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***AWPA TECHNICAL COMMITTEE REGULATIONS***

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Effective August 18, 2011.

The following regulations covering the organization and operation of Technical Committees and their Subcommittees were reviewed and adopted by the Executive Committee on April 18, 1984 and have been revised many times since then. This revision includes all amendments made up to and including August 2011.

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## **1.0 OBJECTS AND PURPOSES OF THESE REGULATIONS, ENFORCEMENT, MEANS FOR AMENDMENT**

**1.1 Objects and Purposes** – These regulations are intended to detail a Committee process for orderly, lawful and non-discriminatory consideration and promulgation of AWPA Standards which pertain to wood protection. The Consensus Body to which these regulations primarily apply is the Technical Committee. Regulations governing related General Committees and Special Committees are also contained herein.

**1.2 Enforcement of Regulations** – The Committee on Committees shall act for the Executive Committee in interpreting and enforcing these regulations. The Committee on Committees is a Subcommittee of the Executive Committee and shall act for the Executive Committee in providing administrative supervision to Technical and Special Committees. It shall consist of AWPA's First and Second Vice-Presidents, the immediate Past President, one additional member who shall be appointed by the President from among

the members of the Executive Committee, the Preservatives General Committee Chair, and the Treatments General Committee Chair. The First Vice-President shall serve as chair.

**1.3 Amendment of Regulations** – These regulations shall be amended by affirmative vote of two thirds of the Executive Committee.

**1.3.1 Proposed Amendments** – Amendments shall be proposed to the Executive Committee by the Committee on Committees, by any member of the Executive Committee, or by an AWPA member as detailed in 1.3.2.

**1.3.2 Proposed Amendments by Members** – Any AWPA member desiring to amend these Technical Committee Regulations shall petition the AWPA to propose an amendment to these regulations. Petitions received at least 30 days before an Executive Committee meeting shall be considered at that meeting. Otherwise, the petition shall be postponed to the following Executive Committee meeting unless the Executive Committee waives this requirement. Amendments to the Technical Committee Regulations shall be approved per 1.3. When amendments proposed by AWPA members are rejected by the Executive Committee, the reasons for such rejection shall be given in writing to the initiating member.

**1.3.3 Publishing of Regulations** – These regulations shall be published in the Association's Annual *Proceedings*, in the *Book of Standards*, and on the AWPA website. Whenever substantive amendments to these regulations are adopted the revised sections shall be posted on the AWPA website.

## **2.0 DEFINITIONS**

**2.1 Annex** - A procedural addition to these Technical Committee Regulations which are to be considered mandatory regulations.

**2.2 Appendix** - An addition to these Technical Committee Regulations which provide guidelines or suggested practices. They are non-mandatory unless language in the body of the Technical Committee Regulations or an Annex indicates otherwise.

**2.3 Wood Protection** — The technology of improving the performance of wood and wood-based products by reducing and/or preventing the deterioration and destruction of wood by living organisms (particularly fungi, insects and marine borers) fire, weathering, mechanical wear, absorption of water, or chemical action through the application of a wood protection system.

**2.4 Wood Protection System** – Any agent (chemical coating, or barrier) or process which is applied to or injected into the wood for the purpose of providing wood protection. A wood protection system may contain one or more active ingredients as well as other components such as solvents, emulsifiers, dispersing agents, etc. A system is distinguished by its physical and chemical characteristics.

**2.4.1 Active Ingredient (Protectant)** – Component of a Wood Protection System that protects the wood.

**2.4.2 Other Ingredient** – Any substance which does not enhance the efficacy of the Wood Protection System when

present, nor reduces the performance of the Wood Protection System when absent, but may improve handling, storing, penetration, etc.

**2.4.3 Wood Preservative** – The most common type of Wood Protection System which uses one or more active ingredients (protectants) to chemically preserve the wood.

**2.5 Wood Protection Process** – The method by which a wood protection system is applied to or injected into wood. A Wood Protection Process is distinguished by the techniques and equipment employed for that purpose.

### 3.0 TECHNICAL COMMITTEES

**3.1 Purpose** – The Technical Committees are charged with the responsibility of developing and maintaining AWPA Standards and carrying out tasks as instructed by the Executive Committee. The Technical Committees are as follows:

**Protectant (Preservative) Technical Committees:**

- P-1 Administrative Coordination and Planning
  - P-3 Oilborne and Creosote-based Preservative Systems
  - P-4 Waterborne Preservative Systems
  - P-5 Methods for Chemical Analysis of Preservatives
  - P-6 Methods for Evaluation of Wood Preservatives
  - P-7/T-9 Fire Retardant Systems and Commodities Treated with Fire Retardants
  - P-8 Nonpressure Preservatives
  - P-9 Non-Biocidal Wood Protection
- Treatments Technical Committees:**
- T-1 Administrative coordination and planning
  - T-2 Lumber and timber
  - T-3 Piles and Ties
  - T-4 Poles and Posts
  - T-7 Quality Control and Inspection
  - T-8 Composites
  - T-10 Millwork and Manufactured Wood Products

**3.2 Establishment, Dissolution, and Instruction** – The Executive Committee may establish or dissolve a Technical Committee, may issue instructions thereto, and may appoint or remove officers (chairs, vice chairs, and secretaries). Before dissolving a Technical Committee, the Executive Committee shall confer with the General Chair, and shall notify the chair, vice chair, and members of the Technical Committee facing dissolution at least 30 days before consideration of such action. Technical Committees are encouraged to suggest new or modified Committee instructions for consideration by the Executive Committee. The AWPA shall apprise Technical Committee chairs of appointments and instructions that affect their respective jurisdictions and shall assist such chairs in distributing information to Committee members regarding instructions and the Technical Committee roster. Each Technical Committee is charged with carrying out instructions from the Executive Committee. Such instructions usually pertain to the development of new Standards, revision or withdrawal of existing Standards, development of databases, or other specific task assignments.

### 3.3 Responsibilities of Technical Committees

**3.3.1 Primary Responsibility** – Technical Committees shall

consider proposals for the adoption of new standards, revision or reaffirmation of existing standards, or withdrawal of obsolete existing standards. Technical Committees shall respond to specific instructions from the Executive Committee and are encouraged to suggest new or modified Committee instructions for consideration by the Executive Committee.

**3.3.2 Custodial Responsibility for Standards** – Custodial responsibility for each Standard or section thereof shall be cooperatively assigned by General Chairs and the AWPA Secretary to specific Technical Committees. Where agreement cannot be reached, the chair of the Committee on Committees shall make the assignment. Each published Standard or portion thereof should identify the Technical Committee(s) which exercise(s) custodial responsibility over the Standard.

**3.3.3 Reaffirmation of Standards** - In order to assure that AWPA Standards reflect state-of-the-art developments, Technical Committees shall, within the scope of 6.1, be responsible for a five year periodic review and reaffirmation of each Standard or portion of Standard within their jurisdiction in accordance with Appendix I to the Technical Committee Regulations. Each Standard shall include the latest date of revision or reaffirmation. Any Standard not reaffirmed five years from the most recent revision or reaffirmation date shall be automatically withdrawn with prejudice.

**3.3.4 Cooperation with Other Committees** – Cooperate with other Technical Committees as they develop and interpret specifications which deal with wood protection systems and the treatment of wood therewith.

