

## U.S. Federal Register Update: March 6 – March 10, 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?*

### [Voluntary Consensus Standards Update: Formaldehyde Emission Standards for Composite Wood Products](#)

**Published** 3/06/2023

**Reference** ANSI

The Environmental Protection Agency (EPA) is publishing a final rule to update the incorporation by reference of several voluntary consensus standards in the Agency's formaldehyde standards for composite wood products regulations under the Toxic Substances Control Act (TSCA) that have since been updated, superseded, or withdrawn by the issuing organizations. In addition, EPA is taking final action to reflect its interpretation that remote inspections by third-party certifiers (TPCs) are allowed in certain circumstances in the event of unsafe conditions such as the on-going COVID-19 pandemic or other unsafe conditions such as natural disasters, outbreaks, political unrest, and epidemics. This final rule is effective on **March 23, 2023**.

### [Energy Conservation Program: Test Procedure for Air Cleaners](#)

**Published** 3/6/2023

**Reference** ANSI, AHAM, ASHRAE, ASTM, IEC, NEMA

This final rule establishes definitions, a test procedure, and sampling and representation requirements for air cleaners. Currently, air cleaners are not subject to U.S. Department of Energy (DOE) test procedures or energy conservation standards. DOE is establishing a test procedure for measuring the integrated energy factor of air cleaners. The test method references the relevant industry standard, with certain modifications. The effective date of this rule is **April 5, 2023**.

### [Request for Information on Chronic Hazards Associated with Gas Ranges and Proposed Solutions](#)

**Published** 3/7/2023

**Reference** ANSI

The Consumer Product Safety Commission (Commission or CPSC) is publishing this notice to request information on chronic hazards associated with gas ranges and proposed solutions to those hazards. Written comments must be submitted by **May 8, 2023**.

### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to U.S. Navy Construction of the Pier 3 Replacement Project at Naval Station Norfolk](#)

**Published** 3/09/2023

**Reference** ANSI

NMFS has received a request from the U.S. Navy (Navy) for a authorization to take marine mammals incidental to the replacement of Pier 3 at Naval Station (NAVSTA) Norfolk in Norfolk, Virginia over the course of five years (2023-2028). Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is proposing regulations to govern that take, and requests comments on the proposed regulations. Agency responses will be included in the notice of the final decision. Comments and information must be received no later than **April 10, 2023**.

### [McNally/Kiewit Joint Venture: Grant Permanent Variance](#)

**Published** 3/10/2023

**Reference** ANSI, ASME, ASSE

In this notice, OSHA grants a permanent variance to McNally/Kiewit Joint Venture (McNally) related to work in compressed-air environments. The permanent variance specified by this notice becomes effective on **March 10, 2023** and shall remain in effect until the completion of the Shoreline Storage Tunnel project or until modified or revoked by OSHA.

### [Traylor-Shea Joint Venture: Grant of Permanent Variance](#)

**Published** 3/10/2023

**Reference** ANSI, ASME

In this notice, OSHA grants a permanent variance to Traylor-Shea Joint Venture (TSJV) related to work in compressed air environments. The permanent variance specified by this notice becomes applicable on **March 10, 2023** and shall remain in effect until the completion of the Alexandria River Renew Tunnel project or until modified or revoked by OSHA.

#### [Requirements for Tobacco Product Manufacturing Practice](#)

**Published** 3/10/2023

**Reference** ANSI, AAMI, ASTM, IEC, ISO

The Food and Drug Administration (FDA, we, or Agency) is proposing to establish tobacco product manufacturing practice requirements for manufacturers of finished and bulk tobacco products. This proposed rule, if finalized, would set forth the requirements with which finished and bulk tobacco product manufacturers must comply in the manufacture, preproduction design validation, packing, and storage of finished and bulk tobacco products, to assure that the public health is protected and that tobacco products are in compliance with chapter IX of the Federal Food, Drug, and Cosmetic Act (FD&C Act). Either electronic or written comments on the proposed rule must be submitted by **September 6, 2023**.

#### [American Society of Mechanical Engineers Code Cases and Update Frequency](#)

**Published** 3/06/23

**Reference** ASME

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to incorporate by reference proposed revisions of three regulatory guides, which would approve new, revised, and reaffirmed code cases published by the American Society of Mechanical Engineers. This proposed action would allow nuclear power plant licensees and applicants for construction permits, operating licenses, combined licenses, standard design certifications, standard design approvals, and manufacturing licenses to use the code cases listed in these draft regulatory guides as voluntary alternatives to engineering standards for the construction, in-service inspection, and in-service testing of nuclear power plant components. Submit comments by **May 5, 2023**. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received before this date.

#### [Material Compatibility for Non-Light Water Reactors](#)

**Published** 3/7/2023

**Reference** ASME

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment on its draft Interim Staff Guidance (ISG) "Material Compatibility for non-Light Water Reactors, DANU-ISG-2023-01." The purpose of this draft ISG is to assist the NRC staff in reviewing certain applications for construction and operation of non-light water reactor designs, including power and non-power reactors. Submit comments by **May 8, 2023**.

