

U.S. Federal Register Update: January 16 – 20, 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?*

[Energy Conservation Program: Energy Conservation Standards for General Service Lamps](#)

Published 1/19/2017

Reference ANSI, IEC, NEMA, NFPA, UL

On March 17, 2016, the U.S. Department of Energy (DOE) published a notice of proposed rulemaking (NOPR) proposing standards for general service lamps (GSLs) pursuant to the Energy Policy and Conservation Act of 1975 (EPCA), as amended. DOE responds to comments received on the NOPDDA in this final rule and adopts a revised definition of GSL and other supplemental definitions. **The effective date of this rule is January 1, 2020.**

[Information and Communication Technology \(ICT\) Standards and Guidelines](#)

Published 1/18/2017

Reference ANSI, IEEE, ISO

We, the Architectural and Transportation Barriers Compliance Board (Access Board or Board), are revising and updating, in a single rulemaking, our standards for electronic and information technology developed, procured, maintained, or used by Federal agencies covered by section 508 of the Rehabilitation Act of 1973, as well as our guidelines for telecommunications equipment and customer premises equipment covered by Section 255 of the Communications Act of 1934. The revisions and updates to the section 508-based standards and section 255-based guidelines are intended to ensure that information and communication technology covered by the respective statutes is accessible to and usable by individuals with disabilities. **This final rule is effective March 20, 2017. However, compliance with the section 508-based standards is not required until January 18, 2018. Compliance with the section 255-based guidelines is not required until the guidelines are adopted by the Federal Communications Commission. The incorporation by reference of certain publications listed in the final rule is approved by the Director of the Federal Register as of March 20, 2017.**

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

Published 1/18/2017

Reference ANSI, ASME, CSA, NEMA, UL

The Energy Policy and Conservation Act of 1975 (EPCA), as amended, sets forth a variety of provisions designed to improve energy efficiency. Part C of Title III establishes the "Energy Conservation Program for Certain Industrial Equipment." The covered equipment includes pumps. In this direct final rule, DOE is adopting new energy conservation standards for dedicated-purpose pool pumps. It has determined that the energy conservation standards for these products would result in significant conservation of energy, and are technologically feasible and economically justified. **The effective date of this rule is May 18, 2017 unless adverse comment is received by May 8, 2017. If adverse comments are received that DOE determines may provide a reasonable basis for withdrawal of the direct final rule, a timely withdrawal of this rule will be published in the Federal Register. If no such adverse comments are received, compliance with the standards established for dedicated- purpose pool pumps in this direct final rule is required on and after July 19, 2021.**

[Use of Lead Free Pipes, Fittings, Fixtures, Solder and Flux for Drinking Water](#)

Published 1/17/2017

Reference ANSI, CSA, IAPMO, UL

The Environmental Protection Agency (EPA) proposes to make conforming changes to existing drinking water regulations based on the Reduction of Lead in Drinking Water Act of 2011 (RLDWA) and the Community Fire Safety Act of 2013 (CFSA). Section 1417 of the Safe Drinking Water Act (SDWA) prohibits the use and introduction into commerce of certain plumbing products that are not lead free. The RLDWA revised the definition of lead free to lower the allowable maximum lead content from 8.0 percent to a weighted average of 0.25 percent of the wetted surfaces of plumbing products and established a statutory method for calculating lead content. In addition, the RLDWA created exemptions from the lead free requirements for plumbing products that are used exclusively for nonpotable services as well as for other specified products. The CFSA further amended section 1417 to exempt fire hydrants from these requirements.

EPA proposes to establish new requirements to assure that individuals purchasing, installing or inspecting potable water systems can identify lead free plumbing materials. Specifically, EPA proposes to establish labeling requirements to differentiate plumbing products that meet the lead free requirements from those that are exempt from the lead free requirements and to require manufacturers to certify compliance with the lead free requirements. These proposed requirements would reduce inadvertent use of non-lead free plumbing products in potable use applications and, consequently, reduce exposure to lead in drinking water and associated adverse health effects. **Comments must be received on or before April 17, 2017.**

[General Motors, LLC, Grant of Petition for Decision of Inconsequential Noncompliance](#)

