

U.S. Federal Register Update: March 27 – March 31, 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?*

[Safety Standard for Infant Bath Tubs](#)

Published 3/30/2017

Reference ANSI, ASTM

The Danny Keysar Child Product Safety Notification Act, section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA), requires the United States Consumer Product Safety Commission (Commission or CPSC) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be "substantially the same as" applicable voluntary standards, or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product. The Commission is issuing a safety standard for infant bath tubs in response to the direction of section 104(b) of the CPSIA. In addition, the Commission is amending its regulations regarding third party conformity assessment bodies to include the mandatory standard for infant bath tubs in the list of notices of requirements (NORs) issued by the Commission. **This rule will become effective October 2, 2017. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of October 2, 2017.**

[Hazardous Materials: Harmonization With International Standards \(RRR\)](#)

Published 3/30/2017

Reference ANSI, ASTM, CSA, ISO, NFPA

PHMSA is issuing a final rule to amend the Hazardous Materials Regulations (HMR) to maintain consistency with international regulations and standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. These revisions are necessary to harmonize the HMR with recent changes made to the International Maritime Dangerous Goods Code, the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air, and the United Nations Recommendations on the Transport of Dangerous Goods—Model Regulations. Additionally, PHMSA is adopting several amendments to the HMR that result from coordination with Canada under the U.S.-Canada Regulatory Cooperation Council. **Effective date: This rule is effective March 30, 2017, except for instruction 22, which is effective January 2, 2019.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seattle Multimodal Construction Project in Washington State](#)

Published 3/29/2017

Reference ANSI

NMFS has received an application from Washington State Department of Transportation (WSDOT) for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to Seattle Multimodal Construction Project in Washington State. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to the WSDOT to incidentally take marine mammals during the specified activities. **Comments and information must be received no later than April 28, 2017.**

[Notice of Petition for Waiver of AHT Incorporated From the Department of Energy Commercial Refrigeration Equipment Test Procedures and Partial Grant of Interim Waiver](#)

Published 3/28/2017

Reference ANSI, ASHRAE

This notice announces receipt of and publishes a petition for waiver from AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc. (AHT) seeking an exemption from specified portions of the U.S. Department of Energy (DOE) test procedure for determining the energy consumption of multi-mode commercial refrigeration equipment. ASHRAE Standard 72-2005, incorporated by reference in Appendix B, does not provide for defrost testing with built-in cooling coils into the body of AHT's unique multi-mode commercial refrigeration equipment basic models. Consequently, AHT submitted to DOE an alternate test procedure that allows for testing of six specified basic models with a different defrost cycle. This notice also announces that DOE has granted AHT an interim waiver from the DOE commercial refrigeration equipment test

procedures for the specified commercial refrigeration equipment basic models, subject to use of the alternative test procedure as set forth in this notice. DOE solicits comments, data, and information concerning AHT's petition and its suggested alternate test procedure. **DOE will accept comments, data, and information with regard to the AHT petition until April 27, 2017.**

[Proposed Extension of Information Collection; Safety Defects; Examination, Correction, and Records](#)

Published 3/28/2017

Reference ASME

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to assure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments on the information collection for Safety Defects; Examination, Correction, and Records. **All comments must be received on or before May 30, 2017.**

[Recommended Practice for Dealing With Outlying Observations](#)

Published 3/29/2017

Reference ASTM

The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide (RG) 5.36, "Recommended Practice for Dealing with Outlying Observations." This RG is being withdrawn because guidance for licensees to develop written procedures describing statistical analyses of nuclear material accounting data, specifically when dealing with outlying observations in samples and for testing their statistical significance, is no longer needed. **The effective date of the withdrawal of RG 5.36 is March 29, 2017.**

[Certain Aluminum Foil From the People's Republic of China: Initiation of Countervailing Duty Investigation](#)

Published 3/30/2017

Reference ASTM

On March 9, 2017, the Department of Commerce (Department) received a countervailing duty (CVD) Petition concerning imports of certain aluminum foil (aluminum foil) from the People's Republic of China (PRC), filed in proper form on behalf of the Aluminum Trade Enforcement Working Group (the petitioner).

On March 14, 2017, the Department requested additional information and clarification of certain areas of the Petition. The petitioner filed its response to this request on March 16, 2017, and March 22, 2017. In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the Government of the PRC (GOC) is providing countervailable subsidies (within the meaning of sections 701 and 771(5) of the Act) with respect to imports of aluminum foil from the PRC, and that imports of aluminum foil from the PRC are materially injuring, or threaten material injury to, the domestic industry producing aluminum foil in the United States. Also, consistent with section 702(b)(1) of the Act, for those alleged programs on which we are initiating a CVD investigation, the Petition is accompanied by information reasonably available to the petitioner supporting its allegations.

The Department finds that the petitioner filed this Petition on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(E) of the Act. The Department also finds that the petitioner demonstrated sufficient industry support with respect to the initiation of the CVD investigation that the petitioner is requesting. **Effective March 28, 2017.**

[Certain Aluminum Foil From the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation](#)

Published 3/30/2017

Reference ASTM

On March 9, 2017, the Department of Commerce (the Department) received an antidumping duty (AD) petition concerning imports of certain aluminum foil (aluminum foil) from the People's Republic of China (PRC), filed in proper form on behalf of The Aluminum Association Trade Enforcement Working Group (the petitioner). The AD petition was accompanied by a countervailing duty (CVD) petition for aluminum foil from the PRC. The petitioner is a producer of aluminum foil.

On March 14, 2017, the Department requested additional information and clarification of certain areas of the Start Printed Page 15692Petition. The petitioner filed responses to these requests on March 16, 2017, March 17, 2017, and March 22, 2017.

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of aluminum foil from the PRC are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that imports of aluminum foil from the PRC are materially injuring, or threaten material injury to, the domestic industry producing aluminum foil in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to the petitioner supporting its allegations.

The Department finds that the petitioner filed this Petition on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(E) of the Act. The Department also finds that the petitioner demonstrated sufficient industry support with respect to the initiation of the AD investigation that the petitioner is requesting. **Effective March 28, 2017.**

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

Published 3/28/2017

Reference IEEE

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 February 28, 2017 to March 13, 2017. The last biweekly notice was published on March 14, 2017. **Comments must be filed by April 27, 2017. A request for a hearing must be filed by May 30, 2017.**
