

## U.S. Federal Register Update: July 27 – July 31, 2015

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 Procedure for Refrigerated Bottled or Canned Beverage Vending Machines](#)

Published 7/31/2015

Reference ANSI, AHAM, ASHRAE

On August 11, 2014, the U.S. Department of Energy (DOE) issued a notice of proposed rulemaking (NPR) to amend the test procedure for refrigerated bottled or canned beverage vending machines (beverage vending machines or BVMs). That proposed rulemaking serves as the basis for the final rule. In this final rule, DOE is reorganizing its test procedure for beverage vending machines into an Appendix A, which will be mandatory for equipment testing beginning 180 days after the final rule is published in the Federal Register, and an Appendix B, which will be mandatory for equipment testing to demonstrate compliance with any amended energy conservation standards arising out of DOE's ongoing BVM energy conservation standards rulemaking. Specifically, Appendix A includes amendments that update the referenced test method to ANSI/ASHRAE Standard 32.1-2010, eliminate the requirement to test at the 90 °F ambient test condition, establish a provision for testing at the lowest application product temperature, and adopt several amendments and clarifications to the DOE test procedure to improve the repeatability and remove ambiguity from the current BVM test procedure, as established by DOE in the 2006 BVM test procedure final rule. Appendix B contains all the amendments included in Appendix A and, in addition, incorporates provisions to account for the impact of low power modes on measured daily energy consumption (DEC). Finally, DOE is adopting in this final rule several clarifications regarding the certification and reporting requirements for beverage vending machines. **The effective date of this rule is August 31, 2015. Compliance with Appendix A to subpart Q of 10 CFR part 431 will be mandatory for representations made on or after January 27, 2016. Compliance with Appendix B to subpart Q of 10 CFR part 431 will be mandatory for representations made on or after the compliance date of any amended energy conservation standards. (Docket No. EERE-2013-BT-STD-0022). DOE will publish a document in the Federal Register announcing the compliance date for Appendix B to subpart Q of 10 CFR part 431. The incorporation by reference of certain publications listed in this rule was approved by the Director of the Federal Register as of August 31, 2015.**

---

### [Energy Conservation Program: Test Procedures for Dehumidifiers](#)

Published 7/31/2015

Reference ANSI, AHAM, ASHRAE, CSA, IEC

On May 21, 2014, the U.S. Department of Energy (DOE) published a notice of proposed rulemaking (NPR) to amend the test procedures for dehumidifiers. On February 4, 2015, DOE published a supplemental notice of proposed rulemaking (SNPR) to amend the proposed test procedure for dehumidifiers. Those proposed rulemakings serve as the basis for this action. DOE is issuing a final rule to revise its test procedure for dehumidifiers established under the Energy Policy and Conservation Act and establish a new test procedure for dehumidifiers in a new appendix. The amendments to the test procedure provide technical clarifications and repeatability improvements, and do not significantly modify the current test setup, conduct, or results. The new test procedure includes: Separate provisions for testing whole-home dehumidifiers (both refrigerant-only and refrigerant-desiccant types) with a ducted test setup; new dry-bulb temperature test conditions for both portable and whole-home dehumidifiers; an updated definition for off-cycle mode; and additional clarifications and adjustments. **The effective date of this rule is August 31, 2015. The incorporation by reference of certain publications listed in this rule was approved by the Director of the Federal Register as of August 31, 2015.**

---

### [Energy Conservation Program: Test Procedures for Compact Fluorescent Lamps](#)

Published 7/31/2015

Reference ANSI, IEC

The U.S. Department of Energy (DOE) proposes to amend and expand its test procedures for medium base compact fluorescent lamps (MBCFLs). DOE proposes to replace references to ENERGY STAR requirements with references to the latest versions of industry standard test methods, which, with certain modifications, would replace the existing MBCFL test procedures. DOE is proposing to make these amendments in the existing appendix W to subpart B (Appendix W), renamed as "Uniform Test Method for Measuring the Energy Consumption of Compact Fluorescent Lamps." In addition, DOE proposes to establish test procedures that would support the ongoing energy conservation standards rulemaking for

general service lamps (GSLs) (GSL standards rulemaking), including test methods for new performance metrics and for additional compact fluorescent lamp (CFL) categories, including non-integrated CFLs and integrated CFLs that are not MBCFLs. DOE also proposes to revise its sampling plan for manufacturers to certify that their CFLs comply with the applicable energy conservation standards. DOE proposes to incorporate measures of standby mode power consumption in its test procedures. DOE also proposes various other conforming amendments. DOE also announces a public meeting to receive comments on these proposed amendments to the test procedures. **DOE will hold a public meeting on Monday, August 31, 2015, from 9 a.m. to 4 p.m., in Washington, DC. The meeting will also be broadcast as a webinar. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.**

