate that ASHRAE Standards development procedures were not followed. Appeals arguments that are based on actions that took place in previous revision cycles will not be considered.

B5 CONTENT OF APPEALS

Each appeal shall:

- (a) Identify the Appellant, and include the Appellant's contact information;
- (b) Substantiate that the Appellant is directly and materially affected by action(s) being appealed;
- (c) Identify with precision the standard or portions thereof, and the procedure(s), alleged improper action or inaction appealed;
- (d) State concisely the basis for the appeal, the remedial action requested, and the nature of any injury to Appellant which might accrue from the matter appealed;
- (e) Include any summary supporting data or documentation relied upon as the basis for the appeal;
- (f) Consolidate information to be as concise as possible;
- (g) Only include information that was made available to the PC prior to the final vote of the PC;
- (h) Include the filing fee.
- (i) Only include information that was previously submitted during the development of the standard or addendum.

B5.1 FILING FEE

Each appeal shall be accompanied by a filing fee in the amount established by the Technology Council. The filing fee is predetermined and shall be listed on the Appeals Submittal Form. The fee may be waived or reduced by the Appeals Panel Chair ~~Chair of the Technology Council~~ upon sufficient evidence of hardship submitted by the Appellant. If the filing fee is not submitted by the appeal filing deadline date by the Appellant then the appeal shall be dismissed unless an exception has been granted prior to the close of business on the filing deadline date.

B5.2 COPIES

It shall be the responsibility of the Appellant to submit an electronic copy and if requested by the Manager of Standards, up to twenty-five (25) paper copies of each appeal filed at the time of the original electronic submittal.

B6 NOTIFICATION PROCEDURES

Within 15 days following BOD action on a standard, that results in approval of a new, revision, reaffirmation or withdrawal of a standard or addenda to a standard, the Manager of Standards (MOS) shall notify in writing (including electronic communication) all unresolved public review commenters and/or a PC member who cast negative votes with reason(s) in relation to his/her vote on the consensus body of the BOD action and inform them of their right to appeal that action.

B6.1 An appeal, must be received by the Manager of Standards (MOS) of ASHRAE within 15 working days of the date on the notification letter regarding the BOD action. The Chair of the Appeals Board may grant an extension, if requested prior to the close of the initial 15 working day period and if sufficient justification is provided.

B6.2 Normally, any standards action by the BOD will be suspended during pendency of appeal(s), appropriately filed. The President may, however, maintain the BOD action until and if the Appeals Panel decides to dismiss the appeal, without a hearing, up to a maximum of 90 days. If the Panel decides to dismiss the appeal without a hearing, the President may maintain the action until the next meeting of the Board of Directors. The appealed BOD action shall be immediately suspended if the Appeals Panel does not dismiss the appeal.

B6.3 The MOS shall acknowledge receipt of the appeal, copy acknowledgement to the Chief Staff Officer, notify the President, and send copies of the appeal to the Appeals Board Chair and to the Chairs of Technology Council, Standards Committee and the Project Committee (PC) which developed or revised the standard, if applicable. Upon receipt of the appeal, an Appeals Panel will be established in accordance with Section B8 for the purpose of determining if the appeal will be heard or if the appeal will be dismissed without a hearing.

B7 APPEALS BOARD

B7.1 An Appeals Board and a chair of the Board shall be appointed by the ASHRAE President, with the approval of the Board of Directors. The Appeals Board shall have 15 members. The Appeals Board shall consist of past members of the BOD, past members of the Standards Committee or Technology Council, and/or persons who are knowledgeable about the ANSI Standards development process.

B7.2 Terms of Membership

Terms shall be staggered so that approximately one-third of the membership of the Appeals Board is appointed each year. Members shall be appointed for a term of three years commencing on July 1, and shall be eligible for reappointment for one additional 3-year term, for a total of two consecutive terms. A member of the Appeals Board may serve beyond the normal two-term limitation if the member is serving as chair, provided the term of chair is contiguous with the six-year tenure as a member. The total maximum length of service under such circumstances would be nine years.

