

U.S. Federal Register Update: December 13 – December 17, 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?*

[QPS Evaluation Services, Inc.: Grant of Expansion of Recognition](#)

Published 12/15/2021

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for QPS Evaluation Services, Inc. as a Nationally Recognized Testing Laboratory (NRTL). **The expansion of the scope of recognition becomes effective on December 15, 2021.**

[Energy Conservation Program: Backstop Requirement for General Service Lamps](#)

Published 12/13/2021

Reference ANSI, NEMA

The U.S. Department of Energy ("DOE") proposes to codify in the Code of Federal Regulations the 45 lumens per watt ("lm/W") backstop requirement for general service lamps ("GSLs") that Congress prescribed in the Energy Policy and Conservation Act, as amended. DOE proposes this backstop requirement applies because DOE failed to complete a rulemaking regarding general service lamps in accordance with certain statutory criteria. This proposal represents a departure from DOE's previous determination published in 2019 that the backstop requirement was not triggered. DOE welcomes comments on this proposal. **Written comments and information are requested and will be accepted on or before January 27, 2022.**

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

Published 12/14/2021

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 Maine Department of Transportation (MEDOT) to incidentally harass, by Level A and B harassment only, marine mammals during construction activities associated with the Falls Bridge Replacement Project in Blue Hill, Maine. **This authorization is effective from July 1, 2022 through June 30, 2023.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Geophysical Surveys in the Southeastern Gulf of Mexico](#)

Published 12/16/2021

Reference ANSI, ISO

NMFS has received a request from Scripps Institution of Oceanography (Scripps) for a authorization to take marine mammals incidental to marine geophysical surveys in the southeastern Gulf of Mexico. 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 1 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 18, 2022.

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to U.S. Navy Construction at Naval Station Newport in Newport, Rhode Island](#)

Published 12/15/2021

Reference ANSI

NMFS, upon request of the U.S. Navy (Navy), hereby issues regulations to govern the unintentional taking of marine mammals incidental to construction activities for bulkhead replacement and repairs at Naval Station Newport (NAVSTA Newport) over the course of five years (2022-2027). These regulations, which allow for the issuance of a Letter of

Authorization (LOA) for the incidental take of marine mammals during the described activities and specified timeframes, prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat, as well as requirements pertaining to the monitoring and reporting of such taking. **Effective from May 15, 2022, through May 14, 2027.**

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

Published 12/17/2021

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

The U.S. Department of Energy (“DOE”) proposes to amend the existing scope of the DOE test procedures consistent with related industry changes for nomenclature and test procedure developments (i.e., for air-over electric motors, submersible electric motors, electric motors greater than 500 horsepower, electric motors considered small, inverter-only electric motors, and synchronous electric motors); add test procedures, metric, and supporting definitions for additional electric motors covered under the proposed scope; and update references to industry standards to reference current versions. Furthermore, DOE proposes to adopt industry provisions related to the prescribed test conditions to further ensure the comparability of test. In addition, DOE proposes to update certain testing instructions to reduce manufacturer burden. Further, DOE proposes to amend the provisions pertaining to certification testing and determination of represented values for electric motors other than dedicated-purpose pool pump motors, apply these provisions to the additional electric motors proposed for inclusion in the scope of the test procedure, and to move both provisions consistent with the location of other certification requirements for other covered products and equipment. Finally, DOE proposes to add provisions pertaining to certification testing and determination of represented values for dedicated-purpose pool pump motors. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than February 15, 2022. See section V, “Public Participation,” for details. DOE will hold a webinar on Tuesday, January 25, 2022, 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.**

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

Published 12/16/2021

Reference AHAM, IEC, UL

The U.S. Department of Energy (DOE) is extending the public comment period for the notice of proposed rulemaking (“NOPR”) that DOE published on November 4, 2021 regarding a proposal for a new test procedure for conventional cooking tops, a category of cooking products, that would replace the procedure that DOE withdrew on August 18, 2020. DOE is also publishing a NODA regarding the results of DOE’s recently completed test program assessing the repeatability and reproducibility of the proposed test procedure. DOE is publishing the results of its testing and requests comment, data, and information regarding the results. **The comment period for the NOPR which published on November 4, 2021 (86 FR 60974), is extended. DOE will accept comments, data, and information regarding the NOPR and NODA on or before January 18, 2022.**

