

U.S. Federal Register Update: November 28 – December 2, 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?*

[Substantial Product Hazard List: Window Covering Cords](#)

Published 11/28/2022

Reference ANSI

To address the risk of strangulation to young children associated with certain window covering cords, the Consumer Product Safety Commission (CPSC) is issuing this final rule to deem that one or more of the following readily observable characteristics of window coverings present a substantial product hazard (SPH) under the Consumer Product Safety Act (CPSA): the presence of hazardous operating cords on stock window coverings, the presence of hazardous inner cords on stock and custom window coverings, or the absence of a manufacturer label on stock and custom window coverings. The rule amends regulations which list products that the Commission has determined present an SPH. **The rule is effective December 28, 2022. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of December 28, 2022.**

[Safety Standard for Operating Cords on Custom Window Coverings](#)

Published 11/28/2022

Reference ANSI, ASTM

The U.S. Consumer Product Safety Commission (Commission or CPSC) has determined that custom window coverings with accessible operating cords longer than 8 inches pose an unreasonable risk of strangulation to children 8 years old and younger. To address this risk of strangulation, the Commission is issuing a final rule under the Consumer Product Safety Act (CPSA) to require that operating cords on custom window coverings meet the same requirements as operating cords on stock window coverings, as set forth in the applicable voluntary standard. The final rule provides several methods to make window covering cords inaccessible or non-hazardous. Because this is a consumer product safety rule, operating cords on custom window coverings must be tested and certified as meeting the requirements of the final rule. Custom window coverings that meet the definition of a "children's product" require third party testing by a CPSC-accepted third party conformity assessment body. Accordingly, the final rule also amends the Commission's regulation that lists children's product rules requiring third party testing. **The effective date of the rule is May 30, 2023, and the rule will apply to all custom window coverings manufactured after that date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of May 30, 2023.**

[Energy Conservation Program: Test Procedure for Dedicated-Purpose Pool Pumps](#)

Published 12/2/2022

Reference ANSI, CSA, IEEE, NEMA, UL

The U.S. Department of Energy ("DOE") proposes to amend the test procedures for dedicated-purpose pool pumps ("DPPPs") to incorporate by reference the latest version of the relevant industry standards, to codify DOE's current enforcement policy regarding the scope of the DPPP test procedure pertaining to DPPPs that cannot be appropriately tested by the current DOE test procedure, to align DOE's DPPP definitions with DOE's corresponding DPPP motor definitions, and to remove an obsolete DOE DPPP test procedure appendix. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than January 31, 2023. See section V, "Public Participation," for details. DOE will hold a public meeting via webinar on Monday, December 12, 2022, from 1:00 p.m. to 4:00 p.m. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.**

[Petition for Modification of Application of Existing Mandatory Safety Standards](#)

Published 11/28/2022

Reference ANSI, UL

This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below. **All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before December 28, 2022.**

[Energy Conservation Program: Energy Conservation Standards for Ceiling Fans](#)

Published 11/28/2022

Reference ANSI

The Energy Policy and Conservation Act, as amended (“EPCA”), prescribes energy conservation standards for various consumer products, including ceiling fans. The Energy Act of 2020 amended the energy conservation standards for large-diameter ceiling fans (“LDCFs”). DOE codified these efficiency requirements in a final rule published May 27, 2021. When DOE published the final rule codifying the standards for LDCFs in 2021, DOE's test procedure for LDCFs was applicable only to those ceiling fans with a diameter less than or equal to 24 feet. As a result, DOE could not implement the full scope of LDCF standards set forth in the Energy Act of 2020. In order to remedy this situation, DOE has removed this limit on ceiling fan diameter in the most recent test procedure rulemaking for ceiling fans. As such, DOE is now able to implement in this final rule the full scope of standards for LDCFs set forth in the Energy Act of 2020. **The effective date of this rule is November 28, 2022.**

[New Source Performance Standards Review for Secondary Lead Smelters](#)