B7.3 Vacancies

A vacancy in the membership of the Appeals Board shall be filled for the remainder of the term by an individual appointed by the ASHRAE President.

B7.4 Conflict of interest

A member of the ASHRAE Appeals Board shall act at all times in a manner that promotes confidence in the integrity and impartiality of ASHRAE's processes and procedures and should avoid a conflict of interest or the appearance of a conflict of interest in connection with all ASHRAE Appeals activities. Should the Appeals Board Chair have a conflict of interest with any appeal he/she shall select another member of the Appeals Board to serve in his/her place with respect to consideration of that appeal.

If a materially affected party either the Appellant or the (Respondent) asserts that it believes a member of the ASHRAE Appeals Board has a conflict of interest, that materially affected party is required to state the reason(s) for its belief. That information shall then be forwarded to the member of the ASHRAE Appeals Board identified as having a possible conflict for that person's response. If that member disagrees with the assertion, then the Chair of the ASHRAE Appeals Board shall make a final determination as to whether a conflict of interest exists.

Members of the ASHRAE Appeals Board who are disqualified from a particular discussion shall not participate in the arguments, deliberations or decisions.

B7.5 When appeals of jointly sponsored standards are being considered by ASHRAE as lead sponsor or by ANSI, the joint sponsor shall assist in preparing or responding to appeals in its field of expertise.

B8 CONSIDERATION OF APPEALS

B8.1 Panel Appointment

When an appeal is received by ASHRAE Headquarters in accordance with Section B6.3 six members of Appeals Board shall be randomly selected from a pool of all Appeals Board members that do not have a conflict to hear the appeal. At least four of those selected shall be appointed as the Appeals Panel and the other 2 shall be appointed as alternates. The Appeals Panel alternates will participate in the hearing activities in the event that one of the four other members are unable to serve. The Appeals Board chair will chair the Appeals Panel.

B8.2 Ineligible Panel Members

~~Members of the Appeals Panel shall not have been a PCVM or PSVM on the project committee that is the subject of the appeal during the three years prior to the standards action under appeal. Members of the Appeals Panel shall not have voted on the draft that is the subject of the appeal as a member of the Standards Committee or Board of Directors.~~

Any Member of the Appeals Board that served as a PCVM or PSVM on the project committee that is the subject of the appeal during the three years prior to the standards action under appeal shall be ineligible to serve on the Panel. Any Member of the Appeals Board that voted on the draft that is the subject of the

appeal as a member of the Standards Committee or Board of Directors shall be ineligible to serve on the Panel.

B8.3 Panel Consideration of Adjudicating the Appeal Without a Hearing

The Appeals Panel shall ~~first~~ decide if the appeal shall be dismissed without a hearing. The Appeals Panel Chair or the Chair's designee shall notify the ASHRAE President, the Appellant and the chair of the cognizant PC in writing of the decision. Non-compliance with Section B5 or lack of grounds for an appeal may be reasons for dismissal. ~~To assist in this decision, the Appeals Panel Chair may request a rebuttal statement from the Respondent (the Chair of the Standards Committee or his/her designee, or the Chair of the PC or his/her designee), as appropriate. The Appeals Panel Chair shall inform the Appellant within 30 days of the receipt of the rebuttal whether the appeal will be dismissed without a hearing, decided after a hearing, or decided without a hearing.~~

B8.4 Non-Dismissal of Appeal.