#### [Safety Standard for Non-Full-Size Baby Cribs](#)

**Published** 3/06/2023

**Reference** ASTM

In December 2010, the U.S. Consumer Product Safety Commission (CPSC or Commission) published a consumer product safety standard for non-full-size baby cribs (NFS cribs) pursuant to section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA). The Commission's mandatory standard incorporated by reference the ASTM voluntary standard that was in effect for NFS cribs at the time, with modifications to make the standard more stringent, to further reduce the risk of injury associated with NFS cribs, and to exclude sections of the ASTM voluntary standard inapplicable to NFS cribs. This direct final rule updates the mandatory standard for NFS cribs to incorporate by reference ASTM's 2022 version of the voluntary standard for NFS cribs. The rule is effective on **June 3, 2023**, unless the Commission receives a significant adverse comment by **April 5, 2023**. If the Commission receives such a comment, it will publish a document in the Federal Register, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of **June 3, 2023**.

[Small Diameter Graphite Electrodes From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review and Rescission of Review, in Part; 2021-2022](#)

**Published** 3/7/2023

**Reference** ASTM

The U.S. Department of Commerce (Commerce) preliminarily determines that Fushun Jinly Petrochemical Carbon Co., Ltd. (Fushun Jinly), the sole mandatory respondent in this review and an exporter of small diameter graphite electrodes (SDGE) from the People's Republic of China (China), sold subject merchandise in the United States at prices below normal value (NV) during the period of review (POR) February 1, 2021, through January 31, 2022. Applicable **March 7, 2023**.

[Wood Mouldings and Millwork Products From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Rescission in Part; 2020-2022](#)

**Published** 3/07/2023

**Reference** ASTM

The U.S. Department of Commerce (Commerce) preliminarily determines that Fujian Yinfeng Imp & Exp Trading Co., Ltd./Fujian Province Youxi City Mangrove Wood Machining Co., Ltd. (Yinfeng/Mangrove), and 29 non-individually examined exporters of wood mouldings and millwork products (WMMP) from the People's Republic of China (China) sold subject merchandise to the United States at prices below normal value (NV) during the period of review (POR), August 12, 2020, through January 31, 2022. Applicable **March 7, 2023**.

[Seaway Regulations and Rules: Periodic Update, Various Categories](#)

**Published** 3/08/2023

**Reference** IEC

The Great Lakes St. Lawrence Seaway Development Corporation (GLS) and the St. Lawrence Seaway Management Corporation (SLSMC) of Canada, under international agreement, jointly publish and presently administer the St. Lawrence Seaway Regulations and Rules (Practices and Procedures in Canada) in their respective jurisdictions. Under agreement with the SLSMC, the GLS is amending the joint regulations by updating the Regulations and Rules in various categories. These changes are to clarify existing requirements in the regulations. This rule is effective on **March 22, 2023**.

[Draft Regulatory Guide: Sizing of Large Lead-Acid Storage Batteries](#)

**Published** 3/06/2023

**Reference** IEEE

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft regulatory guide (DG), DG-1418, "Sizing of Large Lead-Acid Storage Batteries." Submit comments by **April 5, 2023**. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

[Draft Regulatory Guide: Criteria for Programmable Digital Devices in Safety-Related Systems of Nuclear Power Plants](#)

**Published** 3/10/2023

**Reference** IEEE

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft regulatory guide (DG), DG-1374, "Criteria for Programmable Digital Devices in Safety-Related Systems of Nuclear Power Plants." This DG is proposed Revision 4 of Regulatory Guide (RG) 1.152, "Criteria for Use of Computers in Safety Systems of Nuclear Power Plants." Submit comments by **April 10, 2023**. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

[NIST Safety Commission](#)

**Published** 3/07/2023

**Reference** NIST

The National Institute of Standards and Technology (NIST) Safety Commission (Commission) will meet on March 9, 2023, from 8:30 a.m. to 5 p.m. Mountain Time and March 10, 2023, from 8:30 a.m. to 5 p.m. Mountain Time. The purpose of this meeting is for the Commission to continue its assessment of the state of NIST's safety culture and how effectively the existing safety protocols and policies have been implemented across NIST. The agenda may change to accommodate Commission business. The final agenda will be posted on the NIST website at <https://www.nist.gov/director/nist-safety-commission/march-9-10-nist-safety-commission-meeting-agenda>. The Commission will meet on **March 9, 2023**, from 8:30 a.m. to 5 p.m. Mountain Time and **March 10, 2023**, from 8:30 a.m. to 5 p.m. Mountain Time.

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

**Published** 3/07/2023

**Reference** NIST

The U.S. Environmental Protection Agency (EPA) is giving notice that it proposes to modify a system of records pursuant to the provisions of the Privacy Act of 1974. The Mass Alert Notification System (MANS) is being modified to update the system location, contact information, and record source categories, and to add one additional General Routine Use. The purpose of the system is to manage communications to agency personnel during critical events. Persons wishing to comment on this system of records notice must do so by **April 6, 2023**. Routine uses for this modified system of records will be effective **April 6, 2023**.

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

**Published** 3/08/2023

**Reference** NIST

In accordance with the Privacy Act of 1974, we are issuing public notice of our intent to modify an existing system of records entitled, Repository of Electronic Authentication Data Master File (60-0373). This notice publishes details of the system as set forth below under the caption, SUPPLEMENTARY INFORMATION. The system of records notice (SORN) is applicable upon its publication in today's Federal Register, with the exception of the new routine uses, which are effective **April 7, 2023**.

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

**Published** 3/09/2023

**Reference** NIST

Pursuant to the provisions of the Privacy Act of 1974, as amended, the Department of the Housing and Urban Development (HUD), Office of the Chief Human Capital Officer (OCHCO) is issuing a public notice of its intent to establish a Privacy Act System of Records titled "Hardship Reassignment". The purpose of this system of records is to allow HUD to collect and maintain records on individuals requesting a reassignment due to a hardship. Comments will be accepted on or before **April 10, 2023**.