

U.S. Federal Register Update: December 7 – December 11, 2020

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?*

[Fair Housing Act Design and Construction Requirements; Adoption of Additional Safe Harbors](#)

Published 12/8/2020

Reference ANSI

This rule amends HUD's Fair Housing Act design and construction regulations by incorporating by reference the 2009 edition of the International Code Council (ICC) Accessible and Usable Buildings and Facilities (ICC A117.1-2009) standard, as a safe harbor. The Accessible and Usable Buildings and Facilities standard is a technical standard for the design of facilities that are accessible to persons with disabilities. This rule also designates the 2009, 2012, 2015 and 2018 editions of the International Building Code (IBC) as safe harbors under the Fair Housing Act. The IBC is a model building code and not law, but it was adopted as law by various states and localities. The IBC provides minimum standards for public safety, health, and welfare as they are affected by building construction. **The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of March 8, 2021. The incorporation by reference of certain other publications listed in the rule is approved by the Director of the Federal Register as of November 24, 2008.**

[Energy Conservation Program: Test Procedures for Commercial Equipment; Early Assessment Review: Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps](#)

Published 12/8/2020

Reference ANSI, ASHRAE

The U.S. Department of Energy ("DOE") is undertaking an early assessment review to determine whether to proceed with a rulemaking to amend DOE's test procedures for packaged terminal air conditioners ("PTACs") and packaged terminal heat pumps ("PTHPs") to adopt the most recent procedures referenced in the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("ASHRAE") Standard 90.1, "Energy Standard for Buildings Except Low-Rise Residential Buildings," which are consistent with DOE's current test procedures, unless there exists clear and convincing evidence supporting the adoption of alternate procedures. DOE welcomes written comments from the public on any subject within the scope of this document (including topics not raised in this RFI), as well as the submission of data and other relevant information concerning this early assessment review. **Written comments and information will be accepted on or before February 22, 2021.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Naval Base San Diego Pier 6 Replacement Project, San Diego, California](#)

Published 12/11/2020

Reference ANSI

NMFS has received a request from the U.S. Navy (Navy) for authorization to take marine mammals incidental to the Naval Base San Diego Pier 6 Replacement Project in San Diego, 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-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 January 11, 2021.

[Takes of Marine Mammals Incidental To Specified Activities; Taking Marine Mammals Incidental to the U.S. Coast Guard's Base Los Angeles/Long Beach Wharf Expansion Project, Los Angeles, California](#)

Published 12/11/2020

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. Coast Guard (Coast Guard) to incidentally harass, by Level B harassment only, marine mammals during activities associated with the Base Los

Angeles/Long Beach Wharf Expansion Project in Los Angeles, California. **This Authorization is effective from February 1, 2021 through January 31, 2022.**

Test Procedure Interim Waiver Process

Published 12/11/2020

Reference AHAM, NEMA

In this final rule, the U.S. Department of Energy ("DOE") has adopted a streamlined approach to its test procedure waiver decision-making process that requires the Department to notify, in writing, an applicant for an interim waiver of the disposition of the request within 45 business days of receipt of the application. An interim waiver will remain in effect until a final waiver decision is published in the Federal Register or until DOE publishes a new or amended test procedure that addresses the issues presented in the application, whichever is earlier. DOE's regulations continue to specify that DOE will take either of these actions within 1 year of issuance of an interim waiver. This final rule addresses delays in DOE's current process for considering requests for interim waivers and waivers from the DOE test method, which in turn can result in significant delays for manufacturers in bringing new and innovative products to market. This final rule requires the Department to process interim waiver requests within the 45 business day window and clarifies the process by which interested stakeholders provide input into the development of an appropriate test procedure waiver. **The effective date of this rule is January 11, 2021.**

Protection of Stratospheric Ozone: Determination 36 for Significant New Alternatives Policy Program

Published 12/11/2020

Reference ASHRAE, ASTM, NFPA, UL

This determination of acceptability expands the list of acceptable substitutes pursuant to the U.S. Environmental Protection Agency's (EPA) Significant New Alternatives Policy (SNAP) program. This action lists as acceptable additional substitutes for use in the refrigeration and air conditioning, foam blowing, and fire suppression sectors. **This determination is applicable on December 11, 2020.**

Forged Steel Fittings from India: Countervailing Duty Order

Published 12/11/2020

Reference ASME, ASTM, ISO, SAE, UL

Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing a countervailing duty order on forged steel fittings from India. **Applicable December 11, 2020.**

Forged Steel Fittings From India and the Republic of Korea: Antidumping Duty Orders

Published 12/11/2020

Reference ASME, ASTM, ISO, UL

Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing antidumping duty orders on forged steel fittings from India and the Republic of Korea (Korea). **Applicable December 11, 2020.**

Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the Republic of Korea: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination

Published 12/11/2020

Reference ASTM

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of seamless carbon and alloy steel standard, line, and pressure pipe (seamless pipe) from the Republic of Korea (Korea). The period of investigation is January 1, 2019 through December 31, 2019. Interested parties are invited to comment on this preliminary determination. **Applicable December 11, 2020.**

Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From the Russian Federation: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination

Published 12/11/2020

Reference ASTM

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of seamless carbon and alloy steel standard, line, and pressure pipe (seamless pipe) from the Russian Federation (Russia). The period of investigation is January 1, 2019 through December 31, 2019. Interested parties are invited to comment on this preliminary determination. **Applicable December 11, 2020.**

Forged Steel Fluid End Blocks From India: Final Negative Determination of Sales at Less Than Fair Value

Published 12/11/2020

Reference ASTM, SAE

The Department of Commerce (Commerce) determines that imports of forged steel fluid end blocks (fluid end blocks) from India are not being, or are not likely to be, sold in the United States at less than fair value (LTFV) for the period of investigation (POI) October 1, 2018 through September 30, 2019. **Applicable December 11, 2020.**

Forged Steel Fluid End Blocks from India: Final Affirmative Countervailing Duty Determination

Published 12/11/2020

Reference ASTM, SAE

The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of forged steel fluid end blocks (fluid end blocks) from India. **Applicable December 11, 2020.**

Forged Steel Fluid End Blocks from Italy: Final Affirmative Countervailing Duty Determination

Published 12/11/2020

Reference ASTM, SAE

The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of forged steel fluid end blocks (fluid end blocks) from Italy. **Applicable December 11, 2020.**

Forged Steel Fluid End Blocks From the Federal Republic of Germany: Final Determination of Sales at Less Than Fair Value

Published 12/11/2020

Reference ASTM, SAE

The Department of Commerce (Commerce) determines that imports of forged steel fluid end blocks (fluid end blocks) from the Federal Republic of Germany (Germany) are being, or are likely to be, sold in the United States at less than fair value (LTFV) for the period of investigation October 1, 2018 through September 30, 2019. **Applicable December 11, 2020.**

Forged Steel Fluid End Blocks From Italy: Final Affirmative Determination of Sales at Less Than Fair Value

Published 12/11/2020

Reference ASTM, SAE

The Department of Commerce (Commerce) determines that imports of forged steel fluid end blocks (fluid end blocks) from Italy are being, or are likely to be, sold in the United States at less than fair value (LTFV) for the period of investigation October 1, 2018 through September 30, 2019. **Applicable December 11, 2020.**

Forged Steel Fluid End Blocks From the Federal Republic of Germany: Final Affirmative Countervailing Duty Determination

Published 12/11/2020

Reference ASTM, SAE

The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of forged steel fluid end blocks (fluid end blocks) from the Federal Republic of Germany (Germany). **Applicable December 11, 2020.**

Forged Steel Fluid End Blocks From the People's Republic of China: Final Affirmative Countervailing Duty Determination

Published 12/11/2020

Reference ASTM, SAE

The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of forged steel fluid end blocks (fluid end blocks) from the People's Republic of China (China). **Applicable December 11, 2020.**

[Prestressed Concrete Steel Wire Strand From Argentina, Colombia, Egypt, the Netherlands, Saudi Arabia, Taiwan, the Republic of Turkey, and the United Arab Emirates: Final Affirmative Determinations of Sales at Less Than Fair Value and Final Affirmative Critical Circumstances Determinations, in Part](#)

Published 12/11/2020

Reference ASTM

The Department of Commerce (Commerce) determines that imports of prestressed concrete steel wire strand (PC strand) from Argentina, Colombia, Egypt, the Netherlands, Saudi Arabia, Taiwan, the Republic of Turkey (Turkey), and the United Arab Emirates (UAE) are being, or are likely to be, sold in the United States at less than fair value (LTFV). **Applicable December 11, 2020.**

[Prestressed Concrete Steel Wire Strand From the Republic of Turkey: Final Affirmative Countervailing Duty Determination and Final Negative Critical Circumstances Determination](#)

Published 12/11/2020

Reference ASTM

The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of prestressed concrete steel wire strand (PC strand) from the Republic of Turkey (Turkey). **Applicable December 11, 2020.**

[Streamlined Launch and Reentry License Requirements](#)

