

U.S. Federal Register Update: December 20 – December 24, 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 Direct Expansion-Dedicated Outdoor Air Systems](#)

Published 12/23/2021

Reference ANSI, ASHRAE, ISO

The U.S. Department of Energy ("DOE") is publishing a supplemental notice of proposed rulemaking ("SNOPR") to establish a test procedure for direct-expansion dedicated outdoor systems ("DX-DOASEs") pursuant to the Energy Policy and Conservation Act, as amended. This document presents an updated proposal based on stakeholder feedback received in response to the July 7, 2021, notice of proposed rulemaking. DOE is revising its proposals regarding the terminology used to describe the equipment at issue and to provide additional direction for testing equipment with special components. DOE welcomes written comment from the public on any subject within the scope of this document, as well as the submission of data and other relevant information. **DOE will accept written comments, data, and information regarding this SNOPR on or before January 24, 2022. See section V, "Public Participation," for details.**

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

Published 12/23/2021

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for SGS North America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the addition of four test standards to the NRTL Program's List of Appropriate Test Standards. **The expansion of the scope of recognition becomes effective on December 23, 2021.**

[Energy Conservation Program: Definition of Showerhead](#)

Published 12/20/2021

Reference ANSI, ASME, CSA

On July 22, 2021, the U.S. Department of Energy ("DOE") published a notice of proposed rulemaking ("NOPR") to revise the current definition of "showerhead" adopted in the December 16, 2020, final rule ("December 2020 Final Rule") by reinstating the October 2013 definition of "showerhead," withdraw the December 2020 final rule's interpretation of the term "showerhead," and withdraw the associated definition for "body spray." DOE did not propose any changes to the definition of "safety shower showerhead." In this final rule, DOE revises the current definition of "showerhead" adopted in the December 2020 final rule by reinstating the October 2013 definition of "showerhead" as the Department finds that it is more consistent with the purposes of the Energy Policy and Conservation Act, as amended ("EPCA"). In addition, DOE removes the current definition of "body spray" adopted in the December 16, 2020 final rule. Finally, DOE maintains the definition of "safety shower showerhead" adopted in the December 2020 final rule. **The effective date of this rule is January 19, 2022.**

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

Published 12/22/2021

Reference ANSI, AHAM, IEC

The U.S. Department of Energy ("DOE") proposes to amend the current test procedures appendix for dishwashers, adopt a new test procedure appendix, incorporate by reference newly published Association of Home Appliance Manufacturers ("AHAM") standards—AHAM DW-1-2020 and DW-2-2020—and apply certain provisions of the industry standards to the test procedures appendices. The proposed amendments to the current procedure would establish requirements for water hardness, relative humidity, and loading pattern; update requirements for ambient temperature, detergent dosage, and standby power measurement; include testing approaches from recently published waivers for dishwashers; and include provisions for a minimum cleaning index threshold to validate the selected test cycle. The proposed new test procedure appendix would additionally include updated annual number of cycles and low-power mode hours for the calculation of energy consumption. DOE is seeking comments from interested parties on the proposal. **Meeting: DOE will hold a webinar on Thursday, February 3, 2022, from 12:30 p.m. to 4:30 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. Comments: DOE will accept comments, data, and information regarding this proposal no later than February 22, 2022. See Section V, “Public Participation,” for details.

[Energy Conservation Program: Test Procedure for Automatic Commercial Ice Makers](#)

Published 12/21/2021

Reference ANSI, AHAM, ASHRAE, ASTM, CSA

The U.S. Department of Energy (“DOE”) proposes to amend the test procedure for automatic commercial ice makers (“ACIMs”; “ice makers”) to update incorporated references to the latest version of the industry standards; establish relative humidity and water hardness test conditions; provide additional detail regarding certain test conditions, settings, setup requirements, and calculations; include a voluntary measurement of potable water use; clarify certification and reporting requirements; and add enforcement provisions. This notice of proposed rulemaking (“NOPR”) also proposes to provide additional detail to the DOE test procedure to improve the representativeness and repeatability of the current ACIM test procedure. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than February 22, 2022. See section V, “Public Participation,” for details. DOE will hold a webinar on Monday, January 24, 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. If no participants register for the webinar, it will be cancelled.**

[Energy Conservation Program: Test Procedure for Circulator Pumps](#)

Published 12/20/2021

Reference ANSI, ASHRAE, ISO, NEMA

The U.S. Department of Energy (“DOE”) proposes to establish definitions, a test procedure, sampling and rating requirements, and enforcement provisions for circulator pumps. Currently, circulator pumps are not subject to DOE test procedures or energy conservation standards. DOE proposes a test procedure for measuring the circulator energy index for circulator pumps. The proposed test method references the relevant industry test standard. The proposed definitions and test procedures are based on the recommendations of the Circulator Pump Working Group, which was established under the Appliance Standards Rulemaking Federal Advisory Committee. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than February 18, 2022. See section V “Public Participation,” for details. DOE will hold a webinar on Wednesday, February 2, 2022, from 12:30 p.m. to 3:30 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: Energy Conservation Standards for Commercial Clothes Washers](#)

