

U.S. Federal Register Update: October 24 – October 28, 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?*

[Agency Information Collection Activities; Submission for OMB Review; Comment Request; Virginia Graeme Baker Pool and Spa Safety Act; Compliance Form](#)

Published 10/28/2022

Reference ANSI, ASME

As required by the Paperwork Reduction Act of 1995, the Consumer Product Safety Commission (CPSC or Commission), announces that the Commission has submitted to the Office of Management and Budget (OMB) a request for extension of approval of a collection of information regarding a form used to verify whether pools and spas are in compliance with the Virginia Graeme Baker Pool and Spa Safety Act. The OMB previously approved the collection of information under OMB Control No. 3041-0142. On August 17, 2022, CPSC published a notice in the Federal Register announcing the agency's intent to seek this extension. CPSC received no comments in response to that notice. Therefore, by publication of this notice, the Commission announces that CPSC has submitted to the OMB a request for extension of approval of this collection of information. **Written comments on this request for extension of approval of information collection requirements should be submitted by November 28, 2022.**

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

Published 10/25/2022

Reference ANSI, ASHRAE, CSA

The U.S. Department of Energy ("DOE") is amending the test procedures for central air conditioners and heat pumps that will be required for certification of compliance with applicable energy conservation standards starting January 1, 2023, to address a limited number of specific issues, and making minor corrections to the current test procedures that are required for certification of compliance with applicable energy conservation standards prior to January 1, 2023. This rulemaking does not satisfy the 7-year lookback requirement prescribed by the Energy Policy and Conservation Act ("EPCA"). **The effective date of this rule is November 25, 2022. The final rule changes will be mandatory for product testing starting April 24, 2023. The incorporation by reference of a certain publication listed in the rule was approved by the Director of the Federal Register on February 6, 2017.**

[American Society of Mechanical Engineers 2019-2020 Code Editions](#)

Published 10/27/2022

Reference ANSI, ASME

The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations to incorporate by reference the 2019 Edition of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section III, Division 1, and Section XI, Division 1, and the 2020 Edition of the American Society of Mechanical Engineers Operation and Maintenance of Nuclear Power Plants, Division 1: OM Code: Section IST, for nuclear power plants. The NRC is also incorporating by reference the American Society of Mechanical Engineers OM Code Case OMN-28, "Alternative Valve Position Verification Approach to Satisfy ISTC-3700 for Valves Not Susceptible to Stem-Disk Separation"; the 2011 Addenda to ASME NQA-1-2008, "Quality Assurance Requirements for Nuclear Facility Applications" (ASME NQA-1b-2011); and the 2012 and 2015 Editions of ASME NQA-1, "Quality Assurance Requirements for Nuclear Facility Applications." This action is in accordance with the NRC's policy to periodically update the regulations to incorporate by reference new editions of the American Society of Mechanical Engineers Codes and is intended to maintain the safety of nuclear power plants and to make NRC activities more effective and efficient. **This final rule is effective on November 28, 2022. The incorporation by reference of certain publications listed in the regulation is approved by the Director of the Federal Register as of November 28, 2022.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Ocean Wind 1 Wind Energy Facility Offshore of New Jersey](#)

Published 10/26/2022

Reference ANSI, ISO

NMFS has received a request for Incidental Take Regulation (ITR) and associated Letter of Authorization (LOA) from Ocean Wind, LLC (Ocean Wind), a subsidiary of Orsted Wind Power North America, LLC's (Orsted) and a joint venture partner of

the Public Service Enterprise Group Renewable Generation, LLC (PSEG), for the incidental take of small numbers of marine mammals during the construction of an offshore wind energy facility (Ocean Wind 1) in a designated lease area on the Outer Continental Shelf (OCS-A-0498) offshore of New Jersey. The requested ITR would govern the authorization of take, by both Level A and Level B harassment, of small numbers of marine mammals over a 5-year period incidental to construction-related pile driving activities (impact and vibratory), potential unexploded ordnances or munitions and explosives of concern (UXOs/MECs) detonation, and high-resolution geophysical (HRG) site characterization surveys conducted by Ocean Wind in Federal and State waters off of New Jersey for the Ocean Wind 1 offshore wind energy facility. A final ITR would allow for the issuance of a LOA to Ocean Wind for a 5-year period. As required by the Marine Mammal Protection Act (MMPA), NMFS requests comments on its proposed rule. NMFS will consider public comments prior to making any final decision on the promulgation of the requested ITR and issuance of the LOA; agency responses to public comments will be summarized in the final notice of our decision. **Comments and information must be received no later than November 25, 2022.**

