

U.S. Federal Register Update: December 6 – December 10, 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?*

[Energy Conservation Program: Test Procedure for Air-Cooled, Three-Phase, Small Commercial Package Air Conditioning and Heating Equipment With a Cooling Capacity of Less Than 65,000 Btu/h and Air-Cooled, Three-Phase, Variable Refrigerant Flow Air Conditioners and Heat Pumps With a Cooling Capacity of Less Than 65,000 Btu/h](#)

Published 12/9/2021

Reference ANSI, ASHRAE, CSA, ISO

The U.S. Department of Energy ("DOE" or "the Department") proposes to amend its test procedure for air-cooled, three-phase, small commercial package air conditioning and heating equipment with a cooling capacity of less than 65,000 British thermal units ("Btu/h") per hour and air-cooled, three-phase, variable refrigerant flow air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h to incorporate by reference the latest version of the relevant industry test standard. DOE also proposes to adopt the seasonal energy efficiency ratio 2 ("SEER2") and heating seasonal performance factor 2 ("HSPF2") metrics specified by that industry test standard in the DOE test procedures for the three-phase equipment that is the subject of this notice of proposed rulemaking ("NOPR"). Additionally, DOE proposes to amend certain provisions for representations and enforcement to harmonize with single-phase products. **Meeting: DOE will hold a webinar on Monday, January 10, 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. Comments: DOE will accept comments, data, and information regarding this proposal no later than February 7, 2022. See section V, "Public Participation," for details.**

[Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 056](#)

Published 12/9/2021

Reference ANSI, AAMI, ASTM, IEC, IEEE, ISO, NEMA

The Food and Drug Administration (FDA or Agency) is announcing a publication containing modifications the Agency is making to the list of standards FDA recognizes for use in premarket reviews (FDA Recognized Consensus Standards). This publication, entitled "Modifications to the List of Recognized Standards, Recognition List Number: 056" (Recognition List Number: 056), will assist manufacturers who elect to declare conformity with consensus standards to meet certain requirements for medical devices. **Submit either electronic or written comments on the notice at any time. These modifications to the list of recognized standards are applicable December 9, 2021.**

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

Published 12/10/2021

Reference ANSI, ASHRAE, ISO

The U.S. Department of Energy ("DOE") proposes to amend the test procedure for variable refrigerant flow multi-split air conditioners and heat pumps ("VRF multi-split systems") to incorporate by reference the latest version of the industry test standard. DOE also proposes to adopt the integrated energy efficiency ratio metric in its test procedures for VRF multi-split systems. Additionally, DOE proposes to adopt provisions in the updated industry test procedure relevant to certification and enforcement, including a controls verification procedure. DOE welcomes written comment from the public on any subject within the scope of this document (including topics not specifically raised in this proposal), as well as the submission of data and other relevant information. **Comments: DOE will accept written comments, data, and information regarding this notice of proposed rulemaking (NOPR) on or before February 8, 2022. See section V, "Public Participation," for details. Meeting: DOE will hold a webinar on Thursday, January 20, 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 Ceiling Fans](#)

Published 12/7/2021

Reference ANSI, IEC, NFPA

The U.S. Department of Energy (“DOE”) proposes to amend the test procedures for ceiling fans. DOE initially presented proposed amendments in a notice of proposed rulemaking (“NOPR”) published on September 30, 2019. DOE is publishing this supplemental notice of proposed rulemaking (“SNOPR”) to present modifications to certain proposals presented in the NOPR, and to propose additional amendments. In this SNOPR, DOE proposes to include a definition for “circulating air” for the purpose of the ceiling fan definition, include ceiling fans greater than 24 feet in the scope, include certain belt-driven ceiling fans within scope, include a standby metric for large-diameter ceiling fans, amend the low speed definition, permit an alternate set-up to collect air velocity test data, amend certain set-up and operation specifications, amend the blade thickness measurement requirement, and update product-specific rounding and enforcement provisions. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than February 7, 2022. See section V, “Public Participation,” for details. DOE will hold a webinar on Tuesday, January 11, 2022, from 12:30 p.m. to 3:30 p.m. E.S.T. 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.**

[Protection of Stratospheric Ozone: Listing of HFO-1234yf Under the Significant New Alternatives Policy Program for Motor Vehicle Air Conditioning in Nonroad Vehicles and Servicing Fittings for Small Refrigerant Cans](#)

