

U.S. Federal Register Update: December 26 – 30, 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?*

[National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills](#)

Published 12/30/2016

Reference ANSI, ASME, ASTM

The Environmental Protection Agency (EPA) is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills to address the results of the residual risk and technology review (RTR) that the EPA is required to conduct under the Clean Air Act (CAA). These proposed amendments include revisions to the opacity monitoring provisions; addition of electrostatic precipitator (ESP) parameter monitoring provisions; a requirement for 5-year periodic emissions testing; revisions to provisions addressing periods of startup, shutdown, and malfunction (SSM); and technical and editorial changes. The EPA is proposing these amendments to improve the effectiveness of the rule. **Comments must be received on or before February 28, 2017. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before January 30, 2017.**

[Energy Conservation Program: Test Procedure for Walk-in Coolers and Walk-in Freezers](#)

Published 12/28/2016

Reference ANSI, ASHRAE, ASTM, IEC, ISO, UL

This final rule amends the test procedure for certain walk-in cooler and freezer components by improving the procedure's clarity, updating related certification and enforcement provisions to address the performance-based energy conservation standards for walk-in cooler and freezer equipment, and establishing labeling requirements to aid manufacturers in determining compliance with the relevant standards for walk-in cooler and freezer applications. The amendments consist of provisions specific to certain walk-in cooler and freezer refrigeration systems, including product-specific definitions, removal of a performance credit for hot gas defrost, and a method to accommodate refrigeration equipment that use adaptive defrost and on-cycle variable-speed evaporator fan control. **The effective date of this rule is January 27, 2017. The final rule changes will be mandatory for representations starting June 26, 2017. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register on January 27, 2017.**

[Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Test Procedures for Consumer and Commercial Water Heaters](#)

Published 12/29/2016

Reference ANSI, ASHRAE, UL

The U.S. Department of Energy (DOE), in this final rule, establishes mathematical conversion factors to translate the current energy conservation standards and the measured values determined under the energy factor, thermal efficiency, and standby loss test procedures for consumer water heaters and certain commercial water heaters to those determined under the more recently adopted uniform energy factor test procedure. As required by the Energy Policy and Conservation Act of 1975 (EPCA), as amended, DOE initially presented proposals for establishing a mathematical conversion factor in a notice of proposed rulemaking (NPR) published on April 14, 2015 (April 2015 NPR). Upon further analysis and review of the public comments received in response to the April 2015 NPR, DOE published a supplemental notice of proposed rulemaking on August 30, 2016 (August 2016 SNOPR). These proposed rulemakings serve as the basis for the final rule. **The effective date of this rule is December 29, 2016. The conversion factors established in this rule shall apply beginning on December 29, 2016 through December 29, 2017.**

[Enterprise Duty To Serve Underserved Markets](#)

Published 12/29/2016

Reference ASHRAE

The Housing and Economic Recovery Act of 2008 (HERA) amended the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (Safety and Soundness Act) to establish a duty for the Federal National Mortgage Association

(Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) (collectively, the Enterprises) to serve three specified underserved markets—manufactured housing, affordable housing preservation, and rural markets—in order to increase the liquidity of mortgage investments and improve the distribution of investment capital available for mortgage financing for very low-, low-, and moderate-income families in those markets. The Federal Housing Finance Agency (FHFA) is issuing this final rule which specifies the scope of Enterprise activities that are eligible to receive Duty to Serve credit. These activities generally are those that facilitate a secondary market for mortgages related to: Manufactured homes titled as real property or personal property; blanket loans for certain categories of manufactured housing communities; preserving the affordability of housing for renters and homebuyers; and housing in rural markets. The final rule provides a framework for FHFA's method for evaluating and rating the Enterprises' compliance with the Duty to Serve each underserved market. **The final rule is effective January 30, 2017.**

[Welded ASTM A-312 Stainless Steel Pipe From the Republic of Korea: Preliminary Results of Antidumping Duty](#)

[Administrative Review; 2014-2015](#)

Published 12/30/2016

Reference ASTM

The Department of Commerce (Department) is conducting an administrative review of the antidumping duty order on welded ASTM A-312 stainless steel pipe from Republic of Korea (Korea). The period of review (POR) is December 1, 2014, through November 30, 2015. The review covers two exporters and/or producers of the subject merchandise: SeAH Steel Corporation (SeAH) and LS Metal Co., Ltd. (LS Metal). The Department preliminarily determines that during the POR SeAH made sales of subject merchandise at less than normal value and LS Metal had no shipments. We invite interested parties to comment on these preliminary results. **Effective December 30, 2016.**