Published 12/1/2022

Reference ANSI, ASTM

The Environmental Protection Agency (EPA) is proposing amendments to the Standards of Performance for secondary lead smelters per the Agency's periodic review of the new source performance standards required by the Clean Air Act (CAA). In this action, we are proposing updates to the current New Source Performance Standards (NSPS) for secondary lead smelters and proposing a new NSPS subpart that applies to affected sources constructed, reconstructed, or modified after the date of this proposed rule. For the current NSPS subpart, we are proposing to revise the definitions of blast furnace, reverberatory furnace, and pot furnace to more closely align with the equipment definitions used in the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for secondary lead smelting. We are also proposing requirements for periodic performance tests for particulate matter (PM) and incorporating revised monitoring, recordkeeping, and reporting requirements, including electronic reporting of performance tests, to be more consistent with the NESHAP. For the new subpart, we are proposing updated PM and opacity emissions limits for blast, reverberatory, and pot furnaces that reflect the performance achieved by the best system for emissions reductions (BSER). In the new subpart, we are proposing PM and opacity emissions limits that apply at all times, including during periods of startup, shutdown, and malfunction (SSM), and proposing initial and periodic PM and opacity performance testing and the same equipment definitions, recordkeeping, and reporting requirements proposed for current NSPS subpart. **Comments must be received on or before January 17, 2023. Comments on the information collection provisions submitted to the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) are best assured of consideration by OMB if OMB receives a copy of your comments on or before January 3, 2023. If anyone contacts us requesting a public hearing on or before December 6, 2022, we will hold a virtual hearing. Please refer to the for information on requesting and registering for a public hearing.**

[Safety Standard for Infant Walkers](#)

Published 11/29/2022

Reference ASTM

In June 2010, the U.S. Consumer Product Safety Commission (CPSC) published a consumer product safety standard for infant walkers under section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA), incorporating by reference the 2007 version of ASTM's voluntary standard for infant walkers that was in effect at the time, with modifications approved by the Commission. ASTM updated its standard for infant walkers in 2012, and CPSC accepted the revised voluntary standard, without any modifications, as the mandatory standard for infant walkers. ASTM has notified CPSC of a 2022 update to the infant walkers voluntary standard. This direct final rule updates the mandatory standard for infant walkers to incorporate by reference ASTM's 2022 version of the voluntary standard. **The rule is effective on February 25, 2023, unless CPSC receives a significant adverse comment by December 29, 2022. If CPSC 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 February 25, 2023.**

[Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List](#)

Published 12/1/2022

Reference ASTM

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with 19 CFR 351.213, that the Department of Commerce (Commerce) conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation. All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

[Stainless Steel Sheet and Strip in Coils From the Republic of Korea: Final Results of Expedited Sunset Review of the Countervailing Duty Order](#)

Published 12/2/2022

Reference ASTM

The U.S. Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on stainless steel sheet and strip in coils (sheet and strip) from the Republic of Korea (Korea) would likely lead to the continuation or recurrence of a countervailable subsidy at the levels indicated in the “Final Results of the Sunset Review” section of this notice. **Applicable December 2, 2022.**

[Parts and Accessories Necessary for Safe Operation; Rosco Vision, Inc.; Application for an Exemption](#)

Published 11/29/2022

Reference ISO

The Federal Motor Carrier Safety Administration (FMCSA) announces its decision to grant a limited 5-year exemption to Rosco Vision, Inc. (Rosco) to allow motor carriers to operate commercial motor vehicles (CMVs) with the company's CV (Commercial Vehicle) Digital Camera Monitor System (CMS) (CV Digital CMS) installed as an alternative to the two rear-vision mirrors required by the Federal Motor Carrier Safety Regulations (FMCSRs). The Agency has determined that granting the exemption would likely achieve a level of safety equivalent to or greater than the level of safety provided by the regulation. **This exemption is applicable December 4, 2022 and ending December 4, 2027.**

[Updating Regulations for Engineering and Design Materials for Liquefied Natural Gas Facilities Related to Potential Impacts Caused by Natural Hazards](#)

Published 11/28/2022

Reference NFPA, NIST

The Federal Energy Regulatory Commission (Commission) proposes to revise its regulations governing liquefied natural gas (LNG) facilities subject to sections 3 and 7 of the Natural Gas Act (NGA) by removing outdated references for seismic hazard evaluations and seismic design criteria for LNG facilities. In their place, the Commission proposes to codify its existing practice of evaluating seismic and other natural hazards and design criteria for LNG facilities under its jurisdiction. These revisions are intended to reduce confusion about applicable technical requirements and clarify the information required in applications filed before the Commission to ensure the public is protected from potential catastrophic impacts caused by natural hazards. **Comments are due January 27, 2023.**

[Manufacturing USA Semiconductor Institutes; Extension of Comment Period](#)