### 3.3.5 Responsibilities Specific to Protectant (Preservative) Committees:

**3.3.5.1 Standards Jurisdiction** – Protectant Committees are responsible for the development and maintenance of Standards pertaining to wood protection systems or components thereof, methods for evaluating or analyzing such systems or components, and other miscellaneous standards.

**3.3.5.2 Recommendations Regarding Wood Protection Systems** – When considering adoption of a wood protection system in a Standard, the Protectants Technical Committee shall recommend to the Treatments Technical Committee minimum retentions for each proposed Use Category and should, for the benefit of the Treatments Technical Committees, recommend critical operating limits such as temperatures and pressures which may affect the properties of the wood protection system.

### 3.3.6 Responsibilities Specific to Treatments Committees

**3.3.6.1 Standards Jurisdiction** – Treatments Technical Committees are responsible for the development and maintenance of Standards pertaining to treating processes and commodities to be treated, quality control methods, and other miscellaneous standards. Such Standards should permit flexibility in plant operations while limiting conditions which would have adverse effects on the performance of the treated product. Such Standards should contain general and specific recommendations concerning the use of treated wood for common and specialized uses.

**3.3.6.2 Retention, Use Categories, and Assay Zones** – Treatments Technical Committees shall establish retention requirements for each wood protection system no less than the minimum levels recommended by the Protectants Technical Committees as well as assay zone and penetration requirements for the proposed Use Categories. In order to assure suitability for use, a wood protection system may be limited to certain Use Categories or the retention levels may be increased above the recommended minimums. They shall also establish appropriate assay zones for all assay retention requirements.

**3.4 Membership** – Technical Committee membership is open to all qualified persons. Executive Committee members shall not serve on any Technical Committee.

**3.4.1 Qualifications** – Each member shall, by virtue of education or appropriate experience, be qualified to understand and intelligently engage in discussion of the Technical Committee's work.

**3.4.2 Resources** – Since recommendations of Technical Committees shall be supported by evidence, members should have access to the resources required for gathering or analyzing information bearing on matters likely to be considered.

**3.4.3 Participation** – Members are minimally expected to attend meetings, answer association-related correspondence, vote on all ballots, and keep contact information current. Other responsibilities include participation as a member of a task group, checking the AWPA website for proposals and responses to proposals, and participating in other activities and discussions. Since much Technical Committee work is performed by task groups, members are encouraged to serve on task groups and, when sought, to serve as task group chairs. Failure to participate to a significant degree is evidence of lack of interest and cause for removal from Technical Committee membership. Reasonable administrative fees may be assessed at the discretion of AWPA to assist in defraying administrative costs.

**3.4.4 Application for Membership** – Application for membership on a Technical Committee may be made by any person with an interest in the matters considered by that Technical Committee. The "Application for Technical Committee Membership" forms are available in Association publications and on the AWPA website ([www.awpa.com](http://www.awpa.com)). Information supplied on the forms will be used when considering an applicant's qualifications. Completed applications shall be submitted to AWPA, who shall notify the Chair(s) of the Technical Committee(s) on which membership is sought.

**3.4.5 Appointment** – Applications shall be considered by the appropriate General Committee Chair. The AWPA Secretary shall review the applicant's technical qualifications, determine the appropriate Membership Classification and provide a summary of the applications to the Committee on Committees who shall consider the application and the recommendations of the chairs with respect to the applicant and with respect to the Technical Committee. Unanimous approval by the Committee on Committees and subsequent approval by a

majority of the Executive Committee shall constitute appointment. The AWPA Secretary shall determine the voting status with respect to each Technical Committee and provide notice of appointment to the applicant, and to the appropriate General and Technical Committee chairs.

**3.4.6 Classification** – Technical Committee members shall be classified as a "Producer Member", "User Member", or "General Interest Member" in accordance with the following definitions:

**Producer Members** – Those whose primary interest in AWPA affairs parallels that of those who are engaged in the production, sale, promotion or distribution of wood protection systems, treated wood, or components thereof.

**User Members** – Those whose primary interest in AWPA affairs parallels that of those who are engaged in the use of, the specification of, or the inspection of treated wood products, or whose primary interest in the use of treated material is for the retail sales of consumer products or the fabrication of products made from treated materials.

**General Interest Members** – Those whose primary interests would not be expected to necessarily parallel the interests of either "Producer Members" or "User Members".

**3.4.7 Change in Classification** – If a Technical Committee member's classification changes, they shall remain a voting member of the Technical Committee as long as the Technical Committee membership remains in balance. If a violation of the balance requirements would occur, the reclassified member shall be placed at the top of the voting alternate member waiting list.

Members dissatisfied with their classification should request reconsideration by the Executive Committee.

**3.4.8 Voting Status** – When addition of members to a Technical Committee would result in a membership imbalance, new members shall be appointed as voting alternate members. They shall subsequently be reclassified as voting members, in order of their original application to the Technical Committee, when balance requirements permit. When a Technical Committee is out of balance, voting members shall be reclassified by the AWPA Secretary as voting alternate members in reverse order of their original application date as needed to restore balance to the Technical Committee. In addition, voting alternate members shall be reclassified by AWPA Secretary as voting members when balance permits.

**3.4.9 Reinstatement** – Applications may be submitted for reinstatement of Technical Committee memberships previously terminated because of service as a member of the Executive Committee or as a General Committee Chair. Such applications shall be cause for automatic reinstatement when submitted within 90 days of termination of service on the Executive Committee or as General Committee Chair. Reinstatement shall be denied only in cases where reinstatement would cause there to be two representatives of a single entity. Technical Committee size limitations shall be waived. When reinstatement as a voting member would cause violation of the balance requirements, the reinstatement shall be as a voting alternate member. Such reinstated members

shall be given priority over any other voting alternate members in change of their voting status to fill the first available voting membership for their classification.

**3.4.10 Terms** – Once appointed, Technical Committee membership shall continue until the member submits a resignation, is terminated, or the Technical Committee is disbanded by the Executive Committee.

**3.4.11 Termination** – Technical Committee membership may be terminated by the Committee on Committees. Recommended termination shall be based on overall Technical Committee participation. The major responsibilities of the Technical Committee members are to attend meetings, vote on ballot items, and keep contact information current. Failure to comply with all of these major responsibilities in one year shall result in removal from the Technical Committee. Other responsibilities are to respond to AWPA and Technical Committee communications where appropriate, participate as a member of a task group, and check the website for proposals and responses to proposals. Failure to attend two consecutive meetings or participation in two consecutive written ballots or failure to respond to communications or failure to maintain current contact information may constitute grounds for termination of Technical Committee membership.

Terminations may be recommended by the appropriate Technical Committee Chair, General Chair, or the AWPA Secretary. Terminated members shall have right of appeal to the Executive Committee. The written appeal, containing specifics, shall be made to the AWPA Secretary. Technical Committee members appointed to serve as General Committee Chair or installed to the Executive Committee are automatically terminated from Technical Committee membership when service to these offices begins. Members terminated in this fashion may apply for reinstatement.

