

U.S. Federal Register Update: November 1, 2021 – November 5, 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?*

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Falls Bridge Replacement Project in Blue Hill, Maine](#)

Published 11/5/2021

Reference ANSI

NMFS has received a request from the Maine Department of Transportation (MEDOT) for authorization to take marine mammals incidental to the Falls Bridge Replacement Project in Blue Hill, Maine. 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 document. NMFS will consider public comments prior to making a 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 December 6, 2021.**

[Modification to the List of Appropriate NRTL Program Test Standards and the Scope of Recognition of Several NRTLs](#)

Published 11/3/2021

Reference ANSI, CSA, UL

In this notice, OSHA announces the final decision to: (1) Add seven new test standards to the Nationally Recognized Testing Laboratories (NRTL) Program's list of appropriate test standards; (2) delete or replace several test standards from the NRTL Program's list of appropriate test standards; and (3) update the scope of recognition of several NRTLs. **The actions contained in this notice will become effective on November 3, 2021.**

[Takes of Marine Mammals Incidental To Specified Activities; Taking Marine Mammals Incidental to the Palmer Station Pier Replacement Project, Antarctica](#)

Published 11/5/2021

Reference ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is given that NMFS has issued an incidental harassment authorization (IHA) to the National Science Foundation (NSF) to incidentally harass, by Level B harassment and Level A harassment, marine mammals during pile driving activities associated with the construction of the Palmer Station Pier Replacement Project in Anvers Island, Antarctica. **This Authorization is effective from October 27, 2021 through October 26, 2022.**

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

Published 11/4/2021

Reference ANSI, AHAM, IEC, UL

The U.S. Department of Energy ("DOE") proposes to establish a test procedure for a category of cooking products, i.e., conventional cooking tops, under a proposed new appendix. The proposed test procedure would adopt the latest version of the relevant industry standard with modifications to adapt the test method to gas cooking tops, offer an optional method for burden reduction, normalize the energy use of each test cycle, include measurement of standby mode and off mode energy use, update certain test conditions, and provide certain clarifying language. This NOPR also proposes to retitle the existing cooking products test procedure for microwave ovens only. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than January 3, 2022. See section V, "Public Participation," for details. DOE will hold a webinar on Wednesday, December 15, 2021, from 1:00 p.m. to 5:00 p.m. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. If no participants register for the webinar, it will be cancelled.**

[Energy Conservation Program: Test Procedure for External Power Supplies](#)

Published 11/2/2021

Reference AHAM, CSA, IEC, IEEE, NEMA, UL

On December 6, 2019, the U.S. Department of Energy (“DOE”) published a notice of proposed rulemaking (“NOPR”) proposing certain amendments to its test procedure for external power supplies (“EPS” or “EPSs”). In this supplemental notice of proposed rulemaking (“SNOPR”), DOE is proposing additional amendments and modifications to certain proposals presented in the SNOPR. In this document, DOE is proposing to remove reference to direct operation and indirect operation Class A EPSs in the scope; simplify and more explicitly align the scope of the test procedure with the scope of the energy conservation standards; provide additional specifications for the testing of EPSs that do not ship with an output cord; and align the testing requirements for programmable power supplies with those for Universal Serial Bus Power Delivery (“USB-PD”) EPSs. Further, DOE proposes to maintain the location of certain definitions for which it proposed in the NOPR to relocate. DOE is seeking comment from interested parties on the proposals. **DOE will accept comments, data, and information regarding this SNOPR no later than January 3, 2022. See section [V], “Public Participation,” for details. DOE will hold a webinar on Wednesday, December 15, 2021 from 12:30 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. If no participants register for the webinar, it will be cancelled.**

[Carib Energy \(USA\) LLC; Application for Blanket Authorization To Export Previously Imported Liquefied Natural Gas to Non-Free Trade Agreement Countries on a Short-Term Basis](#)