If the appeal is not dismissed, the BOD action which has been appealed shall be immediately suspended, if not already suspended according to the first sentence of B6.2, and each claim in the appeal shall be considered separately and basic grounds given for each decision. ~~The Appeals Panel shall decide whether a hearing is warranted or if a decision can be made and reported to the President on the appeal without a hearing.~~

B8.5 Rebuttal

If the Panel determines that the action is not to be dismissed, During this period a rebuttal of the written statement of appeal, shall be submitted to the MOS by the Chair of the Standards Committee or his/her designee, or the Chair of the PC or his/her designee who. The MOS shall distribute it to the Appeals Panel and to the Appellant. The rebuttal, if not previously requested, from the Respondent(s) shall be due within 15 working days of the date on the letter of notification. The Chair of the Appeals Panel may grant an extension if requested prior to the close of the initial 15 working day period and if sufficient justification is provided. The rebuttal statement shall be sent to the MOS, who shall distribute it to the Appellant and the Appeals Panel. The Appeals Panel has the authority to announce a hearing schedule at the time the rebuttal is requested or wait until after the rebuttal is received.

B9 HEARING OF APPEALS

B9.1 Notice

If ~~the appeal~~ a hearing is to be ~~heard~~ held, the Appeals Panel chair shall arrange for consideration of the appeal ~~either by meeting in person, or documented electronic meeting/telephone conversations.~~ Both the Appellant and the Respondents (the Chair of the Standards Committee or his/her designee, or the Chair of the PC or the Chair's designee, as appropriate) shall be given notice at least 15 business days prior to the hearing date ~~45 days notice of the hearing date (from the date on the notification letter),~~ location, and time for an in person hearing or 30 days notice of the hearing date (from the date on the notification letter) for a hearing conducted by ~~conference call/electronic meeting.~~ The hearing may be heard before 15 business days ~~30 or 45 days may be waived if the Appellant and the Respondents agree in writing (including electronic communication). During this period a rebuttal of the written statement of appeal shall be submitted to the MOS who shall distribute it to the Appeals Panel and to the Appellant. The rebuttal, if not previously requested, from the Respondent(s) shall be due within 15 working days of the date on the letter of notification. The Chair of the Appeals Panel may grant an extension if requested prior to the close of the initial 15 working day period and if sufficient justification is provided. The rebuttal statement shall be sent to the MOS, who shall distribute it to the Appellant and the Appeals Panel.~~

B9.2 The Hearing

Prior to the start of the hearing, the Appellant and Respondent(s) shall provide the MOS Chair of the Appeals Panel with 15 copies of an outline of their oral presentation or an electronic copy of what will be displayed for their electronic presentation. No new issues outside of those issues raised in the submitted appeal and rebuttal may be presented at the hearing. Only documentation that the Appellant/Respondent has already been given, which supports raised issues, previously provided will be considered will be permitted in the presentation. Both the Appellant and the Respondent are permitted to have up to three people speak on their behalf (i.e.: experts). The Appellant is permitted to have up to three people speak on their behalf, and the Respondent is permitted to have up to three people speak on their behalf. However, each party is only allowed a designated amount of time and that time will be shared by any and all people speaking for that party. No additional time will be granted for guests, speakers, experts, etc.

B9.3 Guests

A Standards Committee Liaison and the BOD Ex-Officio member of the Standards Committee shall be invited by MOS to attend the hearing. The hearing shall be open to observation by representatives of directly and materially affected persons, although the number of any interest group observers may be limited at the discretion of the Appeals Panel Chair. Anyone planning to attend the hearing shall notify the MOS no less than 15 days prior to the hearing date. The deliberations of the Appeals Panel shall be held in Executive Session. Guests that are not designated to speak on behalf of the Appellant or Respondent are not allowed to speak during the hearing or during the question period.

B9.4 Questions

After the Appellant and Respondent have given their presentations, any member of the Appeals Panel may ask questions of either the Appellant or Respondent to clarify the information in the record. The Appellant and Respondent are to respond to the Panel member who asked the question. There is no time limit for this question and answer session unless specified by the Appeals Panel Chair.

B9.5 Executive Session

Following the completion of the question and answer session, the Chair of the Appeals Panel shall close the hearing and shall allow the Panel to deliberate the appeal in an Executive Session.