Published 12/1/2022

Reference NIST

The National Institute of Standards and Technology (NIST) is extending the period for submitting comments relating to potential Manufacturing USA semiconductor institutes until December 12, 2022. In a Request for Information (RFI) that published in the Federal Register on October 13, 2022, NIST requested information to inform the design of, and requirements for, potential Manufacturing USA institutes to strengthen the semiconductor and microelectronics innovation ecosystem, which could include design, fabrication, advanced test, assembly, and packaging capability. Responses to the RFI will inform NIST's development of funding opportunities for federal assistance to establish Manufacturing USA semiconductor institutes. **Comments must be received by 11:59 p.m. Eastern time on December 12, 2022. Comments received after November 28, 2022 and before publication of this notice are deemed to be timely. Submissions received after December 12, 2022 may not be considered. Those who have already submitted comments need not resubmit.**

[Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; NIST Invention Disclosure and Inventor Information Collection](#)

Published 11/28/2022

Reference NIST

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the Federal Register on August 31, 2022, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

[Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; Baldrige Performance Excellence Program Team Leader Consensus and Site Visit Information Collections](#)

Published 11/29/2022

Reference NIST

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the Federal Register on September 22, 2022, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

[Enhancing Surface Cyber Risk Management](#)

Published 11/30/2022

Reference NIST

The Transportation Security Administration (TSA) is seeking input regarding ways to strengthen cybersecurity and resiliency in the pipeline and rail (including freight, passenger, and transit rail) sectors. This advance notice of proposed rulemaking (ANPRM) offers an opportunity for interested individuals and organizations, particularly owner/operators of higher-risk pipeline and rail operations, to help TSA develop a comprehensive and forward-looking approach to cybersecurity requirements. TSA is also interested in input from the industry associations representing these owners/operators, third-party cybersecurity subject matter experts, and insurers and underwriters for cybersecurity risks for these transportation sectors. Although TSA will review and consider all comments submitted, we are specifically interested in responses to the questions posed in this ANPRM. Input received in response to this ANPRM will assist TSA in better understanding how the pipeline and rail sectors implement cyber risk management (CRM) in their operations and will support us in achieving objectives related to the enhancement of pipeline and rail cybersecurity. **Submit comments by January 17, 2023.**

[Joint FERC-DOE Supply Chain Risk Management, Technical Conference; Second Supplemental Notice of Technical Conference](#)

Published 11/30/2022

Reference NIST

Take notice that the Federal Energy Regulatory Commission (Commission) will convene a Joint Technical Conference with the U.S. Department of Energy in the above-referenced proceeding on December 7, 2022, from approximately 8:30 a.m. to 5:00 p.m. Eastern Time. The conference will be held in-person at the Commission's headquarters at 888 First Street NE, Washington, DC 20426 in the Commission Meeting Room. The purpose of this conference is to discuss supply chain security challenges related to the Bulk-Power System, ongoing supply chain-related activities, and potential measures to secure the supply chain for the grid's hardware, software, computer, and networking equipment. FERC Commissioners and DOE's Office of Cybersecurity, Energy Security, and Emergency Response (CESER) Director will be in attendance, and panels will involve multiple DOE program offices, the North American Electric Reliability Corporation (NERC), trade associations, leading vendors and manufacturers, and utilities.

[Waste Prevention, Production Subject to Royalties, and Resource Conservation](#)

Published 11/30/2022

Reference NIST

The Bureau of Land Management (BLM) is proposing new regulations to reduce the waste of natural gas from venting, flaring, and leaks during oil and gas production activities on Federal and Indian leases. The proposed regulations would be codified in the Code of Federal Regulations and would replace the BLM's current requirements governing venting and

flaring, which are more than four decades old. **Send your comments on this proposed rule to the BLM on or before January 30, 2023. The BLM is not obligated to consider any comments received after this date in making its decision on the final rule.**

[Mercedes-Benz USA, LLC, Grant of Petition for Decision of Inconsequential Noncompliance](#)

Published 12/2/2022

Reference SAE

Mercedes-Benz AG (MBAG) and Mercedes-Benz USA, LLC (MBUSA) (collectively, “Mercedes-Benz”) have determined that certain model year (MY) 2019 Mercedes-Benz A-Class motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 104, Windshield Wiping and Washing Systems. Mercedes-Benz filed a noncompliance report dated February 24, 2020. Mercedes-Benz subsequently petitioned NHTSA on March 12, 2020, and later provided supplemental material on July 9, 2020, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the grant of Mercedes-Benz's petition.
