

U.S. Federal Register Update: May 24 – May 28, 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: Energy Conservation Standards and Test Procedures for Ceiling Fans](#)

Published 5/27/2021

Reference ANSI

The U.S. Department of Energy ("DOE") is publishing this final rule to amend the current regulations for large-diameter ceiling fans. The contents of these technical amendments correspond with provisions enacted by Congress through the Energy Act of 2020. This final rule also implements conforming amendments to the ceiling fan test procedure to ensure consistency with the Energy Act of 2020. **The effective date of this rule is May 27, 2021. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register on May 27, 2021. The incorporation by reference of a certain other publication listed in this rulemaking was approved by the Director of the Federal Register on August 24, 2016.**

[UL LLC: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards](#)

Published 5/24/2021

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for UL LLC as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the final decision to add eight test standards to the NRTL Program's list of appropriate test standards. **The expansion of the scope of recognition becomes effective on May 24, 2021.**

[Information Collection; Submission Requirements and Acceptance Testing Protocols and Requirements for New or Relocated Aerial Tramways, Aerial and Surface Lifts, Tows, Conveyors, and Funiculars](#)

Published 5/28/2021

Reference ANSI

In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking public comment on a new information collection, form FS-7300-0006, Submission Requirements and Acceptance Testing Protocols and Requirements for New or Relocated Aerial Tramways, Aerial and Surface Lifts, Tows, Conveyors, and Funiculars. **Comments must be received in writing on or before July 27, 2021 to be assured of consideration. Comments received after that date will be considered to the extent practicable.**

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

Published 5/25/2021

Reference ANSI

The U.S. Department of Energy ("DOE") is re-evaluating its prior determination that the Secretary of Energy ("Secretary") was not required to implement the statutory backstop requirement for general service lamps ("GSLs"). Under the Energy Policy and Conservation Act, as amended, if DOE fails to complete a rulemaking in accordance with certain statutory criteria, or if a final rule for GSLs does not produce savings that are greater than or equal to the savings from a minimum efficacy standard of 45 lumens per watt ("lm/W"), the Secretary must prohibit the sale of any GSL that does not meet a minimum efficacy standard of 45 lm/W. This request for information ("RFI") solicits information from the public regarding the availability of lamps that would satisfy a minimum efficacy standard of 45 lm/W, as well other information that may be relevant to a possible implementation of the statutory backstop. **Written comments and information are requested and will be accepted on or before June 24, 2021.**

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

Published 5/24/2021

Reference ANSI, UL

This notice includes the summaries of three petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below. **All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before June 23, 2021.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Army Corps of Engineers Debris Dock Replacement Project, Sausalito, California](#)

Published 5/28/2021

Reference ANSI

NMFS has received a request from the U.S. Army Corps of Engineers (ACOE) for authorization to take marine mammals incidental to the Debris Dock Replacement Project in Sausalito, California. 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 June 28, 2021.

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Geophysical Survey in the Arctic Ocean](#)

Published 5/28/2021

Reference ANSI, ISO

NMFS has received a request from the University of Alaska Geophysics Institute (UAGI) for authorization to take marine mammals incidental to a geophysical survey in the Arctic Ocean. The proposed survey would be funded by the National Science Foundation (NSF). 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 authorizations and agency responses will be summarized in the final notice of our decision. **Comments and information must be received no later than June 28, 2021.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Marine Geophysical Survey in the Northeast Pacific Ocean](#)

Published 5/28/2021

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 Lamont-Doherty Earth Observatory of Columbia University (L-DEO) to incidentally harass, by Level A and Level B harassment, marine mammals during a marine geophysical survey in the northeast Pacific Ocean. **This Authorization is effective from May 19, 2021 through May 18, 2022.**

[Notice of Data Availability Relevant To Petition Submissions Under the American Innovation and Manufacturing Act of 2020](#)

