

## U.S. Federal Register Update: April 17 – 21, 2023

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?*

### [Safety Standard for Portable Generators](#)

**Published** 4/20/2023

**Reference** ANSI, NEMA, NIST, UL

The U.S. Consumer Product Safety Commission (Commission or CPSC) has preliminarily determined that there is an unreasonable risk of injury and death associated with a cute carbon monoxide (CO) poisoning from portable generators. To address this hazard, the Commission proposes a rule under the Consumer Product Safety Act (CPSA) that limits CO emissions from portable generators and requires generators to shut off when specific emissions levels are reached. The Commission is providing an opportunity for interested parties to present comments on this supplemental notice of proposed rulemaking (SNPR). **Deadline for Written Comments:** Written comments must be received by **June 20, 2023**. **Deadline for Request to Present Oral Comments:** Any person interested in making an oral presentation must send an electronic mail (email) indicating this intent to the Office of the Secretary at [cpesc-os@cpesc.gov](mailto:cpesc-os@cpesc.gov) by **May 22, 2023**.

### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Skagway Ore Terminal Redevelopment Project in Skagway, Alaska](#)

**Published** 4/18/2023

**Reference** ANSI

NMFS has received a request from the Municipality of Skagway (MOS) for a authorization to take marine mammals incidental to the Ore Terminal redevelopment in Skagway, 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-time, 1-year renewal that could be issued under certain circumstances and if all requirements are met, as described in the Request for Public Comments section 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 **May 18, 2023**.

### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Marine Site Characterization Surveys in the New York Bight](#)

**Published** 4/21/2023

**Reference** ANSI

NMFS has received a request from Community Offshore Wind, LLC (COSW) for a authorization to take marine mammals incidental to marine site characterization surveys in coastal waters off of New Jersey and New York in the New York Bight, specifically within the Bureau of Ocean Energy Management (BOEM) Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS) Lease Area OCS-A 0539 (Lease Area) and associated Export Cable Route (ECR) survey area (ECR Area). Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an 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 **May 22, 2023**.

### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Marine Site Characterization Surveys in the New York Bight](#)

**Published** 4/21/2023

## **Reference ANSI**

NMFS has received a request from Attentive Energy, LLC (AE) for authorization to take marine mammals incidental to marine site characterization surveys in coastal waters off of New York and New Jersey in the New York Bight, specifically within the Bureau of Ocean Energy Management (BOEM) Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (Lease) Area OCS-A0538 and associated export cable route (ECR) area. 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 **May 22, 2023**.

## **[Health Data, Technology, and Interoperability: Certification Program Updates, Algorithm Transparency, and Information Sharing](#)**

**Published 4/18/2023**

**Reference ANSI, IEC, IEEE, ISO, NIST**

This proposed rule would implement the Electronic Health Record (EHR) Reporting Program provision of the 21st Century Cures Act by establishing new Conditions and Maintenance of Certification requirements for health information technology (health IT) developers under the ONC Health IT Certification Program (Program). This proposed rule would also make several updates to certification criteria and implementation specifications recognized by the Program, including a revised certification criterion for decision support and revised certification criteria for patient demographics and observations and electronic case reporting. This proposed rule would establish a new baseline version of the United States Core Data for Interoperability (USCDI). Additionally, this proposed rule would provide enhancements to support information sharing under the information blocking regulations. The implementation of these provisions would advance interoperability, improve transparency, and support the access, exchange, and use of electronic health information. The proposed rule would also update the Program in additional ways to advance interoperability, enhance health IT certification, and reduce burden and costs. To be assured consideration, written or electronic comments must be received at one of the addresses provided below, no later than 5 p.m. on **June 20, 2023**.

## **[Energy Conservation Program: Notification of Petition for Rulemaking](#)**

**Published 4/19/2023**

**Reference AHAM, IEC, UL**

On January 12, 2023, the Department of Energy ("DOE") received a petition from the Association of Home Appliance Manufacturers ("AHAM") to consider amendments to the conventional cooking products test procedure to allow a calculation in place of certain testing provisions for conventional cooking tops, clarify the definition of the term specialty cooking zone, clarify the equipment used to measure electric coil heating element diameter, and stay the effectiveness of any mandatory use of the test procedure. Through this notification, DOE seeks comment on the petition, as well as any data or information that could be used in DOE's determination whether to grant the petition. Written comments and information are requested and will be accepted on or before **May 19, 2023**.

## **[Pure Magnesium From the People's Republic of China: Final Results of Antidumping Duty Administrative Review: 2021-2022](#)**

**Published 4/21/2023**

**Reference ASTM**

The U.S. 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, 2021, through April 30, 2022. Applicable **April 21, 2023**.

## **[National Cybersecurity Center of Excellence Mitigating Cybersecurity Risk in Telehealth Smart Home Integration](#)**

**Published 4/17/2023**

**Reference NIST**

The National Institute of Standards and Technology (NIST) invites organizations to provide letters of interest describing products and technical expertise to support and demonstrate security platforms for the *Mitigating Cybersecurity Risk in Telehealth Smart Home Integration* project. This notice is the initial step for the National Cybersecurity Center of Excellence (NCCoE) in collaborating with technology companies to address cybersecurity challenges identified under the *Mitigating Cybersecurity Risk in Telehealth Smart Home Integration* project. Participation in the project is open to all interested organizations. Collaborative activities will commence as soon as enough completed and signed letters of interest have been returned to address all the necessary components and capabilities, but no earlier than **May 17, 2023**.

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

**Published 4/17/2023**

**Reference NIST**

Information in Special Presidential Envoy for Hostage Affairs and Related Records is used to support diplomatic and consular efforts to secure the recovery of and provide assistance and support services to individuals taken hostage or wrongfully detained abroad. In accordance with 5 U.S.C. 552a(e)(4) and (11), this system of records notice is effective upon publication, with the exception of the routine uses that are subject to a 30-day period during which interested persons may submit comments to the Department. Please submit any comments by **May 17, 2023**.

### [Agency Information Collection Activities; Approval of a New Information Collection Request: Human Factors Considerations in Commercial Motor Vehicle Automated Driving Systems and Advanced Driver Assistance Systems](#)

**Published 4/21/2023**

**Reference SAE**

In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. This notice invites comments on a proposed information collection titled *Human Factors Considerations in Commercial Motor Vehicle Automated Driving Systems and Advanced Driver Assistance Systems*. It is a driving simulator study with a series of questionnaires that will evaluate how commercial motor vehicle (CMV) drivers engage in CMVs equipped with SAE International Level 2 (L2) advanced driver assistance systems (ADAS) and Level 3 (L3) automated driving systems (ADS). Approximately 100 CMV drivers will participate in the study. The study will examine the effect of non-driving secondary task engagement, transfer of control, and training on driver behavior in CMVs equipped with ADAS and ADS. Comments on this notice must be received on or before **May 22, 2023**.