Published 11/5/2021

Reference ASME, ISO

The Office of Fossil Energy and Carbon Management (FECM) of the Department of Energy (DOE) gives notice (Notice) of receipt of an application (Application), filed on September 14, 2021, by Carib Energy (USA) LLC (Carib Energy). Carib Energy requests blanket authorization to export liquefied natural gas (LNG) previously imported into the United States by vessel from foreign sources in a volume equivalent to 0.48 billion cubic feet per year (Bcf/yr) of natural gas on a cumulative basis over a two-year period. Carib Energy filed the Application under the Natural Gas Act (NGA). **Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed electronically as detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, December 6, 2021.**

[Accreditation and Approval of Bureau Veritas Commodities and Trade, Inc. \(Savannah, GA\) as a Commercial Gauger and Laboratory](#)

Published 11/3/2021

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that Bureau Veritas Commodities and Trade, Inc. (Savannah, GA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of February 25, 2020. **Bureau Veritas Commodities and Trade, Inc. (Savannah, GA) was approved and accredited as a commercial gauger and laboratory as of February 25, 2020. The next triennial inspection date will be scheduled for February 2023.**

[COVID-19 Vaccination and Testing: Emergency Temporary Standard](#)

Published 11/5/2021

Reference ASTM, IEEE

The Occupational Safety and Health Administration (OSHA) is issuing an emergency temporary standard (ETS) to protect unvaccinated employees of large employers (100 or more employees) from the risk of contracting COVID-19 by strongly encouraging vaccination. Covered employers must develop, implement, and enforce a mandatory COVID-19 vaccination policy, with an exception for employers that instead adopt a policy requiring employees to either get vaccinated or elect to undergo regular COVID-19 testing and wear a face covering at work in lieu of vaccination. **The rule is effective November 5, 2021. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of November 5, 2021.**

[Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing and Extension of Review Period of Advance Notice Relating to OCC's Adoption of Cloud Infrastructure for New Clearing, Risk Management, and Data Management Applications](#)

Published 11/2/2021

Reference ISO, NIST

Pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, entitled Payment, Clearing and Settlement Supervision Act of 2010 (“Clearing Supervision Act”) [1] and Rule 19b-4(n)(1)(i) [2] under the Securities Exchange Act of 1934 (“Exchange Act” or “Act”), [3] notice is hereby given that on October 8, 2021, the Options Clearing Corporation (“OCC”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) an advance notice as described in Items I, II and III below, which Items have been prepared primarily by OCC. The Commission is publishing this notice to solicit comments on the advance notice from interested persons and to extend the review period of the advance notice.

[Atlantic Wind Lease Sale 9 \(ATLW-9\) for Commercial Leasing for Wind Power on the Outer Continental Shelf in the Carolina Long Bay Area-Proposed Sale Notice](#)

Published 11/1/2021

Reference ISO

This document is the proposed sale notice (PSN) for the sale of a commercial wind energy lease on the Outer Continental Shelf (OCS) in the Carolina Long Bay area offshore North Carolina (Lease Area). The Bureau of Ocean Energy Management (BOEM) proposes to offer a single lease using a multiple-factor bidding auction format. The PSN contains information pertaining to the areas available for leasing, certain provisions and conditions of the lease, auction details, lease forms, criteria for evaluating competing bids, award procedures, appeal procedures, and lease execution procedures. The issuance of a lease resulting from this sale, if any, would not constitute an approval of project-specific plans to develop offshore wind energy. Such plans, if submitted by the lessee, would be subject to subsequent environmental, technical, and public reviews prior to a decision on whether the proposed development should be authorized. **Comments should be submitted electronically or postmarked no later than January 3, 2022. Prospective bidders in the proposed lease sale must submit qualification materials by the end of the 60-day comment period for this PSN. Qualification materials must be postmarked no later than January 3, 2022.**

[Study on People's Republic of China \(PRC\) Policies and Influence in the Development of International Standards for Emerging Technologies](#)

