

U.S. Federal Register Update: September 19 – September 23, 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: Energy Conservation Standards for Residential Furnaces](#)

Published 9/23/2016

Reference ANSI, ASHRAE, IEC, NFPA, UL

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 residential furnaces. 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. On March 12, 2015, DOE published in the Federal Register a notice of proposed rulemaking (NOPR), in which DOE proposed amendments to the energy conservation standards for residential non-weatherized gas furnaces and mobile home gas furnaces. In response to the NOPR, DOE received comment expressing concern regarding DOE's proposed approach and encouraging the Department to examine establishing a separate product class for small furnaces. In response, DOE published a notice of data availability (NODA) in the Federal Register on September 14, 2015 that contained an analysis of a potential product class for small non-weatherized gas furnaces. In this supplemental notice of rulemaking (SNOPR), DOE responds to comments received on the NOPR and NODA and is making a modified proposal regarding amended energy conservation standards for the subject residential furnaces (including a separate small furnaces product class), which supersedes DOE's earlier proposal, as set forth in the March 12, 2015 NOPR. The notice also requests comment on the SNOPR's proposed standards and associated analyses and results. The SNOPR also proposes clarifications to the certification and reporting requirements of standby mode and off mode values for non-weatherized oil furnaces (including mobile home oil furnaces) and electric furnaces, to provide direction on the rounding of standby mode and off mode values, generally, and to clarify the level of precision for the furnace and boiler standards. **Comments: DOE will accept comments, data, and information regarding this supplemental notice of proposed rulemaking before and after the public meeting, but no later than November 22, 2016. See section VII, "Public Participation," for details.**

[Energy Conservation Program: Test Procedure for Dedicated-Purpose Pool Pumps](#)

Published 9/20/2016

Reference ANSI, IEEE, ISO, NEMA, UL

The U.S. Department of Energy (DOE) proposes to establish new definitions, a new test procedure for dedicated-purpose pool pumps, new sampling and rating requirements, and new enforcement provisions for such equipment. Specifically, DOE proposes a test procedure for measuring the weighted energy factor (WEF) for certain varieties of dedicated-purpose pool pumps. The proposed test method incorporates by reference certain sections of the industry test standard Hydraulic Institute (HI) 40.6-2014, "Methods for Rotodynamic Pump Efficiency Testing." The proposed definitions, test procedures, certification requirements, enforcement testing procedures, and labeling provisions are based on the recommendations of the dedicated-purpose pool pump (DPPP) Working Group, which was established under the Appliance Standards Rulemaking Federal Advisory Committee (ASRAC). **DOE will hold a public meeting on Monday, September 26, 2016 from 10:00 a.m. to 2:00 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.**

[Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 045](#)

Published 9/21/2016

Reference ANSI, AAMI, IEC, ISO

The Food and Drug Administration (FDA or Agency) is announcing a publication containing modifications the Agency is making to the list of standards FDA recognizes for use in premarket reviews (FDA Recognized Consensus Standards). This publication, entitled "Modifications to the List of Recognized Standards, Recognition List Number: 045" (Recognition List Number: 045), will assist manufacturers who elect to declare conformity with consensus standards to meet certain requirements for medical devices. **Submit electronic or written comments concerning this document at any time. These modifications to the list of recognized standards are effective September 21, 2016.**

[Proposed Data Collection Submitted for Public Comment and Recommendations](#)

Published 9/19/2016

Reference ASSE

The Centers for Disease Control and Prevention (CDC), as part of its continuing efforts to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection plan entitled Evaluation of Effectiveness of NIOSH Publications: NIOSH Customer Satisfaction and Impact Survey. **Written comments must be received on or before November 18, 2016.**

[Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and the Republic of Turkey: Affirmative Preliminary Determinations of Sales at Less Than Fair Value](#)

Published 9/22/2016

Reference ASTM

The Department of Commerce (the Department) preliminarily determines that imports of Certain Carbon and Alloy Steel Cut-to-Length Plate (CTL plate) from Brazil, South Africa, and the Republic of Turkey (Turkey) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) for these investigations is April 1, 2015, through March 31, 2016. The estimated margins of sales at LTFV are shown in the "Preliminary Determinations" section of this notice. Interested parties are invited to comment on these preliminary determinations. **Effective September 22, 2016.**

[Wassenaar Arrangement 2015 Plenary Agreements Implementation, Removal of Foreign National Review Requirements, and Information Security Updates](#)

