

U.S. Federal Register Update: May 11 – May 15, 2020

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?*

[Emergency Preparedness for Small Modular Reactors and Other New Technologies](#)

Published 5/12/2020

Reference ANSI

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to include new alternative emergency preparedness (EP) requirements for small modular reactors (SMRs) and other new technologies (ONTs), such as non-light-water reactors (non-LWRs) and certain non-power production or utilization facilities (NPUFs). The new EP requirements would acknowledge technological advancements and other differences from large LWRs that are inherent in SMRs and ONTs. Concurrently, the NRC is issuing for public comment draft Regulatory Guide (DG), DG-1350, "Performance-Based Emergency Preparedness for Small Modular Reactors, Non-Light-Water Reactors, and Non-power Production or Utilization Facilities." The NRC plans to hold a public meeting to promote full understanding of the proposed rule and guidance and to facilitate public comment. **Submit comments by July 27, 2020. 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.**

[Energy Conservation Program: Test Procedure for Consumer Boilers](#)

Published 5/15/2020

Reference ANSI, ASHRAE, ASTM, IEC, NIST

The U.S. Department of Energy (DOE) is initiating a data collection process through this request for information (RFI) to consider whether to amend DOE's test procedure for consumer boilers. Specifically, DOE seeks data and information pertinent to whether amended test procedures would more accurately or fully comply with the requirement that the test procedure produces results that measure energy use during a representative average use cycle for the product, and not be unduly burdensome to conduct. DOE welcomes written comments from the public on any subject within the scope of this document (including topics not raised in this RFI), as well as the submission of data and other relevant information. **Written comments and information are requested and will be accepted on or before June 15, 2020.**

[Salini-Impregilo/Healy Joint Venture: Grant of Permanent Variance](#)

Published 5/11/2020

Reference ANSI, ASME, ASSE

In this notice, OSHA grants a permanent variance to Salini-Impregilo/Healy Joint Venture from the provisions of OSHA standards that regulate work in compressed-air environments. **The permanent variance specified by this notice becomes effective on May 11, 2020 and shall remain in effect until the completion of the Northeast Boundary Tunnel project.**

[Energy Conservation Program: Energy Conservation Standards for Water-Source Heat Pumps](#)

Published 5/12/2020

Reference ASHRAE, ISO

The U.S. Department of Energy (DOE) is initiating an effort to determine whether to amend the current energy conservation standards for water-source heat pumps (WSHPs). This request for information (RFI) solicits information from the public to help DOE determine whether amended standards for WSHPs, a category of covered commercial equipment, would result in significant additional energy savings and whether such standards would be technologically feasible and economically justified. DOE welcomes written comments from the public on any subject within the scope of this document (including those topics not specifically raised in this RFI), as well as the submission of data and other relevant information. **Written comments and information are requested and will be accepted on or before June 11, 2020.**

[Energy Conservation Program: Energy Conservation Standards for Air-Cooled Commercial Package Air Conditioning and Heating Equipment and Commercial Warm Air Furnaces](#)

Published 5/12/2020

Reference ASHRAE, UL

The U.S. Department of Energy (DOE) is initiating an effort to determine whether to amend the current energy conservation standards for air-cooled commercial package air conditioning and heating equipment (referred to as air-cooled commercial

unitary air conditioners and heat pumps (ACUACs and ACUHPs) in this document), and commercial warm air furnaces (CWAFFs). This request for information (RFI) solicits information from the public to help DOE determine whether amended standards for ACUACs, ACUHPs, and CWAFFs, subsets of covered commercial equipment, would result in significant additional energy savings and whether such standards would be technologically feasible and economically justified. DOE welcomes written comments from the public on any subject within the scope of this document (including those topics not specifically raised in this RFI), as well as the submission of data and other relevant information. **Written comments and information are requested and will be accepted on or before June 11, 2020.**

[Fuels Regulatory Streamlining](#)