Published 5/25/2021

Reference AHAM

This Notice of Data Availability is to alert stakeholders of petitions submitted to the Environmental Protection Agency under subsection (i) of the American Innovation and Manufacturing Act of 2020, and to provide notice of a new docket where these petitions and others submitted under subsection (i) will be made publicly available. The docket will provide the public the opportunity to view petitions submitted under this subsection and to submit any supplemental relevant data to the petitions. The Agency may consider relevant information submitted to the docket in its determinations of whether to grant or deny subsection (i) petitions. **The Environmental Protection Agency (EPA) is interested in receiving comments on the data in this notice of data availability (NODA) to inform the Agency's regulatory process. To ensure that your supplemental data may be considered in upcoming EPA determinations regarding petitions received on April 13, 2021, please submit information to the Agency by June 8, 2021.**

[Energy Conservation Program: Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps](#)

Published 5/25/2021

Reference ASHRAE

The U.S. Department of Energy (“DOE”) is undertaking the preliminary stages of a rulemaking to consider amendments to the test procedures for Packaged Terminal Air Conditioners (“PTACs”) and Packaged Terminal Heat Pumps (“PTHPs”).

Through this request for information (“RFI”), DOE seeks data and information regarding issues pertinent to whether amended test procedures would more accurately or fully comply with the requirement that the test procedure produces results that measure energy use during a representative average use cycle for the equipment without being unduly burdensome to conduct, or reduce testing burden. DOE welcomes written comments from the public on any subject within the scope of this document (including topics not raised in this RFI), as well as the submission of data and other relevant information. **Written comments and information are requested and will be accepted on or before June 24, 2021.**

[Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures](#)

Published 5/26/2021

Reference ASTM

This action announces the Environmental Protection Agency's (EPA) approval of alternative testing methods for use in measuring the levels of contaminants in drinking water to determine compliance with national primary drinking water regulations. The Safe Drinking Water Act authorizes EPA to approve the use of alternative testing methods through publication in the Federal Register. EPA is using this streamlined authority to make 17 additional methods available for analyzing drinking water samples. This expedited approach provides public water systems, laboratories, and primacy agencies with more timely access to new measurement techniques and greater flexibility in the selection of analytical methods, thereby reducing monitoring costs while maintaining public health protection. **This action is effective May 26, 2021.**

[Aluminum Foil From Armenia, Brazil, Oman, Russia, and Turkey Scheduling of the Final Phase of Countervailing and Antidumping Duty Investigations](#)

Published 5/25/2021

Reference ASTM

The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701-TA-658-659 and 731-TA-1538-1542 (Final) pursuant to the Tariff Act of 1930 (“the Act”) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey, provided for in subheadings 7607.11.30, 7607.11.60, 7607.11.90, and 7607.19.60 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce (“Commerce”) to be sold at less-than-fair-value and imports of aluminum foil preliminarily determined to be subsidized by the governments of Oman and Turkey.

[Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers](#)

Published 5/28/2021

Reference ASTM

Pursuant to the Continued Dumping and Subsidy Offset Act of 2000, this document is U.S. Customs and Border Protection's (CBP) notice of intent to distribute assessed antidumping or countervailing duties (known as the continued dumping and subsidy offset) for Fiscal Year 2021 in connection with countervailing duty orders, antidumping duty orders, or findings under the Antidumping Act of 1921. This document provides the instructions for affected domestic producers, or anyone alleging eligibility to receive a distribution, to file certifications to claim a distribution in relation to the listed orders or findings. **Certifications to obtain a continued dumping and subsidy offset under a particular order or finding must be received by July 27, 2021. Any certification received after July 27, 2021 will be summarily denied, making claimants ineligible for the distribution.**

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

Published 5/28/2021

Reference IEC, UL

This notice includes the summaries of three petitions for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below. **All comments on the petitions must be received by MSHA's Office of Standards, Regulations, and Variances on or before June 28, 2021.**

[Electronic Submission of a Sequence Listing, a Large Table, or a Computer Program Listing Appendix in Patent Applications](#)**Published** 5/26/2021**Reference** ISO