Published 12/6/2021

Reference ANSI, ASHRAE, ASTM, SAE

Pursuant to the EPA’s Significant New Alternatives Policy program, this action proposes to list the refrigerant 2,3,3,3-tetrafluoroprop-1-ene, also known as HFO-1234yf or R-1234yf, as acceptable, subject to use conditions, in the motor vehicle air conditioning end-use for certain types of newly manufactured nonroad (also called off-road) vehicles, which includes some vehicles that are also considered heavy-duty vehicles. EPA is also proposing to adopt the current versions of the industry safety standards SAE J639, SAE J1739, and SAE J2844 by incorporating them by reference into the use conditions for the proposed listings in nonroad vehicles and previous listings for certain onroad vehicles covered in final rules issued separately in March 2011 and December 2016. In addition, EPA is proposing to require unique servicing fittings for use with small refrigerant cans (two pounds or less) of 2,3,3,3-tetrafluoroprop-1-ene that are used to service onroad and nonroad vehicles. Finally, EPA is proposing to add a reference to the Agency’s regulations under the Toxic Substances Control Act for 2,3,3,3-tetrafluoroprop-1-ene for the proposed listings in nonroad vehicles and previous listings for certain onroad vehicles. Aside from the changes proposed in this action, the Agency is not reopening for comment other portions of the March 2011 and December 2016 final rules. **Comments must be received on or before January 20, 2022. Any party requesting a public hearing must notify the contact listed below under FOR FURTHER INFORMATION CONTACT by 5 p.m. Eastern Daylight Time on December 13, 2021. If a virtual public hearing is held, it will take place on or before December 21, 2021 and further information will be provided on EPA’s Stratospheric Ozone website at www.epa.gov/ozone/snap.**

[Takes of Marine Mammals Incidental to Specified Activities: Taking Marine Mammals Incidental to U.S. Navy 2022 Ice Exercise Activities in the Arctic Ocean](#)

Published 12/10/2021

Reference ANSI, ISO

NMFS has received a request from the U.S. Navy (Navy) for a authorization to take marine mammals incidental to Ice Exercise 2022 (ICEX22) north of Prudhoe Bay, Alaska. 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-time, 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 authorization and agency responses will be summarized in the final notice of our decision. 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 (2004 NDAA). **Comments and information must be received no later than January 10, 2022.**

[Information Collection: NRC Online Form, Request for Alternatives](#)

Published 12/9/2021

Reference ASME

The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, NRC Online Form, “Request for Alternatives.” **Submit comments by January 10, 2022. Comments received after this date will be**

considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

[Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From Turkey: Notice of Initiation and Preliminary Results of Changed Circumstances Review](#)

Published 12/10/2021

Reference ASTM

In response to a request for a changed circumstances review (CCR), the Department of Commerce (Commerce) is initiating a CCR of the antidumping duty (AD) order on heavy walled rectangular welded carbon steel pipes and tubes (HWR pipes and tubes) from Turkey. We preliminarily determine that Ozdemir Boru Profil Sanayi ve Ticaret Sirketi (A.S.) (Ozdemir AS) is the successor-in-interest to Ozdemir Boru Profil Sanayi ve Ticaret Limited Sirketi (Ozdemir Ltd. Sti.). Interested parties are invited to comment on these preliminary results. **Applicable December 10, 2021.**

[Notice of Funding Opportunity for the Food Supply Chain Guaranteed Loan Program](#)

Published 12/9/2021

Reference ASTM

The Rural Business—Cooperative Service (Agency), an agency of the United States Department of Agriculture (USDA) Rural Development mission area (RD) announces the availability of a approximately \$1,000,000,000 in loan guarantees, applicant and application requirements, and servicing requirements under the Food Supply Chain (FSC) Guaranteed Loan Program for fiscal year (FY) 2022. Loan guarantees will be made to lenders to facilitate financing to qualified borrowers and projects for the start-up or expansion of activities in the middle of the food supply chain, particularly the aggregation, processing, manufacturing, storage, transportation, wholesaling, or distribution of food, to increase capacity and help create a more resilient, diverse, and secure U.S. food supply chain. **Completed applications may be submitted beginning December 9, 2021. Awards will be made no earlier than February 7, 2022. Applications will be accepted until funds are exhausted.**

