

U.S. Federal Register Update: October 23 – October 27, 2017

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?*

[Voluntary Consensus Standards Update; Formaldehyde Emission Standards for Composite Wood Products](#)

Published 10/25/2017

Reference ANSI, ASTM, IEC, ISO

EPA is taking direct final action on a revision to the formaldehyde standards for composite wood products final rule, published in the Federal Register on December 12, 2016. The revision will update multiple voluntary consensus standards that have been updated, superseded, or withdrawn since publication of the notices of proposed rulemaking on June 10, 2013 and will amend an existing regulatory provision regarding the correlation of quality control test methods. **This final rule is effective on December 11, 2017 without further notice, unless EPA receives relevant adverse comment by November 9, 2017. If EPA receives adverse comment, the Agency will publish a timely withdrawal in the Federal Register informing the public that the rule will not take effect. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 11, 2017.**

[TUV Rheinland of North America, Inc.: Grant of Expansion of Recognition and Notice of Voluntary Reduction in Scope](#)

Published 10/23/2017

Reference ANSI, UL

In this notice, OSHA announces its final decision to expand the scope of recognition for TUV Rheinland of North America, Inc. as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the voluntary removal of a test standard from TUV Rheinland of North America, Inc.'s scope of recognition. **The expansion of the scope of recognition becomes effective on October 23, 2017.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Low-Energy Geophysical Survey in the Northeastern Pacific Ocean](#)

Published 10/25/2017

Reference ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the Scripps Institution of Oceanography (SIO) to incidentally harass, by Level A and Level B harassment, marine mammals during a low-energy marine geophysical survey in the northeastern Pacific Ocean. **This Authorization is valid from September 22, 2017, through September 19, 2018.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Boost-Back and Landing of Falcon 9 Rockets](#)

Published 10/25/2017

Reference ANSI, ISO

NMFS has received a request from Space Exploration Technology Corporation (SpaceX) for authorization to take marine mammals incidental to boost-back and landing of Falcon 9 rockets at Vandenberg Air Force Base in California, and at contingency landing locations in the Pacific Ocean. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to SpaceX to incidentally take marine mammals, by Level B harassment only, during the specified activity. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorizations and agency responses will be summarized in the final notice of our decision. **Comments and information must be received no later than November 24, 2017.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Sand Point City Dock Replacement Project in Sand Point, Alaska](#)

Published 10/23/2017

Reference ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the Alaska Department of

Transportation and Public Facilities (ADOT&PF) to incidentally harass, by Level A and Level B harassment, marine mammals during construction activities associated with the Sand Point City Dock Replacement Project in Sand Point, Alaska. **This Authorization is valid from August 1, 2018 through July 31, 2019.**

Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

Published 10/24/2017

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 September 26, 2017, to October 06, 2017. The last biweekly notice was published on September 25, 2017. **Comments must be filed by November 24, 2017. A request for a hearing must be filed by December 26, 2017.**

Dominion Nuclear Connecticut, Inc.; Millstone Power Station, Unit No. 2, Request for Exemption Regarding the Use of Operator Manual Actions

Published 10/27/2017

Reference ASTM, IEEE, NFPA, UL

The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption in response to an October 28, 2016, request from Dominion Nuclear Connecticut, Inc. (the licensee, Dominion) for Millstone Power Station, Unit No. 2 (Millstone 2), Docket No. 50-336, for the use of operator manual actions (OMAs) in lieu of meeting the circuit separation and protection requirements for four plant fire areas. **The exemption was issued on October 24, 2017.**

Porsche Cars North America, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

Published 10/25/2017

Reference ISO

Porsche Cars North America, Inc. (PCNA), on behalf of Dr. Ing. h.c.F. Porsche AG (PAG), has determined that certain model year (MY) 2017 Porsche 911 Turbo and Porsche 911 Turbo Cabriolet motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 101, Controls and Displays, and FMVSS No. 135, Light Vehicle Brake Systems. PCNA filed a noncompliance report dated March 16, 2017. PCNA also petitioned NHTSA on March 17, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

Prohibition of Children's Toys and Child Care Articles Containing Specified Phthalates

Published 10/27/2017

Reference ISO

The United States Consumer Product Safety Commission (Commission or CPSC) issues this final rule prohibiting children's toys and child care articles that contain concentrations of more than 0.1 percent of diisononyl phthalate (DINP), diisobutyl phthalate (DIBP), di-n-pentyl phthalate (DPENP), di-n-hexyl phthalate (DHEXP), and dicyclohexyl phthalate (DCHP). Section 108 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) established permanent and interim prohibitions on the sale of certain consumer products containing specific phthalates. That provision also directed the CPSC to convene a Chronic Hazard Advisory Panel (CHAP) to study the effects on children's health of all phthalates and phthalate alternatives as used in children's toys and child care articles and to provide recommendations to the Commission regarding whether any phthalates or phthalate alternatives, other than those already permanently prohibited, should be prohibited. The CPSIA requires the Commission to promulgate a final rule after receiving the final CHAP report. This rule fulfills that requirement. **The rule will become effective on April 25, 2018.**

Notice of Proposed Buy America Waiver for Motor Brakes and Machinery Brakes for the SE 3rd Avenue Bascule Bridge Modification in Fort Lauderdale, Florida

Published 10/27/2017

Reference NEMA

The Federal Transit Administration (FTA) received a request from the Florida Department of Transportation (FDOT) for a Buy America non-availability waiver for the procurement of motor brakes and machinery brakes (collectively, “the brake units”) for the SE 3rd Avenue Bascule Bridge Modification in Fort Lauderdale, Florida, as part of the Wave Streetcar project because there are no domestic manufacturers of the brake units. FTA is providing notice of the non-availability waiver request and seeks public comment before deciding whether to grant FDOT's request. The size of the disc and drum brakes required for this bridge are not domestically available, and the Federal Highway Administration (FHWA) granted FDOT waivers for this equipment for another project. FTA is providing notice of the waiver request and seeks public comment before deciding whether to grant the request. **Comments must be received by November 13, 2017. Late-filed comments will be considered to the extent practicable.**
