

U.S. Federal Register Update: May 17 – May 21, 2021

The U.S. Federal Register Update contains summaries of entries in the U.S. Federal Register that may be of particular interest to the standards and conformity assessment community. This update is provided on a weekly basis by ANSI as a service to its members as part of the Institute's e-newsletter, *What's New?*

[Energy Conservation Program: Test Procedures for Certain Commercial and Industrial Equipment; Early Assessment Review: Refrigerated Bottled or Canned Beverage Vending Machines](#)

Published 5/19/2021

Reference ANSI, ASHRAE, IEC

The U.S. Department of Energy ("DOE" or "the Department") is undertaking an early assessment review to determine whether amendments are warranted for the test procedure for refrigerated bottled or canned beverage vending machines ("BVMs"). DOE has identified certain issues associated with the currently applicable test procedure on which DOE is interested in receiving comment. The issues outlined in this document mainly concern updates to industry standards, test setup and conditions, product rating temperature, energy consumption calculations, operating modes, alternate refrigerants, and connected functions. DOE welcomes written comments from the public on any subject within the scope of this document, including topics not raised in this request for information ("RFI"). **Written comments and information are requested and will be accepted on or before June 18, 2021.**

[TUV Rheinland of North America, Inc.: Grant of Expansion of Recognition](#)

Published 5/19/2021

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for TUV Rheinland of North America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). **The expansion of the scope of recognition becomes effective on May 19, 2021.**

[CSA Group Testing & Certification Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards](#)

Published 5/19/2021

Reference ANSI, CSA, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for CSA Group Testing & Certification Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the final decision to add four new test standards to the NRTL Program's List of Appropriate test standards. **The expansion of the scope of recognition becomes effective on May 19, 2021.**

[Energy Conservation Program: Test Procedures for Water Closets and Urinals](#)

Published 5/20/2021

Reference ANSI, ASME, CSA

The U.S. Department of Energy ("DOE") proposes to amend the test procedures for water closets and urinals, to reference the most recent update to the relevant industry standard, American Society of Mechanical Engineers ("ASME") Standard 112.19.2-2018. DOE also proposes to replace the term "blowout toilet" with "blowout bowl water closet," and add definitions for the terms "blowout action," "gravity flush tank water closet," "siphonic action," "siphonic bowl," and "trough-type urinal," which are currently used in the Federal test procedures but not defined. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than July 19, 2021. See section V, "Public Participation," for details. DOE will hold a webinar on June 16, 2021, from 10:00 a.m. to 3:00 p.m. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. If no participants register for the webinar, it will be cancelled.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Site Characterization Surveys Off the Coast of Massachusetts](#)

Published 5/20/2021

Reference ANSI

NMFS has received a request from Mayflower Wind Energy LLC (Mayflower) for authorization to take marine mammals incidental to site characterization surveys off the coast of Massachusetts in the area of the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0521) and along potential submarine cable routes to landfall locations at Falmouth, Massachusetts and near Narragansett Bay. NMFS published a proposed incidental harassment authorization (IHA) in the Federal Register on March 1, 2021, Mayflower determined that they needed to add an additional export cable route corridor to the proposed IHA. Therefore, a final IHA was not issued and Mayflower submitted a modified application on April 19, 2021. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its modified proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorizations and agency responses will be summarized in the final notice of our decision.

[Taking of Marine Mammals Incidental to Specific Activities; Taking of Marine Mammals Incidental to Pile Driving and Removal Activities During Construction of the Hoonah Marine Industrial Center Cargo Dock Project, Hoonah, Alaska](#)

Published 5/20/2021

Reference ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the City of Hoonah (City) to incidentally harass, by Level A and Level B harassment, marine mammals during pile driving activities associated with construction upgrades of a cargo dock at the city-owned Hoonah Marine Industrial Center (HMIC) in Port Frederick Inlet on Chichagof Island in Hoonah, Alaska. **This Authorization is effective for one year from issuance.**

[Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program Under the American Innovation and Manufacturing Act](#)