B10 APPEALS PANEL DECISION

The Appeals Panel shall decide within 15 business 45 days of the hearing or after the receipt of the rebuttal, by majority vote, that the appeal, or any parts of the appeal, be upheld or denied. The Appeals Panel Chair shall, within 14 days following the Appeals Panel's decision, notify the Appellant(s), Chief Staff Officer, Director of Technology, Manager of Standards, President, Chair of Technology Council, Chair of the Standards Committee, and Chair of the PC of the decision. The decision of the Appeals Panel to uphold, deny, or dismiss an appeal shall be final. If the appeal is dismissed or denied by the Appeals Panel, the action of the BOD, which was appealed shall become effective immediately.

- **PASA 4.2.2.6 Standards Reaffirmation Subcommittee (SRS)**

SRS serves as the project committee (consensus body) for reaffirmation, withdrawal or revision (when updating references will not make a substantive change to the standard or guideline) of existing ASHRAE standards.

SRS is a project committee of at least five (5) members, including at least three members of the StdC and applicants responding to an annual call for members posted in ASHRAE Standards Actions. ~~The Chair and Members and Chair~~ are appointed annually by the Standards Committee Chair and approved by Technology Council Chair.

SRS acts, in limited circumstances, as a project committee for existing standards and is subject to the rules of project committees for reaffirmations, withdrawals, and revisions only to update references, that are not themselves reaffirmations and do not cause a substantive change to the standard. SRS must comply with all ANSI requirements for openness, balance and due process. SRS may act in lieu of a PC, with the advice of the cognizant TC/TG/TRG, to recommend, reaffirm, withdraw or revise an existing standard based on updated references that do not cause a substantive change to the standards or add a second system of units to an existing standard, thereby making the existing standard useable in either SI or IP units. (See **Standards Action [Annex A.](#)**)

- **Original text from PASA 7.2.4 has been split into several proposed sections**

~~7.2.4—Voting Requirements for Standards Actions~~

~~Standards actions recommendations must be approved by the project committee (consensus body) with (1) affirmative recorded votes by the majority of the membership of the project committee and (2) affirmative votes from at least two-thirds of those voting, excluding abstentions of the project committee. When recorded votes are taken at meetings, project committee members who are absent shall be given the opportunity to vote before or after the meeting. Persons who cast negative votes on a standards action shall be requested to comment on reasons for their negative votes. If the vote passes with one or more negative votes with reasons for those negative votes, the results shall be held in abeyance until the comments and attempts at resolution of comments (including those unresolved comments received in response to the formal ASHRAE public review (See Section 7.4.6) are transmitted to all eligible voters and they are given an opportunity to change their vote, reaffirm their vote, or to vote. A written response to negative voters with reason voting at a meeting or via letter ballot shall be issued advising each of the disposition of the objection and the reasons why.~~

~~Standards Committee, Technology Council and the Board of Directors recommendations for standards actions must be approved by a majority of those voting at a meeting of the Standards Committee, and Board of Directors, or by letter ballot.~~

7.2.4 Voting Requirements for Standards Actions

When a PC considers a vote to recommend publication/public review or publication with knowledge of unresolved objections of a new, revised, or reaffirmed standard, or withdrawal of a standard, the PC shall comply with Sections 7.2.4.1-7.2.4.6.

7.2.4.1 Voting on Standards Actions at Meetings

Standards action votes shall only occur at meetings that have been announced. A quorum must be present for a motion to be made. Project committee voting members who are absent shall be given the opportunity to vote via continuation letter ballot.

7.2.4.2 Numerical Requirements for Standards Action Votes

Standards actions votes must be approved by the project committee (consensus body) with (1) affirmative recorded votes by the majority of the voting membership of the project committee and (2) affirmative votes from at least two-thirds of those voting, excluding abstentions of the project committee.

7.2.4.3 Treatment of Negative Voters on Standards Actions

Persons who cast negative votes on a standards action vote shall be given the opportunity to provide a reason for their negative votes. If a reason is provided, the negative voter will be considered an unresolved objector. Negative voters who do not provide a reason for their negative vote, or negative voters who provide a reason, but indicate they are resolved will not be offered the right to appeal.

