

**Notes**  
**ICSP Meeting**  
**1:30 – 3:30 pm**  
**November 18, 2009**

**National Institute of Standards & Technology**  
**Heritage Room– 1<sup>st</sup> Floor**  
**Administration Building (101)**  
**Gaithersburg, MD 20899**

---

*Attendees:*

*Michael Case, NRC*  
*Colin Church, CPSC*  
*Bert Coursey, DHS*  
*Don Marlow, FDA*  
*Carlos Pena, FDA*  
*Don Pittenger, DOL*  
*Trudie Williams, DOD*  
*Gordon Gillerman, NIST*  
*Belinda Collins, NIST*  
*Mary Donaldson, NIST*  
*Pat Harris, NIST*  
*Maureen Breitenberg, NIST*  
*Norman Schwartz, DOE*

*VIA Teleconference:*

*Tim Klein, DOT*  
*Jim Sorace, HHS*  
*Kathleen Baden, GSA*  
*Chuck Martin, USDA*  
*Mike Carr, DOJ*  
*Dan Wengrovitz, DOJ*  
*Carol Herman, FDA*  
*Katrina Whittington, Treasury*

*Guest:*

*Phil Wentworth, KAVI Corporation*

---

*Welcome from the Chair, Dr. Belinda Collins, NIST*

*Self introductions – All*

*Update on Public Policy Related Standards Issues*

- *Social Responsibility Update<sup>1</sup> - Maureen Breitenberg, NIST provided an update of the development of ISO 26000 on Social Responsibility. The document,*

---

<sup>1</sup> Note: Based on the result of the voting and the analysis of the backing among the D-liaisons, ISO 26000 has now advanced to the Final Draft International Standard (FDIS) stage. All comments will be discussed at the next

“Guidance on Social Responsibility” is now at the DIS (draft international standard) stage and is currently about 100 pages of text. Voting began 9/14/2009 and will close on 2/14/2010. US Government representatives were successful in having the following disclaimers added into the scope of the standard (as opposed to the forward):

*“This International Standard is not a management system standard. It is not intended or appropriate for certification purposes or regulatory or contractual use. Any offer to certify, or claims to be certified, to ISO 26000 would be a misrepresentation of the intent and purpose of the International Standard.”*

*“This International Standard is intended to provide organizations with guidance concerning social responsibility and can be used as part of public policy activities. However, for purposes of the Marrakesh Agreement establishing the World Trade Organization (WTO) it is not intended to be interpreted as an “international standard”, “guideline” or “recommendation”. Further, it is not intended to provide a basis for legal actions, complaints, defences or other claims in any international, domestic or other proceeding, nor is it intended to be cited as evidence of the evolution of customary international law.”*

*“This International Standard is not intended to prevent the development of national standards that are more specific, more demanding, or of a different type.*

Two USG representatives, Mary McKiel (EPA) and Gwen Manseau (DOC Office of the General Counsel) have been doing an excellent job of coordinating the US input– both at the TAG level and among the federal agencies involved.

- *Sustainable Agriculture – USDA – ISO’s* Technical Management Board (TMB) has approved a new committee on Biofuels Sustainability, officially titled: Sustainability Criteria for Bioenergy: <http://www.iso.org/iso/pressrelease.htm?refid=Ref1282>. Towards convening a US TAG, ANSI is soliciting interest for TAG administrators. There is concern that a US TAG Administrator be sufficiently capable of providing a strong US voice to the effort.

*US-EU Energy Council* – This is a new government-government group which has been formed to strengthen cooperation in the energy area, including renewable energy. (The first meeting of the Council was held in Washington on November 4, 2009). Something to watch, it is unclear how this organization’s efforts will intersect with ISO initiatives.

*Smart Grid Interoperability Project Update – Gordon Gillerman, NIST.* NIST has responsibility for coordinating the development of model standards and protocols for a framework in support of the national Smart Grid project. Part of this project involves identifying existing standards and where there are standards gaps. George Arnold, as the designated National Coordinator for Smart Grid Interoperability is leading the NIST effort. For more detail and updates about the Smart Grid project, see NIST’s Smart Grid Webpage: <http://www.nist.gov/smartgrid/>

---

meeting in Copenhagen to increase the level of consensus and the quality of the document. This revised document will be circulated as a Final Draft International Standard (FDIS) for a 2 month ballot. If approved on the FDIS vote, the document will be published as an International Standard by the end of this year.

