



## **National Board Inspection Code Procedure**

# **THE NATIONAL BOARD**

**OF BOILER AND  
PRESSURE VESSEL  
INSPECTORS**

**Approved by NBIC Committee: January 12, 2017  
Approved by the Board of Trustees: February 1, 2017  
Approved by ANSI: May 19, 2017**

---

The National Board of Boiler & Pressure Vessel Inspectors  
1055 Crupper Avenue  
Columbus, OH 43229-1183  
Phone: (614)888-8320

---

# Table of Contents

1.0	Purpose .....	3
2.0	Responsibilities.....	3
3.0	Definitions .....	3
4.0	Committee Structure.....	4
4.1	NBIC Committee.....	4
4.2	Subcommittees .....	6
4.3	Subgroups.....	8
4.4	Task Groups .....	9
4.5	Interest Categories .....	10
5.0	Duties of NBIC Committee, Subcommittee, Subgroup and Task Group Membership .....	11
5.1	Chair.....	11
5.2	Vice Chair.....	11
5.3	Secretary.....	11
5.4	Members.....	12
6.0	Meetings .....	12
6.1	Scheduled Meetings .....	12
6.2	Locations .....	12
6.3	Meeting Notification .....	12
6.4	Public Meetings.....	12
6.5	Quorum.....	13
6.6	Meeting Conduct.....	13
6.8	Minutes.....	13
7.0	Voting .....	13
7.1	General .....	13
7.2	Voting at Meetings .....	14
7.3	Voting by Letter Ballot.....	15
7.4	Final Approval Vote.....	15
8.0	National Board Inspection Code Publication Information .....	16
8.1	ANSI Approval Process .....	16
8.2	Revisions to the NBIC.....	18
8.3	Interpretations of the NBIC.....	18
8.4	Publications .....	19
8.5	General .....	20
9.0	Due Process .....	20
10.0	Records.....	21
11.0	Antitrust Policy.....	21

## 1.0 Purpose

This procedure defines the organization, scope, duties and responsibilities of the NBIC Committee, subcommittees, subgroups and task groups. The NBIC Committee is established by the National Board of Boiler and Pressure Vessel Inspectors (NBBPVI) Board of Trustees for the purpose of maintaining the NBIC. NBBPVI is accredited by ANSI as a “developer of American National Standards” in accordance with the ANSI Essential Requirements. This procedure also describes the administrative process for the publication of the National Board Inspection Code.

Revisions to this procedure must be approved by the NBIC Committee, the Board of Trustees, and ANSI.

A copy of this procedure or any referenced document is either available on the National Board’s Web site: [www.nationalboard.org](http://www.nationalboard.org) or may be obtained from the NBIC secretary.

## 2.0 Responsibilities

The Executive Director of the National Board is responsible for ensuring that the requirements of this procedure are met. The Secretary of the NBIC Committee is responsible for the day-to-day implementation of this procedure. Other responsibilities are described throughout this procedure.

## 3.0 Definitions

The following are terms and their definitions used throughout this document.

ANSI	American National Standards Institute
Board	The Board of Trustees of the National Board
Code	The National Board Inspection Code (NBIC)
Committee	The NBIC Committee and all subcommittees, subgroups and task groups
NBIC Committee	The NBIC Main Committee is the final consensus body for the purpose of approving American National Standards
National Board	The National Board of Boiler and Pressure Vessel Inspectors (NBBPVI) is the ANSI-Accredited Standards Developer
NBIC	The National Board Inspection Code which was established to provide rules and guidelines for the repair, alteration, inspection, installation, maintenance and testing of boilers,

	pressure vessels and other pressure retaining items.
project manager	Individual assigned the responsibility for developing, monitoring and responding to technical items.
Subcommittee	A unit established to address recurring functions, address specific issues or maintain specific sections of the NBIC. A subcommittee is established by the NBIC Committee. Each subcommittee will follow rules for consensus approval insofar as possible but is not considered the final consensus body for the purpose of approving American National Standards.
Subgroup	A unit established to address recurring topics or functions specific to a subcommittee. A subgroup is established by the NBIC Committee. Subgroup actions are reported to the subcommittee for approval.
task group	A unit established to address a specific topic. A task group may be established by the NBIC Committee, subcommittee or subgroup.

