

U.S. Federal Register Update: August 22 – August 26, 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?*

[Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments](#)

Published 8/24/2022

Reference ANSI, ASME

PHMSA is revising the Federal Pipeline Safety Regulations to improve the safety of onshore gas transmission pipelines. This final rule addresses several lessons learned following the Pacific Gas and Electric Company incident that occurred in San Bruno, CA, on September 9, 2010, and responds to public input received as part of the rulemaking process. The amendments in this final rule clarify certain integrity management provisions, codify a management of change process, update and bolster gas transmission pipeline corrosion control requirements, require operators to inspect pipelines following extreme weather events, strengthen integrity management assessment requirements, adjust the repair criteria for high-consequence areas, create new repair criteria for non-high consequence areas, and revise or create specific definitions related to the above amendments. **The final rule is effective May 24, 2023. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of May 24, 2023. The incorporation by reference of other publications listed in this rule was approved by the Director of the Federal Register on July 1, 2020.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Sand Island Pile Dikes Repairs in the Columbia River](#)

Published 8/22/2022

Reference ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued two consecutive IHAs to the U.S. Army Corps of Engineers (Corps) to incidentally harass marine mammals during in-water construction activities associated with the Sand Island Pile Dikes Repairs Project in the Columbia River. There are no changes from the proposed authorizations in these final authorizations. **These authorizations are effective from August 1, 2023 through July 31, 2024 and August 1, 2024 through July 31, 2025.**

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

Published 8/22/2022

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 Attentive Energy, LLC (Attentive Energy) to incidentally harass marine mammals during marine site characterization surveys associated with high resolution geophysical (HRG) equipment off the coast of New Jersey and New York in the area of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf Lease Area OCS-A0538. There are no changes from the proposed authorization in this final authorization. **This authorization is effective from September 15, 2022 through September 14, 2023.**

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

Published 8/22/2022

Reference ANSI, AHAM, ASTM, IEC, NIST, UL

The U.S. Department of Energy ("DOE") is establishing a test procedure for a category of cooking products, i.e., conventional cooking tops, under a new appendix. The new test procedure adopts the latest version of the relevant industry standard for electric cooking tops with modifications. The modifications adapt the test method to gas cooking tops, normalize the energy use of each test cycle, include measurement of standby mode and off mode energy use, update certain test conditions, and clarify certain provisions. This final rule retitles the existing cooking products test procedure to specify that it is for microwave ovens only. This final rule also corrects the CFR following an incorrect amendatory instruction in a June 2022 final rule. **The effective date of this rule is September 21, 2022. The final rule changes will be**

mandatory for representations of energy use or energy efficiency of a conventional cooking top on or after February 20, 2023. The incorporation by reference of certain publications listed in this rule is approved by the Director of the Federal Register on September 21, 2022.

[Energy Conservation Program: Energy Conservation Standards for Consumer Clothes Dryers](#)

Published 8/22/2022

Reference ANSI, AHAM, UL

The Energy Policy and Conservation Act, as amended (“EPCA”), prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including consumer clothes dryers. EPCA also requires the U.S. Department of Energy (“DOE”) to periodically determine whether more stringent standards would be technologically feasible and economically justified, and would result in significant energy savings. In this notice of proposed rulemaking (“NOPR”), DOE proposes amended energy conservation standards for consumer clothes dryers, and also announces a public meeting to receive comment on these proposed standards and associated analyses and results.

Meeting: DOE will hold a public meeting via webinar on September 13, 2022, from 1:00 p.m. to 4:00 p.m. See section VII, “Public Participation” for webinar registration information, participant instructions and information about the capabilities available to webinar participants. Comments: DOE will accept comments, data, and information regarding this NOPR no later than October 24, 2022. Comments regarding the likely competitive impact of the proposed standard should be sent to the Department of Justice contact listed in the ADDRESSES section on or before September 22, 2022.

[Energy Conservation Program: Energy Conservation Standards for Microwave Ovens](#)

Published 8/24/2022

Reference AHAM, IEC

The Energy Policy and Conservation Act, as amended (“EPCA”), prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including microwave ovens. EPCA also requires the U.S. Department of Energy (“DOE” or “the Department”) to periodically determine whether more-stringent standards would be technologically feasible and economically justified, and would result in significant energy savings. In this supplemental notice of proposed rulemaking (“SNOPR”), DOE proposes amended energy conservation standards for microwave ovens, and requests comment on these proposed standards and associated analyses and results. **DOE will accept comments, data, and information regarding this SNOPR no later than October 24, 2022. See section VII, “Public Participation,” for details. Comments regarding the likely competitive impact of the proposed standard should be sent to the Department of Justice contact listed in the ADDRESSES section on or before September 23, 2022.**

[Cold-Rolled Steel Flat Products From Brazil, China, India, Japan, the Republic of Korea, and the United Kingdom: Continuation of Antidumping Duty Orders \(China, Japan, Korea, and UK\), Continuation of Antidumping and Countervailing Duty Orders \(India\), and Revocation of Antidumping and Countervailing Duty Orders \(Brazil\)](#)

