

## U.S. Federal Register Update: December 5 – December 9, 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?*

### [Energy Conservation Program: Test Procedure for Single Package Vertical Air Conditioners and Single Package Vertical Heat Pumps](#)

**Published** 12/7/2022

**Reference** ANSI, ASHRAE, ISO

The U.S. Department of Energy ("DOE") is publishing a final rule to amend its test procedures for single package vertical air conditioners and single package vertical heat pumps, collectively referred to as single package vertical units ("SPVUs"). DOE is incorporating by reference the most recent version of the relevant industry test standard, AHRI 390-2021, and amending certain provisions for representations for SPVUs. DOE is also establishing definitions for "single-phase single package vertical air conditioners with cooling capacity less than 65,000 Btu/h" and for "single-phase single package vertical heat pumps with cooling capacity less than 65,000 Btu/h" to distinguish such equipment from certain residential central air conditioners and heat pumps. **The effective date of this rule is January 6, 2023. The final rule changes will be mandatory for product testing starting December 4, 2023. The incorporation by reference of certain materials listed in the rule is approved by the Director of the Federal Register on January 6, 2023.**

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### [Navistar, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance](#)

**Published** 12/7/2022

**Reference** ANSI, SAE

Navistar, Inc., (Navistar), has determined that certain model year (MY) 2022-2023 IC Bus school and commercial buses do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 205, Glazing Materials. Navistar filed two noncompliance reports dated November 17, 2021. Navistar petitioned NHTSA on December 16, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Navistar's petition. **Send comments on or before January 6, 2023.**

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### [Energy Conservation Program: Energy Conservation Standards for Single Package Vertical Units](#)

**Published** 12/8/2022

**Reference** ANSI, ASHRAE, CSA, 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 single package vertical air conditioners (SPVACs) and single package vertical heat pumps (SPVHPs), collectively referred to as single package vertical units (SPVUs). EPCA also requires the U.S. Department of Energy (DOE) to periodically review standards. In this notice of proposed rulemaking (NPR); notification of proposed determination (NOPD), DOE proposes to amend the current energy conservation standards for SPVUs such that the existing standard levels would be based on a new cooling efficiency metric of Integrated Energy Efficiency Ratio (IEER) for SPVACs and SPVHPs, and the current heating efficiency metric of Coefficient of Performance (COP) for SPVHPs (but without any increase in stringency). In addition, DOE has initially determined that more-stringent standards for SPVUs would not be economically justified and would not result in a significant conservation of energy. DOE 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 NPR/NOPD no later than February 6, 2023. Meeting: DOE will hold a public meeting via webinar on Monday, January 9th, 2023, from 1:00 p.m. to 4:00 p.m. See section VIII, "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 standard should be sent to the Department of Justice contact listed in the ADDRESSES section on or before January 9, 2023. DOE notes that the Department of Justice is required to transmit its determination regarding the competitive impact of the proposed standard to DOE no later than February 6, 2023. Commenters who want to have their comments considered by DOE as part of any further rulemaking resulting from this NPR/NOPD also should submit such comments to DOE in accordance with the procedures detailed in this proposal.**

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## [Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review](#)

**Published** 12/6/2022

**Reference** ANSI, ASME, ASTM

The EPA is issuing this supplemental proposal to update, strengthen, and expand the standards proposed on November 15, 2021 (November 2021 proposal), which are intended to significantly reduce emissions of greenhouse gases (GHGs) and other harmful air pollutants from the Crude Oil and Natural Gas source category. First, the EPA proposes standards for certain sources that were not addressed in the November 2021 proposal. Second, the EPA proposes revisions that strengthen standards for sources of leaks, provide greater flexibility to use innovative advanced detection methods, and establish a super emitter response program. Third, the EPA proposes to modify and refine certain elements of the proposed standards in response to information submitted in public comments on the November 2021 proposal. Finally, the EPA proposes details of the timelines and other implementation requirements that apply to states to limit methane pollution from existing designated facilities in the source category under the Clean Air Act (CAA). **Comments must be received on or before February 13, 2023. Under the Paperwork Reduction Act (PRA), OMB is required to make a decision concerning the collections of information contained in the proposed rule between 30 and 60 days after publication and submission to OMB. A comment to OMB is best assured of consideration if the Office of Management and Budget (OMB) receives it on or before January 5, 2023.**

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## [Finished Carbon Steel Flanges From India, Italy, and Spain: Continuation of Antidumping Duty Orders and Countervailing Duty Order](#)

**Published** 12/5/2022

**Reference** ASME, 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) orders on finished carbon steel flanges (flanges) from India, Italy, and Spain and countervailing duty (CVD) order on flanges from India 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 these AD and CVD orders. **Applicable November 30, 2022.**

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## [Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From the Russian Federation: Continuation of the Antidumping Duty Order](#)

**Published** 12/9/2022

**Reference** ASTM, SAE

As a result of the determinations by the Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) order on hot-rolled flat-rolled carbon-quality steel products (hot-rolled steel) from the Russian Federation (Russia) would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of this AD order. **Applicable December 9, 2022.**

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## [Reliability Standards To Address Inverter-Based Resources](#)

**Published** 12/6/2022

**Reference** IEEE, UL

The Federal Energy Regulatory Commission (Commission) proposes to direct the North American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization (ERO), to develop new or modified Reliability Standards that address the following reliability gaps related to inverter-based resources (IBR): data sharing; model validation; planning and operational studies; and performance requirements. Further, the Commission proposes to direct NERC to submit to the Commission a compliance filing within 90 days of the effective date of the final rule in this proceeding that includes a detailed, comprehensive standards development and implementation plan to ensure all new or modified Reliability Standards necessary to address the IBR-related reliability gaps identified in the final rule are submitted to the Commission within 36 months of Commission approval of the plan. **Comments are due February 6, 2023 and reply Comments are due March 6, 2023.**

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## [Announcing Establishment of the NIST Safety Commission](#)

**Published** 12/7/2022

**Reference** NIST

The NIST Safety Commission (Commission) has been established as a discretionary advisory committee under agency authority in accordance with the provisions of FACA. It has been determined that the establishment of the Commission is necessary and in the public interest.

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### Industrial Advisory Committee

**Published** 12/7/2022

**Reference** NIST

The Industrial Advisory Committee (Committee) will hold an open meeting in-person and via web conference on Thursday, December 8, 2022, from 9 a.m. to 3 p.m. Eastern Time. The primary purposes of this meeting are to update the Committee on the progress of the Creating Helpful Incentives to Produce Semiconductors (CHIPS) Research & Development (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 Thursday, December 8, 2022, from 9 a.m. to 3 p.m. Eastern Time. The meeting will be open to the public.**

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### Soft Lights Foundation, Denial of Petition for Decision of Non-Compliance Order

**Published** 12/8/2022

**Reference** SAE

Soft Lights Foundation (Petitioner) has petitioned NHTSA requesting NHTSA to issue an order of non-compliance for certain model year (MY) 2021 Tesla Model 3, 2021 Ford Bronco, and 2021 Rivian R1T motor vehicles based on its assertions that these motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, Lamps, Reflective Devices, and Associated Equipment. Soft Lights Foundation petitioned NHTSA on August 5, 2022, for the 2021 Tesla Model 3, on August 11, 2022, for the 2021 Ford Bronco, and on September 9, 2022, for the 2021 Rivian R1T. This notice announces the denial of Soft Lights Foundation's petitions.

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