

## U.S. Federal Register Update: May 16 – 20, 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: Test Procedure for Uninterruptible Power Supplies](#)

Published 5/19/2016

Reference ANSI, IEC, NEMA

The U.S. Department of Energy (DOE) is proposing to revise its battery charger test procedure established under the Energy Policy and Conservation Act of 1975, as amended. These proposed revisions, if adopted, will add a discrete test procedure for uninterruptible power supplies (UPSs) to the current battery charger test procedure. **DOE will hold a public meeting on Thursday, June 9, 2016, from 9:30 a.m. to 12:30 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.**

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### [Energy Conservation Program: Test Procedure for Battery Chargers](#)

Published 5/20/2016

Reference ANSI, IEC, NEMA

On August 6, 2015, the U.S. Department of Energy ("DOE") issued a notice of proposed rulemaking ("NOPR") to amend the test procedure for battery chargers. This final rule is based on that NOPR. The final rule amends the current test procedure, incorporating changes that will take effect 30 days after the final rule publication date. These changes will be mandatory for product testing to demonstrate compliance with any future energy conservation standards that DOE may adopt and for any representations made regarding the energy consumption or energy efficiency of battery chargers starting 180 days after publication of this rule. In summary, these changes update the battery selection criteria for multi-voltage, multi-capacity battery chargers, harmonize the instrumentation resolution and uncertainty requirements with the second edition of the International Electrotechnical Commission ("IEC") 62301 standard for measuring standby power, define and exclude back-up battery chargers from the testing requirements of this rulemaking, outline provisions for conditioning lead acid batteries, specify sampling and certification requirements for compliance with future energy conservation standards, and correct typographical errors in the current test procedure. **The effective date of this rule is June 20, 2016. The final rule changes will be mandatory for representations made starting November 16, 2016. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register as of June 20, 2016.**

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### [Energy Conservation Program: Exempt External Power Supplies Under the EPS Service Parts Act of 2014](#)

Published 5/16/2016

Reference AHAM

On November 18, 2015, the U.S. Department of Energy ("DOE") issued a notice of proposed rulemaking to exempt certain types of external power supplies consistent with the EPS Service Parts Act of 2014. That proposal, which serves as the basis for this final rule, explained that the Act exempted certain EPSs made available by a manufacturer as a service or spare part from the energy conservation standards promulgated in a February 2014 final rule. The proposal sought to codify this exemption and certain related reporting requirements. This rule adopts the November 2015 proposal along with related provisions to require manufacturers to annually report the total units of exempt EPSs shipped as service and spare parts that fail to meet the appropriate energy conservation standards. **The effective date of this rule is June 15, 2016.**

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### [American LNG Marketing, LLC; Application for Blanket Authorization To Export Liquefied Natural Gas to Non-Free Trade Agreement Nations on a Short-Term Basis](#)

Published 5/19/2016

Reference ASME, ISO

The Office of Fossil Energy (FE) of the Department of Energy (DOE) gives notice of receipt of an application (Application), filed on March 8, 2016, by American LNG Marketing, LLC (American LNG), requesting blanket authorization to export liquefied natural gas (LNG) in an amount up to the equivalent of 6.04 billion cubic feet (Bcf) of natural gas on a cumulative basis over a two-year period commencing May 1, 2016. The LNG would be exported from a natural gas liquefaction facility located near Medley, Florida (Hialeah Facility) to any country with the capacity to import LNG in approved ISO IMO7/TVAC-

ASME LNG (ISO) containers on container ships or roll-on/roll-off ocean-going carriers and with which trade is not prohibited by U.S. law or policy.

To date, American LNG has been granted, multi-contract authorizations for 20 year terms under DOE/FE Order Nos. 3601 and 3690 to export LNG in a volume equivalent to 3.02 Bcf per year of natural gas from the Hialeah Facility to any country with which the United States has a free trade agreement (FTA) requiring national treatment for trade in natural gas (FTA countries), and to any country with which the United States does not have a FTA requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries). The volumes authorized for export in Order Nos. 3601 and 3690 are not additive.

American LNG states that, in anticipation of the start of liquefaction operations at the Hialeah Facility, it requests this blanket authorization to engage in short-term exports of LNG produced if and when appropriate market opportunities arise. According to American LNG, the requested volume is not additive to the volume authorized in DOE/FE Order 3601 and 3690. American LNG seeks to export this LNG on its own behalf and as agent for other parties who will hold title to the LNG at the time of export. The Application was filed under section 3 of the Natural Gas Act (NGA). Additional details can be found in American LNG's Application, posted on the DOE/FE Web site at: <http://energy.gov/sites/prod/files/2016/04/f30/16-33-LNG.pdf>.

Protests, motions to intervene, notices of intervention, and written comments are invited. **Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures, and written comments are to be filed using procedures detailed in the Public Comment Procedures section no later than 4:30 p.m., Eastern time, June 20, 2016.**

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#### [Medical Devices; Availability of Safety and Effectiveness Summaries for Premarket Approval Applications](#)

**Published** 5/10/2016

**Reference** ASME

The Food and Drug Administration (FDA) is publishing a list of premarket approval applications (PMAs) that have been approved. This list is intended to inform the public of the availability of safety and effectiveness summaries of approved PMAs through the Internet and the Agency's Division of Dockets Management.

