

U.S. Federal Register Update: February 19 – February 23, 2018

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?*

[Cable Television Technical and Operational Standards](#)

Published 2/22/2018

Reference ANSI

In this document, we modernize the Commission's signal leakage and signal quality rules that apply to cable operators and other MVPDs and reflect the cable industry's transition from analog to digital systems. These rules are intended to make sure that cable systems do not leak signals that could interfere with other services and ensure that subscribers receive high-quality picture and sound. **These rules are effective April 23, 2018, except the amendments to Sec. Sec. 76.105(b) introductory text, 76.601(b)(1), 76.1610(f) and (g), and 76.1804 introductory text, which contain modified information collection requirements that have not been approved by OMB, subject to the Paperwork Reduction Act. The Federal Communications Commission will publish a document in the Federal Register announcing the effective date upon OMB approval. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of April 23, 2018.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Astoria Waterfront Bridge Replacement Project](#)

Published 2/22/2018

Reference ANSI, ISO

NMFS has received a request from the City of Astoria for authorization to take marine mammals incidental to pile driving and construction work during the Waterfront Bridge Replacement Project in Astoria, Oregon. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. **Comments and information must be received no later than March 26, 2018.**

[Applied Research Laboratories of South Florida, LLC: Application for Recognition](#)

Published 2/23/2018

Reference ANSI, UL

In this notice, OSHA announces the application of Applied Research Laboratories of South Florida, LLC, for recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the Agency's preliminary finding to grant this recognition. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before March 26, 2018.**

[Agency Information Collection Activities; Proposed Collection; Comment Request; Medical Device Labeling Regulations](#)

Published 2/22/2018

Reference ANSI

The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on Medical Device Labeling Regulations. **Submit either electronic or written comments on the collection of information by April 23, 2018.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental To Site Characterization Surveys Off of New York](#)

Published 2/22/2018

Reference ANSI

NMFS has received a request from Statoil Wind U.S. LLC (Statoil) for authorization to take marine mammals incidental to marine site characterization surveys off the coast of New York as part of the Empire Wind Project in the area of the Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS-A 0512)

(Lease Area) and coastal waters where one or more cable route corridors will be established. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. 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 March 26, 2018.**

[Vehicle-Mounted Elevating and Rotating Work Platforms \(Aerial Lifts\); Extension of the Office of Management and Budget's \(OMB\) Approval of Information Collection \(Paperwork\) Requirements](#)

Published 2/20/2018

Reference ANSI

OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements contained in the Standard on Vehicle-Mounted Elevating and Rotating Work Platforms (Aerial Lifts). The purpose of the requirements is to reduce workers' risk of death or serious injury by ensuring that aerial lifts are in safe operating condition. **Comments must be submitted (postmarked, sent, or received) by April 23, 2018.**

[Energy Labeling Rule](#)

Published 2/22/2018

Reference AHAM, NEMA

The Commission amends the Energy Labeling Rule ("Rule") by updating ranges of comparability and unit energy cost figures on EnergyGuide labels for dishwashers, furnaces, room air conditioners, and pool heaters. The Commission also sets a compliance date of October 1, 2019 for EnergyGuide labels on room air conditioner boxes and makes several minor clarifications and corrections to the Rule. **The amendments are effective May 23, 2018.**

[Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision](#)

Published 2/20/2018

Reference ASTM

The Department of Commerce (Commerce) is notifying the public that the Court of International Trade's (CIT or the Court) final judgment in this case is not in harmony with Commerce's final scope ruling and is, therefore, finding that certain black, circular tubing produced to ASTM A-513 specifications by Maquilacero S.A. de C.V. (Maquilacero) is not within the scope of the antidumping duty order on circular welded non-alloy steel pipe from Mexico. **Applicable Date: February 19, 2018.**

[Accreditation and Approval of Saybolt LP \(LaPlace, LA\) as a Commercial Laboratory](#)

Published 2/22/2018

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that Saybolt LP (LaPlace, LA), has been accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of April 7, 2017. **Saybolt LP (LaPlace, LA) was approved and accredited as a commercial gauger and laboratory as of April 7, 2017. The next triennial inspection date will be scheduled for April 2020.**

[Cast Iron Soil Pipe From the People's Republic of China: Initiation of Countervailing Duty Investigation](#)

Published 2/23/2018

Reference ASTM

On January 26, 2018, the Department of Commerce (Commerce) received a countervailing duty (CVD) petition concerning imports of cast iron soil pipe (soil pipe) from the People's Republic of China (China), filed in proper form, on behalf of the Cast Iron Soil Pipe Institute (the petitioner). The petitioner is a trade association, whose members are all domestic producers of soil pipe. The CVD petition was accompanied by an antidumping duty (AD) petition for soil pipe from China.

On January 30 and 31, 2018, Commerce requested additional information and clarification of certain areas of the Petition. The petitioner filed responses to these requests on February 1 and 2, 2018. **Applicable February 15, 2018.**

[Cast Iron Soil Pipe From the People's Republic of China: Initiation of Less-Than-Fair Value Investigation](#)

Published 2/23/2018

Reference ASTM

On January 26, 2018, the Department of Commerce (Commerce) received an antidumping duty (AD) petition concerning imports of cast iron soil pipe (soil pipe) from the People's Republic of China (China), filed in proper form, on behalf of the Cast Iron Soil Pipe Institute (the petitioner). The petitioner is a trade association, whose members are all domestic producers of soil pipe. The AD petition was accompanied by a countervailing duty (CVD) petition for soil pipe from China.