**3.4.12 Balance** – Balance is required between the number of voting Producer Members vs. voting User Members. Technical Committees are in balance if (a) the number of voting Producer Members is no more than 50 percent of the total Committee membership and (b) the number of voting User Members is no more than 50 percent of total Committee membership. General Interest Members shall make up the balance of the Technical Committee.

This provision does not apply to Committees P-1 and T-1 as members of those Technical Committees serve by virtue of their leadership responsibilities in other P and T Committees and they are considered to be representatives of their respective Technical Committees. It shall be incumbent upon Committee Chairs and members to vigorously recruit new members of any classifications that are needed to maintain Technical Committee balance.

**3.4.13 Size** – The number of voting members may be limited by the Executive Committee in order to enable Technical Committees to operate effectively. There shall be at least five members of each Technical Committee.

**3.4.14 Representation** – Only one representative of a single entity, (e.g., firm, company, institution, or government agency, including organizations related by virtue of legal partnership, a parent/subsidiary relationship, or organizations

owned in whole or in part by a single parent organization) shall be eligible for membership on a particular Technical Committee.

**3.4.15 Membership on Administrative and Planning Committees P-1 and T-1** - The members of Technical Committees P-1 and T-1 shall be the officers (chair, vice chair, and secretary) of their respective Technical Committees.

**3.5 Leadership** – Technical Committee members shall be appointed as chair, vice chair, or secretary of each Technical Committee for a term not to exceed five years. These officers shall be selected from among those who have proven themselves to be outstandingly industrious and capable in Technical Committee work and administration. Unanimous approval by the Committee on Committees and subsequent approval by a majority of the Executive Committee shall constitute appointment.

**3.5.1 Leadership of Administrative and Planning Committees P-1 and T-1** - The chairs of Technical Committees P-1 and T-1 shall not serve as a member of any Technical Committee which reports to the Administrative and Planning Committee they chair. The P-1 and T-1 vice chair and secretary may, but are not required to serve as an officer of any Technical Committee that reports to the Administrative and Planning Committee they are officers of. The chair, vice chair, and secretary of the Administrative and Planning Committees are *ex officio* members of their respective General Committee

**3.5.2 Leadership Responsibilities** – A Technical Committee Chair is responsible for satisfactory and timely performance of the Technical Committee. The Chair may create or dissolve task groups, make appointments thereto, and charge such task groups with specific assignments. The Chair shall provide guidance, advice, and assistance to all who participate in the standardization process.

**3.5.2.1 Technical Committee Meeting Agenda and Time Table** – Chairs should forward a tentative meeting agenda to each Committee member at least 45 days prior to a meeting. This will permit members to suggest changes or additions to the agenda so that the agenda may be finalized 20 days prior to the meeting.

**3.5.2.2 Technical Committee Representation at the AWPA Annual Convention** – Each Technical Committee should be represented at the AWPA Annual Convention by its chair, or the chair's designated representative to discuss the progress and actions of the Committee as necessary.

**3.5.2.3 Task Groups** – Adequate response to many Technical Committee assignments may require the establishment of a task group to study specific areas of concern. Task Groups are informal bodies appointed, directed, and dissolved at the discretion of the appropriate Technical Committee chair.

### **3.6 Minutes and Reports**

**3.6.1 Meeting Minutes** – Accurate and complete minutes of each meeting shall be submitted to Technical Committee members, General Chairs, and to AWPA within 30 days of meeting adjournment. Meeting minutes, at a minimum, shall contain meeting attendance records, a listing of proposals considered, primary motions and their results, and a listing of

task group reports given. Other information, such as summaries of discussions, written reports in the form of attachments to the minutes, Technical Committee instructions, Technical Committee and task group membership listings, etc., should be included for the benefit of the Committee, but are not absolutely required.

**3.6.2 Annual Reports** – On or before November 1, Technical Committee chairs shall forward draft copies of Technical Committee Annual Reports to their General Chair and to AWPA. Annual Reports are essentially the Technical Committee's response to the Executive Committee's instructions and shall contain a complete membership listing, a listing of standardization proposals approved by the Technical Committee, and summarize the year's activities as they pertain to the Technical Committee's instructions. .

**3.6.3 Appendices to Reports** – Appendices shall only be included if approved by at least two-thirds of eligible voters. Appendices should include only factual material and citations of theory or literature. Expressions of opinion are inappropriate in Appendices.

**3.6.4 Minority Reports** – Minority Technical Committee reports should be filed for publication in those cases where irreconcilable difference of opinion exists after full and complete discussion and where the minority report is endorsed by at least one fourth of the Technical Committee with which the reporting minority is associated. Minority views may thus be made known but they shall not present data or arguments which were not presented during Technical Committee discussion. Minority reports, upon request to the Executive Committee, shall be published in the AWPA Proceedings.

#### 4.0 GENERAL COMMITTEES

**4.1 Purpose** - The General Committees serve to provide broad-based review of standardization proposals, and the leadership of the General Committees provides oversight and support for the standardization process. The General Committees are as follows:

**P-General** (Protectants General Committee)

**T-General** (Treatments General Committee)

**4.2 Establishment and Dissolution** - The Executive Committee may establish or dissolve a General Committee and may appoint or remove officers (chairs, vice chairs, and secretaries). Before dissolving a General Committee, the Executive Committee shall first dissolve all underlying Technical Committees in accordance with the regulations for doing so.

**4.3 Responsibilities** - The General Committees shall review each proposal submitted to their underlying Technical Committees.

**4.3.1 Overlapping Responsibilities** – Areas of responsibility of the General Committees may sometimes overlap or not be clearly defined. In such case, the General Chairs of the separate committees shall attempt to agree on placement of responsibility. Where agreement cannot be reached, the Chair of the Committee on Committees shall decide the issue.

**4.4 Membership** - The membership of each General Committee shall consist of all members (voting and voting

alternate) of each Technical Committee which reports to its General Committee. Executive Committee members shall not serve on any General Committee. Representation on a General Committee is limited as follows: Only one representative of a single entity (e.g., firm, company, institution, or government agency, including organizations related by virtue of legal partnership, a parent/subsidiary relationship, or organizations owned in whole or in part by a single parent organization) shall be eligible for voting membership on a particular General Committee. Whenever multiple representation of a single entity occurs, one representative shall be selected by the organization as an official member of the General Committee. Other representatives of an entity shall be named voting alternate members of the General Committee with all rights and privileges except that their vote is "for record only", and all comments made on such votes are considered along with those of official voters. The entity so represented shall select its official member representative but, failing to do so, the selection shall be made by the AWPA Secretary. The General Chair's Committee membership shall not preempt full Committee membership by one other representative of the entity which is also represented by the General Chair.

**4.5 Leadership** - The Chair, Vice Chair, and Secretary of each Administrative Coordination and Planning Committee (Technical Committees P-1 and T-1) shall serve, *ex officio*, as the General Chair, General Vice Chair, and General Secretary of their respective General Committee.

**4.5.1 General Chair (Chair of General Committees)** – A General Chair is responsible for general supervision of work done on instructions to the Technical Committees. The General Chair shall assure that each Technical Committee chair understands the instructions to their Technical Committee and that prompt and aggressive action is taken thereon.

**4.5.2 Prevention of Conflicts in Standards** – General Chairs shall see that conflicts do not occur in AWPA Standards. For example, such possibility exists when treatment of a specific product by more than one process is covered in more than one Standard or when more than one analytical method for a specific material is involved.

