

U.S. Federal Register Update: May 9 – 13, 2016

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 for Certain Commercial and Industrial Equipment: Test Procedure for Commercial Water Heating Equipment](#)

Published 5/9/2016

Reference ANSI, ASHRAE, ASME, ASTM, CSA

The U.S. Department of Energy (DOE) proposes to revise its test procedures for commercial water heaters, unfired hot water storage tanks, and hot water supply boilers (henceforth, "commercial water heating (CWH) equipment") established under the Energy Policy and Conservation Act of 1975 (EPCA), as amended. In this NOPR, DOE proposes several changes, including: Updating references of industry test standards to incorporate by reference the most recent versions of the industry standards; proposing modifications to the existing test methods for certain classes of CWH equipment; developing new test procedures for determining the efficiency of unfired hot water storage tanks, commercial heat pump water heaters, and flow-activated instantaneous water heaters; proposing clarifications on test set-up and settings for various classes of CWH equipment; revising the certification requirements for CWH equipment; and proposing associated implementing regulations including definitions. DOE announces a public meeting to receive comment on these proposed test procedure amendments, and it also welcomes written comments and data from the public on all aspects of this proposal. **DOE will hold a public meeting on June 6, 2016, from 9:30 a.m. to 12:00 p.m., in Washington, DC. The meeting will also be broadcast as a webinar. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.**

[Improve Tracking of Workplace Injuries and Illnesses](#)

Published 5/12/2016

Reference ANSI, ASSE

OSHA is issuing a final rule to revise its Recording and Reporting Occupational Injuries and Illnesses regulation. The final rule requires employers in certain industries to electronically submit to OSHA injury and illness data that employers are already required to keep under existing OSHA regulations. The frequency and content of these establishment-specific submissions is set out in the final rule and is dependent on the size and industry of the employer. OSHA intends to post the data from these submissions on a publicly accessible Web site. OSHA does not intend to post any information on the Web site that could be used to identify individual employees.

The final rule also amends OSHA's recordkeeping regulation to update requirements on how employers inform employees to report work-related injuries and illnesses to their employer. The final rule requires employers to inform employees of their right to report work-related injuries and illnesses free from retaliation; clarifies the existing implicit requirement that an employer's procedure for reporting work-related injuries and illnesses must be reasonable and not deter or discourage employees from reporting; and incorporates the existing statutory prohibition on retaliating against employees for reporting work-related injuries or illnesses. The final rule also amends OSHA's existing recordkeeping regulation to clarify the rights of employees and their representatives to access the injury and illness records. **This final rule becomes effective on January 1, 2017, except for Sec. 1904.35 and 1904.36, which become effective on August 10, 2016. Collections of information: There are collections of information contained in this final rule (see Section XI, Office of Management and Budget Review Under the Paperwork Reduction Act of 1995). Notwithstanding the general date of applicability that applies to all other requirements contained in the final rule, affected parties do not have to comply with the collections of information until the Department of Labor publishes a separate document in the Federal Register announcing that the Office of Management and Budget has approved them under the Paperwork Reduction Act.**

[Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities](#)

Published 5/9/2016

Reference ANSI, IEC, ISO

The Department of Justice (Department) is considering revising the regulation implementing title II of the Americans with Disabilities Act (ADA or Act) in order to establish specific technical requirements to make accessible the services, programs,

or activities State and local governments offer to the public via the Web. In 2010, the Department issued an Advance Notice of Proposed Rulemaking (2010 ANPRM) titled Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities and Public Accommodations. The purpose of this Supplemental Advance Notice of Proposed Rulemaking (SANPRM) is to solicit additional public comment specifically regarding the regulation implementing title II, which applies to State and local government entities. Specifically, the Department is issuing this SANPRM in order to solicit public comment on various issues relating to the potential application of such technical requirements to the Web sites of title II entities and to obtain information for preparing a regulatory impact analysis. **The Department invites written comments from members of the public. Written comments must be postmarked and electronic comments must be submitted on or before August 8, 2016.**

[GE Hitachi Nuclear Energy; Vallecitos Nuclear Center, Partial Site Release](#)