#### 4.0 *Committee Structure*

The committee structure consists of the NBIC Committee, subcommittees, and subgroups appointed by the NBIC Committee and task groups appointed by the NBIC Committee, a subcommittee or subgroup. The duties, responsibilities and administration of each are described below.

#### 4.1 *NBIC Committee*

##### 4.1.1 *Responsibilities*

The NBIC Committee is responsible for:

- a. approving new rules and revising existing rules of the Code and voting on such additions and revisions;
- b. approving interpretations of the rules of the Code;
- c. hearing requests for reconsideration regarding interpretations and revisions to the Code;
- d. acting on any matter related to the scope of the Code as may be assigned by the Board.

##### 4.1.2 *Membership*

The NBIC Committee shall consist of not more than twenty-six (26) voting members within the interest categories described in paragraph 4.5.

- a. At least one individual representing manufacturers shall be employed by a manufacturer of safety relief devices.
- b. At least one individual representing National Board Certificate Holders shall be employed by an organization holding a valid “R” Certificate of Authorization.
- c. At least one individual representing National Board Certificate Holders shall be employed by an organization holding a valid “VR” Certificate of Authorization.
- d. Not more than one-third of the total NBIC Committee membership shall represent any single category of interest. The chair and vice chair of the NBIC Committee are considered within this membership. The secretary is a member of the NBIC Committee without vote.
- e. Each member of the NBIC Committee may recommend a person, within the same interest category, as a representative to serve in the absence of the member at a specific meeting. Representatives have the same privileges and responsibilities as the member when serving in the member’s capacity. The representative’s involvement terminates at the conclusion of the specific meeting requested by the member.
- f. Upon change of employment status affecting the member’s category of interest, NBIC Committee members shall notify the NBIC Committee secretary and will be deemed to have submitted their resignations from the NBIC Committee. Reappointment to the NBIC Committee shall follow the requirements of paragraph 4.1.3.

#### *4.1.3 NBIC Committee Member Selection, Approval, and Term*

- a. A candidate for appointment or reappointment as a voting member of the NBIC Committee is selected by a majority vote of the NBIC Committee membership. The candidate’s name is then submitted to the Chairman of the Board for consideration. All voting members of the NBIC Committee must be appointed by the Chairman of the Board.
- b. A candidate for appointment or reappointment as the NBIC Committee Chair or Vice Chair is selected by a majority vote of the NBIC Committee membership. Only voting members with more than two (2) years of service on the committee are eligible to be appointed NBIC Committee Chair or Vice Chair. The candidate’s name is then submitted to

the Chairman of the Board for consideration. The Chair and Vice Chair must be appointed by the Chairman of the Board.

- c. The NBIC Committee secretary is selected by the Executive Director of the National Board and is considered to be a non-voting member of the NBIC Committee without any interest affiliation.
- d. The term of all voting members is three (3) years. Voting members are eligible for reappointment.
- e. NBIC Committee Chair and Vice Chair

Each term of office shall not exceed three (3) years and no more than two consecutive three (3) year terms in each office may be served.

This limit can be exceeded for special circumstances, provided the candidate's name and an explanation of the special circumstances are submitted to the Board of Trustees for consideration. If approved by the Board of Trustees, the candidate will be appointed by the Chairman of the Board. An example of a special circumstance is that there is no other qualified candidate who is willing to serve.

At the time of appointment, the expiration date for the Chair's and Vice Chair's membership term shall be adjusted to match the term of office.

- f. A candidate for membership on the NBIC Committee must provide a work history/resume to the NBIC Committee secretary.

## 4.2 *Subcommittees*

### 4.2.1 *Responsibilities*

Subcommittees are responsible for:

- a. maintaining (adding new requirements, revising existing requirements) those sections of the NBIC that are assigned to the subcommittee.
- b. acting on requests for interpretations of the rules for those assigned sections of the NBIC;
- c. acting on any matter related to the scope of the NBICAs may be assigned by the NBIC Committee;
- d. forwarding all subcommittee actions to the NBIC Committee.