**4.5.3 Technical Committee Annual Reports, Editing by General Chair** – Each General Chair shall receive and edit the Technical Committee annual reports. Any substantive change shall be approved by the originating Technical Committee chair. Technical Committee reports shall be corrected by deletion of references to any proposal which failed to be approved. On or before December 1, the General Chair shall submit the assembled reports to AWPA. At least twenty-one days prior to the opening of the Association Annual Convention, the AWPA shall make these reports available to each AWPA member. Technical Committee Reports to the Association shall not be considered to be detailed accounts of each step of the process which led to the recommendations being presented by the report, but shall report only those proposals which received Technical Committee ratification. Those who wish details of the process

through which a Technical Committee Report was developed may obtain copies of pertinent Technical Committee minutes from the AWPA website.

**4.5.4 General Chairs, Cooperation** – General Chairs shall work with each other and with Technical Committee chairs in establishing and publishing the schedule of Regular Technical Committee Meetings. As appropriate, the Committee on Committees shall meet with General Chairs for the purpose of coordinating Technical Committee activities and membership review.

**4.6 Reports of General Committees** - The Chair of each General Committee shall provide an Annual Report for publication in the AWPA Proceedings and may be presented at the Annual Meeting of the AWPA.

**4.6.1 Protectants General Committee** – This General Committee shall make an annual report which appraises the Association of their activities and recommendations and which keeps the association abreast of state-of-the-art developments which relate to wood protection systems, or methods of analysis and evaluation of such systems, whether or not such systems, or methods of analysis and evaluation are covered by existing AWPA Standards.

**4.6.2 Treatments General Committee** – This General Committee shall make an annual report which appraises the Association of their activities and recommendations and which keeps the Association abreast of state-of-the-art developments which relate to uses of treated wood, methods of treatment, and their applications to specific commodities, whether or not such uses, treating methods, or applications are covered by existing AWPA Standards.

## 5.0 SPECIAL COMMITTEES

**5.1 Purpose** - Special Committees are established as required to carry out special assignments outside the scope of the Technical Committees. The current Special Committees are:  
**S-2** Wood Protection Research Committee – Focuses on research issues involving wood protection.

**S-3** Treated Wood Use, Handling and Disposal/Recycle Committee – Responsible for suggesting amendments to appropriate Standards.

**S-8** Plant Operations Committee – Focuses on treating plant operations and environmental regulations.

**5.2 Special Committee Establishment, Dissolution, and Instruction** - The Executive Committee may establish or dissolve a Special Committee, may issue instructions thereto, and may appoint or remove officers (chairs, vice chairs, and secretaries). Before dissolving a Special Committee, the Executive Committee shall confer with AWPA Secretary, and shall notify the chair, vice chair, and members of the Special Committee facing dissolution at least 30 days before consideration of such action. The AWPA shall apprise Special Committee chairs of appointments and instructions that affect their respective committees and shall assist such chairs in distributing information to Special Committee members regarding instructions and the Special Committee roster. Each Special Committee is charged with carrying out instructions from the Executive Committee. Such instructions usually

pertain to specific task assignments

**5.3 Responsibilities** - Special Committees are responsible to carry out tasks as instructed by the Executive Committee. Special Committees may make recommendations pertaining to AWPA Standards, but shall not have jurisdiction over any Standard.

**5.4 Membership** – Special Committee membership is open to all qualified persons.

**5.4.1 Qualifications** –Each member shall, by virtue of education or appropriate experience, be qualified to understand and intelligently engage in discussion of the Special Committee's work.

**5.4.2 Participation** –Members are expected to attend meetings, answer correspondence, and actively participate in other activities. Since much of the Special Committee work is by task groups, members are encouraged to serve on task groups and, when sought, to serve as task group chairs. Failure to participate to a significant degree is evidence of lack of interest and cause for removal from Special Committee membership. Reasonable fees may be assessed at the discretion of AWPA to assist in defraying administrative costs.

**5.4.3 Application for Special Committee Membership** – Application for Special Committee membership may be initiated by completing an application for Committee Membership and sending it to AWPA.

**5.4.4 Appointment** – The Executive Committee shall give due consideration to all applications for Special Committees. Approval by a majority vote of the Executive Committee shall constitute appointment. AWPA shall provide notice of appointment to the applicant.

**5.4.5 Terms** - Once appointed, membership shall continue until the member submits a resignation, is terminated, or the Special Committee is disbanded by the Executive Committee.

**5.4.6 Termination** – Membership on a Special Committee may be terminated by the Executive Committee by majority vote. Terminations may be recommended by the Special Committee Chair or the AWPA Secretary. Terminated members shall have right of appeal to the Executive Committee. The written appeal, containing specific justification for reinstatement to the Special Committee, shall be made to the AWPA Secretary.

**5.4.7 Membership Limitations** - As Special Committees are established for specific purposes by the Executive Committee, function solely as advisory committees to the Executive Committee, and do not develop standards, there are no balance or size requirements.

**5.5 Leadership** - Officers for special committees shall be appointed by majority vote of the Executive Committee as required for the operation of the Committee.

**5.5.1 Task Groups** – Adequate response to many Special Committee assignments may require the establishment of a task group to study specific areas of concern. Task Groups are informal bodies appointed, directed, and dissolved at the discretion of the appropriate Special Committee chair.

**5.5.2 Special Committee Chairs Meeting with Committee on Committees** – As appropriate, the Committee on

Committees shall meet with Special Committee Chairs for the purpose of coordinating Special Committee activities and membership review.

**5.6 Minutes and Reports** - Each Special Committee is required to maintain records of their activities.

**5.6.1 Meeting Minutes** - Accurate and complete minutes of each meeting shall be submitted to Special Committee members and to AWPA within 30 days of meeting adjournment. Meeting minutes, at a minimum, shall contain meeting attendance records, primary motions and their results, and a listing of task group reports given. Other information, such as summaries of discussions, written reports in the form of attachments to the minutes, Special Committee instructions, Special Committee and task group membership listings, etc., should be included for the benefit of the Committee, but are not absolutely required.

**5.6.2 Annual Reports** On or before November 1, Special Committee chairs shall forward draft copies of Special Committee Annual Reports to AWPA. Annual Reports are essentially the Special Committee's response to the Executive Committee's instructions and shall contain a complete membership listing, and summarize the year's activities as they pertain to the Special Committee's instructions. .

**5.6.3 Appendices to Reports**– Appendices shall only be included if approved by at least two-thirds of eligible voters. Appendices should include only factual material and citations of theory or literature. Expressions of opinion are inappropriate in Appendices.

**5.6.4 Minority Reports** – Minority Special Committee reports should be filed for publication in those cases where irreconcilable difference of opinion exists after full and complete discussion and where the minority report is endorsed by at least one fourth of the Special Committee with which the reporting minority is associated. Minority views may thus be made known but they shall not present data or arguments which were not presented during Special Committee discussion. Minority reports, upon request to the Executive Committee, shall be published in the AWPA Proceedings.

