

U.S. Federal Register Update: March 25 – March 29, 2019

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: Notice of Petition for Waiver of Store It Cold From the Department of Energy Walk-In Cooler Refrigeration System Test Procedure, and Notice of Grant of Interim Waiver](#)

Published 3/29/2019

Reference ANSI, ASHRAE

The U.S. Department of Energy ("DOE") announces receipt of and publishes a petition for waiver from Store It Cold, which seeks a waiver from the test procedure used for determining the efficiency of walk-in cooler refrigeration system basic models. Store It Cold seeks to use an alternate test procedure to address issues involved in testing certain basic models identified in its petition. Store It Cold asserts in its petition that for the specified °CoolBot® Walk-In Cooler refrigeration system basic models taking "refrigerant-side" measurements with refrigerant mass flow meters yields results that are unrepresentative of the basic models' true energy consumption characteristics and provides materially inaccurate comparative data. Accordingly, Store It Cold seeks to test and rate the basic models identified in its petition using its recommended alternate test procedure, in which the refrigeration capacity is measured using psychrometric "air-side" measurements. This document announces that DOE is granting Store It Cold with an interim waiver from DOE's walk-in cooler refrigeration system test procedure for the specified basic models, subject to use of the alternate test procedure as set forth in the Interim Waiver Order. DOE solicits comments, data, and information concerning Store It Cold's petition and its suggested alternate test procedure to inform its final decision on Store It Cold's waiver request. **DOE will accept comments, data, and information with respect to the Store It Cold petition until April 29, 2019.**

[Steel Racks From China; Scheduling of the Final Phase of Countervailing Duty and Antidumping Duty Investigations](#)

Published 3/28/2019

Reference ANSI, ASSP, CSA

The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701-TA-608 and 731-TA-1420 (Final) pursuant to the Tariff Act of 1930 ("the Act") to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of steel racks from China, provided for in subheadings 7326.90.8688, 9403.20.0080, 9403.90.8041, 7308.90.3000, 7308.90.6000, 7308.90.9590, and 9403.20.0090 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce ("Commerce") to be subsidized and sold at less-than-fair-value.

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Confined Rock Blasting Near Ketchikan, Alaska](#)

Published 3/27/2019

Reference ANSI, ISO

NMFS has received a request from City of Ketchikan for authorization to take marine mammals incidental to underwater confined rock blasting in Ketchikan, Alaska. 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 is also requesting comments on a possible one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. 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 April 26, 2019.

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to In-Water Demolition and Construction Activities Associated With a Harbor Improvement Project in Statter Harbor, Alaska](#)

Published 3/25/2019

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 City of Juneau to incidentally harass, by Level A and Level B harassment, marine mammals during construction activities associated with harbor improvements at Statter Harbor in Auke Bay, Alaska. **This authorization is effective from October 1, 2019 to September 30, 2020.**

Methylene Chloride; Commercial Paint and Coating Removal Training, Certification and Limited Access Program

Published 3/27/2019

Reference ASTM, IEC, ISO

Under the Toxic Substances Control Act (TSCA), EPA has the authority to apply a suite of regulatory tools to address unreasonable risks from chemical substances, including authority to regulate the distribution in commerce for a particular use and to regulate any manner or method of commercial use, to the extent necessary so that the chemical substance no longer presents unreasonable risk. EPA is issuing an advance notice of proposed rulemaking (ANPRM) to solicit public input on training, certification, and limited access requirements that could address any unreasonable risks that EPA could potentially find to be presented by methylene chloride when used for commercial paint and coating removal. Such a program could allow access to paint and coating removal products containing methylene chloride only to commercial users who are certified as properly trained to engage in use practices that do not present unreasonable risks. **Comments must be received on or before May 28, 2019.**

Accreditation and Approval of NMK Resources, Inc. (Kenner, LA) as a Commercial Gauger and Laboratory

Published 3/26/2019

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that NMK Resources, Inc. (Kenner, LA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of July 20, 2017. **NMK Resources, Inc. (Kenner, LA) was approved and accredited as a commercial gauger and laboratory as of July 20, 2017. The next triennial inspection date will be scheduled for July 2020.**

Accreditation and Approval of NMK Resources, Inc. (Roselle, NJ) as a Commercial Gauger and Laboratory

Published 3/26/2019

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that NMK Resources, Inc. (Roselle, NJ), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of May 29, 2018. **NMK Resources, Inc. (Roselle, NJ) was approved and accredited as a commercial gauger and laboratory as of May 29, 2018. The next triennial inspection date will be scheduled for May 2021.**

Circular Welded Carbon Quality Steel Pipe From the People's Republic of China: Final Results of the Expedited Second Sunset Review of the Countervailing Duty Order

Published 3/25/2019

Reference ASTM

As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the countervailing duty order would be likely to lead to the continuation or recurrence of a countervailable subsidy at the levels indicated in the "Final Results of Review" section of this notice. **Applicable March 25, 2019.**

Autocar Industries, LLC and Hino Motors Sales U.S.A., Inc., Grant of Petitions for Decision of Inconsequential Noncompliance

Published 3/25/2019

Reference ISO

Autocar Industries, LLC (Autocar Industries) and Hino Motors Sales U.S.A., Inc., (Hino), have determined that certain model year (MY) 2014-2018 Autocar Xpert trucks and certain MY 2014-2018 Hino heavy-duty trucks do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 101, Controls and Displays. The petitioners have requested that NHTSA

deem the subject noncompliances inconsequential to motor vehicle safety. This notice announces the grant of these petitions.

Scrapie in Sheep and Goats

Published 3/25/2019

Reference ISO

We are amending the scrapie regulations by changing the risk groups and categories established for individual animals and for flocks, increasing the use of genetic testing as a means of assigning risk levels to animals, reducing movement restrictions for animals found to be genetically less susceptible or resistant to scrapie, and simplifying, reducing, or removing certain recordkeeping requirements. We are also providing designated scrapie epidemiologists with more alternatives and flexibility when testing animals in order to determine flock designations under the regulations. We are changing the definition of high-risk animal, which will change the types of animals eligible for indemnity, and to pay higher indemnity for certain pregnant ewes and does and early maturing ewes and does. The changes will also make the identification and recordkeeping requirements for goat owners consistent with those for sheep owners. These changes affect sheep and goat producers, persons who handle sheep and goats in interstate commerce, and State governments.

Effective April 24, 2019.

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

Published 3/26/2019

Reference NFPA

Pursuant to 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 26, 2019 to March 11, 2019. The last biweekly notice was published on March 12, 2019. **Comments must be filed by April 25, 2019. A request for a hearing must be filed by May 28, 2019. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.**

Special Conditions: GDC Technics, Boeing Model 777-300ER Airplane; the Use of Single-Passenger Side-Facing Seats Equipped With Multiple Airbag Systems

Published 3/27/2019

Reference SAE

These special conditions are issued for the Boeing Model 777-300ER airplane. This airplane, as modified by GDC Technics, has novel or unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. This design feature as modified by GDC Technics, will be equipped with nine single-passenger, side-facing seats, each of which will be installed with an upper torso restraint equipped with an airbag system and a floor level airbag system to limit the axial rotation of the upper leg, due to leg flail, of occupants in single-place, side facing divans. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards. **This action is effective on GDC Technics on March 27, 2019. Send comments on or before May 13, 2019.**
