

## U.S. Federal Register Update: July 12 – July 16, 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 Metal Halide Lamp Fixtures](#)

Published 7/14/2021

Reference ANSI, IEC, NEMA

The U.S. Department of Energy ("DOE") proposes to amend its test procedures for metal halide lamp fixtures ("MHLFs") to incorporate by reference the latest versions of relevant industry standards; clarify the selection of reference lamps used for testing; reorganize the content of the test procedure for better readability and clarity; and revise the standby mode test procedure for MHLFs. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this notice of proposed rulemaking ("NOPR") no later than September 13, 2021. DOE will hold a webinar on Thursday, August 5, 2021, from 10:00 a.m. to 2:00 p.m. See section V, "Public Participation," for details.**

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

Published 7/14/2021

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 U.S. Army Corps of Engineers (ACOE) to incidentally harass, by Level A and Level B harassment only, marine mammals during construction activities associated with the Debris Dock Replacement Project in Sausalito, California. **This authorization is effective from September 1, 2021 through August 31, 2022.**

### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Geophysical Survey of the Queen Charlotte Fault](#)

Published 7/15/2021

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 Lamont-Doherty Earth Observatory of Columbia University (L-DEO) to incidentally harass marine mammals during a marine geophysical survey of the Queen Charlotte Fault in the Northeast Pacific Ocean. **The authorization is effective for a period of one year, from July 9, 2021, through July 8, 2022.**

### [Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Navy Training and Testing Activities in the Point Mugu Sea Range Study Area](#)

Published 7/16/2021

Reference ANSI, ISO

NMFS has received a request from the U.S. Navy (Navy) to take marine mammals incidental to training and testing activities conducted in the Point Mugu Sea Range (PMSR) Study Area. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue regulations and subsequent Letter of Authorization (LOA) to the Navy to incidentally take marine mammals during the specified activities. NMFS will consider public comments prior to issuing any final rule and making final decisions on the issuance of the requested LOA. Agency responses to public comments will be summarized in the notice of the final decision in the final rule. The Navy's activities qualify as military readiness activities pursuant to the MMPA, as amended by the National Defense Authorization Act for Fiscal Year 2004 (2004 NDAA).

**Comments and information must be received no later than August 30, 2021.**

### [Energy Conservation Program: Energy Conservation Standards for Evaporatively-Cooled Commercial Package Air Conditioners and Water-Cooled Commercial Package Air Conditioners](#)

Published 7/14/2021

Reference ASHRAE

The Energy Policy and Conservation Act (“EPCA”), as amended, prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including evaporatively-cooled commercial package air conditioners and water-cooled commercial package air conditioners (referred to as evaporatively-cooled commercial unitary air conditioners (“ECUACs”) and water-cooled commercial unitary air conditioners (“WCUACs”) in this document). EPCA also requires the U.S. Department of Energy (“DOE”) to periodically determine whether more stringent, amended standards would result in significant additional conservation of energy, be technologically feasible, and be economically justified. In this final determination, DOE has determined that more stringent standards for small (cooling capacity less than 135,000 Btu/h), large (cooling capacity greater than or equal to 135,000 and less than 240,000 Btu/h), and very large (cooling capacity greater than or equal to 240,000 and less than 760,000 Btu/h) ECUACs and WCUACs would not result in significant additional conservation of energy, and thus has determined that the standards for ECUACs and WCUACs do not need to be amended. **The effective date of this final determination is July 14, 2021.**

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#### [Energy Conservation Program: Decision and Order Granting a Waiver to Vinotemp International Corp. From the Department of Energy Walk-In Coolers and Walk-In Freezers Test Procedure](#)

**Published** 7/13/2021

**Reference** ASHRAE

The U.S. Department of Energy (“DOE”) gives notification of a Decision and Order (Case Number 2020-005) that grants to Vinotemp International Corp. (“Vinotemp”) a waiver from specified portions of the DOE test procedure for determining the energy efficiency of specified walk-in cooler refrigeration systems. Due to the design of the specific basic models of walk-in refrigeration systems subject to this Decision and Order, the current test procedure evaluates such models in a manner that is unrepresentative of their energy use. Under the Decision and Order, Vinotemp is required to test and rate the specified basic models of its walk-in cooler refrigeration systems in accordance with the alternate test procedure set forth in the Decision and Order. **The Decision and Order is effective on July 13, 2021. The Decision and Order will terminate upon the compliance date of any future amendment to the test procedure for walk-in coolers and walk-in freezers located at title 10 of the Code of Federal Regulations (“CFR”), part 431, subpart R, appendix C that addresses the issues presented in this waiver. At such time, Vinotemp must use the relevant test procedure for this equipment for any testing to demonstrate compliance with the applicable standards, and any other representations of energy use.**