## **6.0 GENERAL PROCEDURES FOR STANDARDIZATION**

**6.1 Procedures** – These regulations provide and require a tightly structured, formalized, and rigorous process for the deliberation and ratification of proposals to adopt or substantively revise Standards. Adoption or revision of Standards is accomplished within those constraints required to enhance the performance of commodities produced under AWPA Standards. When the Executive Committee determines that an AWPA Standard shall be initially proposed as an American National Standard, the procedures for the Project Initiation Notification System (PINS) as outlined in Section 2.4 of the ANSI Essential Requirements shall be followed.

**6.2 Purpose** – In the development and maintenance of AWPA Standards, the performance of wood products based on sound scientific principles shall be paramount. Standards should seek to assure at least that minimum product performance which

would reasonably be expected by those considering the product use envisioned by the Standard.

**6.2.1 Treated Wood Commodity Specification Requirements** – A complete specification covering a treated wood commodity minimally requires reference to a specific wood protection system, to a suitable treating process, and to minimum acceptable results of the process. Therefore, a wood protection system is not fully recognized by AWPA for a specific treated commodity until the system is covered by an AWPA Preservatives Standard and by an AWPA Use Category Standard which pertains to the specific treated wood commodity under consideration.

**6.3 Process for Proposal, Consideration and Adoption of Standards** – Any person may propose adoption of a new Standard, or revision, reaffirmation, or withdrawal of an existing Standard. Such proposal shall be made to the Technical Committee within whose jurisdiction the Standard falls. Adoption, revision, withdrawal, or reaffirmation of an AWPA Standard requires that a proponent submit a timely proposal; that the proposal be studied by the Technical Committee within whose jurisdiction the Standard falls, that an appropriate motion by a Technical Committee member in good standing be approved or modified by that Technical Committee at its Meeting; that the Technical Committee ratify by Letter Ballot the recommendations which were approved at the Technical Committee Meeting; and a Review of the procedures followed and final action by the AWPA Executive Committee as described in these Regulations. A proposal that fails to receive approval at any level or during procedural review by the Executive Committee shall be referred to the originating Technical Committee(s) for reconsideration.

**6.4 Publication of Standards** – After final action by the Executive Committee, proposals shall have full authority and standing within the AWPA and all approved actions shall then be published as new or revised Standards, as appropriate, in the next Book of Standards.

**6.5 Data in Support of Proposals** – No Technical Committee shall recommend adoption, revision, reaffirmation, or withdrawal of a Standard unless such recommendation is based upon relevant and adequate supporting data or upon non-controversial laws, facts, or principles.

**6.6. Patented Technologies in American National Standards** – In the event AWPA receives notice that a proposed or approved American National Standard may require the use of an essential patent claim, AWPA shall comply with the patent policy in the current edition of the ANSI Essential Requirements.

**6.7 Withdrawal Without Prejudice** – A Standard or portion thereof may be “withdrawn without prejudice” meaning that the point in question shall be withdrawn from the Standard and reinstatement may be requested at a later date and without providing substantiating data. Such requests for reinstatement may be made to the Executive Committee if received five years or less from the date of revision or reaffirmation of the Standard or portion thereof at the time of withdrawal. If more than five years after this date have elapsed, a proposal shall be filed with the appropriate Technical Committee.

**6.8 Withdrawal With Prejudice** – “Withdrawal with prejudice” means that the point in question, in order to be reinstated shall be accompanied by substantiating data in a proposal to the appropriate Technical Committee.

**6.9 Criteria for Consideration of Wood Protection Systems.**

**6.9.1 Effectiveness** – A wood protection system shall be effective in protecting wood against significant degradation by fungi, insects, marine borers, fire, chemicals, weather, or any other organism or mechanism which can adversely affect the chemical or physical properties of wood for the intended use of the treated product.

**6.9.2 Composition of the Wood Protection System** – Where required for adequate evaluation of a wood protection system, sufficient details of the composition of the system active ingredients (protectants) shall be made available to those who are evaluating it. Other ingredients as defined in 2.2.2 need not be disclosed.

**6.9.3 Effective Control of the Wood Protection System** – The system shall lend itself to effective control under laboratory, field and plant conditions with such controls being supportable by reliable analytical procedures.

**6.9.4 Adequate Service Life** – A wood protection system shall be expected to provide adequate residual effect to assure satisfactory performance of the treated product during its intended service life.

**6.9.5 Adverse Effects** – Should a wood protection system or process have an adverse effect upon the physical or chemical properties of wood or in any way impart objectionable qualities to the treated wood, such effects shall be documented and brought to the attention of those who are studying the system or process.

**6.9.6 Appropriate Reference** – When appropriate, reference should be made to uses which are suited or unsuited to a wood protection system. Some examples are:

- a) Above ground use only.
- b) For use in salt water below high tide level.
- c) Not recommended for use where relative humidity exceeds 90%.

**6.9.7 Commercial Treating Equipment** – A wood protection system shall be suitable for use in commercial treating equipment.

**6.10 Protectant (Preservative) Standards** – Wood preservatives and other wood protection systems shall be the subject of an AWPA Protectant Standard (P Standard). If specified by the proponent in their proposal, a P Standard shall be assigned to an individual or organization for that wood protection system. Proprietary data submitted in support of a wood protection system, while made public for the purposes of standardization, shall not be considered public domain data and remains the property of the proponent if so designated on each page of data submitted. The proponent agrees that AWPA is granted a waiver of copyright to publish any information submitted for the purpose of standardization. All P Standard designations shall be based on active ingredient names, and not trade names. If a wood protection system subject to a patented technology is listed in an AWPA

P Standard, it shall be noted in the heading of the Standard. If the wood protection system is ultimately listed in AWPA Standard U1 under a Commodity Specification, then the patented technology policy applies.

**6.11 Wood Protection Systems Referenced in other AWPA Standards** – Only those wood protection systems covered by an AWPA Preservative Standard shall be referenced in other AWPA Standards.

**6.12 Proposals for New or Revised Preservative Standards – Subsequent Consideration by Treatment Technical Committees** – Proposals for new or revised Preservative Standards which have been ratified by a Protectants (Preservatives) Technical Committee may require subsequent consideration by the Treatments Technical Committee of related proposals for new or revised Use Category System Standards. Prompt subsequent consideration by the Treatments Technical Committees shall be allowed when adequate supporting data has been provided by the applicable deadlines. Any Treatments Technical Committee proposal so developed shall be contingent upon ratification of the underlying Preservatives Technical Committee Proposal.

**6.13 Editorial Revisions and Errata** – Prior notice is not required for consideration of "Editorial" revision of Standards or errata claims. "Editorial" revisions are those which do not change the technical content of a Standard. Examples are adjustments to sentence structure or changes in format. "Errata" are corrections required when a fully ratified proposal differs from that which is published. With advice and consent of the appropriate General Chair, such issues shall be judged to be "Editorial", "Errata", or "Substantive" by the Editorial Committee as appointed by the Executive Committee. Substantive revisions must be the subject of the standardization proposal process described in these regulations.

**6.14 Association Review** – Association members shall be given the opportunity to review and to submit comments on proposals. The review period begins when proposals are posted on the Association Internet web page and ends at the close of the Letter Ballot or 60 days after the posting to the web page, whichever is longer. Comments received shall be considered along with any comments from the Letter ballot, and if not resolved, shall be referred to the Technical Committee in a Referral Ballot.