7.2.4.4 Responses to Negative Votes with Reason

A written response to each negative voter shall be provided advising them of the disposition of their objection and the reasons therefor.

7.2.4.5 Consideration of Unresolved Objections

All negative voters with a reason statement, and unresolved comments and written responses to each objection, shall be transmitted to all eligible voters to offer them an opportunity to vote, change their vote, or reaffirm their vote. If a negative vote with reason is submitted as part of this reconsideration process no additional response is required and the results shall be final.

7.2.4.6 Approval of Standards Actions by Approval Bodies

When recommendations for standards action votes are considered by SPLS, Standards Committee, Technology Council and the Board of Directors, the recommendation must be approved by a majority of those voting at a meeting, or by letter ballot.

- **7.2.5 Voting Rules for Meetings**

Actions of PCs and PC subcommittees require approval by a majority of those voting at a meeting. Standards action votes must comply with 7.2.4. Issuance of an official interpretation require affirmative votes of the majority of the, voting membership and of at least two-thirds of those voting, excluding abstentions.

- **Original Text from PASA 7.2.5 is now proposed Section 7.2.6**

7.2.5 Voting Rules for Letter Ballots By Project Committees

The Chair of the PC (or its subcommittees) may authorize a letter ballot to be issued on any matter. Actions of the PC and subcommittees conducted by letter ballot require approval by a majority of the voting membership of the committee. Standards actions, and issuance or revision of an official interpretation require affirmative votes of the majority of the membership and of at least two thirds of those voting, excluding abstentions. When a letter ballot is conducted via e-mail it is intended that members will not use "Reply to All," but reply only to the sender of the e-mail. A written response to objectors on a letter ballot vote shall be issued, advising each of the disposition of the objection and the reasons why.

7.2.6 Voting Rules for Letter Ballots By Project Committees

The Chair of the PC may authorize a letter ballot to be issued on any matter. When a letter ballot is conducted via e-mail it is intended that members not use "Reply to All," but reply only to the sender of the e-mail. Open letter ballots may be discussed by the project committees during announced meetings.

7.2.6.1 Numerical requirements for letter ballots

Actions of the PC and subcommittees that are not standards action votes, conducted by letter ballot, require approval by a majority of the voting membership of the committee. Standards action votes must comply with 7.2.4.1. The issuance or revision of an official interpretation require affirmative votes of the majority of the membership and of at least two-thirds of those voting, excluding abstentions.

- **Original Text from PASA 7.2.6 is now proposed Section 7.2.7:**

7.2.6 Negative Votes on Letter Ballots of PCs and Project Subcommittees

~~Persons who cast negative votes on a letter ballot shall be asked if they wish to comment on reasons for their negative votes. If the vote passes with one or more negative votes, the results shall be held in abeyance until the comments are transmitted to all eligible voters and they are given an opportunity to reaffirm their vote, change their vote or to vote (by letter ballot or at the next meeting). If a reason is not provided for a negative vote, the eligible voters are informed of the negative vote by distribution of the letter ballot results.~~

~~The Chair of the entity voting by letter ballot may offer rebuttal to the comments of the negative voters. After the eligible voters have had ample opportunity (not in excess of two weeks if by letter ballot) to reaffirm their votes, change their votes or to the vote, the results shall be final. If negative votes with comments are received on the second round, all eligible voters will be informed but no further opportunities to change votes will occur.~~

7.2.7 Negative Votes on Letter Ballots of PCs and Project Subcommittees

Persons who cast negative votes on a letter ballot shall be asked if they wish to comment on reasons for their negative votes. If a vote passes with one or more negative votes with a reason, the results shall be recirculated to the committee to provide voting members with an opportunity to vote, reaffirm their vote, or change their vote. If a reason is not provided for the negative vote, the eligible voters are informed of the negative vote by distribution of the letter ballot results.