Published 8/25/2022

Reference ASTM

As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) and countervailing duty (CVD) orders on certain cold-rolled steel flat products (cold-rolled steel) from the People's Republic of China (China), India, Japan, the Republic of Korea (Korea), and the United Kingdom (UK) would likely lead to continuation or recurrence of dumping, net countervailable subsidies, and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD and CVD orders. In addition, as a result of the ITC's determination that revocation of the AD and CVD orders on certain cold-rolled steel from Brazil is not likely to lead to continuation or recurrence of material injury to an industry in the United States, Commerce is revoking the AD and CVD orders on cold-rolled steel from Brazil. **Applicable August 25, 2022.**

[Common Alloy Aluminum Sheet From the People's Republic of China: Initiation of Circumvention Inquiry of the Antidumping and Countervailing Duty Orders-4017 Aluminum Sheet](#)

Published 8/25/2022

Reference ASTM

In response to a circumvention inquiry request from the Aluminum Association Common Alloy Aluminum Sheet Working Group and its individual members, the U.S. Department of Commerce (Commerce) is initiating a country-wide circumvention inquiry to determine whether imports of aluminum sheet produced from aluminum alloy 4017 are

circumventing the anti-dumping (AD) and countervailing duty (CVD) orders on common alloy aluminum sheet (CAAS) from the People's Republic of China (China). **Applicable August 26, 2022.**

[Air Plan Revisions; California; South Coast Air Quality Management District](#)

Published 8/22/2022

Reference ASTM

The Environmental Protection Agency (EPA) is proposing a limited approval and limited disapproval of two revised rules and an approval of a rule rescission to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) from marine and pleasure craft coating operations and the coating of metals. The EPA previously proposed to fully approve these SIP revisions on the grounds that they satisfied the relevant requirements under the Clean Air Act (CAA or the Act). After the comment periods, the EPA identified a deficiency in the submittals that warrants a limited disapproval. Therefore, we are withdrawing our previously proposed approvals of these SIP revisions as they pertain to these rules, published in the Federal Register on May 20, 2021, and August 24, 2021, and now propose a limited approval and limited disapproval for these revisions into the California SIP. **As of August 22, 2022, the proposed approval of Rule 1107 in the proposed rule published on May 20, 2021 (86 FR 27344), and the proposed rule published on August 24, 2021 (86 FR 47268), are withdrawn. Comments on this proposed limited approval and limited disapproval and approval must be received on or before September 21, 2022.**

[Agency Information Collection Activities; Proposed Collection; Comment Request; Current Good Manufacturing Practice; Quality System Regulation](#)

Published 8/22/2022

Reference ISO

The Food and Drug Administration (FDA, Agency, or we) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on recordkeeping requirements related to the medical devices current good manufacturing practice (CGMP) quality system (QS) regulation (CGMP/QS regulation). **Either electronic or written comments on the collection of information must be submitted by October 21, 2022.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Marine Site Characterization Surveys in the Area of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf \(OCS\) Lease Areas OCS-A 0486, 0487, and 0500](#)

Published 8/26/2022

Reference ISO

NMFS has received a request from Orsted Wind Power North America LLC (Orsted) for authorization to take marine mammals incidental to high resolution geophysical (HRG) site characterization surveys in coastal waters from New York to Massachusetts in the areas of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf Lease Areas OCS-A 0486, 0487, 0500, and along potential export cable routes (ECR) to landfall locations between Raritan Bay (part of the New York Bight) and Falmouth, MA. 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 authorization and agency responses will be summarized in the final notice of our decision. **Comments and information must be received no later than September 26, 2022.**

[Changes to Accreditation of Non-Federal Analytical Testing Laboratories](#)

Published 8/24/2022

Reference ISO

FSIS is revising the regulations prescribing the statistical methods used in measuring the performance of chemistry laboratories in its voluntary Accredited Laboratory Program (ALP) and expanding the scope of accreditations offered by the program. Currently, participants in the ALP are accredited for the analysis of food chemistry (moisture, protein, fat, and

salt), specific chemical residues, and classes of chemical residues. FSIS also is providing for the ALP to accredit non-Federal laboratories for microbiological indicator organisms and pathogen testing. FSIS is changing the statistical method the ALP uses to evaluate laboratory proficiency testing (PT). Additionally, FSIS is making various minor edits and changes to the regulation for the sake of clarity and to incorporate all sample types under the jurisdiction of FSIS. **This rule is effective October 24, 2022.**

60-Day Notice of Proposed Information Collection: Request for Department of State Personal Identification Card

Published 8/25/2022

Reference NIST

The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB. **The Department will accept comments from the public up to October 24, 2022.**

Privacy Act of 1974; System of Records

Published 8/26/2022

Reference NIST

The Federal Communications Commission (FCC, Commission, or Agency) proposes to modify an existing system of records, FCC-2, Business Contacts and Certifications, subject to the Privacy Act of 1974, as amended. This action is necessary to meet the requirements of the Privacy Act to publish in the Federal Register notice of the existence and character of records maintained by the Agency. The Commission uses the information on individuals and businesses contained in the records in this system to collect and maintain points of contact at regulated entities and in related industries, and ensure compliance with FCC rules through certifications of information provided to the Commission. This modification expands the categories of individuals and record source categories of this system of records to include other Federal, state, local, U.S. territorial, and Tribal government entities and expands the purpose and routine uses of this system of records to include additional purposes for disclosing business contact and certification information and adding state, local, U.S. territorial, and Tribal government entities to the types of entities that may receive information from this system. **This modified system of records will become effective on August 26, 2022. Written comments on the routine uses are due by September 26, 2022. The routine uses will become effective on September 26, 2022, unless written comments are received that require a contrary determination.**
