U.S. Federal Register Update
October 21, 2014 – October 27, 2014

The U.S. Federal Register Update contains summaries of entries in the U.S. Federal Register that relate 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?*

Items of Interest

Published 10/21/2014
Reference ANSI, ASHRAE
The U.S. Department of Energy (DOE) is initiating a rulemaking to consider amended energy conservation standards for commercial water heaters, hot water supply boilers, and unfired hot water storage tanks (commercial water heating equipment). Once completed, this rulemaking will fulfill DOE’s statutory obligation to either propose amended energy conservation standards for commercial water heating equipment or to determine that the existing standards do not need to be amended. This notice seeks to solicit information to help DOE determine whether national standards more stringent than those currently in place would result in a significant amount of additional energy savings and whether such amended national standards would be technologically feasible and economically justified. In overview, this document presents a brief description of the analysis DOE plans to perform for this rulemaking and requests comment on various issues relating to each of the analyses (e.g., market assessment, engineering analysis, energy use analysis, life-cycle cost and payback period analysis, and national impact analysis). Although this document contains several specific topics on which DOE is particularly interested in receiving written comment, DOE welcomes suggestions and information from the public on any subject within the scope of this rulemaking, including topics not raised in this RFI. Written comments and information are requested on or before November 20, 2014.

**Energy Conservation Program: Energy Conservation Standards for High-Intensity Discharge Lamps**
Published 10/21/2014
Reference NEMA
The Energy Policy and Conservation Act of 1975 (EPCA), as amended, requires DOE to prescribe test procedures and energy conservation standards for high-intensity discharge (HID) lamps for which it has determined that standards would be technologically feasible and economically justified, and would result in significant energy savings. In this notice, DOE proposes to determine that energy conservation standards for high-intensity discharge (HID) lamps do not meet these criteria. DOE will accept comments, data, and information regarding this NOPD no later than December 22, 2014. Interested parties may further request, no later than November 5, 2014, a public meeting to discuss this NOPD. See section VII Public Participation for details.

**Protection of Stratospheric Ozone: Determination 29 for Significant New Alternatives Policy Program**
Published 10/21/2014
Reference ASHRAE, NFPA
This Determination of Acceptability expands the list of acceptable substitutes for ozone-depleting substances under the U.S. Environmental Protection Agency’s (EPA) Significant New Alternatives Policy (SNAP) program. This action lists as acceptable additional substitutes for use in the refrigeration and air conditioning, foam blowing, and fire suppression and explosion protection sectors. This determination is effective on October 21, 2014.
**Approval and Promulgation of Implementation Plans; State of Iowa**

Published 10/21/2014

Reference ASME, ASTM

The Environmental Protection Agency (EPA) is approving the State Implementation Plan (SIP) revisions submitted by the State of Iowa for the purpose of approving the 2008, 2009, 2011, 2012, and 2013 updates to the Linn County Air Quality Ordinance. EPA is approving Iowa’s request to include revisions to the Linn County Air Quality Ordinance, Chapter 10, because the revisions improve the stringency of the Iowa SIP. **This direct final rule will be effective on December 22, 2014, without further notice, unless EPA receives adverse comment by November 20, 2014. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect.**

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**Accreditation of Intertek USA, Inc., as a Commercial Laboratory**

Published 10/22/2014

Reference ASTM, Intertek

Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc., has been accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of April 12, 2013. **Effective Dates:** The accreditation of Intertek USA, Inc., as commercial and laboratory became effective on April 12, 2013. The next triennial inspection date will be scheduled for April 2016.

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**Effluent Limitations Guidelines and Standards for the Dental Category**