The Chair of the entity voting by letter ballot may offer rebuttal to the reasons of the negative voters. After the eligible voters have had ample opportunity (not in excess of two weeks if by letter ballot) to reaffirm their votes, change their votes or to the vote, the results shall be final

- **7.4.6 Consideration of Public Review Comments Received**

All comments to public review drafts shall be submitted electronically via the online comment database. An exception to this rule may be granted by the MOS if the commenter can demonstrate that he/she does not have ready access to the internet. The PC Chair or his/her designee shall submit responses to commenters electronically in the medium specified by MOS.

Public Review Comments received during open public review shall be reported to all members of the PC. Prompt consideration shall be given to all public review comments, including those received through ANSI. An effort to resolve all negative public review comments shall be made, and each negative commenter shall be advised in writing (including electronic communication) of the disposition of the objections and reasons therefor. ~~(See substantive change in Annex A.)~~ After consideration of comments or because of new information received, the PC may make changes to the draft. If the committee determines a full subsequent public review is required, responses to comments on the previous public review are not required and interested parties shall be notified of the right to comment on the new draft in ASHRAE Standards Actions. Any substantive changes in the draft must be approved and voted on by the PC for publication public review. (See substantive change in Annex A). The PC may consider any public review comments received after the close of the public review period, or shall consider them as a new proposal.

• ~~7.8.1 Project Discontinuation Due to Lack of Membership~~

~~If a PC Chair and membership are not submitted by the TC or SPLS Liaison within twelve months after the project is approved, the MOS shall:~~

- ~~a) automatically discontinue if this is a new project where the formation of a PC and TPS have been approved, or~~
- ~~b) where a revision committee has been authorized, automatically refer the disposition to SRS for either reaffirmation publication public review or withdrawal public review.~~

~~Waivers for project discontinuation shall be approved by SPLS and StdC. If the project is discontinued ASHRAE shall notify ANSI.~~

7.8.1 Project Discontinuation Due to Lack of Membership

Project discontinuation due to lack of membership shall be based on the following:

- a) A new project shall be discontinued by the MOS if a PC Chair and balanced membership have not been approved by SPLS within twelve months after the project is approved by the Board of Directors.
- b) A revision project shall be considered for reaffirmation public review or withdrawal public review by SRS if a PC Chair and balanced membership have not been approved by SPLS within twelve months after the project is approved by Standards Committee.
- c) If committee membership has previously been approved, discontinuation of a project requires approval by SPLS and Standards Committee.

Reasons for discontinuance include the following but are not limited to: The committee has become out of balance; There is no PC Chair; There is an insufficient number of PC members on the committee for a period not less than 7 months.

Waivers of the discontinuation specified above shall be approved by SPLS and StdC, shall have a deadline, and shall contain specific action to be taken by the PC. Multiple waivers shall not be granted in succession.

ASHRAE shall notify ANSI of all discontinued projects.

• **ANNEX C: COMPLAINTS OF ACTIONS OR INACTIONS BY THE STDC, ITS SUBCOMMITTEES OR PCs**

In addition to formal appeal of BOD Standards actions or inactions (PASA Annex C), failure of the StdC, its subcommittee(s), or a PC to consider a written ~~request~~ complaint may be addressed by writing to the MOS at any time. The complaint must identify the section of procedures that was violated and provide sufficient detail to support the complaint. Any committee tasked with reviewing a complaint may dismiss the claim if insufficient detail is provided.

C1. Complaints against StdC Subcommittees or PCs.

The following steps shall occur for complaints against StdC Subcommittees or PCs:

- a) A written complaint shall be sent to the MOS and the MOS shall forward it to the Chair of the Committee in question. The MOS shall acknowledge receipt of the complaint. ~~(i.e., Subject Committee Chair).~~
- b) ~~The Subject Committee~~ Chair of the Committee in question shall provide a written response addressing the complaint, to the MOS within 15 working days of receipt of the complaint. A waiver to the response period may be requested by the Chair or ASHRAE Staff to the Chair of Standards Committee for approval. The MOS shall forward the written response to the complainant with a copy to the Chair of Standards Committee.

