

U.S. Federal Register Update: September 24 – September 28, 2018

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?*

[Oil and Gas and Sulphur Operations on the Outer Continental Shelf-Oil and Gas Production Safety Systems](#)

Published 9/28/2018

Reference ANSI, ASME, ASTM, ISO, NFPA

The Bureau of Safety and Environmental Enforcement (BSEE) is amending the regulations regarding oil and natural gas production safety systems. After a thorough reexamination of the current regulations, and consideration of recent experiences from implementation of those regulations and of public comments on the proposed rule to amend those regulations, BSEE is revising or removing certain regulatory provisions that create unnecessary burdens on stakeholders, and clarifying other provisions, while ensuring safety and environmental protection. **This rule becomes effective on December 27, 2018.**

[FM Approvals LLC: Grant of Expansion of Recognition and Modification to the Nationally Recognized Testing Laboratory \(NRTL\) Program's List of Appropriate Test Standards](#)

Published 9/28/2018

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for FM Approvals, LLC (FM), as a NRTL to include twenty six additional test standards. In addition, OSHA announces the addition of four test standards to the NRTL Program's List of Appropriate Test Standards. **The expansion of the scope of recognition becomes applicable on September 28, 2018.**

[Underwriters Laboratories, Inc.: Grant of Expansion of Recognition and Modification to the Nationally Recognized Testing Laboratory \(NRTL\) Program's List of Appropriate Test Standards](#)

Published 9/28/2018

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for Underwriters Laboratories, Inc., (UL) as a NRTL to include 26 additional test standards. In addition, OSHA announces the addition of 22 test standards to the NRTL Program's List of Appropriate Test Standards. **The expansion of the scope of recognition becomes applicable on September 28, 2018.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to U.S. Navy's Office of Naval Research Arctic Research Activities](#)

Published 9/27/2018

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 U.S. Navy's Office of Naval Research (ONR) to incidentally harass, by Level B harassment only, marine mammals during research activities associated with the Arctic Research Activities project in the Beaufort and Chukchi Seas. The Navy's activities are considered military readiness activities pursuant to the MMPA, as amended by the National Defense Authorization Act for Fiscal Year 2004 (NDAA). **This Authorization is effective from September 20, 2018, through September 19, 2019.**

[Ophthalmic Devices; Reclassification of Ultrasound Cyclodestructive Device](#)

Published 9/25/2018

Reference ANSI, AAMI, IEC, IEEE

The Food and Drug Administration (FDA) is issuing this proposed order to reclassify the ultrasound cyclodestructive device, a postamendments class III device (regulated under product code LZR), into class II (special controls), subject to premarket notification. FDA is also identifying the proposed special controls that the Agency believes are necessary to provide a reasonable assurance of safety and effectiveness of the device. FDA is proposing this reclassification on its own initiative based on new information. If finalized, this order will reclassify these devices from class III to class II (special controls) and reduce regulatory burdens as these types of devices will no longer be required to submit a premarket approval application

(PMA) but can instead submit a less burdensome premarket notification (510(k)) before marketing their device. **Submit either electronic or written comments on the proposed order by November 26, 2018. Please see section XI for the proposed effective date when the new requirements apply and for the proposed effective date of a final order based on this proposed order.**

[Forged Steel Fittings From Taiwan: Antidumping Duty Order](#)

Published 9/24/2018

Reference ASME, ASTM, ISO, SAE, UL

Based on an affirmative final determination by the Department of Commerce (Commerce) and the International Trade Commission (the ITC), Commerce is issuing the antidumping duty order on forged steel fittings from Taiwan. **Applicable September 24, 2018.**

[Revisions to Safety Standard for Portable Hook-On Chairs](#)

Published 9/24/2018

Reference ASTM

In March 2016, the U.S. Consumer Product Safety Commission (CPSC) published a consumer product safety standard for portable hook-on chairs based on the ASTM voluntary standard for portable hook-on chairs. ASTM has since published a revised voluntary standard for portable hook-on chairs. We are publishing this direct final rule, revising the CPSC's mandatory standard for portable hook-on chairs to incorporate by reference the more recent version of the applicable ASTM standard. **The rule is effective on January 15, 2019, unless we receive significant adverse comment by October 24, 2018. 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 January 15, 2019.**

[Comprehensive Environmental Response, Compensation and Liability Act \(CERCLA\) or Superfund, Section 128\(a\); Notice of Grant Funding Guidance for State and Tribal Response Programs for FY2019](#)

Published 9/28/2018

Reference ASTM

The Environmental Protection Agency (EPA) will accept requests, from October 15, 2018 through December 14, 2018, for grants to establish and enhance State and Tribal Response Programs. This notice provides guidance on eligibility for funding, use of funding, grant mechanisms and process for awarding funding, the allocation system for distribution of funding, and terms and reporting under these grants. EPA has consulted with state and tribal officials in developing this guidance.

The primary goal of this funding is to ensure that state and tribal response programs include, or are taking reasonable steps to include, certain elements of a response program and establishing a public record. Another goal is to provide funding for other activities that increase the number of response actions conducted or overseen by a state or tribal response program. This funding is not intended to supplant current state or tribal funding for their response programs. Instead, it is to supplement their funding to increase their response capacity.

For fiscal year 2019, EPA will consider funding requests up to a maximum of \$1.0 million per state or tribe. Subject to the availability of funds, EPA regional personnel will be available to provide technical assistance to states and tribes as they apply for and carry out these grants. **This action is applicable as of October 15, 2018. EPA expects to make non-competitive grant awards to states and tribes which apply during fiscal year 2019.**

[Large Diameter Welded Pipe From Greece: Amended Preliminary Determination of Sales at Less Than Fair Value](#)

Published 9/27/2018

Reference ASTM

On August 27, 2018, the Department of Commerce (Commerce) published its preliminary determination in the less-than-fair-value investigation of large diameter welded pipe (welded pipe) from Greece in the Federal Register. Commerce is amending this preliminary determination to correct a significant ministerial error. **Applicable September 27, 2018.**

[Airworthiness Directives; The Boeing Company Airplanes](#)

Published 9/27/2018

Reference NEMA, SAE

We are adopting a new airworthiness directive (AD) for all The Boeing Company Model 707 airplanes, and Model 720 and 720B series airplanes. This AD was prompted by fuel system reviews conducted by the manufacturer. This AD requires revising the maintenance or inspection program to include new airworthiness limitations. We are issuing this AD to address the unsafe condition on these products. **This AD is effective November 1, 2018.**