Published 5/12/2016

Reference ANSI

The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment and finding of no significant impact regarding a partial site release for license Nos. DPR-1 (Vallecitos Boiling Water Reactor), R-33 (GE-Hitachi Nuclear Test Reactor), and DR-10 (Empire State Atomic Development Agency Vallecitos Experimental Superheat Reactor), issued to GE Hitachi Nuclear Energy at the Vallecitos Nuclear Center in Sunol, California. **The environmental assessment and finding of no significant impact set forth in this document is available on May 12, 2016.**

[Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations](#)

Published 5/10/2016

Reference ASME, IEEE, NFPA

Pursuant to Section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from April 12 to April 25, 2016. The last biweekly notice was published on April 26, 2016 (81 FR 24659). **Comments must be filed by June 9, 2016. A request for a hearing must be filed by July 11, 2016.**

[Accreditation and Approval of Quality Custom Inspections and Laboratories, LLC, as a Commercial Gauger and Laboratory](#)

Published 5/10/2016

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that Quality Custom Inspections and Laboratories, LLC, has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes for the next three years as of October 20, 2015.

[Welded Stainless Pressure Pipe From India: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination](#)

Published 5/10/2016

Reference ASTM

The Department of Commerce ("Department") preliminarily determines that Welded Stainless Pressure Pipe from India ("WSPP") is being, or is likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733(b) of the Tariff Act of 1930, as amended ("the Act"). The period of investigation ("POI") is July 1, 2014, through June 30, 2015. The estimated weighted-average dumping margins of sales at LTFV are shown in the "Preliminary Determination" section of this notice. Interested parties are invited to comment on this preliminary determination.

[Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory](#)

Published 5/10/2016

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes for the next three years as of June 24, 2015.

[Accreditation and Approval of Saybolt LP as a Commercial Gauger and Laboratory](#)

Published 5/12/2016

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that Saybolt LP has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of January 22, 2016. **The accreditation and approval of Saybolt LP as commercial gauger and laboratory became effective on January 22, 2016. The next triennial inspection date will be scheduled for January 2019.**

[Accreditation and Approval of AmSpec Services, LLC, as a Commercial Gauger and Laboratory](#)

Published 5/12/2016

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that AmSpec Services, LLC, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of August 26, 2015. **The accreditation and approval of AmSpec Services, LLC, as commercial gauger and laboratory became effective on August 26, 2015. The next triennial inspection date will be scheduled for August 2018.**

[Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Oregon Spotted Frog](#)

Published 5/11/2016

Reference IEC

We, the U.S. Fish and Wildlife Service (Service), designate critical habitat for the Oregon spotted frog (*Rana pretiosa*) under the Endangered Species Act. In total, approximately 65,038 acres (26,320 hectares) and 20.3 river miles (32.7 river kilometers) in Whatcom, Skagit, Thurston, Skamania, and Klickitat Counties in Washington, and Wasco, Deschutes, Klamath, Lane, and Jackson Counties in Oregon, fall within the boundaries of the critical habitat designation. The effect of this regulation is to designate critical habitat for the Oregon spotted frog under the Endangered Species Act. **This rule becomes effective on June 10, 2016.**

[Hazardous Materials: Actions on Special Permit Applications](#)

Published 5/12/2016

Reference ISO

In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given of the actions on special permits applications in (October to October 2014). The mode of transportation involved are identified by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Special Permits. It should be noted that some of the sections cited were those in effect at the time certain special permits were issued.

[Agency Information Collection Extension](#)

Published 5/10/2016

Reference ISO

The EIA has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three-year extension with changes for Form FE-746R, "Natural Gas Imports and Exports," OMB Control Number 1901-0294. The proposed collection will support DOE's Office of Fossil Energy (FE) in the collection of critical information on U.S. natural gas trade. Data collected include name of importer/exporter; country of origin/destination; international point of entry/exit; name of supplier; volume; price; transporters; U.S. geographic market(s) served; and duration of supply contract on a monthly basis. The data, published in Natural Gas Imports and Exports, are used to monitor North American gas trade, and to support various market and regulatory analyses done by FE. **Comments regarding this proposed information collection must be received on or before June 9, 2016. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at 202-395-4718.**