### 4.2.2 *Membership*

- a. The number of members appointed to each subcommittee shall be as necessary to carry on the assigned responsibility. The size of subcommittees will be limited to numbers which will best serve operational needs.
- b. Each member of the NBIC subcommittee may recommend a person, within the same interest category, as a representative to serve in the absence of the member at a specific meeting. Representatives shall have the same privileges and responsibilities as the member when serving in the member's capacity. The representative's involvement automatically terminates at the conclusion of the specific meeting requested by the member.
- c. Upon change of employment status affecting the member's category of interest, NBIC Subcommittee members shall notify the NBIC Committee secretary and will be deemed to have submitted their resignations from the subcommittee. Reappointment to the NBIC Subcommittee shall follow the requirements of paragraph 4.2.3.

#### *4.2.3 Subcommittee Member Selection, Approval and Term*

- a. A candidate for appointment or reappointment as a voting member of the subcommittee is selected by majority vote of the NBIC Committee membership. Subcommittee members need not necessarily be members of the NBIC Committee or subgroup. The candidate's name is then submitted to the Chairman of the Board for consideration. All voting members of the subcommittee must be appointed by the Chairman of the Board.
- b. Candidates for appointment or reappointment as the subcommittee chair and vice chair are selected by a majority vote of the subcommittee membership. Only voting members with more than two (2) years of service on the committee are eligible to be appointed Subcommittee Chair or Vice Chair. The candidate's names are then submitted to the Chairman of the Board for consideration. The Chair and Vice Chair must be appointed by the Chairman of the Board.
- c. The subcommittee secretary is a member of the subcommittee without vote and is selected by the Executive Director of the National Board.
- d. The term for all voting members is three (3) years. Voting members are eligible for reappointment.
- e. Subcommittee Chair and Vice Chair

Each term of office shall not exceed three (3) years and no more than two consecutive three (3) year terms in each office may be served.

This limit can be exceeded for special circumstances, provided the candidate's name and an explanation of the special circumstances are submitted to the Board of Trustees for consideration. If approved by the Board of Trustees, the candidate will be appointed by the Chairman of the Board. An example of a special circumstance is that there is no other qualified candidate who is willing to serve.

At the time of appointment, the expiration date for the Chair's and Vice Chair's membership term shall be adjusted to match the term of office.

- f. A candidate for membership on the subcommittee must provide a work history/resume to the NBIC Committee secretary.

### *4.3 Subgroups*

#### *4.3.1 Responsibilities*

Subgroups are responsible for:

- a. developing new rules and revising existing rules for specific Code sections or paragraphs;
- b. acting on requests for interpretations of the rules for specific Code sections or paragraphs;
- c. acting on any matter related to the scope of the Code as may be assigned by the committee or subcommittee;
- d. forwarding all subgroup actions to the subcommittee, as appropriate

#### *4.3.2 Membership*

The number of members appointed to each subgroup shall be as necessary to carry out the assigned work. The size of subgroups will be limited to numbers to best serve operational needs.

#### *4.3.3 Subgroup Member Selection, Approval and Term*

- a. A candidate for appointment or reappointment as a member of the subgroup is selected by the majority vote of the subcommittee membership. Subgroup members need not necessarily be members of the Committee or subcommittee. The candidate's name is then submitted to the Chairman of the Board for consideration. All voting members of the subgroup must be appointed by the Chairman of the Board.

- b. Candidates for appointment or reappointment as subgroup chair and vice chair are selected by a majority vote of the subcommittee membership. Only voting members with more than two (2) years of service on the committee are eligible to be appointed Subgroup Chair or Vice Chair. The chair and vice chair of each subgroup shall be appointed by the Chairman of the Board.
- c. The subgroup secretary is selected by the Executive Director of the National Board and is a member of the subgroup without vote. In the absence of a selected secretary, the subgroup chair may appoint a voting member of the subgroup to act as secretary.
- d. The term for all voting members is for three years. Voting members are eligible for reappointment.
- e. Subgroup Chair and Vice Chair

Each term of office shall not exceed three (3) years and no more than two consecutive three (3) year terms in each office may be served.

This limit can be exceeded for special circumstances, provided the candidate's name and an explanation of the special circumstances are submitted to the Board of Trustees for consideration. If approved by the Board of Trustees, the candidate will be appointed by the Chairman of the Board. An example of a special circumstance is that there is no other qualified candidate who is willing to serve.

