

U.S. Federal Register Update: May 8 – 12, 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?*

[UL LLC: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards](#)

Published 5/09/2023

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for UL LLC, as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the final decision to add one test standard to the NRTL Program's List of Appropriate Test Standards. The expansion of the scope of recognition becomes effective on **May 9, 2023**.

[Energy Conservation Program: Test Procedure for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps](#)

Published 5/12/2023

Reference ANSI, ASHRAE, ISO

The U.S. Department of Energy ("DOE") proposes to amend the test procedures for Packaged Terminal Air Conditioners ("PTACs") and Packaged Terminal Heat Pumps ("PTHPs") to establish seasonal energy efficiency metrics for heating and cooling. DOE also proposes to revise the current test procedure to measure dehumidification energy use of make-up air PTACs and PTHPs. DOE is seeking comment from interested parties on the proposal. DOE will accept comments, data, and information regarding this proposal no later than **July 11, 2023**. See section V, "Public Participation," for details. DOE will hold a webinar on Tuesday, **June 6, 2023**, from 1:00 p.m. to 4:00 p.m.

[Review of Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations](#)

Published 5/09/2023

Reference ANSI, ASME, ASTM

The Environmental Protection Agency (EPA) is finalizing amendments to the new source performance standards for Automobile and Light Duty Truck Surface Coating Operations pursuant to the review required by the Clean Air Act. The EPA determined that revisions to the NSPS were needed to reflect the degree of emission limitation achievable through the application of the best system of emission reduction (BSER). This final rule is effective on **May 9, 2023**. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of **May 9, 2023**.

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Marine Geophysical Survey Off North Carolina in the Northwest Atlantic Ocean](#)

Published 5/11/2023

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 Lamont-Doherty Earth Observatory (L-DEO) to incidentally harass marine mammals during survey activities associated with a marine geophysical survey off North Carolina in the Northwest Atlantic Ocean. This Authorization is effective from **May 5, 2023** through **May 4, 2024**.

[Energy Conservation Program: Energy Conservation Standards for Automatic Commercial Ice Makers](#)

Published 5/11/2023

Reference AHAM, ASHRAE, UL

The Energy Policy and Conservation Act (EPCA), as amended, prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including automatic commercial ice makers.

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 to amend and establish energy conservation standards for automatic commercial ice makers and also announces a public meeting to receive comment on these proposed standards and associated analyses and results. Comments: DOE will accept comments, data, and information regarding this NOPR no later than **July 10, 2023**. Meeting: DOE will hold a meeting via a webinar on Wednesday, **June 14, 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. Comments regarding the likely competitive impact of the proposed standards should be sent to the Department of Justice contact listed in the ADDRESSES section on or before **June 12, 2023**.

Safety Standard for Bedside Sleepers

Published 5/09/2023

Reference ASTM

In January 2014, the U.S. Consumer Product Safety Commission (CPSC or Commission) published a consumer product safety standard for bedside sleepers 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 bedside sleepers at the time, with modifications to further reduce the risk of injury associated with bedside sleepers. The CPSIA sets forth a process for updating mandatory standards for durable infant or toddler products that are based on a voluntary standard, when a voluntary standards organization revises the standard. On February 6, 2023, ASTM notified CPSC that it had published a revised voluntary standard for bedside sleepers. This direct final rule updates the mandatory standard for bedside sleepers to incorporate by reference ASTM's 2023 version of the voluntary standard for bedside sleepers. The rule is effective on **August 5, 2023**, unless the Commission receives a significant adverse comment by **June 8, 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 **August 5, 2023**.

Marking of Toy, Look-Alike, and Imitation Firearms

Published 5/11/2023

Reference ASTM, SAE

The Federal Energy Management Improvement Act Update transferred the authority for regulating the marking of toy, look-alike, and imitation firearms from the Department of Commerce to the Consumer Product Safety Commission. The Commission is issuing this direct final rule to adopt the Department of Commerce rule for the marking of toy, look-alike, and imitation firearms, with non-substantive and conforming changes. The rule is effective **June 26, 2023**, unless CPSC receives a significant adverse comment by **June 12, 2023**. If CPSC receives such a comment, it will publish a notice in the **Federal Register** withdrawing this direct final rule before its effective date. The incorporation by reference of publications listed in this rule is approved by the Director of the Federal Register as of **June 26, 2023**.