Published 5/14/2020

Reference ASTM, ISO, NIST

This action proposes to update the Environmental Protection Agency's (EPA) existing gasoline, diesel, and other fuels programs to improve overall compliance assurance and maintain environmental performance, while reducing compliance costs for industry and EPA. EPA is proposing to streamline its existing fuel quality regulations by removing expired provisions, eliminating redundant compliance provisions (e.g., duplicative registration requirements that are required by every EPA fuels program), removing unnecessary and out-of-date requirements, and replacing them with a single set of provisions and definitions that will apply across all gasoline, diesel, and other fuels programs that EPA currently regulates. This action does not propose to change the stringency of the existing fuel quality standards. **Comments must be received on or before June 29, 2020. 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 June 15, 2020.**

[Vehicle Test Procedure Adjustments for Tier 3 Certification Test Fuel](#)

Published 5/13/2020

Reference ASTM, SAE

The Environmental Protection Agency (EPA) is proposing to make adjustments to certain laboratory tailpipe emission testing procedures for automobiles, light trucks, and heavy-duty pickup trucks and vans as the result of a test fuel change that was finalized as a part of EPA's 2014 Tier 3 vehicle emissions rule. In that rule, EPA changed its laboratory test fuel to be more similar to typical gasoline currently in use. In the Tier 3 Final Rulemaking, EPA required vehicle manufacturers to perform greenhouse gas (GHG) and CAFE fuel economy testing on the new Tier 3 test fuel, beginning for model year 2020 and later vehicles. Changes to the fuel used for emissions testing can result in a change in emission results on the tests. When we adopted the Tier 3 test fuel, we indicated that we intended to undertake rulemaking to re-align test results from GHG and CAFE fuel economy testing on the new Tier 3 test fuel so they are consistent with test results from testing on the original Tier 2 test fuel, in order to avoid an effective change in the stringency of the GHG and CAFE standards. Specifically, EPA is now proposing adjustment factors to apply to both vehicle GHG and fuel economy test results for the GHG and CAFE programs and the Fuel Economy and Environment Label. In addition, we propose that the shift to required use of the new fuel for all vehicle testing be phased in through Model Year 2024, but required in Model Year 2025. Because the purpose of the rule is simply to realign testing results in response to the test fuel change, there would be no significant costs associated with the proposed action. **Comments must be received on or before August 11, 2020.**

[Improvements for Heavy-Duty Engine and Vehicle Test Procedures, and Other Technical Amendments](#)

Published 5/12/2020

Reference ASTM, ISO, NFPA, NIST, SAE

The Environmental Protection Agency (EPA) is proposing changes to the test procedures for heavy-duty engines and vehicles to improve accuracy and reduce testing burden. EPA is also proposing other regulatory amendments concerning light-duty vehicles, heavy-duty vehicles, highway motorcycles, locomotives, marine engines, other nonroad engines and vehicles, stationary engines. These would affect the certification procedures for exhaust emission standards, and related requirements. EPA is proposing similar amendments for evaporative emission standards for nonroad equipment and portable fuel containers. These amendments would increase compliance flexibility, harmonize with other requirements, add clarity, correct errors, and streamline the regulations. Given the nature of the proposed changes, they would have neither significant environmental impacts nor significant economic impacts for any sector. **Comments must be received on or before June 26, 2020.**

[Biodiesel From Argentina: Final Results of Countervailing Duty Changed Circumstances Review](#)

Published 5/12/2020

Reference ASTM

On July 9, 2019, the Department of Commerce (Commerce) published the preliminary results of the changed circumstances review (CCR) of the countervailing duty (CVD) order on biodiesel from Argentina. For these final results, Commerce finds that sufficient changed circumstances do not exist warranting a recalculation of the CVD deposit rates in the order.

Applicable May 12, 2020.