Published 5/19/2021

Reference ASHRAE

The Environmental Protection Agency is proposing to issue regulations to implement certain provisions of the American Innovation and Manufacturing Act, as enacted on December 27, 2020. This rulemaking proposes to: Establish the hydrofluorocarbon production and consumption baselines based on historical data; establish the allowance allocation program to phase down hydrofluorocarbon production and consumption; determine an initial methodology to allocating allowances and allowing for the transfer of those allowances; establish provisions for the international transfer of allowances; establish requirements to support compliance with phasing down hydrofluorocarbon production and consumption; establish recordkeeping and reporting requirements; release certain data to provide transparency and support implementation of the program; and, address certain other elements related to the effective implementation of the American Innovation and Manufacturing Act. In addition to the proposed provisions, EPA is seeking advance input on how the Agency may alter its determination of company-specific allocations in later years. EPA is considering these issues, and therefore is seeking public input on them, but is not making any particular proposal in relation to them, and therefore will not finalize any requirements on these topics before issuing a notice of proposed rulemaking and requesting public comment. **Comments on this notice of proposed rulemaking must be received on or before July 6, 2021. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before June 18, 2021. The Environmental Protection Agency (EPA) will hold a virtual public hearing on June 3, 2021. The date, time, and other relevant information for the virtual public hearing will be available at <https://www.epa.gov/climate-hfcs-reduction>.**

[Safety Standard for Children's Folding Chairs and Stools](#)

Published 5/17/2021

Reference ASTM

In December 2017, the U.S. Consumer Product Safety Commission (CPSC) issued a consumer product safety standard for children's folding chairs and stools. The standard incorporated by reference the applicable ASTM voluntary standard. The Consumer Product Safety Improvement Act (CPSIA) sets forth a process for updating mandatory standards for durable infant or toddler products that are based on a voluntary standard, when a voluntary standards organization revises the standard. Since 2017, ASTM has revised the voluntary standard for children's folding chairs and stools twice. Consistent with the CPSIA update process, this direct final rule updates the mandatory standard for children's folding chairs and stools to incorporate by reference ASTM's 2021 version of the voluntary standard. **The rule is effective on August 21, 2021, unless**

we receive significant adverse comment by June 16, 2021. If we receive timely significant adverse comments, we will publish notification in the Federal Register, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of August 21, 2021.

[Energy Conservation Program: Test Procedure for Commercial Prerinse Spray Valves](#)

Published 5/20/2021

Reference ASTM

The U.S. Department of Energy (“DOE”) proposes to amend the test procedures for commercial prerinse spray valves to incorporate by reference the current version of the relevant industry standard, i.e., ASTM F2324. ASTM F2324 (2019) is a reaffirmation of the industry standard currently incorporated by reference in the DOE test procedure for commercial prerinse spray valves and as such, this proposal would not substantively change the current test procedure. DOE also proposes to amend the commercial prerinse spray valves definition to codify existing guidance on the application of the definition. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than July 19, 2021. See section V, “Public Participation,” for details.**

[Clean Water Act Methods Update Rule for the Analysis of Effluent](#)

Published 5/19/2021

Reference ASTM

The Environmental Protection Agency (EPA) is finalizing changes to its test procedures required to be used by industries and municipalities when analyzing the chemical, physical, and biological properties of wastewater and other environmental samples for reporting under EPA's National Pollutant Discharge Elimination System (NPDES) permit program. The Clean Water Act (CWA) requires EPA to promulgate these test procedures (analytical methods) for analysis of pollutants. EPA anticipates that these changes will provide increased flexibility for the regulated community in meeting monitoring requirements while improving data quality. In addition, this update to the CWA methods is incorporating technological advances in analytical technology. **This final rule is effective July 19, 2021.**

[Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014](#)

