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|  | **ExMC/1984/Inf****August 2023** |
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**INTERNATIONAL ELECTROTECHNICAL COMMISSION SYSTEM FOR
CERTIFICATION TO STANDARDS RELATING TO EQUIPMENT FOR USE
IN EXPLOSIVE ATMOSPHERES (IECEx SYSTEM)**

## Title: US Regional Report

To: Members of the IECEx Management Committee, ExMC

**Introduction**

This document contains a report from the USNC/IECEx regarding Agenda item “Regional Reports” for noting/discussion during the September 2023 IECEx Management Committee meeting in Edinburgh.

**IECEx Secretariat**

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Chair: S. Kiddle **USNC/IECEx**

Vice Chair: K. Holdredge c/o NEMA

Vice Chair: K. Wolf 1300 North 17th St., Ste. 900

Past Chair: E. Massey Arlington, VA 22209

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August 2, 2023

###### VIA E-MAIL TRANSMISSION

Mr. Chris Agius

IECEx Secretariat

c/o IEC Central Office

3, rue de Varembé

P.O. BOX 131

CH-1211 Geneva 20, Switzerland

**Subject:** USNC/IECEx Regional Report for US regarding the Agenda for the 2023 ExMC Meeting, Item 16.1

Dear Mr. Agius:

The USNC/IECEx provides the following Regional Report for US in accordance with the 2023 ExMC Agenda Item 16.1:

**Name of Member Body**

* US National Committee for the IECEx

**Any changes in Market approach or Regulations regarding use of IECEx deliverables that maybe of interest to other IECEx Members**

* The 2019 revision to the OSHA NRTL Program Directive, having the implementation postponed due to the continuing impact of the COVID-19 global pandemic, became effective October 1, 2022.

The revised Directive contains some major modifications to OSHA NRTL Policies including new procedures for the acceptance of inspections and test data from organizations that function as part of the IECEx System for equipment certification. The new NRTL procedures for the acceptance of inspections and test data from ExCBs and ExTLs will be based on the recognition of the ISO/IEC 17025 and 17065 standards.

**Any ideas for marketing or growth of IECEx**

* The US National Committee for the IECEx continues to work with offshore regulators, the US Coast Guard and the Bureau of Safety and Environmental Enforcement (BSEE), along with the Mine Safety and Health Administration (MSHA), in the effort of adopting the IEC Ex Equipment Scheme and harmonizing their requirements to align with IEC and ISO standards.
* The US National Committee for the IECEx to support the work with ExMC WG17 to identify and exploit opportunities for positive outcomes for IECEx from the IEC GIF
* The US National Committee for the IECEx supports use of the GIF toward CA relative to the hydrogen economy

 **Any concerns that the Member Body may have**

* The US National Committee for the IECEx successfully worked with ANSI in seeking guidance from the Office of Foreign Assets Control (OFAC) regarding US trade-sanctioned countries. US based ExCBs and ExTLs need to apply clause 10.2 of CA 01 for legal provision at a national level to ensure there is no violation of US law.

US based ExCBs and ExTLs are including in the IECEx Test Report cover, an OFAC Disclaimer that states:

*In accordance with US government regulations, this Test Report cannot be used to support national certification in a country that is the subject of a comprehensive US trade embargo.*

*For a list of countries subject to a comprehensive trade embargo, as well as a list of countries subject to more limited trade sanctions, see* [*https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information*](https://protect-us.mimecast.com/s/8EywCJ6KGjU5qM7tG_0K3?domain=nam11.safelinks.protection.outlook.com)*.*

 Additionally:

1. US ExCBs cannot go to embargoed countries physically or virtually for peer assessments
2. Representatives from embargoed countries cannot travel to or assess virtually, any US ExCBs
3. US ExCBs cannot accept ExTRs from embargoed countries for the purpose of issuing an NRTL certification that would promote trade
4. US ExCBs will not perform QAR assessments physically or virtually in embargoed countries

 **Any other information that the Member Body wishes to share, e.g., and planned events etc.**

* The USNC/IECEx has circulated the following national differences since the last ExMC meeting:
	+ IEC 60079-11, Ed. 6 (2023)
	+ IEC 60079-5, Ed. 4.1
	+ IEC 62990-1, Ed. 1
* USNC/IECEx anticipates that improvements to the IECEx bulletin will provide an online system where Member Bodies will be able to update their national differences.

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,

Mike Leibowitz

USNC/IECEx Secretary

MGL

cc: S. Kiddle