Published 11/4/2021

Reference NIST

The National Institute of Standards and Technology (NIST) is soliciting public comment on People's Republic of China (PRC) policies and influence in the development of international standards for emerging technologies. Section 9414 of the National Defense Authorization Act (NDAA) of 2021 directs NIST to enter into an agreement with an appropriate entity to conduct a study and provide recommendations with respect to the effect of policies of the PRC and coordination among industrial entities within the PRC on international bodies engaged in developing and setting international standards for emerging technologies. NIST is seeking comments to provide information for the study and resulting recommendations. In addition to the specific topic areas found in the Request for Information section of this notice, commenters may provide responses to any other relevant issues. Recommendations on the actions the United States could take to mitigate any undue influence of the PRC and bolster United States public and private sector participation in international standards-setting bodies are also sought. Comments received in response to this request will be used to inform the work of the entity. **Comments must be received by 5:00 p.m. Eastern time on December 6, 2021. Written comments in response to the RFI should be submitted according to the instructions in the ADDRESSES section below. Submissions received after that date may not be considered.**

[Judges Panel of the Malcolm Baldrige National Quality Award](#)

Published 11/5/2021

Reference NIST

The Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in closed session Monday, November 8, 2021 through Friday, November 12, 2021, from 10:00 a.m. until 5:00 p.m. Eastern Time each day. The purpose of this meeting is to review recommendations from site visits and recommend 2021 Malcolm Baldrige National Quality Award (Award) recipients. The meeting is closed to the public in order to protect the proprietary data to be examined and discussed at the meeting. **The meeting will be held Monday, November 8, 2021 through Friday, November 12, 2021, from 10:00 a.m. until 5:00 p.m. Eastern Time each day. The entire meeting will be closed to the public.**

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

Published 11/5/2021

Reference NIST

Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to establish a new system of records, entitled BGFRS-44, "FRB—Public Health and Safety System." This system of records maintains information collected in response to a public health emergency, such as a pandemic or disaster, or other health and safety concerns when necessary to ensure a safe and healthy environment for Board employees, contractors, and other individuals who work for the Board. **Comments must be received on or before December 6, 2021. This new system of records will become effective December 6, 2021, without further notice, unless comments dictate otherwise.**

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

Published 11/2/2021

Reference NIST

The Securities and Exchange Commission (SEC) established SEC-34, Public Health and Safety Records under the Privacy Act of 1974. This system of records maintains information collected in response to a public health emergency. Information will be collected from SEC personnel (political appointees, employees, consultants, detailees, interns, and volunteers), contractors, visitors, job applicants, and others who access or seek to access SEC facilities or worksites to assist the SEC with maintaining a safe and healthy workplace and to protect its workforce from risks associated with communicable diseases. **The changes will become effective December 2, 2021 to permit public comment on the new and revised routine uses. The Commission will publish a new notice if the effective date is delayed to review comments or if changes are made based on comments received. To assure consideration, comments should be received on or before December 2, 2021.**

[Air Plan Approval: California: Opacity Testing of Heavy-Duty Diesel Vehicles](#)

Published 11/5/2021

Reference SAE

The Environmental Protection Agency (EPA) is proposing to approve a revision to the California State Implementation Plan (SIP) concerning particulate matter (PM) emissions from heavy-duty (HD) diesel vehicles. We are proposing to approve state rules to regulate these emission sources under the Clean Air Act (CAA or the Act). We are taking comments on this proposal and plan to follow with a final action. **Comments must be received on or before December 6, 2021.**

[SGS North America, Inc.: Application for Expansion of Recognition and Proposed Modification to the NRTL Program's List of Appropriate Test Standards](#)

Published 11/1/2021

Reference UL

In this notice, OSHA announces the application of SGS North America, Inc., for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application. Additionally, OSHA proposes to add four test standards to the NRTL Program's List of Appropriate Test Standards. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before November 16, 2021.**

[LabTest Certification Inc.: Grant of Recognition](#)

Published 11/2/2021

Reference UL

In this notice, OSHA announces the final decision to grant recognition to LabTest Certification, Inc. (LCI), as a Nationally Recognized Testing Laboratory (NRTL). **Recognition as a NRTL becomes effective on November 2, 2021.**

[TUV Rheinland of North America, Inc.: Application for Expansion of Recognition](#)

Published 11/1/2021

Reference UL

In this notice, OSHA announces the application of TUV Rheinland of North America, Inc., for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before November 16, 2021.**