- *Health IT*- NIST's Information Technology Lab is actively engaged in the multifaceted and multi-organizational nation-wide effort being applied towards the development of the framework needed for an advanced and interoperable Health Information Technology infrastructure. Towards this goal, there are considerable resources going towards developing a system for certifying software providers in the health IT industry. For more information on this and other Health IT efforts at NIST, please visit the Software and Systems Division of the Information Technology Laboratory project's webpage: <http://itl.nist.gov/div897/projects.html>
- *Nuclear Standards* – The Nuclear Energy Standards Coordination Collaborative, a joint effort between NIST and ANSI, was established to address and respond to the emerging needs of the nuclear power industry. Government cooperating members are NIST, DOE and NRC. The group will work together with industry and SDOs to examine, improve, and develop standards to support the next generation of nuclear power plant construction. The group's charter is available on ANSI's website: [http://publicaa.ansi.org/sites/apdl/Documents/Meetings%20and%20Events/2009%20NESCC/NESCC%20Meeting%20-%20June%201,%202009/NESCC%209-001%20CHARTER\\_6\\_01\\_09%20\(6.22.09\).pdf](http://publicaa.ansi.org/sites/apdl/Documents/Meetings%20and%20Events/2009%20NESCC/NESCC%20Meeting%20-%20June%201,%202009/NESCC%209-001%20CHARTER_6_01_09%20(6.22.09).pdf)
- *Congressional Interest in Standards* – There is a renewed and major interest in standards, particularly coming from the House Science Committee. NIST is currently developing a response to the question of how much federal money goes to private sector standards developing organizations in the form of dues. Agencies able to provide this information are asked to provide responses to NIST by December 1<sup>st</sup>.
- *Nanotechnology Standards Panel* – There is a need for more federal participation on the Nanotechnology Standards Panel.(NSP). ANSI is the administrator of the US TAG for the ISO Technical Committee 229 on Nanotechnologies. The US TAG reports to the NSP. For more information about the ANSI NSP, visit [http://www.ansi.org/standards\\_activities/standards\\_boards\\_panels/nsp/overview.aspx?menuid=3](http://www.ansi.org/standards_activities/standards_boards_panels/nsp/overview.aspx?menuid=3).

*NIST Standards Training Program for Federal Agencies* – Pat Harris, NIST. On October 29-30, 2009 NIST sponsored two days of standards training for government employees at Georgetown University in Washington, DC. The training, entitled: Standards and Regulatory Essentials for the Federal Sector, trained about 33 government personnel. The first day involved presentations designed to provide an overview of the standards sector, and the government's role in the sector. The second day involved a hands-on role play standards development exercise. Copies of the training presentations are posted on the training webpage: <http://ts.nist.gov/Standards/Standards-and-Regulatory-Essentials-Training.cfm>. NIST will be offering additional training sessions, and can tailor training to meet agency needs. There is a possibility that NIST could use training center space at USDA. For more information about the training, contact Pat Harris ([patricia.harris@nist.gov](mailto:patricia.harris@nist.gov))

*Office of Government Ethics Memo – [APPLICATION OF 18 U.S.C. § 208 TO SERVICE BY EXECUTIVE BRANCH EMPLOYEES ON BOARDS OF STANDARD-SETTING ORGANIZATIONS](#)* - Discussion – There was a general discussion of the existence of this memo which could help agencies in their decisions to support staff involvement in Standards Developing Organizations.

*Updating standard references via Direct Final Rule – Update of the Acetylene Standard – OSHA’s Experience –* Don Pittenger, DOL Standards Executive Representative discussed OSHA’s use of the DFR (direct final rule) in lieu of the conventional “proposed rule” procedure in rulemaking. This process was used by OSHA for updating the Acetylene Standard. (See [http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=FEDERAL\\_REGISTER&p\\_id=21026](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=21026)) When permissible, the DFR procedure streamlines the process of updating standard references. OSHA prioritizes which rules to update based on the average age of the references. In some cases, OSHA will publish a “Technical Amendment” to update consensus standards not directly incorporated into rules but used in appendices or notes. It would be much better if OSHA was aware of when a standard referenced in a regulation is updated. At this time, there is no direct notification or “pinging” when this happens in the VCS world. [Attached](#) is a copy of Don’s presentation.

*FY 2009 NTTAA Reports Due by December 16<sup>th</sup>* – If anyone needs assistance with their annual report, please contact Mary Donaldson (mary.donaldson at nist.gov).

#### *Other Items - Once Around the Table*

Colin Church mentioned that CPSC provides a “read only” version of a referenced standard during open comment periods – this eases of the burden of a review by interested and affected parties.

#### *Global Standard for Consumer Product Manufacturing – RILA,*

The US Based Retail Industry Leaders Association has joined with the British Retail Consortium (BRC) to develop an update (Issue 3) of BRC’s Global Standard for Consumer Product Manufacturing, a consortium developed standard focusing on the supply chain. RILA members include major US retailers such as Wal-Mart, Costco, Dollar General, JC Penney, Michaels, Best Buy, Target, Sears, Lowes, and Home Depot. The standard is in the genre of ISO 9001 with HACCP (Hazard Analysis & Critical Control Points) and some other themes included. While it contains no specific requirements, it is goal oriented, with sector specific guidelines with the supplier at liberty to determine how to meet them. A draft is out for comment, and the standard is scheduled for publication in the March 2010 time frame. The “BRC Global Standards scheme comprises a set of standards against which manufacturers and service providers can be audited to ensure that what they produce is safe, legal and of the required quality”. BRC approves the certification bodies that carry out factory audits to the standard. There is some concern within the USG about how this standard is interpreted by the retail supply chain. Government regulatory requirements should be considered primary. For more information about this standard, see <http://www.rila.org/supply/productsafety/Pages/default.aspx>.

*Presentation by Kavi — Overview of Software for Standards Developers – Phil Wentworth*

*Adjourn*