Published 1/18/2017

Reference ANSI

General Motors, LLC, (GM) has determined that certain model year (MY) 2012-2015 Chevrolet Sonic passenger cars do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, Lamps, Reflective Devices and Associated Equipment. GM has filed a noncompliance report dated March 2, 2015. GM also petitioned NHTSA on March 24, 2015, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Space Vehicle and Missile Launch Operations at Pacific Spaceport Complex Alaska, Kodiak Island, Alaska](#)

Published 1/19/2017

Reference ANSI, ISO

NMFS has received an application, pursuant to the Marine Mammal Protection Act (MMPA), from the Alaska Aerospace Corporation (AAC) for authorization to take small numbers of marine mammals incidental to launching space launch vehicles and other smaller missile systems at the Pacific Spaceport Complex Alaska (PSCA) for the period of March 15, 2017, through March 14, 2022. NMFS is proposing regulations to govern that take, and requests comments on the proposed regulations. **Comments and information must be received no later than February 21, 2017.**

[Hazardous Materials: Volatility of Unrefined Petroleum Products and Class 3 Materials](#)

Published 1/18/2017

Reference ANSI, ASTM, SAE

PHMSA is considering revising the Hazardous Materials Regulations (HMR) to establish vapor pressure limits for unrefined petroleum-based products and potentially all Class 3 flammable liquid hazardous materials that would apply during the transportation of the products or materials by any mode. PHMSA is currently assessing the merits of a petition for rulemaking submitted by the Attorney General of the State of New York regarding vapor pressure standards for the transportation of crude oil. The petition requests that PHMSA implement a Reid Vapor Pressure (RVP) limit less than 9.0 pounds per square inch (psi) for crude oil transported by rail. PHMSA will use the comments in response to this ANPRM to help assess and respond to the petition and to evaluate any other potential regulatory actions related to sampling and testing of crude oil and other Class 3 hazardous materials. PHMSA will also evaluate the potential safety benefits and costs of utilizing vapor pressure thresholds within the hazardous materials classification process for unrefined petroleum-based products and Class 3 hazardous materials. **Comments must be received by March 20, 2017.**

[National Public Transportation Safety Plan](#)

Published 1/18/2017

Reference ASME, ASTM, IEEE, NFPA

The Federal Transit Administration has placed in the docket and on its Web site, the final National Public Transportation Safety Plan that establishes performance measures to improve the safety of public transportation systems that receive FTA Federal financial assistance. Transit agencies will set performance targets based on the measures in order to monitor and assess the safety performance of their public transportation systems.

[National Emission Standards for Hazardous Air Pollutants: Ferroalloys Production](#)

Published 1/18/2017

Reference ASTM

This action sets forth the Environmental Protection Agency's (EPA's) final decision on the issues for which it announced reconsideration on July 12, 2016, that pertain to certain aspects of the June 30, 2015, final amendments for the Ferroalloys Production source category regulated under national emission standards for hazardous air pollutants (NESHAP). The EPA is amending the rule to allow existing facilities with positive pressure baghouses to perform visible emissions monitoring

twice daily as an alternative to installing and operating bag leak detection systems (BLDS) to ensure the baghouses are operating properly. In addition, this final action explains that EPA is maintaining the requirement that facilities must use a digital camera opacity technique (DCOT) method to demonstrate compliance with opacity limits. However, this final action revises the rule such that it references the recently updated version of the DCOT method. In this action, the EPA also explains that no changes are being made regarding the rule provision that requires quarterly polycyclic aromatic hydrocarbons (PAH) emission testing for furnaces producing ferromanganese (FeMn) with an opportunity for facilities to request decreased compliance test frequency from their permitting authority after the first year. Furthermore, in this action, the EPA is denying the request for reconsideration of the PAH emission limits for both FeMn and silicomanganese (SiMn) production furnaces. **This final action is effective on January 18, 2017. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of January 18, 2017.**

[Methylene Chloride and N-Methylpyrrolidone; Regulation of Certain Uses Under TSCA Section 6\(a\)](#)