---

#### [TÜV SÜD America, Inc.: Grant of Expansion of Recognition](#)

**Published** 7/27/2015

**Reference** ANSI

In this notice, OSHA announces its final decision to expand the scope of recognition for TÜV SÜD America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). **The expansion of the scope of recognition becomes effective on July 27, 2015.**

---

#### [Update to NFPA Standards, Incorporation by Reference](#)

**Published** 7/28/2015

**Reference** ANSI, NFPA, UL

The Department of Veterans Affairs (VA) is amending its regulations incorporating by reference the National Fire Protection Association (NFPA) codes and standards. These codes and standards are referenced in VA regulations concerning community residential care facilities, contract facilities for certain outpatient and residential services, Medical Foster Homes, and State home facilities. To ensure the continued safety of veterans in these facilities, VA is continuing to rely upon NFPA codes and standards for VA approval of such facilities. This rulemaking updates our regulations to adhere to more recent NFPA codes and standards. **This regulation is effective August 27, 2015. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 27, 2015.**

---

#### [National Emissions Standards for Hazardous Air Pollutants for Mineral Wool Production and Wool Fiberglass Manufacturing](#)

**Published** 7/29/2015

**Reference** ANSI, ASTM

This action finalizes the residual risk and technology reviews (RTR) conducted for the Mineral Wool Production and Wool Fiberglass Manufacturing source categories regulated under national emission standards for hazardous air pollutants (NESHAP). Under this action, we are establishing pollutant-specific emissions limits for hazardous air pollutants (HAP) that were previously regulated (under a surrogate) and for HAP that were previously unregulated. This action finalizes first-time generally available control technologies (GACT) standards for gas-fired glass-melting furnaces at wool fiberglass manufacturing facilities that are area sources. We are also amending regulatory provisions related to emissions during periods of startup, shutdown, and malfunction (SSM); adding requirements for reporting of performance testing through the Electronic Reporting Tool (ERT); and making several minor clarifications and corrections. The revisions in these final rules increase the level of emissions control and environmental protection provided by the Mineral Wool Production and Wool Fiberglass Manufacturing NESHAP. **This final action is effective on July 29, 2015.**

---

#### [Energy Conservation Program: Energy Conservation Standards for Residential Conventional Ovens](#)

**Published** 7/30/2015

**Reference** AHAM

On June 10, 2015, the U.S. Department of Energy (DOE) published a notice of proposed rulemaking (NOPR) and public meeting regarding energy conservation standards for residential conventional ovens in the Federal Register. 80 FR 33030 This document announces an extension of the public comment period for submitting comments on the NOPR. The comment period is extended to September 9, 2015. **DOE will accept comments, data, and information regarding this rulemaking received no later than September 9, 2015.**

---

#### [Energy Conservation Program: Energy Conservation Standards for Room Air Conditioners; Request for Information](#)

**Published** 7/27/2015

**Reference** AHAM

On June 18, 2015, the U.S. Department of Energy (DOE) published in the Federal Register a Request for Information (RFI) regarding energy conservation standards for room air conditioners (room ACs). The RFI provided for the submission of written comments by August 3, 2015. This notice announces an extension of the public comment period for submitting comments in response to the RFI or any other aspect of the rulemaking for room ACs. The comment period is extended to September 2, 2015. **The comment period for the Request for Information published in the Federal Register on June 18, 2015 (80 FR 34843), is extended. DOE will accept comments, data, and information regarding this rulemaking received no later than September 2, 2015.**

---

#### [Traylor Bros., Inc., Application for Permanent Variance and Interim Order; Grant of Interim Order; Request for Comments](#)

**Published 7/27/2015**

**Reference ASME**

In this notice, OSHA announces the application of Traylor Bros., Inc., for a permanent variance and interim order from the provisions of OSHA standards that regulate work in compressed-air environments at 29 CFR 1926.803 and presents the Agency's preliminary finding to grant the permanent variance. OSHA also announces its grant of an interim order in this notice. OSHA invites the public to submit comments on the variance application to assist the Agency in determining whether to grant the applicant a permanent variance based on the conditions specified in this application. **Submit comments, information, documents in response to this notice, and request for a hearing on or before August 26, 2015. The interim order specified by this notice becomes effective on July 27, 2015, and shall remain in effect until the interim order is modified or revoked.**

