

U.S. Federal Register Update: January 9 – January 13, 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?*

[Determinations Regarding Portable Fuel Container Voluntary Standards Under the Portable Fuel Container Safety Act](#)

Published 1/13/23

Reference ANSI, ASTM, UL

The Portable Fuel Container Safety Act of 2020 (PFCSA) provides that the Consumer Product Safety Commission (Commission) must promulgate a rule to require flame mitigation devices in portable fuel containers that impede the propagation of flame into the container, unless the Commission determines that there is a voluntary standard for flame mitigation devices that impedes the propagation of flame into the container. The Commission is announcing in this document that it has determined that such voluntary standards exist for all known classes of portable fuel containers. Therefore, the Commission will not be promulgating a final rule, and pursuant to the PFCSA, the requirements of such voluntary standards shall be treated as a consumer product safety rule under the Consumer Product Safety Act (CPSA). The Commission determinations made under the PFCSA for ASTM F3429/F3429M-20, ASTM F3326-21, and section 18 of UL 30:2022 discussed in this document will be effective by operation of law as consumer product safety rules on **July 12, 2023**.

[Response to Petition to Classify Discarded Polyvinyl Chloride as RCRA Hazardous Waste](#)

Published 1/12/23

Reference ANSI

The Environmental Protection Agency (EPA) is responding to a rulemaking petition from the Center for Biological Diversity requesting that discarded polyvinyl chloride be listed as a hazardous waste under the Resource Conservation and Recovery Act. After careful consideration, the Agency is tentatively denying the petition for the reasons discussed in this document. The Agency is also soliciting public comment on this tentative denial. Comments must be received on or before **February 13, 2023**.

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

Published 1/11/2023

Reference ANSI, NEMA, UL

The Energy Policy and Conservation Act, as amended (EPCA), directs the U.S. Department of Energy (DOE) to initiate two rulemaking cycles for general service lamps (GSLs) that, among other requirements, determine whether standards in effect for GSLs should be amended. EPCA also requires 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 standards for GSLs pursuant to its statutory authority in EPCA, and also announces a webinar to receive comments on its proposal and associated analyses and results. DOE will accept comments, data, and information regarding this NOPR no later than **March 27, 2023**. DOE will hold a public meeting via webinar on **Wednesday, February 1, 2023, from 1 p.m. to 4 p.m.** See section IX, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.

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

Published 1/13/2023

Reference ANSI

NMFS has received a request from Bluepoint Wind, LLC (BPW) 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-A 0537 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 February 13, 2023.**

[Air Plan Approval; Michigan; Part 4 Rule](#)

Published 1/13/2023

Reference ASTM

The Environmental Protection Agency (EPA) is proposing to approve a revision to Michigan's State Implementation Plan (SIP). On August 17, 2022, The Michigan Department of Environment, Great Lakes, and Energy (EGLE) submitted changes to Michigan's Air Pollution Control Rules, Emissions Limitations and Prohibitions—Sulfur Bearing Compounds. The revision includes administrative changes to existing rules, updates material adopted by reference, and removes a definition. **Comments must be received on or before February 13, 2023.**

[Energy Conservation Program: Energy Conservation Standards for Distribution Transformers](#)

Published 1/11/2023

Reference IEEE, NEMA, 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 distribution transformers. 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 distribution transformers, and also announces a public meeting to receive comment on these proposed standards and associated analyses and results. DOE will hold a public meeting via webinar on **Thursday, February 16, 2023, 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. DOE will accept comments, data, and information regarding this NOPR no later than **March 13, 2023.** **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 February 10, 2023.**

[Hazardous Materials: Notice of Applications for New Special Permits](#)

Published 1/13/2023

Reference ISO

In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Comments must be received on or before **February 13, 2023**.

[Collection of Non-Centrally Cleared Bilateral Transactions in the U.S. Repurchase Agreement Market](#)

Published 1/9/2023

Reference ISO

The U.S. Department of the Treasury's Office of Financial Research (the Office) is requesting comment on a proposed rule establishing a data collection covering non-centrally cleared bilateral transactions in the U.S. repurchase agreement (repo) market. This proposed collection would require daily reporting to the Office by certain brokers, dealers, and other financial companies with large exposures to the non-centrally cleared bilateral repo market. The collected data would be used to support the work of the Financial Stability Oversight Council (the Council), its member agencies, and the Office to identify and monitor risks to financial stability. **Comments must be received by 60 days after the date of publication in the Federal Register.**

[Hazardous Materials: Notice of Actions on Special Permits](#)

Published 1/13/2023

Reference ISO

In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. **Comments must be received on or before February 13, 2023.**

[Open Meeting of the Information Security and Privacy Advisory Board](#)

Published 1/12/2023

Reference NIST

The Information Security and Privacy Advisory Board (ISPAB) will meet Wednesday, March 1, 2023, from 10 a.m. until 4 p.m., Eastern Time, and Thursday, March 2, 2023, from 10 a.m. until 4 p.m., Eastern Time. All sessions will be open to the public. **The meeting will be held on Wednesday, March 1, 2023, from 10 a.m. until 4 p.m., Eastern Time, and Thursday, March 2, 2023, from 10 a.m. until 4 p.m., Eastern Time.**

[Sunshine Act Meetings](#)

Published 1/9/2023

Reference NIST

Public Meeting: U.S. Election Assistance Commission Technical Guidelines Development Committee Annual Meeting. **Thursday, January 26, 2023, 1:00-4:30 p.m. ET**

[Affordable Connectivity Program; Emergency Broadband Benefit Program](#)

Published 1/13/2023

Reference NIST

In the Fourth Report and Order, the Federal Communications Commission (Commission or FCC) establishes the Affordable Connectivity Program (or ACP) Transparency Data Collection, which will collect information related to the price, subscription rates, and plan characteristics of the internet service offerings of Affordable Connectivity Program participating providers as required by the

Infrastructure Investment and Jobs Act (Infrastructure Act). **Effective February 13, 2023, except for instruction 3 (§ 54.1813(b) through (d)) which is delayed indefinitely.**

[Mining of the Osage Mineral Estate for Oil and Gas](#)

Published 1/13/2023

Reference NIST

The Bureau of Indian Affairs (BIA) proposes to revise the regulations governing leasing of the Osage Nation's mineral estate ("Osage Mineral Estate") for oil and gas mining. The proposed rule would allow the BIA to strengthen management of the Osage Mineral Estate by updating bonding, royalty payment and reporting, production valuation and measurement, site security, and operational requirements to address changes in technology and industry standards that have occurred in the 47 years since the regulations were issued. The proposed rule would also allow the BIA to respond to recommendations made by the Office of Inspector General, U.S. Department of the Interior (OIG). Submit your comments on the information collection requirements in the proposed rule on or before **March 17, 2023**. *Public Meeting:* A public meeting will be held on **February 8, 2023, 6:30 p.m. to 9 p.m.** Central Time.

[National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change](#)

Published 1/9/2023

Reference NIST

The Council on Environmental Quality (CEQ) is issuing this interim guidance to assist agencies in analyzing greenhouse gas (GHG) and climate change effects of their proposed actions under the National Environmental Policy Act (NEPA). CEQ is issuing this guidance as interim guidance so that agencies may make use of it immediately while CEQ seeks public comment on the guidance. CEQ intends to either revise the guidance in response to public comments or finalize the interim guidance. This interim guidance is effective immediately. **CEQ invites interested persons to submit comments on or before March 10, 2023.**