**6.15. Public Review** – The general public is given the opportunity to review and comment upon proposals. Brief summaries and status reports for proposals during the current cycle shall be posted on the Association internet web page, and full-text proposals shall be available to the public upon request. The public review period begins when status reports are posted on the Association Internet web page and ends at the close of the Letter Ballot or 60 days after the posting to the web page, whichever is later. Comments received shall be considered along with any comments from the Letter ballot, and if not resolved, shall be referred to the Technical Committee in a Referral Ballot.

**6.16 Code of Conduct for Committees** – Technical Committee work should be carried out with professional

objectivity, courtesy, and freedom of expression. Arbitrary or capricious conduct shall be considered inappropriate. Commercial interests shall not interfere with the fundamental requirement for a standardization process which provides for the needs of all interests. Each person involved in AWPA affairs should conduct themselves in such a manner as to comply with provisions of Federal Antitrust Laws and any other applicable Law.

**6.17 Individual Membership** - Membership on all AWPA Committees is based on individual membership. While membership is limited by the entity (or entities) an individual represents, each member shall act in good faith based on their own abilities, and not on behalf of or at the request of any other person or entity. Each member that believes he or she has a conflict of interest with a particular issue should either disclose the conflict or withdraw from involvement in the issue.

**6.18 Proxies** – Proxy voting is not permitted at any meeting or on any ballot of any Committee

**6.19 Contributions** - For the purpose of standardization, each contributor of information grants AWPA all rights necessary to distribute contributions made pursuant to the standardization process. In addition, contributors grant AWPA the rights to incorporate the contributions into AWPA Standards and reproduce, sell, or otherwise distribute Standards with content derived from contributions on a royalty-free basis. AWPA shall not consider any contributions of information, documents, or presentations that are subject to restrictions on dissemination or confidentiality requirements. If a contributor intends to submit such information, a written disclosure shall be provided to AWPA prior to submission of the information, and AWPA will make a determination on a case-by-case basis as to whether or not it can accept such contributions.

**6.20 Document Retention** – All evidence of the consensus process (e.g. ballots, minutes, reports, etc.) shall be maintained by AWPA for a period of at least five years from submission to AWPA or five years from the date of final action by the Executive Committee, whichever is longer. When the Executive Committee has submitted an AWPA Standard for consideration as an American National Standard, all evidence of the consensus process shall be maintained for a period of at least five years from the approval, revision, reaffirmation, and withdrawal of the American National Standard.

## 7.0 PROPOSED EVALUATION METHODS

**7.1 Proposed Evaluation Methods** allow for publication of new methodologies for evaluating wood protection systems. A proponent shall submit the methodology to the appropriate Preservatives Technical Committee and request that it be published as a Proposed Evaluation Method. The Proposed Evaluation Method shall be in a format suitable for publication on the AWPA members' website with a summary of the method on the public portion of the AWPA website. Upon an affirmative majority vote of the Technical Committee during its meeting, the method shall be published for up to

three (3) years and then reviewed for renewal or the Proposed Evaluation Method will be removed from the website. Proposed Evaluation Methods are not AWPA Standards and are therefore not subject to the same requirements as are proposals for standardization.

## 8.0 SUBMISSION OF PROPOSALS FOR STANDARDIZATION

**8.1 Prior Notice Requirements for Proposals** – At any Technical Committee Meeting, no proposal for adoption or substantive revision of a Standard shall be ratified unless written notice of the proposal and its supporting data have been delivered to the AWPA office in a suitable electronic form as determined by AWPA. Such delivery shall have been accomplished at least sixty (60) days prior to the commencement of the Spring or Fall Technical Committee Meetings.

**8.2 Adoption or Revision of a Standard** – Proposals for adoption or revision of a Standard shall be supported by valid laboratory and field or service data. Where possible, standard AWPA test methods should be used. Consideration should be given to any other available data within or outside the United States which might enhance predictability of performance of materials treated with the system or process. Data credibility shall be assessed by the Technical Committee with due consideration being given to the data source and derivation. Proposals in support of a proprietary product shall be supported by data developed by the proprietor but such proposals shall also be supported by scientific data from a non-biased, technically qualified, independent entity.

**8.3 No Data Withheld** – Data relating to adoption, revision, reaffirmation, or withdrawal of a Standard shall be considered only if it includes a written statement that: a) no relevant data has been withheld, or b) relevant data has been withheld but is available upon request. If data relevant to a proposal is withheld and will not be made available, it may constitute grounds for rejection of the proposal. If this occurs, the proponent is advised to either provide written explanation as to why the data was withheld, or to resubmit the proposal at a later date including relevant data. For the purposes of AWPA standardization, "relevant" is defined as any information related to the subject of the proposal as described in Appendix A.

## 9.0 COMMITTEE MEETINGS

### 9.1 Regular Committee Meetings

**9.1.1 Regular Fall Meetings:** – Each Technical and Special committee shall meet during the "Fall Technical Committee Meetings" which shall be scheduled, by agreement between the General Chairs, during the Fall of the year. No committee meetings shall be held concurrently, nor shall any other meeting be held concurrently with any committee meeting.

**9.1.2 Other Regular Meetings:** Committees may also meet in conjunction with the Annual Meeting of the Association or at such other time as may be set by the Executive Committee. Any committee with a pending standardization proposal for the Spring cycle shall be required to meet. The committees

may conduct any appropriate business including consideration of standardization proposals. Because the development of Standards is the primary function of the Technical Committee, those committees with pending proposals will have priority in scheduling. Other committees may have meetings after all Standardization proposals are considered.

**9.2 Special Meetings** – On call of its chair, a Committee shall hold a special meeting. Adequate prior notice shall be given to each member of a Committee for which such meeting is called. No item of business which would ultimately be submitted as a Letter Ballot shall be decided at a special meeting.

**9.3 Right to Participate** – Committee meetings shall be open to any person, whether or not they are members of the Committee. One who is not a Committee member shall be extended the privilege of expressing their view on any subject under consideration and the right to propose a new Standard, or revision or withdrawal of an existing Standard in whole or in part. If a non-member adheres to these regulations, then any new or revised Standard they propose shall be acted upon by the appropriate Committee following data submission. Only Committee members have the right to make a motion on any proposal and to vote. In order to facilitate vote counting during a meeting, voting members should be seated separately from others in attendance.

**9.4 Parliamentary Procedure** – The Tenth Edition of *Robert's Rules of Order, Newly Revised* shall serve as the guide to Parliamentary Procedure at all Committee meetings. Exceptions: The use of "Lay on the Table," "Postpone until a certain time" and "Postpone indefinitely" shall not be permitted during any Committee meeting.

**9.5 Attendance** – The roll shall be called at the start of each meeting before any motions are entertained in order to establish Committee meeting voting status and voting status for any required Committee re-ballots until the current standardization cycle has been completed. One's voting status at the General Committee level remains unaffected by the determination of Committee voting status for the current cycle.

**9.5.1 Voting Eligibility** – Only those Committee members who are present during roll call will be eligible to vote at a Committee meeting. Except in Technical Committees P-1 and T-1, the vote of only one representative or consultant of a single entity shall be counted. The members of Technical Committees P-1 and T-1 serve by virtue of their leadership responsibilities in other P and T Committees and are considered to be representatives of their respective Committees. Any person (inspector, consultant, etc.) retained on a continuing basis by a producer on the issue being voted upon shall be classified as a member of that producer's organization.