[Energy Labeling Rule](#)

Published 10/25/2022

Reference ANSI, AHAM

The Federal Trade Commission (FTC or Commission) seeks public comment on potential amendments to the Energy Labeling Rule (Rule), including energy labels for several new consumer product categories, and other possible amendments to improve the Rule's effectiveness and reduce unnecessary burdens. **Comments must be received on or before December 27, 2022.**

[Energy Conservation Program: Test Procedure for Electric Motors](#)

Published 10/25/2022

Reference IEC

In rule document 2022-21891, appearing on pages 63588 through 63660 in the issue of Wednesday, October 19, 2022, make the following correction: § 431.12 [Corrected] In § 431.12, on page 63655, in the second column, remove the first definition of IEC Design HY by removing lines eleven through twenty-five.

[HISA Anti-Doping and Medication Control Rule](#)

Published 10/28/2022

Reference IEC, ISO

The Horseracing Integrity and Safety Act of 2020 recognizes a self-regulatory nonprofit organization, the Horseracing Integrity and Safety Authority, which is charged with developing proposed rules on a variety of subjects. Those proposed rules and later proposed rule modifications take effect only if approved by the Federal Trade Commission. The proposed rules and rule modifications must be published in the Federal Register for public comment. Thereafter, the Commission has 60 days from the date of publication to approve or disapprove the proposed rule or rule modification. The Authority submitted to the Commission a proposed rule on Anti-Doping and Medication Control on August 17, 2022 and supplemented on October 13, 2022. The Office of the Secretary of the Commission determined that the proposal complied with the Commission's rule governing such submissions. This document publicizes the Authority's proposed rule text and explanation, and it seeks public comment on whether the Commission should approve or disapprove the proposed rule. **If approved, the HISA proposed rule would become effective January 1, 2023. Comments must be received on or before November 14, 2022.**

[New Message Format for the Fedwire® Funds Service](#)

Published 10/24/2022

Reference IEC, ISO

The Board of Governors of the Federal Reserve System (Board) is announcing that the Federal Reserve Banks (Reserve Banks) will adopt the ISO® 20022 message format for the Fedwire® Funds Service on a single day, March 10, 2025. The Board is also announcing a revised testing strategy, backout strategy, and other details concerning the implementation of the ISO 20022 message format for the Fedwire Funds Service. **Implementation date: March 10, 2025.**

[Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing of Partial Amendments No. 1, 2, 3, and 4 and Notice of No Objection to Advance Notice, as Modified by Partial Amendments No. 1, 2, 3, and 4 Relating to OCC's Adoption of Cloud Infrastructure for New Clearing, Risk Management, and Data Management Applications](#)

Published 10/26/2022

Reference NIST

On October 8, 2021, the Options Clearing Corporation (“OCC”) filed with the Securities and Exchange Commission (“Commission”) advance notice SR-OCC-2021-802 (“Advance Notice”) pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, entitled Payment, Clearing and Settlement Supervision Act of 2010 (“Clearing Supervision Act”), and Rule 19b-4(n)(1)(i) under the Securities Exchange Act of 1934 (“Exchange Act”), in connection with a proposed adoption of third-party-hosted cloud infrastructure (also generally referred to as the “Cloud”) for OCC's new clearing, risk management, and data management applications. On November 2, 2021, the Commission published notice of the Advance Notice in the Federal Register to solicit public comment and to extend the review period for the Advance Notice. The Commission has received no comments regarding the changes proposed in the Advance Notice.

[Secretary's Order 03-2022-Delegation of Authorities and Assignment of Responsibilities to the Chief Information Officer](#)

Published 10/28/2022

Reference NIST

This Secretary's Order (Order) updates the delegation of authority and assignment of responsibilities to the Chief Information Officer (CIO) for implementation of the Federal Information Technology Acquisition Reform Act of 2014 (FITARA), the Federal Information Security Modernization Act of 2014 (FISMA), the Modernizing Government Technology (MGT) Act, the E-Government Act of 2002, the Clinger-Cohen Act of 1996 (also known as the Information Technology (IT) Management Reform Act of 1996), and the Paperwork Reduction Act of 1995 (PRA).
