

U.S. Federal Register Update: October 17, 2022 – October 21, 2022

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 Portable Electric Spas](#)

Published 10/18/2022

Reference ANSI, CSA, IEC, ISO

The U.S. Department of Energy ("DOE") proposes to establish definitions, a test procedure, and sampling requirements for portable electric spas. Currently, portable electric spas are not subject to DOE test procedures or energy conservation standards. The proposed test method references the relevant industry test standard. DOE is seeking comment from interested parties on the proposals within the notice of proposed rulemaking ("NOPR"). **DOE will accept comments, data, and information regarding this proposal no later than December 19, 2022. See section V, "Public Participation," for details. DOE will hold a webinar on Thursday, November 17, 2022, 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.**

[Energy Conservation Program: Test Procedure for VRF Multi-Split Systems](#)

Published 10/20/2022

Reference ANSI, ASHRAE, ISO

This final rule amends the test procedure for variable refrigerant flow ("VRF") multi-split air conditioners and heat pumps ("VRF multi-split systems") to incorporate by reference the latest version of the applicable industry test standard. This final rule also adopts the integrated energy efficiency ratio metric in its test procedures for VRF multi-split systems. Additionally, this final rule adopts provisions in the updated industry test procedure relevant to certification and enforcement, including a controls verification procedure. **The effective date of this rule is November 21, 2022. The final rule changes will be mandatory for VRF multi-split systems equipment testing October 16, 2023. The incorporation by reference of certain publications listed in this rule is approved by the Director of the Federal Register on November 21, 2022. The incorporation by reference of certain other publications listed in this rule was approved by the Director of the Federal Register as of July 30, 2015, and July 16, 2012.**

[Agency Forms Undergoing Paperwork Reduction Act Review](#)

Published 10/21/2022

Reference ANSI, ASTM, ISO

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled "Formative Respirator and Protective Clothing Laboratory Testing" to the Office of Management and Budget (OMB) for review and approval. CDC previously published a "Proposed Data Collection Submitted for Public Comment and Recommendations" notice on May 6, 2022, to obtain comments from the public and affected agencies. One public comment was received. This notice serves to allow an additional 30 days for public and affected agency comments.

[Energy Conservation Program: Test Procedure for Air Cleaners](#)

Published 10/18/2022

Reference ANSI, AHAM, ASHRAE, ASTM, IEC, ISO

The U.S. Department of Energy ("DOE") proposes to establish definitions, a test procedure, and sampling and representation requirements for air cleaners. Currently, air cleaners are not subject to DOE test procedures or energy conservation standards. DOE proposes a test procedure for measuring the integrated energy factor for air cleaners. The proposed test method references the relevant industry standard, with certain proposed modifications. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than December 19, 2022. See section V, "Public Participation," for details. DOE will hold a webinar on Wednesday, November 9, 2022, 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.**

[Energy Conservation Program: Test Procedure for Electric Motors](#)

Published 10/19/2022

Reference ANSI, AHAM, CSA, IEC, IEEE, ISO, NEMA, NFPA, NIST, UL

This final rule amends the existing scope of the U.S. Department of Energy (“DOE”) test procedures for electric motors consistent with related updates to the relevant industry testing standard (i.e., for air-over electric motors, electric motors greater than 500 horsepower, electric motors considered small, inverter-only electric motors, and synchronous electric motors); adds test procedures, an appropriate metric, and supporting definitions for additional electric motors covered under the amended scope; and updates references to industry standards to reference current versions. Furthermore, DOE is adopting certain industry provisions related to the prescribed test conditions to further ensure the comparability of test results. DOE is also amending provisions pertaining to certification testing and the determination of represented values for electric motors other than dedicated-purpose pool pump motors, and re-locating such provisions consistent with the location of the certification requirements for other covered products and equipment. Finally, DOE is adding provisions pertaining to certification testing and the determination of represented values for dedicated-purpose pool pump motors. **The effective date of this rule is November 18, 2022. The final rule changes will be mandatory for product testing starting April 17, 2023. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register on November 18, 2022. The incorporation by reference of certain other publications listed in the rule was approved by the Director as of June 4, 2012 and February 3, 2021.**

