

## U.S. Federal Register Update: June 6 – June 10, 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 Procedures for Central Air Conditioners and Heat Pumps](#)

**Published** 6/3/2016

**Reference** ANSI, ASHRAE, AMCA, AHRI, ISO, IEC

On November 9, 2015, the U.S. Department of Energy (DOE) issued a supplemental notice of proposed rulemaking (SNOPR) to amend the test procedure for central air conditioners and heat pumps. That proposed rulemaking serves as the basis for the final rule. The final rule, in addition to satisfying the agency's obligation to periodically review its test procedures for covered equipment, amends specific certification, compliance, and enforcement provisions related to this product. In the final rule DOE makes the following amendments to the current test procedure: a new basic model definition as it pertains to central air conditioners and heat pumps and revised requirements for represented values; revised alternative efficiency determination methods; termination of active waivers and interim waivers; procedures to determine off mode power consumption; changes to the test procedure that would improve test repeatability and reduce test burden; and clarifications to ambiguous sections of the test procedure intended also to improve test repeatability and reproducibility. Some of these amendments also include incorporation by reference of updated industry standards. **The effective date of this rule is July 8, 2016.**

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### [Railroad Workplace Safety; Roadway Worker Protection Miscellaneous Revisions \(RRR\)](#)

**Published** 6/10/2016

**Reference** ANSI, ISEA, NIST

FRA is amending its Roadway Worker Protection (RWP) regulation to resolve interpretative issues that have arisen since the 1996 promulgation of that rule. In particular, this final rule adopts certain terms, resolves miscellaneous interpretive issues, codifies certain FRA Technical Bulletins, adopts new requirements governing redundant signal protections and the movement of roadway maintenance machinery over signalized non-controlled track, and amends certain qualification requirements for roadway workers. This final rule also deletes three outdated incorporations by reference of industry standards in FRA's Bridge Worker Safety Standards, and cross references the Occupational Safety and Health Administration's (OSHA) regulations on the same point. **This final rule is effective April 1, 2017.**

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### [Notice of Petition for Waiver of Thermal Solutions Products, LLC From the Department of Energy Commercial Water Heater Test Procedure](#)

**Published** 6/6/2016

**Reference** ANSI, CSA, IAPMO

This notice announces receipt of and publishes a petition for waiver from Thermal Solutions Products, LLC (Thermal Solutions) seeking an exemption from specified provisions applicable to standby loss of the U.S. Department of Energy (DOE) test procedure for commercial water heating equipment. The waiver request pertains to Thermal Solutions' specified models of commercial instantaneous water heaters containing 10 gallons or more of water. In its petition, Thermal Solutions contends that its specified water heater models that employ tube-type heat exchangers and are designed to be flow activated cannot be accurately tested using the currently applicable DOE test procedure. Consequently, Thermal Solutions seeks to use an alternate test procedure to address certain issues involved in testing the specific basic models identified in its petition. DOE solicits comments, data, and information concerning Thermal Solutions' petition and its suggested alternate test procedure. **DOE will accept comments, data, and information with respect to the Thermal Solutions Petition until July 6, 2016.**

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### [Circular Welded Carbon-Quality Steel Pipe From Pakistan \[plus see similar records re. Oman, UAE, Vietnam\]: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination and Extension of Provisional Measures](#)

**Published** 6/8/2016

**Reference** ANSI, ASTM, UL

The U.S. Department of Commerce (the Department) preliminarily determines that circular welded carbon-quality steel pipe (circular welded pipe) from Pakistan 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 is October 1, 2014, through September 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. **Effective: June 8, 2016.**

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### Semiannual Regulatory Agenda

**Published** 6/9/2016

**Reference** ANSI, ASTM,

In this document, the Commission publishes its semiannual regulatory flexibility agenda. In addition, this document includes an agenda of regulatory actions that the Commission expects to be under development or review by the agency 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. **Comments should be received in the Office of the Secretary on or before July 1, 2016.**

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### Chronic Beryllium Disease Prevention Program

**Published** 6/7/2016

**Reference** ANSI

The Department of Energy (DOE or the Department) is proposing to amend its current chronic beryllium disease prevention program regulation. The proposed amendments would improve and strengthen the current provisions and continue to be applicable to DOE Federal and contractor employees who are, were, or potentially were exposed to beryllium at DOE sites. **Comments must be received on or before July 11, 2016. EPA will announce the public hearing date and location for this proposal in a supplemental Federal Register document. The comment period for this proposed rule will end on September 6, 2016. Public hearings will be held on:**

1. June 28-30, 2016, in Richland, WA, from 9 a.m. to 1 p.m. and 6 p.m. to 9 p.m.;
2. July 12-14, 2016, in Oak Ridge, TN, from 9 a.m. to 1 p.m. and 6 p.m. to 9 p.m.;
3. July 27-28, 2016, in Las Vegas, NV, from 9 a.m. to 1 p.m. and 5 p.m. to 8 p.m.; and
4. August 11, 2016, in Washington, DC, from 9 a.m. to 4 p.m.

