

U.S. Federal Register Update: September 12 – September 16, 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?*

[Discontinuing the Metallic Handcuffs Compliance Testing Program and Request for Public Comment on Draft Minimum Scheme Requirements to Certify Criminal Justice Restraints Described in NIJ Standard 1001.00](#)

Published 9/14/2016

Reference ANSI, IEC, ISO

The National Institute of Justice (NIJ) announces that it is discontinuing the metallic handcuffs Compliance Testing Program (CTP). The program is closed to new submissions effective upon publication of this notice. The metallic handcuffs Compliant Products List (CPL) will remain published for an additional year until September 14, 2017, after which time it will be taken down. In place of the CTP, NIJ has been working with conformity assessment bodies to develop acceptable criteria by which NIJ would recognize a product certification scheme operated by a certification body in the private sector. NIJ seeks feedback from the public on draft minimum requirements that a product certification scheme must contain for the certification of restraints described in NIJ Standard 1001.00, Criminal Justice Restraints Standard. The draft minimum scheme requirements are found in the Supplementary Information below, as well as in the document found here: <http://www.nij.gov/restraints>. NIJ anticipates recognizing certification programs that meet or exceed the minimum scheme requirements. NIJ also anticipates provisionally recognizing the certification program established by the Safety Equipment Institute (SEI), which is accredited by the American National Standards Institute (ANSI) to ISO/IEC 17065 Conformity assessment—Requirements for bodies certifying products, processes and services. SEI added NIJ Standard 1001.00 to the scope of its accreditation, with an effective date of October 7, 2015 valid through June 1, 2017. Further guidance on recognition of this certification program or others will be published in the Federal Register at a future date, to be determined. NIJ Standard 1001.00, Criminal Justice Restraints Standard, was published in the Federal Register on November 19, 2014, and may be found here: <https://federalregister.gov/a/2014-27367>. **Comments must be received by 5 p.m. Eastern Time on October 14, 2016.**

[Underwriters Laboratories, Inc.: Application for Expansion of Recognition](#)

Published 9/14/2016

Reference ANSI, UL

In this notice, OSHA announces the application of Underwriters Laboratories, Inc., for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the Agency's preliminary finding to grant the application. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before September 29, 2016.**

[Energy Labeling Rule](#)

Published 9/15/2016

Reference AHAM

The Commission issues final amendments to improve access to energy labels online and improve labels for refrigerators, ceiling fans, central air conditioners, and water heaters. The Commission is issuing these amendments to assist consumers in their purchasing decisions and ensure labels are consistent with Department of Energy requirements. **The amendments to 16 CFR 305.3(x), 305.13, and Sample Label 17 of Appendix L are effective on September 17, 2018. All other amendments published in this document are effective on June 12, 2017.**

[Energy Labeling Rule](#)

Published 9/12/2016

Reference AHAM, ASME, CSA, IAPMO, NSF

The Commission proposes amendments to the Energy Labeling Rule to require labels for portable air conditioners, large-diameter and high-speed small diameter ceiling fans, and instantaneous electric water heaters. Additionally, it proposes eliminating certain marking requirements for plumbing products. **Written comments must be received on or before November 14, 2016.**

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

Published 9/13/2016

Reference ASME

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 August 16, 2016, to August 29, 2016. The last biweekly notice was published on August 30, 2016. **Comments must be filed by October 13, 2016. A request for a hearing must be filed by November 14, 2016.**

[Energy Conservation Program: Energy Conservation Standards for Walk-In Cooler and Freezer Refrigeration Systems](#)

Published 9/13/2016

Reference ASME

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, including walk-in coolers and freezers. EPCA also requires the U.S. Department of Energy ("DOE") to periodically determine whether more-stringent, amended standards would be technologically feasible and economically justified, and would save a significant amount of energy. DOE proposes prescribing energy conservation standards for certain categories of walk-in cooler and freezer refrigeration systems and plans to hold a public meeting to receive comment on these proposed standards along with their accompanying analyses.

Meeting: DOE will hold a public meeting on September 29, 2016, from 10 a.m. to 2 p.m., in Washington, DC. The meeting will also be broadcast as a webinar. See section VII, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.

[National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers](#)

Published 9/14/2016

Reference ASME, ASTM, CSA, ISO

This action sets forth the Environmental Protection Agency's (EPA's) final decision on the issues for which it announced reconsideration on January 21, 2015, that pertain to certain aspects of the February 1, 2013, final amendments to the "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" (Area Source Boilers Rule). The EPA is retaining the subcategory and separate requirements for limited-use boilers, consistent with the February 2013 final rule. In addition, the EPA is amending three reconsidered provisions regarding: The alternative particulate matter (PM) standard for new oil-fired boilers; performance testing for PM for certain boilers based on their initial compliance test; and fuel sampling for mercury (Hg) for certain coal-fired boilers based on their initial compliance demonstration, consistent with the alternative provisions for which comment was solicited in the January 2015 proposal. The EPA is making minor changes to the proposed definitions of startup and shutdown based on comments received. This final action also addresses a limited number of technical corrections and clarifications on the rule, including removal of the affirmative defense for malfunction in light of a court decision on the issue. These corrections will clarify and improve the implementation of the February 2013 final Area Source Boilers Rule. In this action, the EPA is also denying the requests for reconsideration with respect to the issues raised in the petitions for reconsideration of the final Area Source Boilers Rule for which reconsideration was not granted. **This final rule is effective on September 14, 2016.**

[Airworthiness Directives; Airbus Airplanes](#)