At the time of appointment, the expiration date for the Chair's and Vice Chair's membership term shall be adjusted to match the term of office.

- f. The name of a National Board Member who is a candidate to serve on a subgroup, but is not a member of the NBIC Committee or a subcommittee, must be submitted to the Chairman of the Board for approval.
- g. A candidate for membership on a subgroup must provide a work history/resume to the NBIC Committee secretary.

#### 4.4 *Task Groups*

##### 4.4.1 *Responsibilities*

Task groups are responsible for:

- a. developing new rules and revising existing rules for specific Code topics or paragraphs;

- b. acting on requests for interpretations of the rules for specific Code topics or paragraphs;
- c. acting on any matter related to the scope of the Code as may be assigned by committees;
- d. forwarding all task group actions to the committee as appropriate.

#### *4.4.2 Membership*

The number of members appointed to each task group shall be as necessary to carry out the assigned task. The size of task groups will be limited to numbers which will best serve operational needs.

#### *4.4.3 Task Group Members Selection, Approval, and Term*

- a. When the committee agrees on the need or at the discretion of the chair of a committee, a task group, members, and chair shall be appointed by the committee chair. A member of the task group may be appointed as task group secretary by the task group chair. Task group members need not necessarily be members of a committee.
- b. The name of a National Board Member who is a candidate to serve on a task group, but is not a member of the NBIC Committee or a subcommittee, must be submitted to the Chairman of the Board for approval.
- c. The task group will be dismissed once the task has been completed or at the discretion of the chair of the committee.

#### *4.5 Interest Categories*

NBIC Committee, subcommittee, subgroup and task group members shall not be considered as representing any specific organization. Participation by individuals employed by governmental agencies or affiliated with industry is not to be interpreted as government or industry endorsement. Membership shall be selected from the categories of interest listed below.

- a. General Interest: Individuals who are not employed by an organization characterized by b through h shall be considered General Interest.
- b. Manufacturers: Any organization accredited by ASME to hold an ASME Code symbol stamp.
- c. Authorized Inspection Agency: An authorized (insurance) inspection agency recognized by the National Board.

- d. Jurisdictional Authorities: National Board members.
- e. National Board Certificate Holders: Repair organizations accredited by the National Board to hold “R”, “NR” or “VR” certification.
- f. Users: Owners or users of boilers/pressure vessels.
- g. Labor: Individuals representing labor organizations whose members are skilled workers in boiler or pressure vessel manufacturing or repairing, such as the United Association of Journeymen and Apprentices of Plumbing and Pipe Fitting Industry of the United States and Canada or the International Brotherhood of Boilermakers, Ship Builders, Blacksmiths, Forgers and Helpers.
- h. Regulatory Authorities: Representatives of US Governmental agencies that regulate boilers or pressure vessels or both.

Lack of any particular representative of any interest category at a meeting shall not preclude the committee from conducting its business when a quorum is present.

#### 5.0 *Duties of NBIC Committee, Subcommittee, Subgroup and Task Group Membership*

##### 5.1 *Chair*

The chair shall preside at meetings of the committee and shall perform other duties as are customarily assigned to that position.

The chair of the NBIC Committee shall make an annual review of the activity of each voting member of the NBIC Committee, subcommittee and subgroup with regard to the member’s contribution to the work, attention to correspondence, and attendance at meetings. Based on this review, if a consistent lack of attendance or participation within the past year is noted, the chair may recommend to the Chairman of the Board that the member’s appointment to the NBIC Committee be terminated. The chair’s report of NBIC Committee member’s activities shall be sent to the Chairman of the Board and the Executive Director of the National Board.

##### 5.2 *Vice Chair*

The vice chair shall, in the absence of the chair, fulfill the duties of the chair.

##### 5.3 *Secretary*

In addition to the responsibilities required by this procedure, the Secretary shall prepare agendas and record minutes of meetings and shall perform such other duties as are customarily assigned to such an office.

In the absence of the chair and vice chair at a meeting, the secretary shall take the chair for the purpose of receiving nominations from the members present for election of a chair pro tem, who shall then preside at the meeting.

