

## U.S. Federal Register Update: July 19 – July 23, 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: Definition of Showerhead](#)

**Published** 7/22/2021

**Reference** ANSI, ASME

In this notice of proposed rulemaking ("NOPR"), the U.S. Department of Energy ("DOE") proposes to revise the current definition of "showerhead" adopted in the December 16, 2020 final rule ("December 2020 Final Rule") by reinstating the prior definition of "showerhead." This reinstatement of the prior definition is consistent with the purposes of the Energy Policy and Conservation Act ("EPCA"). Further, DOE has tentatively determined that, in reinstating the prior definition of "showerhead," all showerheads within a product containing multiple showerheads will be considered part of a single showerhead for determining compliance with the 2.5 gallons per minute ("gpm") standard. In addition, DOE proposes to remove the current definition of "body spray" adopted in the December 2020 Final Rule. Finally, DOE does not propose any changes to the definition of "safety shower showerhead" adopted in the December 2020 Final Rule. DOE invites comment on all aspects of this proposal, including data and information to assist in evaluating whether the definition of "showerhead" from the October 2013 Final Rule should be reinstated, and announces a webinar to collect comments and data on its proposal. **Meeting: DOE will hold a webinar on Tuesday, August 31, 2021, from 1:00 p.m. to 4:00 p.m. See section V., "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. Comments: DOE will accept comments, data, and information regarding this NOPR no later than September 20, 2021. See section V, "Public Participation," for details.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Naval Base Point Loma Fuel Pier Inboard Pile Removal Project](#)

**Published** 7/20/2021

**Reference** ANSI

NMFS has received a request from the United States Navy (Navy) for authorization to take marine mammals incidental to the Fuel Pier Inboard Pile Removal Project at Naval Base Point Loma in San Diego Bay, California. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its 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-time, 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. **Comments and information must be received no later than August 19, 2021.**

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

**Published** 7/19/2021

**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 Mayflower Wind Energy LLC (Mayflower) to incidentally harass, by Level B harassment only, marine mammals during site characterization surveys off the coast of Massachusetts and Rhode Island in the area of the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0521) and along a potential submarine cable route to landfall at Falmouth, Massachusetts and Narragansett Bay. **This authorization is effective from July 1, 2021 through June 30, 2022.**

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### [Energy Conservation Program: Extension of Waiver to AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc. From the Department of Energy Commercial Refrigerator, Freezer, and Refrigerator-Freezer Test Procedure](#)

**Published** 7/22/2021

**Reference** ASHRAE

The U.S. Department of Energy ("DOE") is granting a waiver extension (Case No. 2020-025) to AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc. ("AHT") from specified portions of the DOE Commercial Refrigerators, Freezers, and

Refrigerator-Freezers (collectively “commercial refrigeration equipment” or “CRE”) test procedure for determining the energy consumption of the specified AHT CRE basic models. Under this extension, AHT is required to test and rate the specified basic models in accordance with the alternate test procedure specified in the Order. **The Extension of Waiver is effective on July 22, 2021. The Extension of Waiver will terminate upon the compliance date of any future amendment to the test procedure for CRE located in 10 CFR part 431, subpart C, appendix B that addresses the issues presented in this waiver. At such time, AHT must use the relevant test procedure for the specified basic models of CRE for any testing to demonstrate compliance with standards, and any other representations of energy use.**

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#### [Petition for Modification of Application of Existing Mandatory Safety Standard](#)

**Published** 7/20/2021

**Reference** IEC

This notice includes the summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below. **All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before August 19, 2021.**

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#### [Proposed Interagency Guidance on Third-Party Relationships: Risk Management](#)

**Published** 7/19/2021

**Reference** IEC, NIST

The Board, FDIC, and OCC (together, the agencies) invite comment on proposed guidance on managing risks associated with third-party relationships. The proposed guidance would offer a framework based on sound risk management principles for banking organizations to consider in developing risk management practices for all stages in the life cycle of third-party relationships that takes into account the level of risk, complexity, and size of the banking organization and the nature of the third-party relationship. The proposed guidance sets forth considerations with respect to the management of risks arising from third-party relationships. The proposed guidance would replace each agency's existing guidance on this topic and would be directed to all banking organizations supervised by the agencies. **Comments must be received no later than September 17, 2021.**

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