---

#### [Revision to the Guideline on Air Quality Models: Enhancements to the AERMOD Dispersion Modeling System and Incorporation of Approaches To Address Ozone and Fine Particulate Matter](#)

**Published 7/29/2015**

**Reference ASTM**

In this action, the Environmental Protection Agency (EPA) proposes to revise the Guideline on Air Quality Models ("Guideline"). The Guideline has been incorporated into EPA's regulations, satisfying a requirement under the Clean Air Act (CAA) section 165(e)(3) for the EPA to specify, with reasonable particularity models to be used in the Prevention of Significant Deterioration (PSD) program. It provides EPA-preferred models and other recommended techniques, as well as guidance for their use in predicting ambient concentrations of air pollutants. The proposed revisions to the Guideline include enhancements to the formulation and application of the EPA's AERMOD near-field dispersion modeling system and the incorporation of a tiered demonstration approach to address the secondary chemical formation of ozone and fine particulate matter (PM 2.5) associated with precursor emissions from single sources. Additionally, the EPA proposes various editorial changes to update and reorganize information throughout the Guideline to streamline the compliance assessment process.

With this action, the EPA is also announcing the Eleventh Conference on Air Quality Modeling and invites the public to participate in the conference. The conference will focus on the proposed revisions to the Guideline and part of the conference will also serve as the public hearing for these revisions. **Comments must be received on or before October 27, 2015.**

---

#### [Stream Protection Rule](#)

**Published 7/27/2015**

**Reference ASTM**

We, the Office of Surface Mining Reclamation and Enforcement (OSMRE or OSM), are proposing to revise our regulations, based on, among other things, advances in science, to improve the balance between environmental protection and the Nation's need for coal as a source of energy. This proposed rule would better protect streams, fish, wildlife, and related environmental values from the adverse impacts of surface coal mining operations and provide mine operators with a regulatory framework to avoid water pollution and the long-term costs associated with water treatment. We propose to revise our regulations to clearly define "material damage to the hydrologic balance outside the permit area" and require that each permit specify the point at which adverse mining-related impacts on groundwater and surface water would reach that level of damage; collect adequate premining data about the site of the proposed mining operation and adjacent areas to establish an adequate baseline for evaluation of the impacts of mining and the effectiveness of reclamation; adjust monitoring requirements to enable timely detection and correction of any adverse trends in the quality or quantity of surface water and groundwater or the biological condition of streams; ensure protection or restoration of perennial and intermittent streams and related resources; ensure that permittees and regulatory authorities make use of advances in

science and technology; ensure that land disturbed by mining operations is restored to a condition capable of supporting the uses that it was capable of supporting before mining; and update and codify the requirements and procedures for protection of threatened or endangered species and designated critical habitat. The proposed changes would apply to both surface mines and the surface effects of underground mines. The majority of the proposed revisions update our regulations to incorporate or reflect the best available science and experience gained over the last 30 years. Approximately thirty percent of the proposed rule consists of editorial revisions and organizational changes intended to improve consistency, clarity, accuracy, and ease of use. **Electronic or written comments: We will accept electronic or written comments on the proposed rule, the draft environmental impact statement, and the draft regulatory impact analysis on or before September 25, 2015.**

---

#### **National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants**

**Published** 7/27/2015

**Reference** ASTM

This action finalizes amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants. On February 12, 2013, the Environmental Protection Agency (EPA) finalized amendments to the NESHAP and the new source performance standards (NSPS) for the Portland cement industry. Subsequently, the EPA became aware of certain minor technical errors in those amendments, and thus issued a proposal to correct these errors on November 19, 2014 (79 FR 68821). The EPA received 3 comments on the proposal. In response to the comments received and to complete technical corrections, the EPA is now issuing final amendments. In addition, consistent with the U.S. Court of Appeals to the DC Circuit's vacatur of the affirmative defense provisions in the final rule, this action removes those provisions. These amendments do not affect the pollution reduction or costs associated with these standards. **This final rule is effective on July 27, 2015.**

---

#### **Substantial Product Hazard List: Extension Cords**

**Published** 7/27/2015

**Reference** NEMA, UL

The Consumer Product Safety Commission ("CPSC" or "Commission") is issuing a final rule to specify that extension cords (both indoor and outdoor use extension cords) that do not contain one or more of five applicable readily observable characteristics set forth in the rule, as addressed in a voluntary standard, are deemed a substantial product hazard under the Consumer Product Safety Act ("CPSA").

---