[Energy Conservation Program for Appliance Standards: Procedures, Interpretations, and Policies for Consideration in New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Commercial/Industrial Equipment](#)

Published 12/13/2021

Reference AHAM, ASHRAE, NEMA

The U.S. Department of Energy (“DOE” or the “Department”) is revising the Department’s “Procedures, Interpretations, and Policies for Consideration of New or Revised Energy Conservation Standards and Test Procedures for Consumer Products and Certain Commercial/Industrial Equipment.” The revisions are consistent with longstanding DOE practice and would remove unnecessary obstacles to DOE’s ability to meet its statutory obligations under the Energy Policy and Conservation Act (“EPCA”). **This rule is effective January 12, 2022.**

[Notice of Funding Opportunity for the Biofuel Producer Program for Fiscal Year 2021](#)

Published 12/13/2021

Reference ASTM

The Rural Business-Cooperative Service (RBCS or Agency), an agency of the United States Department of Agriculture (USDA), announces the application window, application requirements and the availability of up to \$700 million in payments to eligible biofuel producers for unexpected market losses as a result of COVID-19 in order to maintain a viable and significant biofuels market for agricultural producers that supply biofuel producers. The Biofuel Producer Program is

authorized under Title I of Division B of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. All applicants are responsible for any expenses incurred in developing their applications. **Applications for the Biofuel Producer Program must be received by 11:59 p.m. EDT on February 11, 2022.**

[National Cybersecurity Center of Excellence](#)

Published 12/15/2021

Reference NIST

The National Institute of Standards and Technology (NIST) Information Technology Laboratory (ITL) invites interested U.S. companies to submit letters of interest in collaborating with NIST/ITL on an ongoing basis in the National Cybersecurity Center of Excellence (NCCoE) through partnerships called "National Cybersecurity Excellence Partnerships" (NCEPs). NIST previously published a notice for this partnership on October 19, 2012. This notice repeats the same information contained in the previous notice but contains updated contact and mailing information. **Letters of interest will be accepted on an ongoing basis. However, if NIST determines that letters of interest will no longer be accepted, NIST will publish the last date when letters will be accepted in a Federal Register notice.**

[Visiting Committee on Advanced Technology](#)

Published 12/15/2021

Reference NIST

National Institute of Standards and Technology (NIST)'s Visiting Committee on Advanced Technology (VCAT or Committee) will meet on Wednesday, February 9, 2022, from 10:00 a.m. to 6:00 p.m. Eastern Time. **The VCAT will meet on Wednesday, February 9, 2022, from 10:00 a.m. to 6:00 p.m. Eastern Time.**

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

Published 12/15/2021

Reference NIST

The United States Postal Service® (USPS®) is proposing to revise a Customer Privacy Act Systems of Records (SOR). These modifications are being made to reflect enhanced functionality within an integrated technology system that supports USPS Identity Verification Services (IVS) and will seek to enhance In-Person Identity Proofing Capabilities to voluntarily align with National Institute of Standards and Technology (NIST) 800.63A Digital Identity standards. This enhanced functionality will be used to meet internal USPS needs and the requirements of other Federal government agencies. Modifications to this SOR are also being proposed to support a separate initiative that enhances the In-Person enrollment process for the Informed Delivery® feature, with an objective to improve the customer experience. **These revisions will become effective without further notice on January 14, 2022, unless, in response to comments received on or before that date result in a contrary determination.**

[Advisory Committee on Earthquake Hazards Reduction Meeting](#)