**Requests to speak at any of the hearings should be made by June 24, 2016, for the Richland, WA hearing; July 8, 2016, for the Oak Ridge, TN hearing; July 25, 2016, for the Las Vegas, NV; and August 10, 2016, for the Washington, DC hearing. Each presentation is limited to 10 minutes.**

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### Oil and Gas and Sulphur Operations in the Outer Continental Shelf-Technical Corrections

**Published** 6/6/2016

**Reference** ANSI, ASME, ASTM, ISO

This rule makes minor edits, changes, and updates to BSEE regulations. These changes include, but are not limited to: correcting all current Office of Management and Budget (OMB) control numbers from "1010" to "1014"; adding two new control numbers to regulations as required by the Paperwork Reduction Act (PRA); changing the BSEE address from "Herndon, VA" to "Sterling, VA"; changing "shall" to "will" or "must" and changing "which" to "that"; and revising other language where necessary for improved clarity. **This rule becomes effective on July 28, 2016.**

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### Revisions to Safety Standard for Carriages and Strollers

**Published** 6/9/2016

**Reference** ASTM

In accordance with section 104(b) of the Consumer Product Safety Improvement Act of 2008 ("CPSIA"), also known as the Danny Keysar Child Product Safety Notification Act, the U.S. Consumer Product Safety Commission ("Commission" or "CPSC") has published consumer product safety standards for numerous durable infant or toddler products, including a safety standard for carriages and strollers. The standard incorporated by reference the ASTM voluntary standard for carriages and strollers, with a modification. In August 2011, Congress enacted a public law, which sets forth a process for updating standards that the Commission has issued under the authority of section 104(b) of the CPSIA. In accordance with that process, we are publishing this direct final rule, revising the CPSC's standard for carriages and strollers to incorporate by reference a more recent version of the applicable ASTM standard. **The rule is effective on October 2, 2016, unless we receive significant adverse comment by July 11, 2016.**

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### Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band

**Published** 6/7/2016

## Reference ASTM

This document invites interested parties to update and refresh the record on the status of potential sharing solutions between proposed Unlicensed National Information Infrastructure (U-NII) devices and Dedicated Short Range Communications (DSRC) operations in the 5.850-5.925 GHz (U-NII-4) band. The Commission also solicits the submittal of prototype unlicensed interference-avoiding devices for testing, and seeks comment on a proposed FCC test plan to evaluate electromagnetic compatibility of unlicensed devices and DSRC. The collection of relevant empirical data will assist the FCC, the Department of Transportation, and the National Telecommunications and Information Administration in their ongoing collaboration to analyze and quantify the interference potential introduced to DSRC receivers from unlicensed transmitters operating simultaneously in the 5.850-5.925 GHz band. **Comments are due on or before July 7, 2016, and reply comments are due on or before July 22, 2016.**

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

**Published** 6/7/2016

**Reference** ASME, 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 May 10, 2016, to May 23, 2016. The last biweekly notice was published on May 24, 2016 (81 FR 32800). **The rule is effective on October 2, 2016, unless we receive significant adverse comment by July 11, 2016.**

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## [Unified Agenda of Federal Regulatory and Deregulatory Actions-Spring 2016](#)

**Published** 6/9/2016

**Reference** ISO, IEC, UL

Twice a year, in spring and fall, the Commission publishes in the Federal Register a list in the Unified Agenda of those major items and other significant proceedings under development or review that pertain to the Regulatory Flexibility Act. (U.S.C. 602). The Unified Agenda also provides the Code of Federal Regulations citations and legal authorities that govern these proceedings. The complete Unified Agenda will be published on the Internet in a searchable format at [www.reginfo.gov](http://www.reginfo.gov).

**The rule is effective on October 2, 2016, unless we receive significant adverse comment by July 11, 2016.**

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## [Regulatory Agenda - HHS](#)

**Published** 6/9/2016

**Reference** ISO, IEC

The Regulatory Flexibility Act of 1980 and Executive Order (EO) 12866 require the semiannual issuance of an inventory of rulemaking actions under development throughout the Department, offering for public review summarized information about forthcoming regulatory actions.

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## [Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information](#)

**Published** 6/7/2016

**Reference** NFPA

The U.S. Nuclear Regulatory Commission (NRC) received and is considering approval of five amendment requests. The amendment requests are for Palisades Nuclear Plant (PNP); Donald C. Cook Nuclear Plant, Units 1 and 2; Fort Calhoun Station, Unit No. 1; Diablo Canyon Nuclear Power Plant, Units 1 and 2; and Hope Creek Generating Station. For each amendment request, the NRC proposes to determine that they involve no significant hazards consideration. In addition, each amendment request contains sensitive unclassified non-safeguards information (SUNSI). **Comments must be filed by July 7, 2016. A request for a hearing must be filed by August 8, 2016.**

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