

## U.S. Federal Register Update: June 1 – June 5, 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?*

### [Credit for Carbon Oxide Sequestration](#)

Published 6/2/2020

Reference ANSI, ASTM, ISO

This document contains proposed regulations regarding the credit for carbon oxide sequestration under section 45Q of the Internal Revenue Code (Code). These proposed regulations will affect persons who physically or contractually ensure the capture and disposal of qualified carbon oxide, use of qualified carbon oxide as a tertiary injectant in a qualified enhanced oil or natural gas recovery project, or utilization of qualified carbon oxide in a manner that qualifies for the credit. **Written or electronic comments and requests for a public hearing must be received by August 3, 2020. Requests for a public hearing must be submitted as prescribed in the "Comments and Requests for a Public Hearing" section.**

---

### [National Emission Standards for Hazardous Air Pollutants: Engine Test Cells/Standards Residual Risk and Technology Review](#)

Published 6/3/2020

Reference ANSI, ASME, ASTM

This action finalizes the residual risk and technology review (RTR) conducted for the Engine Test Cells/Standards source category regulated under national emission standards for hazardous air pollutants (NESHAP). In addition, we are taking final action on amendments to the Engine Test Cells/Standards NESHAP addressing periods of startup, shutdown, and malfunction (SSM). These final amendments also include provisions regarding electronic reporting, as well as clarifying and technical corrections. These final amendments will result in improved compliance and implementation of the rule. **This final rule is effective on June 3, 2020. The incorporation by reference (IBR) of certain publications listed in the rule was approved by the Director of the Federal Register as of May 27, 2003.**

---

### [Energy Conservation Program: Decision and Order Granting a Waiver to LG Electronics USA, Inc. From the Department of Energy Portable Air Conditioner Test Procedure](#)

Published 6/2/2020

Reference ANSI, AHAM, ASHRAE

The U.S. Department of Energy ("DOE") gives notice of a Decision and Order (Case Number 2018-004) that grants LG Electronics USA, Inc. ("LG") a waiver from specified portions of the DOE test procedure for determining the energy efficiency of listed portable air conditioner basic models. Under the Decision and Order, LG is required to test and rate the listed basic models of its portable air conditioners in accordance with the alternate test procedure specified in the Decision and Order. **The Decision and Order is effective on June 2, 2020. The Decision and Order will terminate upon the compliance date of any future amendment to the test procedure for portable air conditioners located in 10 CFR part 430, subpart B, appendix CC that addresses the issues presented in this waiver. At that time, LG must use the relevant test procedure for this product for any testing to demonstrate compliance with standards and any representations of energy use.**

---

### [Advisory Committee on Construction Safety and Health \(ACCSH\): Notice of Meetings](#)

Published 6/1/2020

Reference ANSI

The Advisory Committee on Construction Safety and Health (ACCSH) will meet July 1, 2020, by teleconference and WebEx. In conjunction with the ACCSH meeting, ACCSH Workgroups will also meet by teleconference and WebEx on June 30, 2020. **ACCSH will meet from 12:00 p.m. to 5:00 p.m., ET, Wednesday, July 1, 2020.**

---

### [American Society of Mechanical Engineers 2015-2017 Code Editions Incorporation by Reference; Correction](#)

Published 6/3/2020

Reference ASME

The U.S. Nuclear Regulatory Commission (NRC) is correcting a rule that was published in the Federal Register on May 4, 2020, regarding its regulations to incorporate by reference the 2015 and 2017 Editions of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code and the 2015 and 2017 Editions of the American Society of Mechanical Engineers Operation and Maintenance of Nuclear Power Plants, Division 1: OM Code: Section IST, for nuclear

power plants. This action is necessary to correct a code case reference and an amendatory instruction. Effective June 3, 2020.

---

#### [Seismic Qualification of Electrical and Active Mechanical Equipment and Functional Qualification of Active Mechanical Equipment for Nuclear Power Plants](#)

**Published** 6/2/2020

**Reference** ASME, IEEE

The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 4 to Regulatory Guide (RG) 1.100, "Seismic Qualification of Electrical and Active Mechanical Equipment and Functional Qualification of Active Mechanical Equipment for Nuclear Power Plants." RG 1.100 was revised to endorse industry consensus standards with certain exceptions and clarifications. The guide describes methods that the staff of the NRC considers acceptable for use in the seismic qualification of electrical and active mechanical equipment and the functional qualification of active mechanical equipment for nuclear power plants.