- c) The complainant shall notify the MOS in writing within 15 working days from the receipt of the response whether or not the response resolves the complaint. If no response is received then the higher body-Chair of Standards Committee, the complainant and the Subject Committee Chair of the Committee will be notified that the complaint is resolved.
- d) If the response does not resolve the complaint, the complaint shall be forwarded to the next higher body-Standards Committee. The next higher body-Standards Committee shall place it on its next agenda for consideration but a meeting shall be called no later than 15 working days after receipt of the complaint.
- e) When the complaint has been heard by the next higher body, the Chair of that body shall notify the complainant in writing, with a copy to the MOS, and to the Chair of the Committee in question of the committee's decision within 15 days. (The next higher body is the committee, which approves the actions of the committee in question. The Standards Committee Chair shall provide a written response, to the MOS. The MOS shall forward the written response to the complainant with a copy to the Chair and Vice-Chair of Technology Council, the Chair of the Subject Committee, the SPLS liaison, and the Staff liaison within 15 working days of receipt of the complaint. A waiver to the response period may be requested by the Chair or ASHRAE Staff to the Chair of Tech Council for approval. The results will be made known to the complainant and the Standards Committee Chair.
- f) The final level to resolve the complaint shall conclude at Technology Council. Should the unresolved complaint reach Technology Council, Technology Council shall have the authority to decline to hear the complainant. The complainant shall notify the Standards Committee Chair and MOS in writing within 15 working days from the receipt of the response whether or not the response resolves the complaint. If no response is received then the Standards Committee Chair, the complainant and the Subject Committee Chair will be notified that the complaint is resolved.
- g) If the complainant is unresolved, the procedures in C2 d), e) and f) shall be followed.

C2. COMPLAINTS AGAINST STDC

The following steps shall occur for complaints against StdC.

- a) A written complaint shall be sent to the MOS and the MOS shall forward it to the Chair of Standards Committee. The MOS shall acknowledge receipt of the complaint.
- b) The StdC Chair shall provide a written response addressing the complainant, to the MOS within 15 working days of receipt of the complaint. Upon receipt of the response, the MOS shall send it to the complainant. A waiver to the response period may be requested by the Chair or ASHRAE Staff to the Chair of Tech Council for approval.
- c) The complainant shall notify the MOS in writing within 15 working days from the receipt of the response whether or not the response resolves the complaint. If no response is received then the Tech Council Chair, the complainant and the StdC Chair will be notified that the complaint is resolved.
- d) If the response does not resolve the complaint, the complaint shall be forwarded to Technology Council. Technology Council shall have the authority to decline to hear the complaint. If Technology Council hears the complaint, it is expected to approve a response to the complaint within 15 working days of receipt of the complaint. If the Technology Council needs more time to respond, the Chair of Technology Council shall notify the complainant and the chair of Standards Committee and include a timeline or when actions will occur.
- e) The Technology Council Chair shall provide a written response to the MOS. The MOS shall forward the written response to the complainant with a copy to the Director of Technology, Vice-Chair of Technology Council, the Standards Committee Chair, the Chair of the Subject Committee, the SPLS liaison, and the Staff liaison.
- f) Technology Council has final authority for complaints against Standards Committee.

C3. FEES

Each complaint filed per C1 or C2 shall be accompanied by a filing fee set by the Standards Committee, found in Section 1.7 of the Standards Committee Manual of Procedures. The fee may be waived or

reduced by the Chair of the Technology Council upon sufficient evidence of hardship submitted by the submitter of the complaint.