On January 31, 2018, Commerce requested additional information and clarification of certain areas of the Petition. The petitioner filed responses to these requests on February 2, 2018. **Applicable February 15, 2018.**

[Large Diameter Welded Pipe From India, the People's Republic of China, the Republic of Korea, and the Republic of Turkey: Initiation of Countervailing Duty Investigations](#)

Published 2/20/2018

Reference ASTM

On January 17, 2018, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) Petitions concerning imports of large diameter welded pipe (welded pipe) from China, India, Korea, and Turkey, filed in proper form on behalf of Berg Steel Pipe Corp., Dura-Bond Industries, Stupp Corporation, American Cast Iron Pipe Company, and Skyline Steel (collectively, the petitioners). The CVD Petitions were accompanied by antidumping duty (AD) Petitions concerning imports of welded pipe from Canada, China, Greece, India, Korea, and Turkey. The petitioners are domestic producers of welded pipe. **Applicable February 9, 2018.**

[Large Diameter Welded Pipe From Canada, Greece, India, the People's Republic of China, the Republic of Korea, and the Republic of Turkey: Initiation of Less-Than-Fair-Value Investigations](#)

Published 2/20/2018

Reference ASTM

On January 17, 2018, the U.S. Department of Commerce (Commerce) received antidumping duty (AD) Petitions concerning imports of large diameter welded pipe (welded pipe) from Canada, China, Greece, India, Korea, and Turkey, filed in proper form on behalf of American Cast Iron Pipe Company, Berg Steel Pipe Corp., Dura-Bond Industries, Skyline Steel, and Stupp Corporation (collectively, the petitioners). The AD Petitions were accompanied by countervailing duty (CVD) Petitions concerning imports of welded pipe from China, India, Korea, and Turkey. The petitioners are domestic producers of welded pipe. **Applicable February 9, 2018.**

[Cast Iron Soil Pipe Fittings From the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part, Postponement of Final Determination and Extension of Provisional Measures](#)

Published 2/20/2018

Reference ASTM

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on August 8, 2017. On November 27, 2017, Commerce postponed the preliminary determination of this investigation. Commerce exercised its discretion to toll all deadlines affected by the closure of the Federal Government from January 20 through 22, 2018. If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the preliminary determination of this investigation is now February 12, 2018. **Applicable February 20, 2018.**

[Human Subject Protection; Acceptance of Data From Clinical Investigations for Medical Devices](#)

Published 2/21/2018

Reference ISO

The Food and Drug Administration (FDA or we) is amending its regulations on acceptance of data from clinical investigations for medical devices. We are requiring that data submitted from clinical investigations conducted outside the United States intended to support an investigational device exemption (IDE) application, a premarket notification (510(k)) submission, a request for De Novo classification, a premarket approval (PMA) application, a product development protocol (PDP) application, or a humanitarian device exemption (HDE) application be from investigations conducted in accordance with good clinical practice (GCP), which includes obtaining and documenting the review and approval of the clinical investigation by an independent ethics committee (IEC) and obtaining and documenting freely given informed consent of subjects, which includes individuals whose specimens are used in investigations of medical devices. The final rule updates the criteria for

FDA acceptance of data from clinical investigations conducted outside the United States to help ensure the quality and integrity of data obtained from these investigations and the protection of human subjects. As part of this final rule, we are also amending the IDE, 510(k), and HDE regulations to address the requirements for FDA acceptance of data from clinical investigations conducted inside the United States. **The final rule provides consistency in FDA requirements for acceptance of data from clinical investigations, whatever the application or submission type. This rule is effective February 21, 2019. See section III of this document for additional explanation of the effective date of this final rule.**

[Hino Motors, Ltd., Receipt of Petition for Decision of Inconsequential Noncompliance](#)

Published 2/22/2018

Reference ISO

Hino Motors Sales USA, Inc., a wholly owned subsidiary of Hino Motors, Ltd. (collectively referred to as "Hino"), has determined that certain model year (MY) 2014-2018 Hino heavy duty trucks do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 101, Controls and Displays. Hino filed a noncompliance report dated December 11, 2017, and subsequently petitioned NHTSA on December 21, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. **The closing date for comments on the petition is March 26, 2018.**

[Financial Responsibility Requirements Under CERCLA Section 108\(b\) for Classes of Facilities in the Hardrock Mining Industry](#)

Published 2/21/2018

Reference ISO

The Environmental Protection Agency (EPA or Agency) is announcing its decision to not issue final regulations on its proposed regulations for financial responsibility requirements applicable to hardrock mining facilities that were published on January 11, 2017.

This decision is based on the record for this rulemaking. This final rulemaking is the Agency's final action on the proposed rule. **This final action is effective on March 23, 2018.**

[Proposed Modification to the List of Appropriate NRTL Program Test Standards and the Scopes of Recognition of Several NRTLs](#)

Published 2/23/2018

Reference UL

In this notice, OSHA proposes to: (1) Delete a test standard from the NRTL Program's list of appropriate test standards; and (2) update the scopes of recognition of several NRTLs. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before March 26, 2018. All submissions must bear a postmark or provide other evidence of the submission date.**

[MET Laboratories, Inc.: Application for Expansion of Recognition and Proposed Modification to the NRTL Program's List of Appropriate Test Standards](#)

Published 2/21/2018

Reference UL

In this notice, OSHA announces the application of MET Laboratories, Inc. for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the Agency's preliminary finding to grant the application. Additionally, OSHA proposes to add a new test standard to the NRTL Program's List of Appropriate Test Standards. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before March 8, 2018.**