[Energy Conservation Program: Decision and Order Granting a Waiver to GE Appliances, a Haier Company, From the Department of Energy Miscellaneous Refrigeration Products Test Procedure](#)

Published 10/17/2022

Reference AHAM

The U.S. Department of Energy (“DOE”) gives notification of a Decision and Order (Case Number 2021-004) that grants to GE Appliances, a Haier Company (“GEA”) a waiver from specified portions of the DOE test procedure for determining the energy consumption of a specified miscellaneous refrigeration product. Under the Decision and Order, GEA is required to test and rate the specified basic model of its product in accordance with the alternate test procedure set forth in the Decision and Order. **The Decision and Order is effective on October 17, 2022. The Decision and Order will terminate upon the compliance date of any future amendment to the test procedure for miscellaneous refrigeration products located at title 10 of the Code of Federal Regulations (“CFR”), part 430, subpart B, appendix A that addresses the issues presented in this waiver. At such time, GEA must use the relevant test procedure for this product for any testing to demonstrate compliance with the applicable standards, and any other representations of energy use.**

[Acceptability of Probabilistic Risk Assessment Results for Non-Light Water Reactor Risk-Informed Activities](#)

Published 10/17/2022

Reference ASME

The U.S. Nuclear Regulatory Commission (NRC) is addressing comments received after issuing for public comment on the trial use of the new regulatory guide (RG) 1.247, “Acceptability of Probabilistic Risk Assessment Results for Non-Light Water Reactor Risk-Informed Activities.” The NRC will not make any changes to the RG as a result of these comments. **The public comment period for RG 1.247 ended on May 23, 2022.**

[Proposed Finding That Lead Emissions From Aircraft Engines That Operate on Leaded Fuel Cause or Contribute to Air Pollution That May Reasonably Be Anticipated To Endanger Public Health and Welfare](#)

Published 10/17/2022

Reference ASTM

In this action, the Administrator is proposing to find that lead air pollution may reasonably be anticipated to endanger the public health and welfare within the meaning of section 231(a) of the Clean Air Act. The Administrator is also proposing to find that engine emissions of lead from certain aircraft cause or contribute to the lead air pollution that may reasonably be anticipated to endanger public health and welfare under section 231(a) of the Clean Air Act. **Comments: Written comments must be received on or before January 17, 2023. Public Hearing: The EPA plans to hold a virtual public hearing on November 1, 2022. See SUPPLEMENTARY INFORMATION for information on registering for a public hearing.**

[Hazardous Materials: Notice of Actions on Special Permits](#)

Published 10/17/2022

Reference ISO

In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. **Comments must be received on or before November 16, 2022.**

[Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625-0037](#)

Published 10/21/2022

Reference ISO

In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625-0037, Certificates of Compliance, Boiler/Pressure Vessel Repairs, Cargo Gear Records, Shipping Papers, and National Fire Protection Association (NFPA) 10 Certification; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties. **You may submit comments to the Coast Guard and OIRA on or before November 21, 2022.**

[Discovery and Information Sharing Event Regarding Direct Realization of Mass](#)

Published 10/17/2022

Reference NIST

The National Institute of Standards and Technology (NIST) is providing a public opportunity to learn more about NIST efforts to develop a tabletop Kibble balance aimed at realizing mass [500 mg-20 g], with uncertainties of parts in 10^6 , and traceable to the new quantum International System of Units (SI). The two-hour virtual meeting will take place October 19, 2022, 11 a.m.-1 p.m. eastern time. **The workshop will be held on October 19, 2022, 11 a.m.-1 p.m. eastern time. Registration is not required but requested via email to Leon Chao at leon.chao@nist.gov.**

[Agency Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; NIST Diversity, Equity, Inclusion and Accessibility Information Collections](#)

Published 10/21/2022

Reference NIST

The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB. **To ensure consideration, comments regarding this proposed information collection must be received on or before December 20, 2022.**

[Privacy Act of 1974: Systems of Records](#)