Published 12/10/2020

Reference IEC, ISO, NFPA, SAE

This rule streamlines and increases flexibility in the FAA's commercial space launch and reentry regulations, and removes obsolete requirements. It consolidates and revises multiple regulatory parts and applies a single set of licensing and safety regulations across several types of operations and vehicles. The rule describes the requirements to obtain a vehicle operator license, the safety requirements, and the terms and conditions of a vehicle operator license. **This rule is effective March 10, 2021, except for amendatory instructions 3, 11, 17, 20, 27, 44 and 54, concerning Sec. Sec. 401.5, 413.1, and 413.23, the removal of parts 415, 417, 431, and 435, and instructions 68 and 73 amending Sec. Sec. 440.3 and 460.45, respectively, which are effective March 10, 2026.**

[Marine Mammals; Incidental Take During Specified Activities; Proposed Incidental Harassment Authorization for Polar Bears in the Arctic National Wildlife Refuge, Alaska](#)

Published 12/8/2020

Reference ISO

We, the U.S. Fish and Wildlife Service, have received a request under the Marine Mammal Protection Act of 1972 from the Kaktovik Iñupiat Corporation (KIC), for authorization to take by harassment small numbers of polar bears incidental to seismic survey and associated activities scheduled to occur between January 21, 2021, and September 30, 2021. KIC has requested this authorization for incidental take of polar bears that may result from three-dimensional (3D) seismic surveys in the Marsh Creek East Program Area of the Arctic National Wildlife Refuge. The project will consist of activities such as over-flights for aerial infrared surveys in January 2021 and February 2021 to look for maternal polar bear dens; staging and mobilization of vehicles and equipment; small crew surveys for hazards, ice integrity, and snow depth assessment; seismic surveys via a sled camp with rubber-tracked vibrator trucks; camp setup and mobilization; aerial activities for crew and supply transport; digital elevation modeling for river-crossing slope analysis; and cleanup activities during the summer of 2021. We estimate that this project may result in the nonlethal incidental take of up to three polar bears. This proposed authorization, if finalized, will be for take of three polar bears by Level B harassment only. No take by injury or death to polar bears is likely and therefore such take is not included in this proposed authorization. **Comments on this proposed Incidental Harassment Authorization and the accompanying draft environmental assessment must be received by January 7, 2021.**

[Railroad Workplace Safety](#)

Published 12/11/2020

Reference NIST

FRA is proposing to revise its regulations governing railroad workplace safety to: Allow for the use of alternative security standards for electronic display systems used to view track authority information for roadway worker safety, and exempt certain drone roadway maintenance machines from existing environmental control requirements. These proposals would

reduce regulatory burdens on the railroad industry while maintaining the existing level of safety. **Written comments must be received by February 9, 2021. Comments received after that date will be considered to the extent practicable.**

Agency Information Collection Activities: Proposed Collection; Comment Request

Published 12/7/2020

Reference NIST

The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the Federal Register concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden. **Comments must be received by February 5, 2021.**

Federal Motor Vehicle Safety Standards: Test Procedures

Published 12/10/2020

Reference SAE

NHTSA is issuing this ANPRM to seek public comment on whether any test procedures for any Federal Motor Vehicle Safety Standards (FMVSS) may be a candidate for replacement, repeal, or modification, for reasons other than for considerations relevant only to automated driving systems (ADS). This document is a continuation of the Agency's efforts to improve the FMVSS and minimize burdens. The Agency takes this action in response to its review of the FMVSS and to public comments solicited by DOT in a 2017 notice on its regulatory reform efforts. The commenters requested that NHTSA amend test procedures for air brakes and occupant crash protection. NHTSA has also identified some possible additional test procedure issues and discusses them in this Notice. In addition, this ANPRM also seeks comments and supporting information relating to any other test procedures which may be a candidate for replacement, repeal or modification, not just those specifically discussed in this Notice. **Comments must be received no later than February 8, 2021. See the Public Participation heading of the Supplementary Information section of this document for more information about written comments.**

Airworthiness Directives; Superior Air Parts, Inc. Engines and Lycoming Engines Reciprocating Engines With a Certain SAP Crankshaft Assembly

Published 12/11/2020

Reference SAE

The FAA is adopting a new airworthiness directive (AD) for all Superior Air Parts, Inc. (SAP) Model IO-360-series and O-360-series reciprocating engines and certain Lycoming Engines (Lycoming) Model AEIO-360-, IO-360-, and O-360-series reciprocating engines with a certain SAP crankshaft assembly installed. This SAP crankshaft assembly is installed as original equipment on the affected SAP engines and as a replacement part under parts manufacturer approval (PMA) on the affected Lycoming engines. This AD was prompted by three crankshaft assembly failures that resulted in the loss of engine power and immediate or emergency landings. This AD requires the removal from service of all affected crankshaft assemblies. The FAA is issuing this AD to address the unsafe condition on these products. **This AD is effective January 15, 2021.**