Published 10/22/2014

Reference ISO

EPA is proposing technology-based pretreatment standards under the Clean Water Act (CWA) for discharges of pollutants into publicly owned treatment works (POTWs) from existing and new dental practices that discharge dental amalgam. Dental amalgam contains mercury in a highly concentrated form that is relatively easy to collect and recycle. Dental offices are the main source of mercury discharges to POTWs. Mercury is a persistent and bioaccumulative pollutant in the environment with well-documented neurotoxic effects on humans. Mercury pollution is widespread and comes from many diverse sources such as air deposition from municipal and industrial incinerators and combustion of fossil fuels. Mercury easily becomes diffuse in the environment and mercury pollution is a global problem. Removing mercury from the waste stream when it is in a concentrated and easy to handle form like in waste dental amalgam is an important and commonsense step to take to prevent that mercury from being released back into the environment where it can become diffuse and a hazard to humans. The proposal would require dental practices to comply with requirements for controlling the discharge of mercury and other metals in dental amalgam into POTWs based on the best available technology or best available demonstrated control technology. Specifically, the requirements would be based on the use of amalgam separators and best management practices (BMPs). Amalgam separators are a practical, affordable and readily available technology for capturing mercury and other metals before they are discharged into sewers and POTWs. EPA is also proposing to amend selected parts of the General Pretreatment Regulations to streamline oversight requirements for the dental sector. EPA expects compliance with this proposed rule would reduce the discharge of metals to POTWs by at least 8.8 tons per year, about half of which is mercury. EPA estimates the annual cost of the proposed rule would be $44 to $49 million. **Comments on this proposed rule must be received on or before December 22, 2014. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions must be received by the Office of Management and Budget (OMB) on or before November 21, 2014. EPA will conduct a public hearing on November 10, 2014 at 1 p.m. in the William J. Clinton Building—East Room 1153, 1201 Constitution Avenue NW, Washington, DC.**
Applicability of ASME Code CaseN-770-1, as Conditioned by Federal Regulation, to Branch Connection Butt Welds
Published 10/23/2014
Reference ASME
The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on draft regulatory issue summary (RIS) 2014-XX. This draft RIS is addressed to all holders of an operating license or construction permit for a pressurized water nuclear power reactor under the NRC’s regulations, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel. This draft RIS would inform these entities about reactor coolant system Alloy 82/182 branch connection dissimilar metal nozzle weld that may be of a butt weld configuration and therefore require inspection under the NRC’s regulations. This RIS also informs these entities of a licensee’s recent misclassification and missed inspections to Alloy 82/182 dissimilar metal butt welds in branch connections of primary coolant loop piping. Submit comments by December 8, 2014. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

Energy Conservation Program: Test Procedures for Residential Clothes Dryers
Published 10/23/2014
Reference IEC
The U.S. Department of Energy (DOE) will hold a public meeting to facilitate a discussion among interested parties with regards to potential changes to the DOE clothes dryer test procedure to produce test results that measure energy use during a representative average use cycle without being unduly burdensome to conduct. DOE will hold a public meeting on November 13, 2014, from 9:00 a.m. to 12:00 Noon in Washington, DC. Additionally, DOE plans to conduct the public meeting via webinar. You may attend the public meeting either in person or via webinar. DOE will accept comments, data, and information before and after the public meeting, but no later than December 15, 2014. See section Public Participation for details.

Underwriters Laboratories Inc.: Grant of Expansion of Recognition
Published 10/27/2014
Reference ANSI, UL, NFPA
In this notice, OSHA announces its final decision to expand the scope of recognition for Underwriters Laboratories Inc. as a Nationally Recognized Testing Laboratory (NRTL). The expansion of the scope of recognition becomes effective on October 27, 2014.

SGS North America, Inc.: Grant of Expansion of Recognition
Published 10/27/2014
Reference ANSI
In this notice, OSHA announces its final decision to expand the scope of recognition for SGS North America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). The expansion of the scope of recognition becomes effective on October 27, 2014.

Guidelines for Designating Biobased Products for Federal Procurement
Published 10/27/2014
Reference ASTM, ISO
The U.S. Department of Agriculture (USDA) is proposing to amend its regulations concerning guidelines for designating biobased products for Federal procurement, to incorporate statutory changes to section 9002 of the Farm Security and Rural Investment Act (the 2002 Farm Bill) that went into effect when the Agricultural Act of 2014 (the 2014 Farm Bill) was signed into law on February 7, 2014. USDA will accept public comments on these proposed rule amendments until December 26, 2014.

Voluntary Labeling Program for Biobased Products
Published 10/27/2014
Reference ASTM, ISO
The U.S. Department of Agriculture (USDA) is proposing to amend its regulations concerning the Voluntary Labeling Program for Biobased Products, to incorporate statutory changes to section 9002 of the Farm Security and Rural Investment Act (the 2002 Farm Bill) that went into effect when the Agricultural Act of 2014 (the 2014 Farm Bill) was signed into law on February 7, 2014. USDA will accept public comments on these proposed rule amendments until December 26, 2014.

Significant New Use Rules on Certain Chemical Substances
Published 10/27/2014
Reference ASTM
EPA is promulgating significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for 52 chemical substances which were the subject of premanufacture notices (PMNs). Nine of these chemical substances are subject to TSCA section 5(e) consent orders issued by EPA. This action requires persons who intend to manufacture (including import) or process any of these 52 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. The required notification will provide EPA with the opportunity to evaluate the intended use and, if necessary, to prohibit or limit that activity before it occurs. This rule is effective on December 26, 2014. For purposes of judicial review, this rule shall be promulgated at 1 p.m. (e.s.t.) on November 10, 2014. Written adverse or critical comments, or notice of intent to submit adverse or critical comments, on one or more of these SNURs must be received on or before November 26, 2014 (see Unit VI. of the SUPPLEMENTARY INFORMATION). If EPA receives written adverse or critical comments, or notice of intent to submit adverse or critical comments, on one or more of these SNURs before November 26, 2014, EPA will withdraw the relevant sections of this direct final rule before its effective date. For additional information on related reporting requirement dates, see Units I.A., VI., and VII. of the SUPPLEMENTARY INFORMATION.