

## U.S. Federal Register Update: August 22 – 26, 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 Cooking Products](#)

Published 8/22/2016

Reference ANSI, AHAM, ASTM, IEC

On December 3, 2014, the U.S. Department of Energy (DOE) issued a supplemental notice of proposed rulemaking (SNOPR) to revise its test procedures for cooking products. As part of the December 2014 test procedure SNOPR, DOE proposed a change to the test equipment that would allow for measuring the energy efficiency of induction cooking tops. DOE also proposed methods to test non-circular electric surface units, electric surface units with flexible concentric cooking zones, full-surface induction cooking tops, and gas burners with high input rates. In this SNOPR, to address issues raised by interested parties regarding the ability of the previous cooking top proposals to adequately measure energy use during a representative average use cycle, DOE proposes to amend its test procedure for all conventional electric cooking tops to incorporate by reference the relevant selections from European standard EN 60350-2:2013 "Household electric cooking appliances Part 2: Hobs—Methods for measuring performance" (EN 60350-2:2013). DOE also revises its proposals for testing non-circular electric surface units, electric surface units with flexible concentric cooking zones, and full-surface induction cooking tops based on EN 60350-2:2013. Furthermore, DOE proposes to extend the test methods in EN 60350-2:2013 to measure the energy consumption of gas cooking tops by correlating test equipment diameter to burner input rate, including input rates that exceed 14,000 British thermal units per hour (Btu/h). DOE also proposes to modify the calculations of conventional cooking top annual energy consumption and integrated annual energy consumption to account for the proposed water-heating test method. DOE proposes to incorporate by reference test structures from American National Standards Institute (ANSI) Z21.1-2016 "Household cooking gas appliances" to standardize the installation conditions under which cooking tops are tested. DOE also proposes minor technical clarifications to the gas heating value correction and other grammatical changes to the regulatory text in appendix I that do not alter the substance of the existing test methods. With regard to conventional ovens, DOE proposes to repeal the regulatory provisions establishing the test procedure for conventional ovens under the Energy Policy and Conservation Act (EPCA). DOE has determined that the conventional oven test procedure may not accurately represent consumer use as it favors conventional ovens with low thermal mass and does not capture cooking performance-related benefits due to increased thermal mass of the oven cavity. **DOE will accept comments, data, and information regarding this SNOPR no later than September 21, 2016. See section V, "Public Participation," for details.**

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### [Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps](#)

Published 8/24/2016

Reference ANSI, ASHRAE

The U.S. Department of Energy (DOE) proposes to revise its test procedures for central air conditioners and heat pumps (CAC/HP) established under the Energy Policy and Conservation Act. DOE published several proposals in a November 2015 supplemental notice of proposed rulemaking (SNOPR). DOE finalized some of the proposed test procedure amendments in a June 2016 final rule. This SNOPR proposes additional revisions to some of the amendments proposed in the past notices and proposes some additional amendments. Specifically, this SNOPR proposes two sets of amendments to the test procedure: Amendments to appendix M that would be required as the basis for making efficiency representations starting 180 days after final rule publication; and amendments as part of a new appendix M1 that would be the basis for making efficiency representations as of the compliance date for any amended energy conservation standards. Broadly speaking, the proposed amendments address the off-mode test procedures, clarifications on test set-up and fan delays, limits to gross indoor fin surface area for valid combinations, external static pressure conditions for testing, clarifications on represented values for CAC/HP that are distributed in commerce with multiple refrigerants, and the methodology for testing and calculating heating performance. DOE does not expect the proposed changes to appendix M to change measured efficiency. However, DOE has determined that the proposed procedures in new appendix M1 would change measured efficiency. DOE welcomes comments from the public on any subject within the scope of this test procedure rulemaking. **DOE will accept comments, data, and information regarding this supplemental notice of proposed rulemaking (SNOPR) no later than September 23, 2016. See section V, "Public Participation," for details.**

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[Notice of a Federal Advisory Committee Manufactured Housing Consensus Committee Technical Systems Subcommittee Teleconference](#)

**Published** 8/23/2016

**Reference** ANSI, CSA, NFPA

This notice sets forth the schedule and proposed agenda for a teleconference meeting of the MHCC, Technical Systems Subcommittee. The teleconference meeting is open to the public. The agenda provides an opportunity for citizens to comment on the business before the MHCC. **The teleconference meeting will be held on September 27, 2016, from 1:00 p.m. to 4:00 p.m. Eastern Daylight Time (EDT). The teleconference numbers are: US toll-free: 1-866-622-8461, Participant Code: 4325434. Webinar: <https://zoom.us/j/929792358>; Meeting ID: 929- 792-358.**

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[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Site Characterization Surveys off the Coast of Massachusetts](#)

**Published** 8/22/2016

**Reference** ANSI

In accordance with regulations implementing the Marine Mammal Protection Act (MMPA), notification is hereby given that NMFS has issued an Incidental Harassment Authorization (IHA) to Bay State Wind LLC (Bay State Wind) to take marine mammals, by harassment, incidental to high-resolution geophysical (HRG) and geotechnical survey investigations associated with marine site characterization activities off the coast of Massachusetts in the area of the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0500) (the Lease Area). **Effective August 13, 2016, through August 12, 2017.**

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[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Maintenance, Repair, and Decommissioning of a Liquefied Natural Gas Facility off Massachusetts](#)

**Published** 8/25/2016

**Reference** ANSI

NMFS has received an application from Neptune LNG LLC (Neptune) for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to maintenance, repair, and decommissioning activities at its liquefied natural gas (LNG) deepwater port (Port) off the coast of Massachusetts. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to Neptune to take, by Level B harassment only, fourteen species of marine mammals during the specified activity. **Comments and information must be received no later than September 26, 2016.**