Economic Growth Regulatory Relief and Consumer Protection Act: Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE)

Published 5/11/2023

Reference NFPA, UL

This final rule establishes a new approach to defining and assessing housing quality: The National Standards for the Physical Inspection of Real Estate (NSPIRE). This rule is part of a broad revision of the way HUD-assisted housing is inspected and evaluated. The purpose of NSPIRE is to strengthen HUD's physical condition standards and improve HUD oversight through the alignment and consolidation of the inspection regulations used to evaluate HUD housing across multiple programs. This final rule also incorporates provisions of the Economic Growth and Recovery, Regulatory Relief and Consumer Protection Act that will reduce administrative burden on small rural public housing authorities (PHAs). This final rule is effective **July 1, 2023**, except amendments to the following parts, which are effective **October 1, 2023**.

Termination of a Selected National Voluntary Laboratory Accreditation Program (NVLAP) Service

Published 5/11/2023

Reference NIST

The National Institute of Standards and Technology's (NIST) National Voluntary Laboratory Accreditation Program (NVLAP) announces the termination of the Wood-Based Products Testing Laboratory Accreditation Program (LAP) offered by NVLAP. The Wood-Based Products Testing LAP includes the following areas of testing: chemical, physical, mechanical, fire performance, formaldehyde, and treated-wood characteristics. The Wood-Based Products Testing LAP will be terminated upon publication of this notice.

Industrial Advisory Committee

Published 5/08/2023

Reference NIST

The Industrial Advisory Committee (Committee) will hold an in-person and web conference meeting on Tuesday, June 6, 2023, from 9:30 a.m. to 4:30 p.m. Eastern Time. The primary purposes of this meeting are to update the Committee on the progress of the CHIPS R&D Programs, receive updates from the Committee working groups, and allow the Committee to deliberate and discuss the progress that has been made. The final agenda will be posted on the NIST website at <https://www.nist.gov/chips/industrial-advisory-committee>. The Industrial Advisory Committee will meet on Tuesday, June 6, 2023, from 9:30 a.m. to 4:30 p.m. Eastern Time. The meeting will be open to the public.

Privacy Act of 1974; System of Records

Published 5/09/2023

Reference NIST

The information contained within Foreign Service Institute (FSI or the "Institute") systems is used to provide the Institute's student information and training delivery management services to support the staff and students, and to facilitate billing services. In accordance with 5 U.S.C. 552a(e)(4) and (11), this system of records notice is effective upon publication, except for routine uses (a) and (b) that are subject to a 30-day period during which interested persons may submit comments to the Department. Please submit any comments by **June 8, 2023**.

Privacy Act of 1974; System of Records

Published 5/10/2023

Reference NIST

In accordance with the Privacy Act of 1974, the Office of Personnel Management (OPM) proposes to modify a system of records titled "OPM/Central-11, Presidential Management Fellows (PMF) Program Records." This system of records contains information that OPM collects, maintains, and uses to administer and evaluate the Presidential Management Fellows (PMF) Program. Please submit comments on or before **June 9, 2023**. This modified system is effective upon publication in the **Federal Register**, with the exception of any new routine uses, which become effective **June 14, 2023**.

Development of Guidance for Zero-Emission Clean Heavy-Duty Vehicles, Port Equipment, and Fueling Infrastructure Deployment Under the Inflation Reduction Act Funding Programs

Published 5/08/2023

Reference SAE

To support development of potentially multiple funding programs under the Inflation Reduction Act of 2022, EPA invites public comment to inform the availability of zero-emission technologies in the heavy-duty vehicle and port sectors. Although EPA already has considerable information about the availability of certain types of these technologies, in order to ensure that EPA has the most comprehensive and current information available in this dynamic space, EPA is inviting this comment. Comments must be received on or before **June 5, 2023**, to allow for their consideration during development of these funding programs. EPA may consider comments received after the due date to the extent practicable.

Intertek Testing Services NA, Inc.: Grant of Expansion of Recognition

Published 5/09/2023

Reference UL

OSHA hereby gives notice of the expansion of the scope of recognition of Intertek Testing Services NA, Inc. (ITSNA) as a NRTL. ITSNA's expansion covers the addition of two test standards to the NRTL scope of recognition. The expansion of the scope of recognition becomes effective on **May 9, 2023**.