

## U.S. Federal Register Update: March 1 – March 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?*

### [Gestamp West Virginia: Grant of Permanent Variance](#)

**Published** 3/2/2021

**Reference** ANSI, ASSE

In this notice, OSHA grants a permanent variance to Gestamp West Virginia from the provisions of the OSHA standard that regulate the control of hazardous energy (lockout/tagout). **The permanent variance specified by this notice becomes effective on March 2, 2021 and shall remain in effect until OSHA revokes this permanent variance.**

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### [Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 054](#)

**Published** 3/3/2021

**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: 054" (Recognition List Number: 054), 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 March 3, 2021.**

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### [Taking of Marine Mammals Incidental to Specific Activities; Taking of Marine Mammals Incidental to Pile Driving and Removal Activities During Construction of the Hoonah Marine Industrial Center Cargo Dock Project, Hoonah, Alaska](#)

**Published** 3/4/2021

**Reference** ANSI, ISO

NMFS has received a request from the City of Hoonah (City) for authorization to take marine mammals incidental to pile driving and removal activities during construction upgrades of a cargo dock at the city-owned Hoonah Marine Industrial Center (HMIC) in Port Frederick Inlet on Chichagof Island in Hoonah, 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-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 April 5, 2021.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Berth III New Mooring Dolphins Project in Ketchikan, Alaska](#)

**Published** 3/3/2021

**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 City of Ketchikan, Alaska (COK) to incidentally harass, by Level A and B harassment, marine mammals during construction activities associated with the Berth III New Mooring Dolphins Project in Ketchikan, AK. **This Authorization is effective for a period of one year, from October 1, 2021 through September 30, 2022.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Site Characterization Surveys off the Coast of Massachusetts](#)

**Published** 3/1/2021

**Reference** ANSI

NMFS has received a request from Mayflower Wind Energy LLC (Mayflower) for authorization to take marine mammals incidental to site characterization surveys off the coast of Massachusetts in the area of the Commercial Lease of Submerged

Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0521) and along a potential submarine cable route to landfall at Falmouth, Massachusetts. 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 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 must be received by March 31, 2021.**

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**[Energy Conservation Program: Notification of Petition for Waiver of CellarPro From the Department of Energy Walk-In Coolers and Walk-in Freezers Test Procedure and Notification of Grant of Interim Waiver](#)**

**Published** 3/1/2021

**Reference** ASHRAE

This document announces receipt of and publishes a petition for waiver and interim waiver from CellarPro, which seeks a waiver for specified walk-in cooler refrigeration system basic models from the U.S. Department of Energy (“DOE”) test procedure used to determine the efficiency and energy consumption of walk-in coolers and walk-in freezers. DOE also gives notice of an Interim Waiver Order that requires CellarPro to test and rate the specified walk-in cooler refrigeration system basic models in accordance with the alternate test procedure set forth in the Interim Waiver Order, which modifies the alternate test procedure suggested by CellarPro. DOE solicits comments, data, and information concerning CellarPro's petition, its suggested alternate test procedure, and the alternate test procedure specified in the Interim Waiver Order so as to inform DOE's final decision on CellarPro's waiver request. **The Interim Waiver Order is effective on March 1, 2021. Written comments and information will be accepted on or before March 31, 2021.**

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**[Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From the Czech Republic: Final Affirmative Determination of Sales at Less Than Fair Value](#)**

**Published** 3/5/2021

**Reference** ASTM

The Department of Commerce (Commerce) determines that seamless carbon and alloy steel standard, line, and pressure pipe (seamless pipe) from the Czech Republic is being, or is likely to be, sold in the United States at less than fair value (LTFV). **Applicable March 5, 2021.**

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**[Pipeline Safety: Gas Pipeline Regulatory Reform; Correction](#)**

**Published** 3/5/2021

**Reference** ASTM

PHMSA is correcting its Gas Pipeline Regulatory Reform final rule that published in the Federal Register on January 11, 2021. The rule makes miscellaneous changes to the regulatory requirements for gas pipeline systems. **This correction is effective March 21, 2021.**

