

U.S. Federal Register Update: February 21 – February 25, 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 Commercial Warm Air Furnaces](#)

Published 2/25/2022

Reference ANSI, ASHRAE, ASME, ASTM, CSA, NFPA, UL

The U.S. Department of Energy ("DOE") proposes to amend the test procedures for commercial warm air furnaces ("CWAFFs") to incorporate the latest versions of the industry standards that are currently incorporated by reference. DOE also proposes to establish a new metric, Thermal Efficiency Two ("TE2"), and corresponding test procedure. Use of the newly proposed test procedure would become mandatory at such time as compliance with amended energy conservation standards based on TE2 is required, should DOE adopt such standards. DOE also proposes additional specifications for CWAFFs with multiple vent hoods or small-diameter vent hoods. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than April 26, 2022. See section V, "Public Participation," for details. DOE will hold a webinar on Tuesday, March 29, 2022, 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.**

[Petition for Modification of Application of Existing Mandatory Safety Standards](#)

Published 2/22/2022

Reference ANSI, UL

This notice is a summary of four petitions for modifications submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below. **All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before March 24, 2022.**

[Medical Devices: Quality System Regulation Amendments](#)

Published 2/23/2022

Reference ANSI, ISO

The Food and Drug Administration (FDA, the Agency, or we) is proposing to amend the device current good manufacturing practice (CGMP) requirements of the Quality System (QS) Regulation to align more closely with the international consensus standard for devices by converging with the quality management system (QMS) requirements used by other regulatory authorities from other jurisdictions (i.e., other countries). We propose to do so through incorporating by reference an international standard specific for device quality management systems set by the International Organization for Standardization (ISO), the 2016 edition of ISO 13485 (ISO 13485). Through this rulemaking we also propose additional requirements to align with existing requirements in the Federal Food, Drug, and Cosmetic Act (FD&C Act) and its implementing regulations, and make conforming edits to the Code of Federal Regulations (CFR) to clarify the device CGMP requirements for combination products. This action, if finalized, will continue our efforts to align our regulatory framework with that used by other regulatory authorities to promote consistency in the regulation of devices and provide timelier introduction of safe, effective, high-quality devices for patients. **Submit either electronic or written comments on the proposed rule by May 24, 2022. Submit written comments (including recommendations) on the collection of information under the Paperwork Reduction Act of 1995 (PRA) by March 25, 2022.**

[Review of Standards of Performance for Lead Acid Battery Manufacturing Plants and National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources Technology Review](#)

Published 2/23/2022

Reference ANSI, ASTM

This proposal presents the results of the Environmental Protection Agency's (EPA's) review of the New Source Performance Standards (NSPS) for Lead Acid Battery Manufacturing Plants and the technology review (TR) for the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Lead Acid Battery Manufacturing Area Sources as required under the Clean Air Act (CAA). The EPA is proposing revised lead (Pb) emission limits for grid casting, paste mixing, and lead reclamation operations for both the area source NESHAP (for new and existing sources) and under a new NSPS subpart (for lead acid battery facilities that begin construction, reconstruction, or modification after February 23, 2022). In addition, the

EPA is proposing the following amendments for both the area source NESHAP (for new and existing sources) and under a new NSPS subpart (for lead acid battery facilities that begin construction, reconstruction or modification after February 23, 2022): Performance testing once every 5 years to demonstrate compliance; work practices to minimize emissions of fugitive lead dust; increased inspection frequency of fabric filters; bag leak detection systems for facilities above a certain size; clarification of activities that are considered to be lead reclamation activities; electronic reporting of performance test results and semiannual compliance reports; and the removal of exemptions for periods of start-up, shut down, and malfunctions. The EPA is also proposing a revision to the applicability provisions in the area source NESHAP such that facilities which make lead-bearing battery parts or process input material, including but not limited to grid casting facilities and lead oxide manufacturing facilities, will be subject to the area source NESHAP. **Comments must be received on or before April 25, 2022. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before March 25, 2022. Public hearing: If anyone contacts us requesting a public hearing on or before February 28, 2022, we will hold a virtual public hearing. See SUPPLEMENTARY INFORMATION for information on requesting and registering for a public hearing.**