Published 1/19/2017

Reference ASTM

Methylene chloride, also called dichloromethane, is a volatile chemical that has a variety of uses, including paint and coating removal. N-methylpyrrolidone (NMP) is a solvent used in a variety of applications, including paint and coating removal. For each of these chemicals, EPA has identified risks of concern associated with their use in paint and coating removal. EPA proposes a determination that these are unreasonable risks. EPA is proposing to prohibit the manufacture (including import), processing, and distribution in commerce of methylene chloride for consumer and most types of commercial paint and coating removal under section 6 of the Toxic Substances Control Act (TSCA). EPA is also proposing to prohibit the use of methylene chloride in these commercial uses; to require manufacturers (including importers), processors, and distributors, except for retailers, of methylene chloride for any use to provide downstream notification of these prohibitions throughout the supply chain; and to require recordkeeping. EPA is proposing an initial ten-year time-limited exemption from these proposed regulations on methylene chloride for coating removal uses critical for national security. First, EPA is proposing to prohibit the manufacture (including import), processing, and distribution in commerce of NMP for all consumer and commercial paint and coating removal; to prohibit the use of NMP for all commercial paint and coating removal; to require, consistent with methylene chloride restrictions, downstream notification of these prohibitions throughout the supply chain; to require recordkeeping; and to provide a time-limited exemption from these proposed regulations on NMP for coating removal uses critical for national security. For NMP, as an alternate proposal, EPA is proposing that (1) commercial users of NMP for paint and coating removal establish a worker protection program for dermal and respiratory protection and not use paint and coating removal products that contain greater than 35 percent NMP by weight (except for product formulations destined to be used by DoD or its contractors performing work only for DOD projects); and (2) processors of products containing NMP for paint and coating removal reformulate products such that these products do not exceed a maximum of 35 percent NMP by weight, identify gloves that provide effective protection for the formulation, and provide warning and instruction labels on the products. **Comments must be received on or before April 19, 2017.**

[Revisions to the Guideline on Air Quality Models: Enhancements to the AERMOD Dispersion Modeling System and Incorporation of Approaches To Address Ozone and Fine Particulate Matter](#)

Published 1/17/2017

Reference ASTM

In this action, the Environmental Protection Agency (EPA) promulgates revisions to the Guideline on Air Quality Models ("Guideline"). The Guideline provides EPA's preferred models and other recommended techniques, as well as guidance for their use in estimating ambient concentrations of air pollutants. It is incorporated into the EPA's regulations, satisfying a requirement under the Clean Air Act (CAA) for the EPA to specify with reasonable particularity models to be used in the Prevention of Significant Deterioration (PSD) program. This action includes enhancements to the formulation and application of the EPA's preferred near-field dispersion modeling system, AERMOD (American Meteorological Society (AMS)/EPA Regulatory Model), and the incorporation of a tiered demonstration approach to address the secondary chemical formation of ozone and fine particulate matter (PM_{2.5}) associated with precursor emissions from single sources. The EPA is changing the preferred status of and removing several air quality models from appendix A of the Guideline. The EPA is also making various editorial changes to update and reorganize information throughout the Guideline to streamline the compliance assessment process. **This rule is effective February 16, 2017. For all regulatory applications covered under the Guideline, except for transportation conformity, the changes to the appendix A preferred models and revisions to the requirements and recommendations of the Guideline must be integrated into the regulatory processes of respective reviewing authorities and followed by applicants by no later than January 17, 2018. During the 1-year period following**

promulgation, protocols for modeling analyses based on the 2005 version of the Guideline, which are submitted in a timely manner, may be approved at the discretion of the appropriate reviewing authority.

[Energy Conservation Program: Energy Conservation Standards for Ceiling Fans](#)

Published 1/19/2017

Reference NEMA, 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 ceiling fans. EPCA also requires the U.S. Department of Energy (DOE) to periodically determine whether more-stringent standards would be technologically feasible and economically justified, and would save a significant amount of energy. In this final rule, DOE amends the energy conservation standards for ceiling fans. It has determined that the amended energy conservation standards for these products would result in significant conservation of energy, and are technologically feasible and economically justified. **The effective date of this rule is March 20, 2017. Compliance with the amended standards established for ceiling fans in this final rule is required on and after January 21, 2020**