#### *5.4 Members*

The duty of each member is to give thorough consideration to each subject brought before the committee for action, vote on acceptance or rejection of each proposal, and assist generally in carrying out the assigned functions. Such duties may be carried out by attendance at meetings, by correspondence, and by telephone.

### *6.0 Meetings*

#### *6.1 Scheduled Meetings*

NBIC Committee meetings shall be held at the call of the Chair, as decided upon by a majority of NBIC Committee members, or as directed by the Chairman of the Board. Subcommittee, subgroup and task group meetings held at times and locations other than in conjunction with the NBIC Committee meeting shall require the approval of the National Board Executive Director. Meeting requests shall be in writing to the Executive Director and include the subcommittee, subgroup or task group members' roster.

#### *6.2 Locations*

The NBIC Committee shall meet in National Board member jurisdictions.

#### *6.3 Meeting Notification*

All committee meeting schedules shall be posted on the National Board web site. The National Board member in whose jurisdiction the NBIC Committee is meeting shall be invited to attend the meeting.

A meeting agenda shall be made available to the members prior to the meeting and shall be subject to approval at the commencement of each meeting.

#### *6.4 Public Meetings*

Meetings at which the committee considers proposed revisions to the NBIC, reaffirmation of previously considered revisions or withdrawal of previously approved revisions shall be open to the general public. Unless matters to be discussed by the committee are deemed to be of a confidential nature by the chair,

committee meetings shall be open to any interested person who shall be given an opportunity to participate in the discussions on subjects of interest to them.

#### 6.5 *Quorum*

Fifty-one percent of the NBIC Committee, subcommittee or subgroup voting membership eligible to vote must be present to conduct committee business.

#### 6.6 *Meeting Conduct*

The committee shall conduct meetings in accordance with the latest available edition of Roberts Rules of Order (Revised) unless rules to the contrary are specified in these procedures.

#### 6.7 *Recording Meeting Proceedings*

Taping of committee meetings, other than by the secretary, is prohibited.

#### 6.8 *Minutes*

All meetings of the NBIC Committee, subcommittees and subgroups shall be documented in minutes of the meeting. The minutes are not to be considered a verbatim record of the meeting but rather a record of the voted actions and highlights of significant discussions or conclusions.

The title page of committee minutes shall include the following statements:

“These minutes are subject to approval and are for committee use only. They are not to be duplicated or quoted for other than committee use.”

Minutes of committee meetings will be distributed to the members of the committees, the Executive Director, National Board members and Advisory Committee members, as requested. Copies of committee minutes will be made available on the National Board’s Web site for review until the next scheduled meeting minutes are available.

### 7.0 *Voting*

#### 7.1 *General*

7.1.1 Each committee member shall exercise their vote within the presented time limits. When a committee member fails to report when due, or consistently abstains from voting, the committee member’s appointment shall be subject to termination. The individual may appeal such action. Committee members are encouraged to vote as soon as possible.

7.1.2 Votes for committee actions may be obtained by letter, fax, recorded votes at meetings, or electronic means. All committee members shall have an opportunity to vote. When recorded votes are taken at meetings, the committee members who are absent shall be given the opportunity to vote.

7.1.3 The vote of each committee member shall be in one of the following categories:

- ◆ Approved
- ◆ Disapproved
- ◆ Abstention
- ◆ Not voting (for possible conflict of interest)

A response of not voting signifies neither approval nor disapproval and should be executed only when the committee member believes that they have a conflict of interest or potential conflict of interest and is removing themselves from the voting process.

Committee members casting disapproved responses should include an alternate action that will resolve their disapproved vote.

Committee members casting abstained responses should include a reason for the abstention.

7.1.4 Approval of committee actions shall be by a majority vote. Approval of the following actions of the NBIC Committee or subcommittee shall require two-thirds (2/3) majority vote of the committee membership, excluding not voting responses:

- ◆ committee procedures and interest categories
- ◆ reaffirmation of the NBIC as an ANSI Standard
- ◆ NBIC revisions
- ◆ interpretation of the NBIC
- ◆ scope of the NBIC Committee or subcommittee
- ◆ New ANSI standard

7.1.5 Voting by NBIC Committee members not present at a meeting or by letter ballot may be obtained by letter, facsimile, or by other electronic means.