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#### [Energy Conservation Program: Energy Conservation Standards for Certain Commercial and Industrial Equipment; Early Assessment Review; Commercial Refrigerators, Freezers, and Refrigerator-Freezers](#)

**Published** 7/16/2021

**Reference** ASHRAE

The U.S. Department of Energy (“DOE” or “the Department”) is undertaking an early assessment review for amended energy conservation standards for commercial refrigerators, freezers, and refrigerator-freezers (“CRE”) to determine whether to amend applicable energy conservation standards for this equipment. Specifically, through this request for information (“RFI”), DOE seeks data and information to evaluate whether amended energy conservation standards would result in significant savings of energy; be technologically feasible; and be economically justified. DOE welcomes written comments from the public on any subject within the scope of this document (including those topics not specifically raised in this RFI), as well as the submission of data and other relevant information concerning this early assessment review. **Written comments and information are requested and will be accepted on or before August 30, 2021.**

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#### [Thyssenkrupp Access Corp.](#)

**Published** 7/13/2021

**Reference** ASME

Under provisions of its Rules of Practice for Adjudicative Proceeding, the Consumer Product Safety Commission must publish in the Federal Register Complaints which it issues. Published below is a Complaint: In the matter of Thyssenkrupp Access Corp.

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#### [Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Pearl Darter](#)

**Published** 7/13/2021

**Reference** IEC

We, the U.S. Fish and Wildlife Service (Service), propose to designate critical habitat for the pearl darter (*Percina aurora*) under the Endangered Species Act of 1973 (Act), as amended. In total, approximately 517 river miles (832 river kilometers) in Clarke, Covington, Forrest, George, Greene, Lauderdale, Jackson, Jones, Newton, Perry, Simpson, Stone, and Wayne Counties, Mississippi, fall within the boundaries of the proposed critical habitat designation. If we finalize this rule as

proposed, it would extend the Act's protections to this species' critical habitat. We also announce the availability of a draft economic analysis of the proposed designation. **We will accept comments on the proposed rule or draft economic analysis that are received or postmarked on or before September 13, 2021. Comments submitted electronically using the Federal eRulemaking Portal (see ADDRESSES, below) must be received by 11:59 p.m. Eastern Time on the closing date. We must receive requests for public hearings, in writing, at the address shown in FOR FURTHER INFORMATION CONTACT by August 27, 2021.**

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#### [Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Rufa Red Knot \(\*Calidris canutus rufa\*\)](#)

Published 7/15/2021

Reference IEC

We, the U.S. Fish and Wildlife Service (Service), propose to designate critical habitat for the federally threatened rufa red knot (*Calidris canutus rufa*) under the Endangered Species Act of 1973, as amended (Act). In total, approximately 649,066 acres (ac) (262,667 hectares (ha)) are proposed in 120 units (18 of which are further subdivided into 46 subunits) in Massachusetts, New York, New Jersey, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. We also announce a public informational meeting and public hearing and the availability of a draft economic analysis of the proposed critical habitat designation. **Comment submission: We will accept comments received or postmarked on or before September 13, 2021. Comments submitted electronically using the Federal eRulemaking Portal (see ADDRESSES, below) must be received by 11:59 p.m. Eastern Time on the closing date. Public informational meeting and public hearing: On August 18, 2021, we will hold a public informational meeting from 6:00 to 7:30 p.m., Eastern Time, followed by a public hearing from 7:30 to 9:00 p.m., Eastern Time. See Public Hearing, in SUPPLEMENTARY INFORMATION, for more information.**

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#### [Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Reorganizations Service Guide](#)

Published 7/13/2021

Reference ISO

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") and Rule 19b-4 thereunder, notice is hereby given that on July 1, 2021, The Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency. DTC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(4) thereunder. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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#### [Manufacturing Extension Partnership Advisory Board](#)

Published 7/15/2021

Reference NIST

The National Institute of Standards and Technology (NIST) announces that the Manufacturing Extension Partnership (MEP) Advisory Board will hold an open meeting on Tuesday, August 31, 2021. **The meeting will be held on Tuesday, August 31, 2021 from 1:00 p.m. to 5:00 p.m. Mountain Time.**

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#### [National Register of Historic Places; Notification of Pending Nominations and Related Actions](#)

Published 7/15/2021

Reference NIST

The National Park Service is soliciting electronic comments on the significance of properties nominated before July 3, 2021, for listing or related actions in the National Register of Historic Places. **Comments should be submitted electronically by July 30, 2021.**

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#### [Promoting Competition in the American Economy](#)

Published 7/14/2021

Reference NIST

Presidential document/Executive order on promoting competition in the American economy.

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