Published 9/12/2016

Reference ASME

We propose to supersede Airworthiness Directive (AD) 2015-16-02, for all Airbus Model A330 series airplanes. AD 2015-16-02 currently requires revising the maintenance program or inspection program to incorporate certain maintenance requirements and airworthiness limitations. Since we issued AD 2015-16-02, we received a revision of an airworthiness limitations items (ALI) document, which provides new and more restrictive maintenance requirements and airworthiness limitations for airplane structures and systems. This proposed AD would require revising the maintenance or inspection

program to incorporate new maintenance requirements and airworthiness limitations. We are proposing this AD to prevent reduced structural integrity and reduced control of these airplanes due to the failure of system components. **We must receive comments on this proposed AD by October 27, 2016.**

[Service Level I, II, III, and In-Scope License Renewal Protective Coatings Applied to Nuclear Power Plants](#)

Published 9/13/2016

Reference ASTM

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG)-1331, "Service Level I, II, III, and In-Scope License Renewal Protective Coatings Applied to Nuclear Power Plants." This DG is proposed Revision 3 of Regulatory Guide (RG) 1.54, "Service Level I, II, and III Protective Coatings Applied to Nuclear Power Plants." The NRC proposes to revise the guide to update the latest American Society for Standards and Testing (ASTM) International standards approved for use in the prior revision of this guide. In addition, the NRC proposes to expand the scope of the regulatory guide to address aging management of internal coatings and linings on components within the scope of the NRC's license renewal regulations. **Submit comments by November 14, 2016. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.**

[Certain Carbon and Alloy Steel Cut-to-Length Plate From the Republic of Korea: Preliminary Negative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination](#)

Published 9/14/2016

Reference ASTM

The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are not being provided to producers/exporters of certain carbon and alloy steel cut-to-length plate (CTL plate) from the Republic of Korea (Korea). The period of investigation is January 1, 2015, through December 31, 2015. Interested parties are invited to comment on this preliminary determination. **Effective September 14, 2016.**

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

Published 9/16/2016

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 June 14, 2016. **The accreditation and approval of Saybolt LP as commercial gauger and laboratory became effective on June 14, 2016. The next triennial inspection date will be scheduled for June 2019.**

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

Published 9/16/2016

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 February 17, 2016. **The accreditation and approval of AmSpec Services, LLC, as commercial gauger and laboratory became effective on February 17, 2016. The next triennial inspection date will be scheduled for February 2019.**

[Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination](#)

Published 9/13/2016

Reference ASTM

The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are being provided to producers/exporters of certain carbon and alloy steel cut-to-length plate (CTL plate) from the People's Republic of China (PRC). The period of investigation is January 1, 2015, through December 31, 2015. Interested parties are invited to comment on this preliminary determination. **Effective September 13, 2016.**

[Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From the Republic of Turkey: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order](#)

Published 9/13/2016

Reference ASTM

Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (ITC), the Department is issuing a countervailing duty order on heavy walled rectangular welded carbon steel pipes and tubes (HWR pipes and tubes) from the Republic of Turkey (Turkey). Also, as explained in this notice, the Department is amending its final affirmative determination with respect to HWR pipes and tubes from Turkey to correct the rate assigned to MMZ Onur Boru Profil Uretim San Ve Tic. A.S. (MMZ) and the "All-Others" rate. **Effective September 13, 2016.**

[Medicare and Medicaid Programs; Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers and Suppliers](#)

Published 9/16/2016

Reference NFPA

This final rule establishes national emergency preparedness requirements for Medicare- and Medicaid-participating providers and suppliers to plan adequately for both natural and man-made disasters, and coordinate with federal, state, tribal, regional, and local emergency preparedness systems. It will also assist providers and suppliers to adequately prepare to meet the needs of patients, residents, clients, and participants during disasters and emergency situations. Despite some variations, our regulations will provide consistent emergency preparedness requirements, enhance patient safety during emergencies for persons served by Medicare- and Medicaid-participating facilities, and establish a more coordinated and defined response to natural and man-made disasters.

[Special Local Regulations and Safety Zones; Recurring Marine Events and Fireworks Displays Within the Fifth Coast Guard District](#)

Published 9/14/2016

Reference NFPA

The Coast Guard is issuing a final rule that revises the list of special local regulations and safety zones established for recurring marine events and fireworks displays that take place within the Fifth Coast Guard District area of responsibility. This rule revises the listing of events that informs the public of regularly scheduled marine parades, regattas, other organized water events, and fireworks displays that require additional safety measures provided by regulations. Under this rule, the list of recurring marine events requiring special local regulations or safety zones is updated with revisions, additional events, and removal of events that no longer take place in the Fifth Coast Guard District. When these regulations are enforced, certain restrictions are placed on marine traffic in specified areas. This rulemaking project promotes efficiency by eliminating the need to produce a separate rule for each individual recurring event, and serves to provide notice of the known recurring events requiring a special local regulation or safety zone throughout the year. **This rule is effective October 14, 2016.**

[Intertek Testing Services NA, Inc.: Application for Expansion of Recognition and Proposed Modification to the NRTL Program's List of Appropriate Test Standards](#)

Published 9/14/2016

Reference NFPA, UL, Intertek

In this notice, OSHA announces the application of Intertek Testing Services NA, Inc. for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the Agency's preliminary finding to grant the application. Additionally, this notice proposes to add a new recognized testing standard to the NRTL Program's List of Appropriate Test Standards. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before September 29, 2016.**