## 7.2 *Voting at Meetings*

NBIC Committee members not present at a meeting for final approval of Code revisions shall be afforded the opportunity to submit their vote within two weeks after the date of the NBIC Committee meeting. It is the responsibility of the National Board to provide the information relating to the items prior to the meeting

in the form of posted Agendas. Disapproved actions at the meeting shall be placed on the Subcommittee agenda for the next scheduled meeting.

### *7.3 Voting by Letter Ballot*

7.3.1 A letter ballot on any subject requires a response of at least fifty-one percent of committee members eligible to vote and may be authorized by the Chair of the NBIC Committee, Chair of a subcommittee, Chairman of the Board, or a majority vote of those present and voting at a NBIC Committee or subcommittee meeting. The voting period for a letter ballot may be four (4) calendar weeks; however, in order to expedite the item, this period may be shortened to no less than two calendar weeks by the person authorizing the letter ballot. Voting periods shall be closed upon receipt of all responses, but not later than the established closing date. All letter ballots shall be coordinated by the NBIC Committee secretary.

7.3.2 At the conclusion of the letter ballot period, the NBIC Committee or subcommittee secretary shall tally the votes and report the results to the members. If the letter ballot is disapproved, the item shall be placed on the agenda for the next meeting. All comments may be reviewed electronically by the NBIC Committee members or subcommittee members during the letter ballot period.

The Project Manager shall respond in writing to all negative comments received. The response shall include a disposition to the comment, and reasons for that disposition. If a comment is submitted that does not pertain to the ballot under consideration, the comment shall be reviewed as a new revision request to the code. Upon Project Manager responses to negative comments, the letter ballot (with or without substantive revisions) and attempts at resolution shall be resubmitted for a two week time period for members to respond, reaffirm or change their original vote. Reaffirmation does not require a response during this voting period. At the conclusion of the letter ballot period, the NBIC Committee or subcommittee secretary shall tally the votes and report the results to the members. The Project Manager shall communicate with negative commenters in order to resolve their concerns, whenever possible.

If the required vote approval percentage is affirmative after this time period, the ballot shall be considered approved. Letter ballots not approved shall be placed on the agenda for the next scheduled meeting of the NBIC Committee or subcommittee.

### *7.4 Final Approval Vote*

Prior to publication of a new edition of the NBIC, all substantive changes to the NBIC that have been approved by the NBIC Committee shall be gathered

in a final draft standard document. A vote shall be taken by the NBIC Committee to approve the final draft standard document as the new edition of the NBIC. This vote serves as the final approval for all revisions to the NBIC. No substantive changes shall be made to the approved final draft standard unless the final draft standard is recirculated to the NBIC Committee in order to afford all members the opportunity to respond, reaffirm, or change their vote. The draft standard shall be submitted for an additional public review period if substantive changes are made to the document.

If an NBIC Committee member votes ‘Disapproved’ on the final vote, that member shall submit reasons for the ‘Disapproved’ vote in writing to the NBIC Secretary. The NBIC Secretary may communicate with the member to resolve their negative vote. If the member remains unresolved in their objection, the ballot and attempts at resolution of the negative shall be resubmitted for a two week time period for members to respond, reaffirm or change their original vote. If the member remains unresolved with their ‘Disapprove’ vote after the two week reaffirmation period, the member shall be notified in writing of their right to appeal the final committee decision.

## *8.0 National Board Inspection Code Publication Information*

### *8.1 ANSI Approval Process*

NBBPVI is accredited by ANSI as a developer of American National Standards. The NBIC Committee, subcommittees, subgroups and task groups must conduct activities in accordance with this procedure and the current rules and procedures of ANSI.

#### *8.1.1 Documentation*

- a. After the NBIC Committee has approved the draft standard, the secretary shall prepare and submit a Standards Action Public Review Request (BSR-8) form. A notice of all revisions shall be posted on the National Board’s Web site for public review and comment. This notice shall be posted for a minimum of forty five days, or a minimum of sixty days if requested by an interested party.
- b. The secretary shall coordinate the disposition of public review comments with the Project Manager.
- c. The disposition of all public review comments shall be approved by the NBIC Committee.
- d. The commenter shall be advised, in writing, of the disposition of the public review comment and the reasons for the disposition. The

commenter shall be notified of their right to appeal the NBIC Committee's decision.