[Standards for Safeguarding Customer Information](#)

Published 12/9/2021

Reference IEC, ISO, NIST

The Federal Trade Commission (“FTC” or “Commission”) is issuing a final rule (“Final Rule”) to amend the Standards for Safeguarding Customer Information (“Safeguards Rule” or “Rule”). The Final Rule contains five main modifications to the existing Rule. First, it adds provisions designed to provide covered financial institutions with more guidance on how to develop and implement specific aspects of an overall information security program, such as access controls, authentication, and encryption. Second, it adds provisions designed to improve the accountability of financial institutions’ information security programs, such as by requiring periodic reports to boards of directors or governing bodies. Third, it exempts financial institutions that collect less customer information from certain requirements. Fourth, it expands the definition of “financial institution” to include entities engaged in activities the Federal Reserve Board determines to be incidental to financial activities. This change adds “finders”—companies that bring together buyers and sellers of a product or service—within the scope of the Rule. Finally, the Final Rule defines several terms and provides related examples in the Rule itself rather than incorporates them from the Privacy of Consumer Financial Information Rule (“Privacy Rule”). **Effective date: This rule is effective January 10, 2022. Applicability date: The provisions set forth in § 314.5 are applicable beginning December 9, 2022.**

[Modernizing Electricity Market Design; Notice Inviting Post-Technical Conference Comments](#)

Published 12/10/2021

Reference IEEE

On September 14, 2021 and October 12, 2021, the Federal Energy Regulation Commission (Commission) convened staff-led technical conferences to discuss energy and ancillary services markets in the evolving electricity sector. All interested persons are invited to file initial and reply post-technical conference comments on the topics in Parts I and II below, which contain the questions posed in each technical conference agenda. Commenters may reference material previously filed in this docket, including the technical conference transcripts, but are encouraged to avoid repetition or replication of previous material. Commenters need not answer all of the questions, but commenters are encouraged to organize responses using the numbering and order in the below questions. Initial comments must be submitted on or before February 4, 2022. Reply comments must be submitted on or before March 7, 2022.

[Agency Information Collection Extension](#)

Published 12/7/2021

Reference ISO

The Department of Energy (DOE) has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its collection for Superior Energy Performance 50001 (SEP 50001) Certification and 50001 Ready Recognition, OMB Control Number 1910-5177. The proposed collection will relate to tracking partner participation and calculating the energy efficiency impact of DOE's Superior Energy Performance certification and 50001 Ready recognition programs. **Comments regarding this collection must be received on or before January 6, 2022. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the OMB Desk Officer of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at (202) 395-4718.**

[Medical Devices; Exemption From Premarket Notification: Powered Patient Transport, All Other Powered Patient Transport](#)

Published 12/8/2021

Reference ISO

The Food and Drug Administration (FDA or Agency) is publishing an order setting forth the final determination of a petition requesting exemption from premarket notification (510(k)) requirements for the generic device type, powered patient transport, all other powered patient transport (product code ILK), classified as class II devices. These devices are motorized devices used to mitigate mobility impairment caused by injury or other disease by moving a person from one location or level to another, such as up and down flights of stairs. These devices do not include motorized three-wheeled vehicles or wheel chairs, and are distinct from the device type, powered patient transport, powered patient stairway chair lifts, which is classified separately within the same regulation (product code PCD). FDA is publishing this order in accordance with procedures established in the Federal Food, Drug, and Cosmetic Act (FD&C Act). **This order is effective December 8, 2021.**

[Federal Reserve Bank Services; Notice of Private Sector Adjustment Factor for 2022 and the 2022 Fee Schedules for Federal Reserve Priced Services and Electronic Access](#)

Published 12/6/2021

Reference ISO

The Board of Governors of the Federal Reserve System (Board) has approved the private sector adjustment factor (PSAF) for 2022 of \$19.4 million and the 2022 fee schedules for Federal Reserve priced services and electronic access. These actions were taken in accordance with the Monetary Control Act of 1980, which requires that, over the long run, fees for Federal Reserve priced services be established based on all direct and indirect costs, including the PSAF. **The new fee schedules become effective January 3, 2022.**

[Agency Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; Generic Clearance for Usability Data Collections](#)