**9.5.2 Meeting Voting Status** – Voting status of members present for the meeting shall be established by the Committee Chair and AWPA Secretary at the start of each individual Committee meeting based on attendance during roll call. Committee voting members of classifications for which there is a waiting list that are not present at roll call shall be

changed to voting alternate status. Voting alternate Committee members of the same classification who are present at roll call shall be changed to voting status in the order of the waiting list as long as the number of voting alternate members changed to voting status does not exceed the number of voting members changed to voting alternate status. The Committee member classifications and voting status and the Committee balance should be recorded as part of the Committee meeting minutes. The Committee meeting voting status for any interest category on which there is a voting alternate member list shall remain effective until the end of the meeting.

**9.5.3 Proxies** – Proxies are not permitted at any Committee meeting and shall not be considered when meeting attendance or voting status are determined.

**9.5.4 Quorum** – A quorum for a Committee shall be five (5) qualified voters.

### **9.6 Procedural Jurisdiction**

**9.6.1 Procedural Questions** – Procedural questions arising during Committee meetings shall be decided by the presiding chair. Such decision shall be subject to advice and consent of the General Chair and the Executive Committee designee.

**9.6.2 Presence of Executive Committee Members at Technical Committee Meetings** – A member of the Executive Committee Member designated by the President, shall be present during each Committee Meeting for the purpose of advising the presiding Chair and General Chair on procedural issues. The Executive Committee designee present at each Committee meeting shall restrict their comments to procedural matters. Other Executive Committee members present at Technical Committee meetings shall refrain from commenting unless asked to do so by the Chair..

**9.7 Consideration of Proposals** – Each proponent of a proposal delivered to AWPA at least 60 days prior to the commencement of the Fall or Spring Technical Committee Meetings shall be afforded the opportunity to briefly present their proposal to the Technical Committee. Proposals received after the deadline shall not be considered. All written materials to be distributed to Technical Committee members before or during the meeting and/or any visual presentations to be made at the meeting shall be submitted to AWPA, the proponent, and the Technical Committee members at least 20 days prior to the commencement of the Fall or Spring Technical Committee Meetings. Such materials and presentations shall have precedence in the order of discussion during the consideration of the proposal during the meeting. Written materials and presentations from persons other than the proponent received after the deadline shall not be considered.

**9.7.1 Modifications to Proposals** – Suggestions for modification of a proposal, for which prior notice has been given may be brought before a Technical Committee. Written notice of the intended action, along with appropriate supporting documentation, should be mailed or otherwise delivered to all members of the Technical Committee to which the original proposal was addressed. Such mailing or other delivery should be accomplished at least twenty (20) days

prior to the Meeting of the Technical Committee which is to consider the modification. No interpretation of this paragraph shall be used to limit full and complete discussion of any proposal or suggested modification thereto. The proponent may revise their original proposal based upon suggestions for modification of the proposal or discussion during the meeting.

Such modifications by the proponent may only be made prior to a motion to adopt the proposal.

**9.7.2 Motions for Adoption of Proposals** – Any Technical Committee member in good standing may move to adopt proposals either as originally written or as modified.

**9.7.3 Approved Proposals** - A proposal shall move forward to Letter ballot for approval if it receives at least a two-thirds (2/3) affirmative vote. Abstentions shall not be counted for the purposes of determining the outcome of the vote.

**9.7.4 Failed Proposals** - Proposals failing to receive a majority affirmative vote shall, at the request of the proponent, be referred by letter ballot to the Technical Committee for determination as to whether the Technical Committee's decision during the meeting to fail the proposal should be upheld or overturned pursuant to §10.6. This will be done concurrently with the letter ballot to adopt proposals approved during the Technical Committee meeting.

**9.7.5 Written Ballots** – Ballots on matters of controversy or at the request of a Technical Committee member, and with the consent of the presiding Chair, shall be cast in writing. Such ballots shall be signed by the voter with the affiliation of the voter for the issue being balloted noted on the ballot. Unsigned ballots shall not be accepted. Each negative vote shall be accompanied by a comment related to the proposal. A negative vote without comment or with a comment unrelated to the proposal shall be reported as such and shall not be counted for determining the outcome of the ballot.

## 10.0 LETTER BALLOT VOTING REGULATIONS

**10.1 Information for the Letter Ballot** – The letter ballot shall be made available to all Technical and General Committee members by posting on the Association Internet web page and notification via e-mail or mail. Each ballot shall include the text of the proposal, the rationale for the proposal and results of the committee vote from the meeting. The reason for all committee negative votes and other comments shall be provided, and when that occurs, proponents shall be given an opportunity to provide a brief defense of their proposal to be posted in conjunction with the ballot.

**10.2 Voting Eligibility** – Voting status for the letter ballot shall be as determined as follows: The voting alternate Technical Committee members changed to voting status at the meeting shall retain their voting status for the remainder of the standardization cycle. A like number of voting members not present at the Technical Committee meeting with the least seniority on the Technical Committee shall be changed to voting alternate status for the purposes of the re-ballot. The ballot of only one entity as defined herein shall be accepted. Should multiple ballots be cast, they shall be returned to those who cast them for selection of the one ballot which should be

counted. Any person (inspector, consultant, etc.) retained on a continuing basis by any organization on the issue being voted upon shall be classified as a member of that organization.

**10.3 Ballot Tallies** – Ballot tallies shall report the number of affirmative, negative, and abstaining ballots from eligible voters. Abstentions, negative votes without comment, or comments unrelated to the proposal shall not be counted for the purpose of determining the outcome of a ballot.

**10.4 Return Requirement.** The vote shall be open for not less than twenty-one days and until a minimum of 60% of the ballots from eligible voters are returned. If the voting period is extended, the ballot shall be closed at the end of the day upon which a 60% return is reached. Ballots shall be returned to AWPA by email, mail, courier, or by fax on or before the date the ballot closes in order to be counted.

**10.5 Approval of Proposals** – Proposals approved at the Technical Committee meeting shall be ratified by at least two thirds (2/3) of the eligible affirmative Technical Committee votes. Ballots or comments received after the ballot has been closed will not be considered in the vote tally. Failing to receive ratification, a proposal shall be referred to the originating Technical Committee for further consideration in a Referral Ballot.

**10.6 Reconsideration of Failed Proposals** - In the event a Technical Committee fails a proposal during its meeting and the proponent requests reconsideration by letter ballot, the Technical Committee must vote to either uphold or overturn the result of the vote from the meeting. The ballot question to be asked is, "Shall the result of the vote at the meeting be upheld?" If at least one third of the number of combined "yes" and "no" votes affirmatively, the failure of the vote at the meeting is upheld and the proposal is terminated for the cycle. If more than two thirds of the number of combined "yes" and "no" votes negatively, the failure of the vote is overturned and the proposal is referred to the originating Technical Committee for further consideration in a Referral Ballot.