Published 12/15/2021

Reference NIST

National Institute of Standards and Technology (NIST)'s Advisory Committee on Earthquake Hazards Reduction (ACEHR or Committee) will hold a virtual meeting via web conference on Wednesday, March 2, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time and Thursday, March 3, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time. The primary purpose of this meeting is for the Committee to review the activities of the National Earthquake Hazards Reduction Program (NEHRP) and receive responses to the Committee's 2021 biennial report on the effectiveness of NEHRP. The agenda may change to accommodate Committee business. The final agenda and any meeting materials will be posted on the NEHRP website at <http://nehrrp.gov/>. **The ACEHR will meet on Wednesday, March 2, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time and Thursday, March 3, 2022, from 1:00 p.m. to 4:00 p.m. Eastern Time.**

[Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; National Cybersecurity Center of Excellence \(NCCoE\) Participant Letter\(s\) of Interest \(LoI\)](#)

Published 12/15/2021

Reference NIST

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the 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. Public comments were previously requested via the Federal Register on September 30, 2021 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

[Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; National Voluntary Laboratory Accreditation Program Information Collection System](#)

Published 12/17/2021

Reference NIST

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite 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. Public comments were previously requested via the Federal Register on September 30, 2021 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

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

Published 12/16/2021

Reference NIST

The Federal Energy Regulatory Commission (FERC) is publishing notice of modifications to an existing FERC system of records, FERC-41 titled FERC Transit Subsidy Program (TSP) Records. This notice adds 10 new routine uses, including two prescribed by the Office of Management and Budget (OMB) Memorandum M-17-12, Preparing for and Responding to a Breach of Personally Identifiable Information, January 3, 2017, that will permit FERC to disclose information as necessary in response to an actual or suspected breach that pertains to a breach of its own records or to assist another agency in its efforts to respond to a breach. This System of Records Notice (SORN) also describes the system's manager and location change. **In accordance with 5 U.S.C. 552a(e)(4) and (11), this system of records notice is effective upon publication, with the exception of the routine uses, which will go into effect 30 days after publication of this notice, on December 16, 2021, unless comments have been received from interested members of the public requiring modification and republication of the notice. Please submit any comments by January 18, 2022.**

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

Published 12/16/2021

Reference NIST

The Federal Communications Commission (FCC or Commission or Agency) is modifying a system of records, FCC/WCB-3, Emergency Broadband Benefit Program, subject to the Privacy Act of 1974, as amended. This action is necessary to meet the requirements of the Privacy Act to publish in the Federal Register notice of the existence and character of records maintained by the agency. The Emergency Broadband Benefit Program ("Emergency Broadband") provides discounts for broadband internet access service ("BIAS") to qualifying households. Under the Infrastructure Investment and Jobs Act, signed into law on November 15, 2021, the Emergency Broadband program will become the Affordable Connectivity Program ("ACP") on December 31, 2021. A household may qualify for ACP if an individual in the household has applied for and has been approved to receive benefits under the free and reduced price lunch program, receives assistance through the special supplemental nutritional program for women, infants, and children established by section 17 of the Child Nutrition Act of 1996 ("WIC"), receives a Pell Grant, qualifies for the Lifeline program, meets certain income requirements, or qualifies for a low-income program offered by internet service providers. The ACP will be administered by the Universal Service Administrative Company (USAC) under the direction of the Commission and, by delegation, of the Commission's Wireline Competition Bureau (WCB). This system of records contains information about individual ACP participants, providers' claims and certifying officers, and providers' enrollment representatives. **Written comments are due on or before January 18, 2022. This action takes effect on December 16, 2021, except for any new or significantly modified routine uses, which will take effect on January 18, 2022.**

[Special Conditions: The Boeing Company, Model 737-10 Airplane; Dynamic Test Requirements for Single-Occupant, Oblique \(Side-Facing\) Seats Installed at a 49-Degrees With Airbag Devices and 3-Point Restraints](#)

Published 12/15/2021

Reference SAE

This action proposes special conditions for The Boeing Company (Boeing) Model 737-10 airplane. This airplane will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport-category airplanes. This design feature is single-occupant, passenger oblique seats, with airbag devices and 3-

point restraints, installed at 49 degrees relative to the airplane cabin bow-to-stern centerline. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards. **Send comments on or before January 31, 2022.**