- **ANNEX A: DEFINITIONS, ABBREVIATIONS AND ACRONYMS, AND CLASSIFICATIONS**

A1 DEFINITIONS

informative annex: additional information of a non-mandatory nature. Changes to informative annexes are not considered ~~non~~-substantive. Informative annexes can be changed or deleted without requiring public review. See **normative annex and notes**

~~**non-substantive changes:** non-substantive changes are limited to:~~

- ~~a) changes to the main body of text of the standard or guideline to update information references; to correct errata, punctuation or grammar, typographical errors or style; or to add equivalent SI or I-P values;~~
- ~~b) changes to the foreword, membership rosters, or other adjuncts not part of the standard or guideline; and~~
- ~~c) changes to informative appendices or annexes not part of the standard or guideline.~~

standards action vote: an action recommending or approving publication or publication public review of a new, revised, or reaffirmed standard or addendum, or withdrawal of a published standard or addendum.



Shaping Tomorrow's
Built Environment Today

ATTACHMENT C

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M. Ginger Scoggins, PE, LEED-AP
Society Vice President
gscoggins@engineereddesigns.com

Reply to: Engineered Designs, Inc.
1151 SE Cary Pkwy, Suite 200
Cary, NC 27518-7418

SENT VIA EMAIL

January 24, 2018

Mr. Travis English
Kaiser Permanente
4175 La Palma Ave, Suite 200
Anaheim, CA 92807

Re: Complaint Against SSPC 170

Dear Mr. English,

Technology Council is in receipt of your letter and brief dated December 28, 2017, wherein you allege due process was not followed in the development of ASHRAE Standard 170-2017. Specific concerns were expressed as to whether or not the republished ASHRAE Standard 170 included substantive changes that would require public review before publishing per the PASA definitions.

Technology Council has reviewed your summary brief along with the responses from the SSPC 170 Chair, the Standards Project Liaison Subcommittee, and the Standards Committee, the proposed editorial changes to ASHRAE Standard 170, and ASHRAE's PASA definition of substantive change.

As you indicated in your letter, below is PASA's definition of a substantive change:

Substantive change: a change that involves an important (has value, weight or consequence), fundamental (is the foundation, without which it would collapse), or essential (belongs to the very nature of a thing) part or changes the meaning of the material or that directly and materially affects the use of the standard. Changes that may be found substantive when examined in context.

- (a) "shall" to "should" or "should" to "shall;"
- (b) addition, deletion or revision of mandatory requirements, regardless of the number of changes; or
- (c) addition of mandatory compliance with referenced standards.

Changes or deletions made to portions of a draft not intended as part of the approved standard (e.g., a foreword, informative annex or note), are not considered substantive.

The Council has determined that the changes made to ASHRAE Standard 170 were not substantive but were editorial. There were no new mandatory requirements added to the standard: the Standard's format was simply changed to provide for three separate categories (into individual sections) of health care facilities, all three of which were already explicitly called out in the current Standard 170, and previously approved addenda were included as applicable. As you acknowledge in your complaint, these ventilation requirements (to include Tables) were duplicated to be the same in each of these sections.

The SSPC anticipates that there will be future changes to the Standard's technical requirements that will include specifying different ventilation requirements for the different types of facilities, which are currently under consideration. Those requirements for those spaces will be added or revised in the standard upon publication of addendum n to ASHRAE Standard 170. However, the present Standard 170 specifies the same requirements for all three types of facility; this is true with both the original formatting and the revised formatting. In other words, the reformatting has not changed the requirements.

Therefore, after reviewing all the above-mentioned documentation the Council is in agreement with and reaffirms the Standards Committee's response dated December 14, 2017. Relative to your complaint, the Council considers this matter closed.

Thank you for your interest in ASHRAE's Standards development.

Best regards,

A handwritten signature in dark ink, appearing to read 'Ginger Scoggins', written in a cursive style.

Ginger Scoggins
Technology Council Chair

Cc: Mick Schwedler, Technology Council Vice Chair
Steven Emmerich, Standards Committee Chair
Don Brundage, Standards Committee Vice Chair
Chris Rousseau, SSPC 170 Chair
Karl Peterman, SSPC 170 SPLS Liaison
Mark Weber, SSPC 170 Staff Liaison
Steve Ferguson, Senior Manager of Standards