Published 12/20/2021

Reference AHAM, IEC

The Energy Policy and Conservation Act (“EPCA”), as amended, prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including commercial clothes washers (“CCWs”). EPCA also requires the U.S. Department of Energy (“DOE”) to periodically determine whether more-stringent, amended standards would be technologically feasible and economically justified, and would result in significant conservation of energy. In this notification of proposed determination (“NOPD”), DOE has initially determined that amended energy conservation standards for commercial clothes washers do not need to be amended and requests comment on this proposed determination and the associated analyses and results. **Meeting: DOE will hold a webinar on Tuesday, February 8, 2022, from 12:30 p.m. to 4:30 p.m. See section VII, “Public Participation,” for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. Comments: Written comments and information are requested and will be accepted on or before February 18, 2022.**

[Control of Heavy Loads at Nuclear Facilities](#)

Published 12/21/2021

Reference ASME

The U.S. Nuclear Regulatory Commission (NRC) is issuing Regulatory Guide (RG) 1.244 (Revision 0), “Control of Heavy Loads at Nuclear Facilities.” RG 1.244 is a new regulatory guide to endorse selected national consensus standards related to heavy load handling that replace NRC technical reports. The national consensus standards provide greater flexibility in the

selection of lifting equipment and have incorporated recent operating experience to provide a more accurate risk-informed perspective of heavy load handling activities. **Revision 0 to RG 1.244 is available on December 21, 2021.**

[Determination Under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement](#)

Published 12/23/2021

Reference ASTM

The Committee for the Implementation of Textile Agreements (“CITA”) has determined that certain 100% polyester 3-layered bonded fabric, as specified below, is not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

Applicable Date: December 23, 2021.

[Determination Under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement](#)

Published 12/23/2021

Reference ASTM

The Committee for the Implementation of Textile Agreements (“CITA”) has determined that certain polyester/spandex 3-layered bonded fabric, as specified below, is not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

Applicable Date: December 23, 2021.

[Renewable Fuel Standard \(RFS\) Program: RFS Annual Rules](#)

Published 12/21/2021

Reference ASTM

Under section 211 of the Clean Air Act, the Environmental Protection Agency (EPA) is required to set standards every year to implement nationally applicable renewable fuel volume targets. This action proposes to modify the 2021 and 2022 statutory volume targets for cellulosic biofuel, advanced biofuel, and total renewable fuel, as well as to establish the 2022 volume target for biomass-based diesel. This action also proposes to modify the previously established cellulosic biofuel, advanced biofuel, and total renewable fuel volume requirements for 2020. In addition, this action proposes the 2020, 2021, and 2022 renewable fuel standards for all four of the above biofuel categories. Finally, this action also proposes to address the remand of the 2016 standard-setting rulemaking, as well as several regulatory changes to the Renewable Fuel Standard (RFS) program including regulations for the use of biointermediates to produce qualifying renewable fuel, flexibilities for regulated parties, and clarifications of existing regulations. **Comments. Comments must be received on or before February 4, 2022. Public hearing. EPA announced information regarding the public hearing for this proposal in a Federal Register document published on December 10, 2021, at 86 FR 70426.**

[Seven County Infrastructure Coalition-Rail Construction & Operation Exemption-In Utah, Carbon, Duchesne, and Uintah Counties, Utah](#)

Published 12/21/2021

Reference ASTM

In 2020, the Seven County Infrastructure Coalition (Coalition) filed a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 for authorization to construct and operate an approximately 85-mile rail line connecting two termini in the Uinta Basin (Basin) near South Myton Bench, Utah, and Leland Bench, Utah, to the national rail network at Kyune, Utah (the Line). According to the Coalition, the Line would provide shippers in the Basin with a viable alternative to trucking, which is currently the only available transportation option. (Pet. for Exemption 13-15.)

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

Published 12/22/2021

Reference NIST

The Federal Energy Regulatory Commission (FERC) is publishing notice of modifications to an existing FERC system of records, FERC-31 titled Commission Parking 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 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 Commission's 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 22, 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 21, 2022.**

Technical Measures: Public Consultations

Published 12/22/2021

Reference NIST

The U.S. Copyright Office is announcing a series of consultations on technical measures to identify or protect copyrighted works online. The Office plans to hold a plenary session to launch consultations on this issue on February 22, 2022, to be followed by smaller sectoral consultations thereafter. To aid in this effort, the Office also is seeking public input on a number of questions. **Written statements of interest to participate in the consultations, along with a response to at least one of the questions in this notice, must be received no later than 11:59 p.m. Eastern Time on February 8, 2022. Written comments may be made for the record without expectation of participating in the consultations by that same deadline. The Office is planning to hold the plenary consultation via Zoom on February 22, 2022. The Office also plans to hold February 23, 2022 as a possible second day for plenary consultations, if needed. Subsequent industry-sector specific consultations will be announced at a later date via <https://www.copyright.gov/policy/technical-measures/>.**

Privacy Act of 1974: System of Records

Published 12/21/2021

Reference NIST

In accordance with the requirements of the Privacy Act of 1974, as amended, the Department of Health and Human Services (HHS) is establishing a new system of records to be maintained by the Administration for Children and Families (ACF), Office of Child Support Enforcement (OCSE) that will support state child support agencies' enforcement of child support obligations System Number 09-80-0389, "OCSE Data Center General Support System, HHS/ACF/OCSE." **This Notice is applicable December 21, 2021, subject to a 30-day period in which to comment on the routine uses, described below. Please submit any comments by January 20, 2022.**