Published 9/20/2016

Reference ASTM, IEEE, ISO

The Bureau of Industry and Security (BIS) maintains, as part of its Export Administration Regulations (EAR), the Commerce Control List (CCL), which identifies certain items subject to Department of Commerce jurisdiction. This final rule revises the CCL, as well as corresponding parts of the EAR, to implement changes made to the Wassenaar Arrangement's List of Dual-Use Goods and Technologies (WA List) maintained and agreed to by governments participating in the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (Wassenaar Arrangement, or WA) at the December 2015 WA Plenary Meeting (the Plenary). The Wassenaar Arrangement advocates implementation of effective export controls on strategic items with the objective of improving regional and international security and stability. This rule harmonizes the CCL with the changes made to the WA List at the Plenary by revising Export Control Classification Numbers (ECCNs) controlled for national security reasons in each category of the CCL, as well as making other associated changes to the EAR.

The changes to the WA List include raising the Adjusted Peak Performance (APP) for high performance computers. The President's report for High Performance Computers was sent to Congress on June 1, 2016, to set forth the new APP in accordance with the National Defense Authorization Act (NDAA) for FY1998.

This rule also makes changes to the EAR that were not agreed to at the WA Plenary. APP parameters are amended in several places in the EAR by this rule, such as APP parameters in the de minimis rules, License Exception APP, and related reporting requirements. BIS is also updating license requirements and policies associated with Category 5—Part 2, including revising Export Control Classification Numbers 5A992, 5D992 and 5E992. In addition, this rule removes the Foreign National Review requirement associated with deemed exports under License Exceptions APP and CIV. **This rule is effective: September 20, 2016.**

[Technical Electronic Product Radiation Safety Standards Committee; Notice of Meeting](#)

Published 9/22/2016

Reference IEC

The Food and Drug Administration (FDA) announces a forthcoming public advisory committee meeting of the Technical Electronic Product Radiation Safety Standards Committee. The general function of the committee is to provide advice and recommendations to the Agency on FDA's regulatory issues. The meeting will be open to the public. **The meeting will be held on October 25, 2016, from 8:30 a.m. to 5 p.m. and October 26, 2016, from 8:30 a.m. to 5 p.m.**

Clinical Trials Registration and Results Information Submission

Published 9/21/2016

Reference ISO

This final rule details the requirements for submitting registration and summary results information, including adverse event information, for specified clinical trials of drug products (including biological products) and device products and for pediatric postmarket surveillances of a device product to ClinicalTrials.gov, the clinical trial registry and results data bank operated by the National Library of Medicine (NLM) of the National Institutes of Health (NIH). This rule provides for the expanded registry and results data bank specified in Title VIII of the Food and Drug Administration Amendments Act of 2007 (FDAAA) to help patients find trials for which they might be eligible, enhance the design of clinical trials and prevent duplication of unsuccessful or unsafe trials, improve the evidence base that informs clinical care, increase the efficiency of drug and device development processes, improve clinical research practice, and build public trust in clinical research. The requirements apply to the responsible party (meaning the sponsor or designated principal investigator) for certain clinical trials of drug products (including biological products) and device products that are regulated by the Food and Drug Administration (FDA) and for pediatric postmarket surveillances of a device product that are ordered by FDA. **These regulations are effective on January 18, 2017. Additional information on the effective date and the compliance date can be found in Section IV.F.**

Reports, Forms, and Record Keeping Requirements

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Reference ISO, SAE

Before a Federal agency may collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections. This document describes a collection of information for which NHTSA intends to seek OMB approval. **Comments must be received on or before November 22, 2016.**

Orders Granting Authority To Import and Export Natural Gas, To Import and Export Liquefied Natural Gas, and To Vacate Prior Authorization, During August 2016

Published 9/21/2016

Reference ISO

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

Amendment To Improve Access to Private Land Mobile Radio Spectrum

Published 9/23/2016

Reference UL

In this document, the Federal Communications Commission (Commission or FCC) proposes and seeks comment on proposals to revise the Commission's rules governing private land mobile radio (PLMR) services, such as allowing 806-824/851-869 MHz (800 MHz) band incumbent licensees in a market a window in which to apply for Expansion Band and Guard Band frequencies before the frequencies are made available to applicants for new systems, extending conditional licensing authority to applicants for site-based licenses in the 800 MHz and 896-901/935-940 MHz (900 MHz) bands, making available for PLMR use frequencies that are on the band edge between the Industrial/Business (I/B) Pool and either General Mobile Radio Service (GMRS) or Broadcast Auxiliary Service (BAS) spectrum, making certain frequencies that are designated for central station alarm operations available for other PLMR uses, and accommodating certain railroad operations. **Submit comments on or before November 22, 2016 and reply comments on or before December 22, 2016.**