[Consensus Standards, Light-Sport Aircraft, Notice No. NOA-21-01](#)

Published 2/23/2022

Reference ASTM

This notice announces the availability of one new and two revised consensus standards relating to the provisions of the Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft rule. ASTM International (ASTM) Committee F37 on Light-Sport Aircraft developed the new and revised standards with FAA participation. The FAA finds the new and revised standards acceptable for certification under the provisions of the Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft rule. **Comments must be received on or before April 25, 2022.**

[Pure Magnesium From the People's Republic of China: Final Results of Antidumping Duty Administrative Review: 2020-2021](#)

Published 2/22/2022

Reference ASTM

The Department of Commerce (Commerce) continues to find that Tianjin Magnesium International Co., Ltd. (TMI) and Tianjin Magnesium Metal Co., Ltd. (TMM) (collectively, TMI/TMM) had no shipments of subject merchandise covered by the antidumping duty order on pure magnesium from the People's Republic of China (China) for the period of review (POR) May 1, 2020, through April 30, 2021. **Applicable February 22, 2022.**

[Agency Information Collection Activities; Submission for OMB Review; Comment Request; Safety Standards for Roof Bolts in Metal and Nonmetal Mines and Underground Coal Mines](#)

Published 2/25/2022

Reference ASTM

The Department of Labor (DOL) is submitting this Mine Safety and Health Administration (MSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited. **The OMB will consider all written comments that the agency receives on or before March 28, 2022.**

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

Published 2/25/2022

Reference ASTM

The Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) to determine whether Özdemir Boru Profil Sanayi ve Ticaret Anonim Sirketi (Ozdemir A.S.) is the successor-in-interest to Özdemir Boru Profil Sanayi ve Ticaret Limited Sirketi (Ozdemir LLC) in the context of the countervailing duty (CVD) order on heavy walled rectangular pipes and tubes (HWR pipes and tubes) from the Republic of Turkey (Turkey). We also preliminarily determine that Ozdemir A.S. is the successor-in-interest to Ozdemir LLC. Interested parties are invited to comment on these preliminary results. **Applicable February 25, 2022.**

[Certain Welded Carbon Steel Standard Pipes and Tubes From India: Initiation of Circumvention Inquiry on the Antidumping Duty Order](#)

Published 2/22/2022

Reference ASTM

In response to a request from Bull Moose Tube Company (Bull Moose), Nucor Tubular Products Inc. (Nucor Tubular), Wheatland Tube Company (Wheatland) and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC (the USW) (collectively, the domestic interested parties), the Department of Commerce (Commerce) is initiating a country-wide circumvention inquiry to determine whether imports of certain welded carbon steel standard pipes and tubes (pipe and tube), which are completed in Oman and the United Arab Emirates (UAE) from hot-rolled steel (HRS) produced in India, are circumventing the antidumping duty (AD) order on pipe and tube from India. **Applicable February 22, 2022.**

[Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment, Adaptive Driving Beam Headlamps](#)

Published 2/22/2022

Reference ASTM, SAE

This document amends NHTSA's lighting standard to permit the certification of a adaptive driving beam (ADB) headlamps. ADB headlamps utilize technology that actively modifies a vehicle's headlamp beams to provide more illumination while not glaring other vehicles. The requirements adopted today are intended to amend the lighting standard to permit this technology and establish performance requirements for these systems to ensure that they operate safely. ADB has the potential to reduce the risk of crashes by increasing visibility without increasing glare. The agency initiated this rulemaking in response to a petition for rulemaking from Toyota Motor North America, Inc. **Effective date: The effective date of this final rule is February 22, 2022. The incorporation by reference of certain publications listed in the rule was approved by the Director of the Federal Register as of February 6, 2012. Compliance date: The compliance date for the amendments in this final rule is February 22, 2022. Petitions for reconsideration: Petitions for reconsideration of this final rule must be received not later than April 8, 2022.**

[Evaluating and Improving NIST Cybersecurity Resources: The Cybersecurity Framework and Cybersecurity Supply Chain Risk Management](#)