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[Energy Conservation Program: Notice of Partial Grant and Partial Denial of Petitions To Amend the Error Correction Rule](#)

**Published** 8/24/2016

**Reference** AHAM

The U.S. Department of Energy ("DOE") is granting in part and denying in part a series of petitions to amend a recently published rule that established a procedure through which a party can, within a prescribed period after DOE posts a rule establishing or amending an energy conservation standard, identify a possible error in such a rule and request that DOE correct the error before the rule is published in the Federal Register ("error correction rule"). DOE also provided an opportunity for the public to comment on these petitions. This document responds to both the petitions and related comments that were submitted and received in accordance with the timelines established in a prior Federal Register notice inviting such petitions and comments. **This partial grant and partial denial is effective September 23, 2016.**

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[Certain Biaxial Integral Geogrid Products From the People's Republic of China: Affirmative Preliminary Determination of Sales at Less Than Fair Value, Affirmative Determination of Critical Circumstances, in Part, and Postponement of Final Determination](#)

**Published** 8/22/2016

**Reference** ASTM

The Department of Commerce ("Department") preliminarily determines that certain biaxial integral geogrid products ("geogrids") from the People's Republic of China ("PRC") are being, or are likely to be, sold in the United States at less than fair value ("LTFV"). The period of investigation ("POI") is July 1, 2015, through December 31, 2015. The estimated weighted-average dumping margins are shown in the "Preliminary Determination" section of this notice. Interested parties are invited to comment on this preliminary determination. **Effective August 22, 2016.**

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### [Good Laboratory Practice for Nonclinical Laboratory Studies](#)

Published 8/24/2016

#### Reference ISO

The Food and Drug Administration (FDA) is proposing to amend the regulations for good laboratory practice (GLP) for nonclinical laboratory studies to require a complete quality system approach, referred to as a GLP Quality System, when safety and toxicity studies support or are intended to support applications or submissions for products regulated by FDA. We are proposing additional management responsibilities and standard operating procedures (SOPs) consistent with the proposed requirement for a GLP Quality System. We also propose to revise the testing facility definition to reflect current practices for the conduct of nonclinical laboratory studies, particularly multisite studies. These proposals are intended to build quality into planning, conducting, and reporting a nonclinical laboratory study and to help ensure data quality and integrity. **Submit either electronic or written comments on the proposed rule by November 22, 2016. Submit comments on information collection issues under the Paperwork Reduction Act of 1995 by September 23, 2016 see section IX). See section VII for the proposed effective date of a final rule based on this proposed rule.**

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### [Guidance for Executive Order 13673, "Fair Pay and Safe Workplaces"](#)

Published 8/25/2016

#### Reference ISO

The Department of Labor (the Department) is publishing final guidance (the Guidance) to assist the Federal Acquisition Regulatory Council (the FAR Council) and Federal contracting agencies in the implementation of Executive Order 13673, Fair Pay and Safe Workplaces. Executive Order 13673 (the Order) contains new requirements designed to increase efficiency and cost savings in the Federal contracting process. By law, Federal agencies already must contract only with "responsible" sources. Among other directives, the Order provides explicit new instructions for Federal contracting officers to consider a contractor's compliance with certain Federal and State labor laws as a part of the determination of contractor "responsibility" that contracting officers presently must undertake before awarding a Federal contract. In addition, the Order directs the FAR Council to propose the rules and regulations necessary to carry out the Order and the Department to develop guidance to help implement the new requirements. In this final Guidance, the Department provides detailed definitions for various terms used in the Order and the FAR rule to categorize and classify labor law violations, and the Department provides a summary of the processes through which contracting agencies will assess a contractor's overall record of labor law compliance and carry out their other duties under the Order. **This final Guidance is being published simultaneously with the FAR Council's final rule. The final FAR rule is published elsewhere in this issue of the Federal Register and is effective on October 25, 2016. Contractors and Federal agencies may use this Guidance beginning August 25, 2016.**

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### [Federal Acquisition Regulation; Fair Pay and Safe Workplaces](#)

Published 8/25/2016

#### Reference ISO

DoD, GSA, and NASA are issuing a final rule amending the Federal Acquisition Regulation (FAR) to implement Executive Order 13673, Fair Pay and Safe Workplaces, which is designed to increase efficiency and cost savings in Federal contracting by improving contractor compliance with labor laws. The Department of Labor is simultaneously issuing final Guidance to assist Federal agencies in implementation of the Executive Order in conjunction with the FAR final rule. **Effective October 25, 2016.**

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### [Orders Granting Authority To Import and Export Natural Gas, and To Export Liquefied Natural Gas, During July 2016](#)

Published 8/22/2016

#### Reference ISO

The Office of Fossil Energy (FE) of the Department of Energy gives notice that during July 2016, it issued orders granting authority to import and export natural gas, and to export liquefied natural gas (LNG). These orders are summarized in the attached appendix and may be found on the FE Web site at <http://energy.gov/fe/listing-doe-fe-authorizations-orders-issued-2016>.

They are also available for inspection and copying in the U.S. Department of Energy (FE-34), Division of Natural Gas Regulation, Office of Regulation and International Engagement, Office of Fossil Energy, Docket Room 3E-033, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9478. The Docket Room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

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[Proposed Information Collection \(Veterans Affairs Acquisition Regulation \(VAAR\) Clause 852.211-72, Technical Industry Standards\); Activity: Comment Request](#)

**Published** 8/25/2016

**Reference** UL

In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3521), this notice announces that the Office of Acquisition and Logistics (OAL), Department of Veterans Affairs (VA), will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument. **Comments must be submitted on or before September 26, 2016.**

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