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**[Magnesium Metal From the People's Republic of China: Preliminary Results of Antidumping Administrative Review; 2019-20](#)**

**Published** 3/4/2021

**Reference** ASTM

The Department of Commerce (Commerce) is conducting the administrative review of the antidumping duty (AD) order on magnesium metal from the People's Republic of China (China). The period of review (POR) is April 1, 2019, through March 31, 2020. Commerce preliminarily determines that Tianjin Magnesium International Co., Ltd. (TMI) and Tianjin Magnesium Metal Co., Ltd. (TMM) did not have reviewable entries during the POR. We invite interested parties to comment on these preliminary results. **Applicable March 4, 2021.**

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**[Certain Aluminum Foil From the Sultanate of Oman: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination](#)**

**Published** 3/5/2021

**Reference** ASTM

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain aluminum foil (aluminum foil) from the Sultanate of Oman (Oman) during the period of

investigation, January 1, 2019, through December 31, 2019. Interested parties are invited to comment on this preliminary determination. **Applicable March 5, 2021.**

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**[Certain Aluminum Foil From the Republic of Turkey: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination](#)**

**Published** 3/5/2021

**Reference** ASTM

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain aluminum foil (aluminum foil) from the Republic of Turkey (Turkey) during the period of investigation January 1, 2019, through December 31, 2019. Interested parties are invited to comment on this preliminary determination. **Applicable March 5, 2021.**

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**[CSA Group Testing & Certification Inc.: Grant of Renewal of Recognition](#)**

**Published** 3/5/2021

**Reference** CSA

In this notice, OSHA announces the final decision to grant renewal of recognition to CSA Group Testing & Certification Inc. as a Nationally Recognized Testing Laboratory (NRTL). **The renewal of recognition becomes effective on March 5, 2021.**

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**[IAPMO Ventures, LLC dba IAPMO EGS: Grant of Renewal of Recognition](#)**

**Published** 3/5/2021

**Reference** IAPMO

In this notice, OSHA announces the final decision to grant renewal of recognition to IAPMO Ventures, LLC dba IAPMO EGS as a Nationally Recognized Testing Laboratory (NRTL). **The renewal of recognition becomes effective on March 5, 2021.**

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**[Tennessee Gas Pipeline Company, L.L.C.; Notice of Availability of the Environmental Assessment for the Proposed; East 300 Upgrade Project](#)**

**Published** 3/1/2021

**Reference** ISO

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) for the East 300 Upgrade Project, proposed by Tennessee Gas Pipeline Company, L.L.C. (Tennessee) in the above-referenced docket. Tennessee requests authorization to modify two existing compressor stations and construct one new compressor station in Pennsylvania and New Jersey to create 115 million cubic feet per day of firm transportation capacity on Tennessee's existing 300 Line. The facilities are proposed to meet the market need of Tennessee's shipper, Consolidated Edison Company of New York, Inc.

The EA assesses the potential environmental effects of the construction and operation of the East 300 Upgrade Project in accordance with the requirements of the National Environmental Policy Act. The FERC staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major federal action significantly affecting the quality of the human environment.

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

**Published** 3/4/2021

**Reference** NIST

In accordance with the Privacy Act of 1974, as amended, the Department of Health and Human Services (HHS) is modifying a department-wide system of records titled HHS Correspondence, Customer Service, and Contact List Records, system no. 09-90-1901, to make certain updates and to more clearly include records about individuals who provide comments and supporting documents to HHS in response to HHS rulemakings and other docketed proceedings. The modifications include changing the name of the system of records to HHS Correspondence, Comment, Customer Service, and Contact List Records. **In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice is applicable March 4, 2021, subject to a 30-day period in which to comment on the new and revised routine uses, described below. Please submit any comments by April 5, 2021.**

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**[Underwriters Laboratories, Inc.: Grant of Renewal of Recognition](#)**

**Published** 3/5/2021

**Reference** UL

In this notice, OSHA announces the final decision to grant renewal of recognition to UL LLC as a Nationally Recognized Testing Laboratory (NRTL). **The renewal of recognition becomes effective on March 5, 2021.**

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