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#### [Technical Amendments to Performance Specification 18 and Procedure 6](#)

**Published** 5/19/2016

**Reference** ASME

The Environmental Protection Agency (EPA) is taking direct final action to make several minor technical amendments to the performance specifications and test procedures for hydrogen chloride (HCl) continuous emission monitoring systems (CEMS). This direct final rule also makes several minor amendments to the quality assurance (QA) procedures for HCl CEMS used for compliance determination at stationary sources. The performance specification (Performance Specification 18) and the QA procedures (Procedure 6) were published in the Federal Register on July 7, 2015. These amendments make several minor corrections and clarify several aspects of these regulations. **This rule is effective on August 17, 2016 without further notice, unless the EPA receives adverse comment by July 5, 2016. If the EPA receives adverse comment, we will publish a timely withdrawal in the Federal Register informing the public that the rule will not take effect.**

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#### [Energy Conservation Program: Energy Conservation Standards for Compressors](#)

**Published** 5/19/2016

**Reference** ASME, ISO

The Energy Policy and Conservation Act of 1975 (EPCA), as amended, prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment. EPCA also authorizes DOE to establish standards for certain other types of industrial equipment, including compressors. Such standards must be technologically feasible and economically justified, and must save a significant amount of energy. In this document, DOE proposes energy conservation standards for compressors and announces a public meeting to receive comment on the proposed standards and associated analyses and results. **DOE will hold a public meeting on Monday, June 20, 2016 from 1:00 p.m. to 5:00 p.m. in Washington, DC. The test procedure portion will be held in the morning. The meeting will also be broadcast as a webinar. See section VIII, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.**

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## [Vogtle Electric Generating Station, Units 3 and 4; Southern Nuclear Operating Company, Main Control Room Emergency Habitability System \(VES\) Design Changes](#)

**Published** 5/18/2016

**Reference** ASME

The U.S. Nuclear Regulatory Commission (NRC) is granting an exemption to allow a departure from the certification information of Tier 1 of the generic design control document (DCD) and is issuing License Amendment No. 48 to Combined Licenses (COLs), NPF-91 and NPF-92. The COLs were issued to Southern Nuclear Operating Company, Inc. (SNC); Georgia Power Company; Oglethorpe Power Corporation; MEAG Power SPVM, LLC; MEAG Power SPVJ, LLC; MEAG Power SPVP, LLC; Authority of Georgia; and the City of Dalton, Georgia (together "the licensee") for construction and operation of the Vogtle Electric Generating Plant (VEGP) Units 3 and 4, located in Burke County, Georgia.

The granting of the exemption allows the changes to Tier 1 information asked for in the amendment. Because the acceptability of the exemption was determined in part by the acceptability of the amendment, the exemption and amendment are being issued concurrently. **Exemption and combined license amendment; issuance.**

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## [Significant New Use Rules on Certain Chemical Substances](#)

**Published** 5/16/2016

**Reference** ASTM

EPA is promulgating significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for 55 chemical substances which were the subject of premanufacture notices (PMNs). Ten of these chemical substances are subject to TSCA section 5(e) consent orders issued by EPA. This action requires persons who intend to manufacture (defined by statute to include import) or process any of these 55 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 July 15, 2016. For purposes of judicial review, this rule shall be promulgated at 1 p.m. (e.s.t.) on May 31, 2016.**

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## [Notice of Issuance of Final Determination Concerning Certain Intermodal Containers](#)

**Published** 5/20/2016

**Reference** ISO

This document provides notice that U.S. Customs and Border Protection ("CBP") has issued a final determination concerning the country of origin of a twenty foot long intermodal container. Based upon the facts presented, CBP has concluded that the country of origin of the intermodal container is the Republic of Korea for purposes of U.S. Government procurement. **The final determination was issued on May 13, 2016. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within June 20, 2016.**

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## [Joint Industry Plan; Notice of Filing of the National Market System Plan Governing the Consolidated Audit Trail](#)

**Published** 5/17/2016

**Reference** ISO

Pursuant to Section 11A of the Securities Exchange Act of 1934 (the "Act") 1 and Rule 608 thereunder,2 notice is hereby given that on February 27, 2015, BATS Exchange, Inc., BATS-Y Exchange, Inc., BOX Options Exchange LLC, C2 Options Exchange, Incorporated, Chicago Board Options Exchange, Incorporated, Chicago Stock Exchange, Inc., EDGA Exchange, Inc., EDGX Exchange, Inc., Financial Industry Regulatory Authority, Inc., International Securities Exchange, LLC, ISE Gemini, LLC, Miami International Securities Exchange LLC, NASDAQ OMX BX, Inc., NASDAQ OMX PHLX LLC, The NASDAQ Stock Market LLC, National Stock Exchange, Inc., New York Stock Exchange LLC, NYSE MKT LLC, and NYSE Arca, Inc. (collectively, "SROs" or "Participants"), filed with the Securities and Exchange Commission (the "Commission" or "SEC") a National Market System Plan Governing the Consolidated Audit Trail (the "CAT NMS Plan" or "Plan"). [3] On December 24, 2015, the SROs submitted an Amendment to the CAT NMS Plan. [4] A copy of the CAT NMS Plan, as modified by the Amendment, is attached as Exhibit A hereto. The Commission is publishing this Notice to solicit comments on the CAT NMS Plan. The Commission also is publishing notice of, and soliciting comment on, an analysis of the potential economic effects of implementing the CAT NMS Plan, as set forth in Section IV of this Notice, and the collection of information requirements in the CAT NMS Plan as required by the Paperwork Reduction Act, as set forth in Section V of this Notice.

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[Nemko-CCL, Inc.: Applications for Expansion of Recognition](#)

Published 5/17/2016

Reference UL

In this notice, OSHA announces the applications of Nemko-CCL, Inc. for expansion of its scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the Agency's preliminary finding to grant the applications. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before June 1, 2016.**

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