Published 5/21/2021

Reference ASTM

In this action, the U.S. Environmental Protection Agency (EPA) is promulgating a Federal plan to implement the Emission Guidelines (EG) and Compliance Times for Municipal Solid Waste (MSW) Landfills (2016 MSW Landfills EG) for existing MSW landfills located in states and Indian country where state plans or tribal plans are not in effect. This MSW Landfills Federal Plan includes the same elements as required for a state plan: Identification of legal authority and mechanisms for implementation; inventory of designated facilities; emissions inventory; emission limits; compliance schedules; a process for the EPA or state review of design plans for site-specific gas collection and control systems (GCCS); testing, monitoring, reporting and record keeping requirements; and public hearing requirements. Additionally, this action summarizes implementation and delegation of authority of the MSW Landfills Federal Plan. **The final rule is effective on June 21, 2021. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of June 21, 2021.**

[Selection of Naval Undersea Warfare Center Newport Division as the Designated Institute for Underwater Acoustics Measurements](#)

Published 5/18/2021

Reference NIST

The National Institute of Standards and Technology (NIST), an agency of the United States Department of Commerce, has designated the Naval Undersea Warfare Center (NUWC) Division Newport as the U.S. Designated Institute (DI) for Underwater Acoustics Measurements to meet the needs of the national security of the United States. This designation is in accordance with the Mutual Recognition Arrangement (MRA) of the Comité International des Poids et Mesures (CIPM), to which NIST is a signatory as the National Measurement Institute (NMI) of the United States. Section 6.1 of the MRA allows NIST to designate a laboratory other than itself to participate in the CIPM key comparisons on behalf of its nation and to be responsible for disseminating the national measurement standards relevant to a particular measurand if a substantial and demonstrable scientific need, trade barrier to an industry in the United States, or a national security need is addressed by such designation and such need cannot be addressed by NIST. **NIST's designation of the Naval Undersea Warfare Center**

(NUWC) Division Newport as the U.S. Designated Institute for Underwater Acoustics Measurements will expire on March 31, 2024. NIST will consider comments from the public regarding this designation received by that date as part of an annual review of the status and performance of the DI.

[National Conference on Weights and Measures 106th Annual Meeting](#)

Published 5/20/2021

Reference NIST

The 106th Annual Meeting of the National Conference on Weights and Measures (NCWM) will be held using a combined video conferencing platform for on-line attendance, and in-person at the Hyatt Regency Rochester in Rochester, New York, from Sunday, July 18, 2021, through Friday, July 23, 2021. This notice contains information about significant items on the NCWM Committee agendas but does not include all agenda items. As a result, the items are not consecutively numbered. **The 106th Annual Meeting will be held from Sunday, July 18, 2021, through Friday, July 23, 2021. The meeting schedule will be available on the NCWM website at www.ncwm.com.**

[Improving the Nation's Cybersecurity](#)

Published 5/17/2021

Reference NIST

A Presidential Document by the Executive Office of the President.

[Proposed Agency Information Collection Activities; Comment Request](#)

Published 5/17/2021

Reference NIST

Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Request (ICR) abstracted below. Before submitting this ICR to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified below. **Interested persons are invited to submit comments on or before July 16, 2021.**

[Privacy Act of 1974; System of Records](#)

Published 5/18/2021

Reference NIST

The Federal Communications Commission (FCC, Commission, or Agency) proposes to add a new system of records, FCC/WCB-5, Robocall Mitigation Database to its inventory of records systems subject to the Privacy Act of 1974, as amended. This action is necessary to meet the requirements of the Privacy Act to publish in the Federal Register notice of the existence and character of records maintained by the Agency. The FCC requires voice service providers to certify that they have implemented the Secure Telephone Identity Revisited and Signature-based Handling of Asserted Information Using toKENs (STIR/SHAKEN) caller ID authentication framework and/or a robocall mitigation program. These certifications will be uploaded to the Robocall Mitigation Database and include the personally identifiable information (PII) of individual representatives of the service providers, such as contact information. Once service providers submit their certifications to the FCC, the certifications will then be made available for download via a public website to ensure transparency and accountability for implementing robocall mitigation programs. **This system of records will become effective on May 18, 2021. Written comments on the routine uses are due by June 17, 2021. The routine uses will become effective on June 17, 2021, unless written comments are received that require a contrary determination.**