[Revision of Airworthiness Standards for Normal, Utility, Acrobatic, and Commuter Category Airplanes](#)

Published 12/30/2016

Reference ASTM, SAE, UL

The FAA amends its airworthiness standards for normal, utility, acrobatic, and commuter category airplanes by replacing current prescriptive design requirements with performance-based airworthiness standards. These standards also replace the current weight and propulsion divisions in small airplane regulations with performance- and risk-based divisions for airplanes with a maximum seating capacity of 19 passengers or less and a maximum takeoff weight of 19,000 pounds or less. These airworthiness standards are based on, and will maintain, the level of safety of the current small airplane regulations, except for areas addressing loss of control and icing, for which the safety level has been increased. The FAA adopts additional airworthiness standards to address certification for flight in icing conditions, enhanced stall characteristics, and minimum control speed to prevent departure from controlled flight for multiengine airplanes. This rulemaking is in response to the Congressional mandate set forth in the Small Airplane Revitalization Act of 2013. **Effective August 30, 2017.**

[Orthopedic Devices; Reclassification of Pedicle Screw Systems, Henceforth To Be Known as Thoracolumbosacral Pedicle Screw Systems, Including Semi-Rigid Systems](#)

Published 12/30/2016

Reference ASTM

The Food and Drug Administration (FDA) is issuing a final order to reclassify pedicle screw systems, a preamendments class III device (regulated under product code NKB), into class II (special controls), renaming the device “thoracolumbosacral pedicle screw systems”; reclassify dynamic stabilization systems, a subtype of pedicle screw systems regulated under product code NQP when used as an adjunct to fusion, into class II (special controls), renaming this device subtype “semi-rigid systems”; and clarify the device identification of pedicle screw systems to more clearly delineate between rigid pedicle screw systems and semi-rigid systems. FDA is finalizing this action based on a reevaluation of information pertaining to the device type. **This order is effective on December 30, 2016. See further discussion in section V, “Implementation Strategy.”**

[Recordkeeping Requirements for Qualified Financial Contracts](#)

Published 12/28/2016

Reference ISO

The FDIC proposes to amend its regulations regarding Recordkeeping Requirements for Qualified Financial Contracts (“Part 371”), which require insured depository institutions (“IDIs”) in a troubled condition to keep records relating to qualified financial contracts (“QFCs”) to which they are party. The proposed rule would expand the scope of QFC records required to be maintained by an IDI that is subject to the FDIC's recordkeeping requirements and that has total consolidated assets

equal to or greater than \$50 billion or is a member of a corporate group where one or more affiliates is subject to the QFC recordkeeping requirements set forth in the regulations adopted by the Department of the Treasury (a “full scope entity”); for all other IDIs subject to the FDIC's QFC recordkeeping requirements, add and delete a limited number of data requirements and make certain formatting changes with respect to the QFC recordkeeping requirements; require full scope entities to keep QFC records of certain of their subsidiaries; and include certain other changes, including changes that would provide additional time for certain IDIs in a troubled condition to comply with the regulations. **Comments must be received on or before February 27, 2017.**

Commerce Control List: Updates Based on the 2015 and 2016 Nuclear Suppliers Group (NSG) Plenary Meetings; Conforming Changes and Corrections to Certain Nuclear Nonproliferation (NP) Controls

Published 12/27/2016

Reference ISO

The Bureau of Industry and Security (BIS) publishes this final rule to amend the Export Administration Regulations (EAR) to reflect the understandings reached at the June 2015 Nuclear Suppliers Group (NSG) Plenary meeting held in Bariloche, Argentina, and certain understandings reached at the 2016 NSG Plenary meeting held in Seoul, Republic of Korea. The amendments to the EAR based on the 2015 meeting address the nuclear nonproliferation (NP) controls that apply to certain centrifugal multiplane balancing machines described on the Commerce Control List (CCL). The amendments to the EAR based on the 2016 meeting address the NP controls that apply to certain linear displacement measuring systems identified on the CCL. This rule also makes additional changes to the description of these systems on the CCL to fully conform to their description on the NSG Annex. In addition, this rule corrects an error in the technical parameters of the CCL entry that describes certain radiation-hardened TV cameras (including lenses therefor) that are subject to NP controls. **This rule is effective December 27, 2016.**