The United States Patent and Trademark Office (USPTO or Office) proposes to amend the rules of practice to permit higher-capacity physical media to be submitted to the USPTO. Patent applications for certain inventions require significant data in American Standard Code for Information Interchange (ASCII) text format to be submitted to the USPTO in order to determine whether the invention described in the patent application is patentable. When submission of such data exceeds the USPTO's patent electronic filing system capacity, direct submission would not be possible for a large data submission in ASCII text format. To that end, the rules of practice are proposed to be amended to provide applicants with the ability to use physical media larger than compact discs (CDs) for submission of an electronic version of amino acid and nucleotide sequence information, information compiled in a large table, and information relating to a computer program listing. Additionally, changes regarding extraction of compressed data files, which had not been permitted in the past for certain submissions, would be permitted if compliant with the requirements of the proposed rules. Other rules relating to certain obsolete and non-secure methods of presenting data would be eliminated. **Comments must be received by July 26, 2021 to ensure consideration.**

[Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants](#)**Published** 5/28/2021**Reference** NFPA

The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 2 to Regulatory Guide (RG), RG 1.205, "Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants". This RG describes an approach that is acceptable to the NRC staff to meet the regulatory requirements in the NRC's regulations and the National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," 2001 Edition, which is incorporated by reference in the NRC's regulations. **Revision 2 to RG 1.205 is available on May 28, 2021.**

[Board of Overseers of the Malcolm Baldrige National Quality Award and Judges Panel of the Malcolm Baldrige National Quality Award](#)**Published** 5/24/2021**Reference** NIST

The Board of Overseers of the Malcolm Baldrige National Quality Award (Board of Overseers) and the Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in open session on Thursday, June 17, 2021, from 11:00 a.m. to 4:00 p.m. Eastern time. The Board of Overseers, appointed by the Secretary of Commerce, reports the results of the Malcolm Baldrige National Quality Award (Award) activities to the Director of the National Institute of Standards and Technology (NIST) each year, along with its recommendations for the improvement of the Award process. The Judges Panel, also appointed by the Secretary of Commerce, ensures the integrity of the Award selection process and recommends Award recipients to the Secretary of Commerce. The purpose of this meeting is to discuss and review information received from the National Institute of Standards and Technology and from the Chair of the Judges Panel. The agenda will include: Baldrige Program Update, Baldrige Foundation Update, Baldrige Judges Panel Update, Ethics Review, Baldrige Award Process, and New Business/Public Comment. **The meeting will be held on Thursday, June 17, 2021 from 11:00 a.m. Eastern Time until 4:00 p.m. Eastern Time. The meeting will be open to the public.**

[Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Automated Driving Systems 2.0 A Vision for Safety](#)**Published** 5/26/2021**Reference** SAE

In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) abstracted below will be forwarded to the Office of Management and Budget (OMB) for review and approval.

The ICR describes the nature of the information collection and its expected burden. This is a request for an extension of a currently-approved information collection. This document describes the collection of information for which NHTSA seeks OMB extension approval, titled “Automated Driving Systems 2.0: A Vision for Safety” and identified by OMB Control Number 2127-0723, which is currently approved through May 31, 2021. The burden hour calculations have been adjusted to reflect a reduction in burden as well as a reduction in the frequency of response resulting in a total annual burden hour reduction from 86,100 hours to 12,000 hours. A Federal Register Notice with a 60-day comment period soliciting comments on the information collection was published on March 9, 2021. NHTSA received three comments to this notice, two of which were generally supportive of the information collection. The third comment addressed accessibility of ADS-equipped vehicles. None of the comments addressed burden hours or cost estimates. **Comments must be submitted on or before June 25, 2021.**

[Special Conditions: Haeco Cabin Solutions, Boeing Commercial Airplanes Model 737-800 Airplane; Structure-Mounted Airbags](#)

Published 5/26/2021

Reference SAE

These special conditions are issued for the Boeing Commercial Airplanes (Boeing) Model 737-800 airplane. This airplane, as modified by Haeco Cabin Solutions (Haeco), 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 structure-mounted airbags designed to protect each occupant from serious head injury in the event of an emergency landing. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These 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.

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

Published 5/24/2021

Reference 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 five test standards to the NRTL Program's List of Appropriate Test Standards. **The expansion of the scope of recognition becomes effective on May 24, 2021.**
