

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

### [Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 058](#)

**Published** 8/10/2022

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

The Food and Drug Administration (FDA or Agency) is announcing a publication containing modifications the Agency is making to the list of standards FDA recognizes for use in premarket reviews (FDA Recognized Consensus Standards). This publication, entitled "Modifications to the List of Recognized Standards, Recognition List Number: 058" (Recognition List Number: 058), will assist manufacturers who elect to declare conformity with consensus standards to meet certain requirements for medical devices. **Either electronic or written comments can be submitted on the notice at any time. These modifications to the list of recognized standards are applicable August 10, 2022.**

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### [Semiannual Regulatory Agenda](#)

**Published** 8/8/2022

**Reference** ANSI, NIST

In this document, the Commission publishes its semiannual regulatory flexibility agenda. In addition, this document includes an agenda of regulations that the Commission expects to develop or review during the next year. This document meets the requirements of the Regulatory Flexibility Act and Executive Order 12866. **The Commission welcomes comments on the agenda and on the individual agenda entries. Submit comments to the Division of the Secretariat on or before September 7, 2022.**

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### [Confirmatory Order Modifying License of National Institute of Standards and Technology, Center for Neutron Research](#)

**Published** 8/8/2022

**Reference** ANSI, NIST

The U.S. Nuclear Regulatory Commission (NRC) is issuing a Confirmatory Order to the National Institute of Standards and Technology, Center for Neutron Research, as a result of a successful alternative dispute resolution mediation session. The commitments outlined in the Confirmatory Order were made as a part of a settlement agreement concerning violations of NRC requirements related to an event involving the exceedance of a safety limit for fuel cladding temperature. **The Confirmatory Order became effective on August 1, 2022.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to In-Water Construction at Two Ferry Facilities on Bainbridge Island, Washington](#)

**Published** 8/10/2022

**Reference** ANSI

NMFS has received a request from the Washington State Department of Transportation Ferries Division (WSDOT) for authorization to take marine mammals incidental to two in-water construction projects on Bainbridge Island, Washington: the Bainbridge Island Ferry Terminal Overhead Loading Replacement Project and Eagle Harbor Maintenance Facility Slip F Improvement Project. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision. **Comments and information must be received no later than September 9, 2022.**

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### [Unified Agenda of Federal Regulatory and Deregulatory Actions](#)

**Published** 8/8/2022

**Reference** ASHRAE

The Department of Energy (DOE) has prepared and is making available its portion of the semi-annual Unified Agenda of Federal Regulatory and Deregulatory Actions (Agenda) pursuant to Executive Order 12866, "Regulatory Planning and Review," and the Regulatory Flexibility Act.

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#### [Accepted Means of Compliance; Remote Identification of Unmanned Aircraft](#)

**Published** 8/11/2022

**Reference** ASTM

This document announces the acceptance of a means of compliance (MOC) in accordance with a rule issued by the FAA on January 21, 2021, that went into effect on April 21, 2021. The Administrator accepts ASTM, International (ASTM) F3586-22, with additions identified in this document as an acceptable means, but not the only means, of demonstrating compliance with the requirements for producing standard remote identification unmanned aircraft and remote identification broadcast modules.

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#### [Public Safety and Homeland Security Bureau Seeks Comment on Waiver Requests From Intelligent Transportation System Licensee to Use C-V2X Technology in the 5.895-5.925 GHz Band](#)

**Published** 8/12/2022

**Reference** IEEE

In this Public Notice, the Public Safety and Homeland Security Bureau (Bureau) seeks comment on the filings from the respective Departments of Transportation of the State of Florida and State of Georgia, and State of Maryland State Highway Administration, each requesting a waiver of the Commission's rules to operate roadside units (RSUs) with cellular vehicle to everything (C-V2X)-based technology in the upper 30 megahertz (5.895-5.925 GHz) portion of the 5.850-5.925 GHz (5.9 GHz) band under its Part 90 intelligent transportation system (ITS) license. **Comments are due on or before September 12, 2022 and reply comments are due on or before October 11, 2022.**

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#### [Collins Bus Corporation, Denial of Petition for Decision of Inconsequential Noncompliance](#)

**Published** 8/10/2022

**Reference** ISO

Collins Bus Corporation (Collins) has determined that certain model year (MY) 2012-2020 Ford and Chevrolet school buses do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 217, Bus Emergency Exits and Window Retention and Release. Collins filed a noncompliance report dated April 15, 2020. Collins subsequently petitioned NHTSA on April 30, 2020, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the denial of Collins's petition.

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#### [Manufacturing Extension Partnership Advisory Board](#)

**Published** 8/10/2022

**Reference** NIST

The National Institute of Standards and Technology (NIST) announces that the Manufacturing Extension Partnership (MEP) Advisory Board will hold an open meeting on Tuesday, September 20, 2022. **The meeting will be held on Tuesday, September 20, 2022, from 12:30 p.m. to 6:00 p.m. Central time.**

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#### [Improving Government Regulations; Unified Agenda of Federal Regulatory and Deregulatory Actions](#)

**Published** 8/8/2022

**Reference** NIST

This agenda announces the regulatory actions the Department of Defense (DoD) plans to take in the next 12 months and those regulatory actions completed since the publication of the fall 2021 Unified Agenda. It was developed under the guidelines of Executive Order 12866, "Regulatory Planning and Review," and Executive Order 13563, "Improving Regulation and Regulatory Review." This agenda includes regulatory actions that support or impact the Secretary of Defense's top priorities along with those of the National Defense Strategy to defend the Nation, take care of our people, succeed through teamwork, and address the current worldwide pandemic. These actions include efforts to ensure TRICARE beneficiaries have access to the most up-to-date care required for the diagnosis and treatment of COVID-19. Members of the public may submit comments on individual proposed and interim final rulemakings at [www.regulations.gov](http://www.regulations.gov) during the comment period that follows publication in the Federal Register.

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

Published 8/12/2022

Reference NIST

In accordance with the Privacy Act of 1974, the Office of Personnel Management (OPM) proposes to publish a new system of records titled "OPM/Central-27, FEHB Disputed Claims and Complaints Records." This system of records contains information about enrollees or their family members who have submitted a request to OPM for its review of healthcare claim denials made by Federal Employees Health Benefits (FEHB) plans. This system of records also contains records related to complaints received by OPM about the FEHB Program, Carriers, or plans. This newly established system of records will be included in OPM's inventory of record systems. **Please submit comments on or before September 12, 2022. This new system of records is effective upon publication in today's Federal Register, with the exception of the routine uses, which are effective September 16, 2022.**

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

Published 8/12/2022

Reference NIST

Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records, entitled BGFRS-37, "FRB—Electronic Applications." This system enables bank holding companies (BHCs), savings and loan holding companies (SLHCs), state member banks, and foreign banks with operations in the United States, or other companies, and persons to submit an application or notice to the Federal Reserve System for a approval or non-objection, as appropriate, to conduct certain transactions or engage in certain activities. **Comments must be received on or before September 12, 2022. This modified system of records will become effective September 12, 2022, without further notice, unless comments dictate otherwise.**

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