Published 2/22/2022

Reference IEC, ISO, NIST

The National Institute of Standards and Technology (NIST) is seeking information to assist in evaluating and improving its cybersecurity resources, including the "Framework for Improving Critical Infrastructure Cybersecurity" (the "NIST Cybersecurity Framework," "CSF" or "Framework") and a variety of existing and potential standards, guidelines, and other information, including those relating to improving cybersecurity in supply chains. NIST is considering updating the NIST Cybersecurity Framework to account for the changing landscape of cybersecurity risks, technologies, and resources. In addition, NIST recently announced it would launch the National Initiative for Improving Cybersecurity in Supply Chains (NIICS) to address cybersecurity risks in supply chains. This wide-ranging public-private partnership will focus on identifying tools and guidance for technology developers and providers, as well as performance-oriented guidance for those acquiring such technology. To inform the direction of the NIICS, including how it might be aligned and integrated with the Cybersecurity Framework, NIST is requesting information that will support the identification and prioritization of supply chain-related cybersecurity needs across sectors. Responses to this RFI will inform a possible revision of the Cybersecurity Framework as well as the NIICS initiative. **Comments in response to this notice must be received by April 25, 2022. Submissions received after that date may not be considered.**

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

Published 2/23/2022

Reference NIST

The U.S. Environmental Protection Agency's (EPA or Agency), Administrative IT System Support Staff, Office of Mission Support (OMS), is giving notice that it proposes to modify a system of records, Case Records System (CRS), pursuant to the provisions of the Privacy Act of 1974. EPA is modifying the Case Records System by renaming it to the Enterprise Legal Case Management System (ELCMS), consolidating information from other databases into the system, and moving it to a new enterprise platform, which is a platform that supports Agency-wide usage for Agency administrative legal proceedings. The purpose of the modified system is to manage the administrative adjudicatory proceedings held before the Agency through

docketing, filing, case tracking, and document management and storage. Litigants, Agency attorneys and judges, and other interested parties may submit a variety of documents to the system, including pleadings, motions, briefs, exhibits, orders, hearing transcripts and initial decisions. **Persons wishing to comment on this system of records notice must do so by March 25, 2022. New or modified routine uses for this modified system of records will be effective March 25, 2022.**

Hazard Mitigation Assistance: Building Resilient Infrastructure and Communities

Published 2/25/2022

Reference NIST

The Federal Emergency Management Agency (FEMA) is issuing the Building Resilient Infrastructure and Communities Policy. This policy describes a new hazard mitigation grant program to assist States, territories, Tribes, and local governments with mitigating the impacts of natural hazards, including those created, aggravated, or amplified by climate change. The new program is funded by a FEMA 6 percent set aside of estimated disaster expenses for each major disaster, supersedes the Pre-Disaster Mitigation grant program, and promotes a national culture of preparedness through encouraging investments to protect communities and infrastructure by increasing pre-disaster hazard mitigation and strengthening national resilience. **This policy is effective April 26, 2022.**

Monthly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

Published 2/22/2022

Reference NIST

Pursuant to section 189.a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular monthly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration (NSHC), notwithstanding the pendency before the Commission of a request for a hearing from any person. This monthly notice includes all amendments issued, or proposed to be issued, from January 7, 2022, to February 3, 2022. The last monthly notice was published on January 25, 2022. **Comments must be filed by March 24, 2022. A request for a hearing or petitions for leave to intervene must be filed by April 25, 2022.**

BMW of North America, LLC and Volkswagen Group of America; Denial of Petitions for Temporary Exemption From FMVSS No. 108 for Vehicles With Adaptive Driving Beam Headlamps

Published 2/22/2022

Reference SAE

This document denies petitions from Volkswagen Group of America (Volkswagen) and BMW of North America, LLC (BMW) (collectively, Petitioners) for temporary exemptions from certain requirements of FMVSS No. 108 to allow installation of adaptive driving beam (ADB) headlighting systems. Both manufacturers requested exemptions on the basis that an exemption would facilitate the development or field evaluation of a new motor vehicle safety feature providing a safety level at least equal to that of the standard. NHTSA has determined that, in light of the publication today of a final rule amending FMVSS No. 108 to allow ADB systems, there is no need to grant the requested exemptions because the standard now allows the deployment of such systems. Accordingly, the petitions are denied.