[Biodiesel From Argentina: Final Results of Antidumping Duty Changed Circumstances Review](#)

Published 5/12/2020

Reference ASTM

On July 9, 2019, the Department of Commerce (Commerce) published the preliminary results of the changed circumstances review (CCR) of the antidumping duty (AD) order on biodiesel from Argentina. For these final results, Commerce continues to find that there are insufficient changed circumstances to warrant any revisions under the AD order. **Applicable May 12, 2020.**

[Prestressed Concrete Steel Wire Strand From Argentina, Colombia, Egypt, Indonesia, Italy, Malaysia, the Netherlands, Saudi Arabia, South Africa, Spain, Taiwan, Tunisia, the Republic of Turkey, Ukraine, and the United Arab Emirates: Initiation of Less-Than-Fair-Value Investigations](#)

Published 5/13/2020

Reference ASTM

On April 16, 2020, the Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of prestressed concrete steel wire strand (PC strand) from Argentina, Colombia, Egypt, Indonesia, Italy, Malaysia, the Netherlands, Saudi Arabia, South Africa, Spain, Taiwan, Tunisia, the Republic of Turkey (Turkey), Ukraine, and the United Arab Emirates (UAE) filed in proper form on behalf the petitioners, domestic producers of PC strand. The Petitions were accompanied by a countervailing duty (CVD) petition concerning imports of PC strand from Turkey. **Applicable May 6, 2020.**

[Prestressed Concrete Steel Wire Strand From the Republic of Turkey: Initiation of Countervailing Duty Investigation](#)

Published 5/13/2020

Reference ASTM

On April 16, 2020, the Department of Commerce (Commerce) received a countervailing duty (CVD) petition concerning imports of prestressed concrete steel wire strand (PC strand) from the Republic of Turkey (Turkey), filed in proper form on behalf of the petitioners, domestic producers of PC strand. The Petition was accompanied by antidumping duty (AD) petitions concerning imports of PC strand from Argentina, Columbia, Egypt, Indonesia, Italy, Malaysia, Netherlands, Saudi Arabia, South Africa, Spain, Taiwan, Tunisia, Turkey, Ukraine and the United Arab Emirates. **Applicable May 6, 2020.**

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

Published 5/11/2020

Reference ISO

PHMSA is issuing this final rule to amend the Hazardous Materials Regulations (HMR) to maintain alignment 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 would allow for increased alignment with the Transport Canada, Transportation of Dangerous Goods Regulations. **This rule is effective May 11, 2020, except for instruction 17, which is effective January 2, 2023.**

[Sunshine Act Meetings](#)

Published 5/15/2020

Reference NIST

The U.S. Election Assistance Commission is holding a virtual hearing, titled “VVSG 2.0 Requirements Hearing 3: Manufacturers, Technology, & Testing Labs.” **Date: Wednesday, May 20, 2020 1:30 p.m.-3:30 p.m. Eastern.**

[Open Meeting of the Information Security and Privacy Advisory Board](#)

Published 5/14/2020

Reference NIST

The Information Security and Privacy Advisory Board (ISPAB) will meet Wednesday, June 24, 2020 from 9:00 a.m. until 5:00 p.m., Eastern Time, and Thursday, June 25, 2020 from 9:00 a.m. until 4:30 p.m., Eastern Time. All sessions will be open to the public. **The meeting will be held on Wednesday, June 24, 2020, from 9:00 a.m. until 5:00 p.m., Eastern Time, and Thursday, June 25, 2020, from 9:00 a.m. until 4:30 p.m., Eastern Time.**

[Hazardous Materials: The State of Washington Crude Oil by Rail Volatility Requirements](#)

Published 5/15/2020

Reference SAE

PHMSA finds that the HMTA preempts Washington State's vapor pressure limit for crude oil loaded or unloaded from rail tank cars, for three reasons. First, the vapor pressure requirement constitutes a scheme for classifying a hazardous material that is not substantively the same as the HMR. Second, the vapor pressure requirement imposes requirements on the handling of a hazardous material that are not substantively the same as the requirements of the HMR. Third, PHMSA has determined that the vapor pressure requirement is an obstacle to accomplishing and carrying out the HMTA.

In addition, PHMSA finds that the administrative record regarding Washington State's Advance Notice of Transfer (ANT) requirement is insufficient to make a determination whether the requirement is preempted under the HMTA. **Date: October 1, 2015.**