Published 12/7/2021

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 February 7, 2022.**

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

Published 12/10/2021

Reference NIST

The U.S. Environmental Protection Agency's (EPA), Office of Human Resources (OHR) is giving notice that it proposes to create a new system of records pursuant to the provisions of the Privacy Act of 1974. Human Resources Line of Business (HR LoB) is being created to support payroll, human resource (HR) services, eLearning, and data analytics. The HR LoB suite of systems is a government shared service hosted by the Department of Interior's Interior Business Center (DOI-IBC) and includes the Federal Personnel Payroll System (FPPS), the Workforce Transformation and Tracking System (WTTTS)/Entrance

on Duty (EOD), FedTalent, and Oracle's Business Intelligence Enterprise Edition (OBIEE). **Persons wishing to comment on this system of records notice must do so by January 10, 2022. New routine uses for this new system of records will be effective January 10, 2022.**

[Streamline and Update the Department of Transportation Acquisition Regulation \(TAR Case 2020-001\)](#)

Published 12/7/2021

Reference NIST

The Department of Transportation (DOT) is proposing to amend and update its Transportation Acquisition Regulation (TAR). Under this initiative, all parts of the regulation were reviewed to streamline the regulation, to revise or remove policy that has been superseded by changes in the Federal Acquisition Regulation (FAR), to remove procedural guidance that is internal to DOT and move it to the Transportation Acquisition Manual (TAM) as appropriate, and to incorporate new regulations or policies required to implement or supplement the FAR to execute DOT's unique mission and responsibilities. The TAM will incorporate portions of the internal procedural guidance removed from the TAR, as well as other internal agency acquisition policy. This rulemaking revises the entire TAR. **Comments must be received on or February 7, 2022 to be considered in the formulation of the final rule.**

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

Published 12/7/2021

Reference NIST

In accordance with the Privacy Act of 1974, the United States International Trade Commission (USITC or Commission) proposes to add a new system of records to collect information related to employee-submitted requests for reasonable accommodations, including for reasons relating to a disability, and employee-submitted requests for religious accommodations due to sincerely held religious beliefs, practices, or observances. Records contained in this system are collected to: (1) Allow the USITC to collect and maintain records on prospective, current, and former employees with disabilities who request or receive a reasonable accommodation by the USITC; (2) allow the USITC to collect and maintain records on prospective, current, and former employees with sincerely held religious beliefs, practices, or observances who request or receive a religious accommodation by USITC; (3) track and report the processing of requests for such accommodations to comply with applicable laws and regulations; and (4) preserve and maintain the confidentiality of medical and religious information submitted by or on behalf of applicants or employees requesting such an accommodation. **These systems will become effective upon publication in today's Federal Register, with the exception of the routine uses that will be effective on January 6, 2022. The USITC invites written comments on the routine uses and other aspects of this system of records. Submit any comments by January 6, 2022.**

[Self-Regulatory Organizations: MIAX Emerald, LLC; Notice of Filing of Proposed Rule Change To Amend Exchange Rule 531 To Provide for a New Service Called the "High Precision Network Time Signal Service"](#)

Published 12/7/2021

Reference NIST

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),^[1] and Rule 19b-4 thereunder,^[2] notice is hereby given that on November 19, 2021, MIAX Emerald, LLC ("MIAX Emerald" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

Published 12/10/2021

Reference NIST

The U.S. Environmental Protection Agency's (EPA), Office of Mission Support (OMS), Strategic IT Investment Staff (SITIS) is giving notice that it proposes to create a new system of records pursuant to the provisions of the Privacy Act of 1974. EPA has developed the Purchase Card Order Request System (PCORS) to manage the pre-approval process for purchase card transactions and to place orders after approval. **Persons wishing to comment on this system of records notice must do so by January 10, 2022. New routine uses for this new system of records will be effective January 10, 2022.**

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

Published 12/8/2021

Reference NIST

The U.S. Environmental Protection Agency's (EPA), Office of the Administrator is giving notice that it proposes to modify the Reasonable Accommodation Management System (RAMS) pursuant to the provisions of the Privacy Act of 1974. This system of records stores and maintains reasonable accommodation request files for EPA employees and applicants for employment. EPA is updating the RAMS SORN to reflect the explicit inclusion of requests for religious accommodations in addition to medical accommodations. **Persons wishing to comment on this system of records notice must do so by January 7, 2022. New or modified routine uses for this modified system of records will be effective January 7, 2022.**