Published 10/20/2022

Reference NIST

Pursuant to the Privacy Act of 1974, the National Credit Union Administration (NCUA) gives notice of a proposal to revise an existing Privacy Act system of records. The revised system is the Examination and Supervision System (ESS), NCUA-22. The ESS will continue to be used for NCUA's statutorily mandated examination and supervision activities, including the coordination and conduct of examinations of credit unions, supervisory evaluations and analyses, enforcement actions and Federal court actions. NCUA may coordinate with other financial regulatory agencies on matters related to the safety and soundness of credit unions. This revised system will continue to track and store examination and supervision documents created during the performance of the NCUA's statutory duties including recordings of meetings between NCUA and credit unions. **Submit comments on or before November 21, 2022. This action will be effective without further notice on November 21, 2022 unless comments are received that would result in a contrary determination.**

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

Published 10/19/2022

Reference NIST

The U.S. Environmental Protection Agency's (EPA) Office of Chemical Safety and Pollution Prevention is giving notice that it proposes to modify the Federal Lead-Based Paint Program (FLPP) System of Records pursuant to the provisions of the Privacy Act of 1974. To perform Lead-Based Paint or Renovation, Repair, and Painting (RRP) Activities in target housing and child-occupied facilities, EPA requires firms to be certified, individuals to be trained/certified, trainers to be accredited, and

individuals to adhere to certain work practice requirements. In addition, firms must notify EPA prior to commencement of lead-based paint abatement activities and accredited training providers must notify EPA with information regarding courses scheduled and provided. The Agency uses the FLPP Database to manage and store information related to the application process for the accreditation of training providers and the certification of firms and individuals who perform abatement and renovation repair and painting activities. **Persons wishing to comment on this system of records notice must do so by November 18, 2022. New and modified routine uses for this modified system of records will be effective November 18, 2022.**

[Personnel Demonstration Project at the Army Futures Command Science and Technology Reinvention Laboratory \(STRL\)](#)

Published 10/17/2022

Reference NIST

This serves as notice of the proposed adoption of STRL personnel demonstration project flexibilities by an STRL comprised of certain organizations within the U.S. Army Futures Command (AFC), known collectively as the AFC STRL. The organizations comprising the AFC STRL are: the U.S. Army Futures Command Headquarters and Headquarters Components (AFC HHC); the Futures and Concepts Center (FCC); Cross Functional Teams (CFTs); The Research and Analysis Center (TRAC); the Combat Capabilities Development Command (CCDC) Headquarters (also known as DEVCOM Headquarters); and the DEVCOM Analysis Center (DAC). The AFC STRL proposes to adopt, with some modifications, personnel demonstration project flexibilities implemented by the Combat Capabilities Development Command (CCDC) Army Research Laboratory (ARL); CCDC Command, Control, Communications, Computers, Cyber, Intelligence, Surveillance, and Reconnaissance Center (C5ISR); the Army Research Institute for the Behavioral and Social Sciences (ARI); the CCDC Armament Center (AC); the Technical Center (TC), U.S. Army Space and Missile Defense Command (USASMDC); and the Joint Warfare Analysis Center (JWAC). Most flexibilities and administrative procedures are adopted without changes. However, modifications were made when necessary to address specific management and workforce needs. In addition, changes were made based on current law, best practices, and administrative guidance. **This proposal may not be implemented until a 30-day comment period is provided, comments addressed, and a final Federal Register notice published. To be considered, written comments must be submitted on or before November 16, 2022.**

[Privacy Act Regulations](#)

Published 10/20/2022

Reference NIST

This final rule amends the Department of the Treasury's (Department) regulations under the Privacy Act of 1974, as amended. Treasury is revising these regulations to update certain provisions to reflect developments in Privacy Act case law and changes in the names of some of the Treasury bureaus and offices since the regulations were last updated. Additionally, the regulations are being updated to ensure compliance with requirements in the Social Security Number Fraud Prevention Act of 2017. This final rule adopts the July 25, 2022, proposed rule with minor changes. **This rule is effective November 21, 2022.**

[Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Enhanced Inspection and Maintenance Program; Diesel Opacity Cutpoints](#)

Published 10/20/2022

Reference SAE

The Environmental Protection Agency (EPA) is proposing to approve a revision to the State Implementation Plan (SIP) submitted by the New Jersey Department of Environmental Protection (NJDEP) in 2009 for New Jersey's motor vehicle inspection and maintenance (I/M) program. A final rule for this proposal would complete EPA's action on this submitted SIP revision and maintain consistency between the State adopted rules and the federally approved New Jersey SIP. **Written comments must be received on or before November 21, 2022.**