- e. All NBIC Committee members shall be notified of all unresolved public review comments and attempts at resolution to afford all members an opportunity to respond, reaffirm or change their vote. Any commenter with unresolved comments shall be notified in writing of their right to appeal.
- f. Resolutions involving substantive changes to approved text shall be resubmitted for public review at the next scheduled public review and comment period or a new action shall be generated to address the commentators recommended change as appropriate.
- g. When the disposition of all comments has been completed, or if no comments were submitted, the secretary shall prepare and submit the Formal Submittal Checklist for approval or withdrawal as an American National Standard (BSR-9) Form.

#### *8.1.2 Secretariat*

- a. The National Board is the secretariat for the NBIC Committee. Its duties include:
  - 1. providing administrative support for the activities of the secretary, and
  - 2. publishing and distributing the Code, minutes and interpretations approved in accordance with these procedures.
- b. It shall be the responsibility of the secretary to:
  - 1. ensure that the NBIC Committee adheres to these and other referenced or applicable procedures,
  - 2. apply to ANSI for accreditation of the NBIC Committee by that organization,
  - 3. maintain a committee roster of the members which shall include names of the officers, and members, their address, business affiliation, category of interest, appointment expiration date,
  - 4. comply with ANSI requirements for the NBIC Committee administration, and
  - 5. submit proposed revisions to this procedure to ANSI for approval.

#### *8.1.3 Internal Audits*

At least once every three calendar years, the Executive Director of the National Board shall have an audit made of the NBIC Committee's activities to ensure these procedures are followed. The audit shall be conducted by

person(s) who are not members of the NBIC Committee. The audit report and follow-up action of deficiencies uncovered by an audit shall be reported to the NBIC Committee and the Chairman of the Board.

#### *8.1.4 Patent Policy*

The National Board shall comply with the ANSI patent policy as described in the ANSI Essential Requirements.

#### *8.1.5 Commercial Terms*

The National Board shall comply with the ANSI Commercial Terms and Conditions Policy as described in the ANSI Essential Requirements

#### *8.1.6 Withdrawal of American National Standard*

When required by ANSI Essential Requirements or the National Board elects to withdraw or discontinue an American National Standard or portion thereof, the National Board shall immediately notify ANSI for announcement in ANSI Standards Action. The National Board shall comply with all ANSI Essential Requirements for withdrawal of an American National Standard.

### *8.2 Revisions to the NBIC*

8.2.1 Any interested person may request consideration of a revision to the NBIC by submitting such request in writing to the secretary. If deemed editorial as determined by the secretary, requests will be incorporated into the NBIC draft edition for distribution and public review. Comments which are editorial in nature need not be submitted to the NBIC Committee or subcommittees for consideration prior to inclusion in the edition. Any public review comments associated with these editorial comments will be handled as such and will be considered by the NBIC Committee and subcommittee at the next scheduled meetings for final approval.

Requests which are technical in nature will be forwarded to the appropriate subcommittee for consideration and recommendations made to the NBIC Committee, for their approval. Once approved, these revisions will be incorporated into the next draft. If approval is not reached, the item will be returned to the subcommittee for further action.

8.2.2 Following approval of a revision by the NBIC Committee and acceptance under ANSI procedures, the approved revision shall be published in the next edition.

### *8.3 Interpretations of the NBIC*

- 8.3.1 The NBIC Committee has the responsibility for interpreting and replying to questions concerning the application of NBIC rule or guideline. Any interested person may request, in writing, an interpretation of a rule or guideline contained in the NBIC through the NBIC Committee secretary.
- 8.3.2 Upon receipt of such a request the NBIC Committee secretary determines which subcommittee should develop a technical response.

When responding to questions concerning the interpretation of a rule or guideline, the following is to be used as a response:

“The NBIC was developed under procedures approved by the American National Standards Institute. The NBIC Committee that approved the NBIC and revisions thereto is a consensus NBIC Committee balanced to assure that individuals from competent and concerned interests have been afforded the opportunity to participate. Further, all proposed revisions to the NBIC are made available for public review and comment which provides an opportunity for additional input from jurisdictions, industry and the public at large.”