**10.7 Requirements for Negative Votes on Letter Ballots** – Negative votes shall be accompanied by written argument detailing the voter's objections to the proposal being decided by ballot. Written arguments should include the following: (1) Exact part of the proposal to which objection is made, (2) A concise statement of the technical reason with supporting data (if available) or the reasoning process by which the objection is made, and (3) suggested changes to the proposal which would resolve the voter's objection. A negative vote without comment or with a comment unrelated to the proposal shall be reported as such and shall not be counted for determining the outcome of the ballot.

**10.8 Comment Resolution Process** – On ballot items ratified under the foregoing procedure that received comments related to the proposal, the Technical Committee Chair and/or General Chair shall attempt to informally resolve the comments by conferring with the commenter. Should the voter wish to change their vote and/or withdraw their comment, they may do so, but such change of vote shall be recorded and documented. In such case, the ballots shall be recounted to

determine the outcome of the letter ballot. If the efforts made by the General Committee Chair and/or the Technical Committee Chair to resolve the negative vote do not cause the commenter to change their vote and/or withdraw their comment without substantive change to the ballot item, the comment shall be resolved by a Technical Committee Referral Ballot (re-ballot).

### **11.0 TECHNICAL COMMITTEE REFERRAL BALLOT (RE-BALLOT) PROCEDURE**

**11.1 Re-Ballot** – All General Committee, Association, and Public Review comments, along with any negative votes accompanied by comments related to the proposal and not resolved shall be referred by written ballot of the Technical Committee which originated the proposal. The ballot shall be accompanied by the arguments submitted with the negative votes and/or General Committee/Public/Association review comments and by a rebuttal or other statements from the proponents of the proposal (if they elect to provide such). The ballot question to be asked is “Do you find the comments persuasive (proposal should fail) or not persuasive (proposal should move forward)?” If a majority of the combined “not persuasive” and “persuasive” votes indicate “not persuasive”, the proposal moves forward for procedural review and final action by the Executive Committee. Otherwise, the proposal is terminated for the cycle.

**11.2 Voting Eligibility** – Voting status for the Technical Committee re-ballot shall be as determined as follows: The voting alternate Technical Committee members changed to voting status at the meeting shall retain their voting status for the remainder of the standardization cycle. A like number of voting members not present at the Technical Committee meeting with the least seniority on the Technical Committee shall be changed to voting alternate status for the purposes of the re-ballot. The ballot of only one entity as defined herein shall be accepted. Should multiple ballots be cast, they shall be returned to those who cast them for selection of the one ballot which should be counted. Any person (inspector, consultant, etc.) retained on a continuing basis by a producer on the issue being voted upon shall be classified as a member of that producer's organization.

**11.3 Return Requirement** – The vote shall be open for not less than ten days and until a minimum of 60% of the ballots from eligible voters are returned. If the voting period is extended, the ballot shall be closed at the end of the day upon which a 60% return is reached. Ballots shall be returned to AWPA by email, mail, courier, or by fax on or before the date the ballot closes.

**11.4 Report on Resolution of Negative Votes** – Each Technical Committee Chair shall provide to AWPA and the appropriate General Committee Chair a report that provides documentation of the re-ballot of all negative votes on all ballots resulting from proposals originating in their Technical Committee. This report shall be provided to the General Chair prior to the Executive Committee's procedural review of the Letter Ballot. It shall be presented to and considered by the Executive Committee during the procedural review process.

The report shall contain the following documentation for each negative vote:

- Name of the voter
- Content of the negative vote
- Action taken to resolve the negative vote with detailed rationale addressing each portion of the negative vote (withdrawn without change, withdrawn with editorial change, voted as not persuasive, voted as persuasive)
- When Letter Ballot negatives are re-balloted to the Technical Committee, vote tallies reflecting the count of affirmative, negative, or abstaining votes by voting members

### **12.0 PROCEDURAL REVIEW BY EXECUTIVE COMMITTEE**

**12.1 Procedural Review and Final Action** – Following completion of the foregoing processes, the Executive Committee shall review Technical Committee actions on proposals to ensure that they are in compliance with requirements of these Technical Committee Regulations. Should an appeal be requested in accordance with the appeals process, or an Executive Committee member finds that Technical Committee actions were not compliant with these requirements, the Executive Committee shall review the proposal(s) of concern. Technical Committee members and other interested parties should be present and participate in such discussions. If the proposal is found to be procedurally deficient it shall be returned to the originating Technical committee for reconsideration in the following cycle. If the proposal is ratified by the Executive Committee it shall be considered to have full and final Association approval and shall be published in the *Book of Standards*.

**12.2 Environmental Protection Agency Registration** – In general, a wood protection system should be registered with the Environmental Protection Agency for use as a wood protection system. Prior to the Executive Committee taking final action on a proposal for that system, a proponent shall either provide proof of EPA registration, or proof that registration is not required. If proof is not provided, the proposal for the wood protection system and any modifications to treated wood commodity specifications shall be held in abeyance until such proof is provided. If proof is not provided by the end of the third calendar year following the Executive Committee meeting considering such proposals, the proposals shall expire and must be re-submitted to the Technical Committees as if they were new proposals.

### **13.0 APPEALS OF TECHNICAL COMMITTEE ACTION OR INACTION**

**13.1 Actions Eligible for Appeal** – Any action taken by a Technical Committee to promulgate or revise a Standard, or any procedural inaction of a Technical Committee may be appealed to the Executive Committee by a member of a Technical Committee or by a party affected by the proposed new, revised, reaffirmed, or withdrawn Standard. All unresolved objectors shall be advised in writing as to the disposition of the objection, the reasons therefore, and that an

appeals process exists within these Technical Committee Regulations.

**13.2 Grounds for Appeal** – The exclusive grounds for an appeal shall be that an action or inaction of any Technical Committee was arbitrary and capricious, or procedurally defective.

**13.3 Notice of Appeal** – Notice of appeal shall be made in writing to the AWPA Secretary within 20 days from the date the minutes of a Technical Committee Meeting are delivered to the Committee members or within 20 days of the announcement of Letter Ballot or Technical Committee Re-ballot results. Notice of appeal for inaction may be made at any time. All notices of appeal shall set forth with specificity the grounds upon which the action or inaction of the Technical Committee is challenged.

**13.4 Consideration of Appeal** – The Executive Committee shall consider the appeal at its next meeting following the filing of a notice of appeal. The Executive Committee shall allow any interested party to make an oral or written presentation and shall give written notification of its decision on the appeal, setting forth the reasons for its decision, within 30 days of its consideration of the appeal.

**13.5 Reversal of Technical Committee Action** – Where appropriate, the Executive Committee shall either remove the action from further consideration or instruct the appropriate Technical Committee to take action.

#### **14.0 INTERPRETATION OF AWPA STANDARDS**

**14.1 Requests for Interpretation** – Any party requesting a formal interpretation of an AWPA Standard shall submit a written request to AWPA, specifying the exact section of the AWPA Standard to be interpreted, along with specific questions to be answered regarding that section.

**14.2 Interpretation** – The request shall be forwarded to a panel consisting of the Chair of the Technical committee with jurisdiction over the Standard, the General Chair, and the AWPA Secretary. This panel shall render the interpretation by consensus and provide a written response to the requesting party by unanimous consent within 30 days.

**14.3 Technical Committee Referral** – If the panel fails to reach consensus, the section of the Standard in question shall be referred to the appropriate Technical Committee for reconsideration at its next meeting.