From time to time a request for interpretation regarding a superseded edition of the NBIC may be submitted to the NBIC Committee. If in the opinion of the members of the NBIC Committee, a response can be formulated, the NBIC Committee should respond to the inquirer's question. However, when it is the consensus of the NBIC Committee that a response cannot be formulated, the NBIC Committee should respond as follows:

“The (edition of the NBIC) has been superseded. The historical knowledge that the NBIC Committee feels is needed to respond to your request for interpretation is no longer available to the NBIC Committee.”

- 8.3.3 All interpretations of the NBIC shall be approved by the NBIC Committee.
- 8.3.4 All interpretations of the NBIC shall be posted on the National Board web site. A written response will also be sent to the inquirer.
- 8.3.5 The National Board accepts responsibility for, and recognizes only those interpretations approved by the NBIC Committee.

#### *8.4 Publications*

##### *8.4.1 NBIC*

The NBIC shall be identified as "An American National Standard" and "ANSI/NB-23" in accordance with ANSI procedures.

A new edition of the NBIC shall be published every two years.

Each edition shall have a date of issue. The NBIC may be used beginning with the date of issue. Six (6) months after the date of issue, the edition becomes the requirement for compliance with NBIC.

Complimentary copies of the NBIC will be provided to the members of the NBIC Committee, subcommittees, and subgroups.

#### *8.4.2 Forms*

National Board forms are part of the standard and follow the same requirements for revision as outlined in this procedure.

### *8.5 General*

#### *8.5.1 Referencing Other Standards*

When the NBIC Committee wishes to reference another code or standard, the date of the specific, referenced code or standard shall not be cited unless required.

#### *8.5.2 Copyrights*

Copyright and all rights in all materials produced by the committee are owned by the National Board

### *9.0 Due Process*

The National Board provides due process for the impartial handling of complaints regarding procedural or technical issues for any action or inaction. As part of this due process there are several levels to which an aggrieved party may appeal. This section gives criteria regarding right to appeal, how appeals are made and what may be appealed.

At any level of the appeal process, there shall be no informal discussions between the body hearing the appeal and representatives of the appellant.

Persons who have directly and materially affected interests and who have been or will be adversely affected by any procedural or technical action or inaction with regard to the development of a proposed American National Standard or the revision, reaffirmation or withdrawal of the NBIC have the right to appeal. Appeals shall be addressed promptly and a decision made expeditiously. The following process shall be followed:

- a. Any person aggrieved by an interpretation, disposition of comments, procedural or technical issues may appeal to the NBIC Committee.

- b. The aggrieved person shall first request reconsideration by the NBIC Committee. Such request shall be in writing, addressed to the NBIC Committee secretary, and shall state the reasons for requesting reconsideration.
- c. Should the person remain aggrieved following such reconsideration by the NBIC Committee or should such reconsideration be denied, the aggrieved person then, in writing, addressed to the National Board's Executive Director, may request review by the National Board Appeals Committee.

The findings of the National Board Appeals Committee operating under their procedures, shall be binding on the NBIC Committee as to the specific item under appeal and it shall be incumbent upon the NBIC Committee to consider incorporating the National Board Appeals Committee findings.

- d. Should the person remain aggrieved following the National Board Appeals Committee's decision, further appeal may be taken to the Board. Such appeal is initiated by a written request, addressed to the National Board's Executive Director setting forth the grounds for such appeal. The appeal shall be heard at the next regular or special meeting of the Board which is held at a time of sufficient duration following such request as to allow distribution of all relevant documents and materials to the Board members. The Board, upon considering such appeal, by affirmative majority vote of those present, may allow a variance, may direct the NBIC Committee to consider a revision, or may sustain the action of the National Board Appeals Committee. The decision of the Board of Trustees on such appeal shall be final.

#### *10.0 Records*

Records shall be retained for a minimum of five (5) years or until approval of the subsequent revision or reaffirmation of the complete standard.

Records for withdrawn standards shall be retained for a minimum of 5 years after withdrawal or until the next ANSI audit, whichever is longer.

#### *11.0 Antitrust Policy*

The National Board of Boiler and Pressure Vessel Inspectors shall comply with the ANSI Antitrust Policy as described in the most current version of the ANSI Essential Requirements.