**Revision 4 to RG 1.100 is available on June 2, 2020.**

---

#### [Children's Toys and Child Care Articles: Determinations Regarding ASTM F963 Elements and Phthalates for Unfinished Manufactured Fibers](#)

**Published** 6/1/2020

**Reference** ASTM

The Consumer Product Safety Commission (CPSC) is issuing a final rule determining that certain unfinished manufactured fibers do not contain the ASTM F963 elements or specified phthalates that exceed the limits set forth under the CPSC's statutes and regulations for children's toys and child care articles. Based on these determinations, the specified unfinished manufactured fibers would not be required to have third party testing for compliance with the requirements of the ASTM F963 elements or phthalates for children's toys and child care articles. **The rule is effective on July 1, 2020.**

---

#### [Energy Conservation Program: Test Procedure for Commercial Prerinse Spray Valves](#)

**Published** 6/5/2020

**Reference** ASTM

The U.S. Department of Energy (DOE) is requesting information and data through this request for information ("RFI") to consider whether to amend DOE's test procedures for commercial prerinse spray valves. Specifically, DOE seeks data and information pertinent to whether amended test procedures would (1) more accurately or fully comply with the requirement that the test procedure be reasonably designed to produce test results that measure water use during a representative average use cycle or period of use without being unduly burdensome to conduct, or (2) reduce test burden. 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 will be accepted on or before July 6, 2020.**

---

#### [Certain Collated Steel Staples From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Critical Circumstances Determination](#)

**Published** 6/2/2020

**Reference** ASTM

The Department of Commerce (Commerce) determines that imports of certain collated steel staples (collated staples) from the People's Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV).

**Applicable June 2, 2020.**

---

#### [Certain Collated Steel Staples From the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Critical Circumstances Determination](#)

**Published** 6/2/2020

**Reference** ASTM

The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of certain collated steel staples (collated staples) from the People's Republic of China (China). **Applicable June 2, 2020.**

---

#### [Energy Conservation Program: Test Procedure for Electric Motors](#)

**Published** 6/3/2020

**Reference** CSA, IEC, IEEE, NEMA, NFPA, UL

The U.S. Department of Energy is soliciting public comment to consider whether to amend DOE's test procedures for electric motors. To inform interested parties and to facilitate this process, this document identifies several issues concerning the current test procedures on which comment is sought and invites public comment on any relevant topic (including those that have not been specifically raised). While the issues outlined in this document focus on how to address recent industry testing standard updates and the potential clarification of definitions and test settings for electric motors, information and data regarding any additional topics relevant to potential test procedure amendments are also sought, including methods to reduce regulatory burden while ensuring the procedure's representativeness. Written comments and information will be accepted on or before July 20, 2020.

---

#### [Energy Conservation Program: Test Procedure for Illuminated Exit Signs](#)

**Published** 6/1/2020

**Reference** IEC, NEMA, NFPA

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 illuminated exit signs. 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 measure energy use during a representative average use cycle or period of use for the product without being unduly burdensome to conduct, or reduce testing burden. 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 July 16, 2020.**

---

#### [Northern Natural Gas Company; Notice of Application](#)

**Published** 6/3/2020

**Reference** ISO

Take notice that on March 21, 2020, Northern Natural Gas Company (Northern Natural), 1111 South 103rd Street, Omaha, NE 68124-1000, filed in Docket No. CP20-460-000 an application (Clifton to Palmyra A-line Abandonment Project) pursuant to section 7(b) and 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations for authorization to abandon in-place approximately 96 miles Northern Natural's 24 inch-diameter A-line and approximately 19 miles of its 20-inch-diameter J-line located in Clay and Washington counties in Kansas, and in Gage, Jefferson, Lancaster and Otoe counties in Nebraska. Northern Natural further seeks authorization to construct and operate an additional natural gas-driven ISO rated 15,900-Solar Mars turbine unit compressor unit at Northern Natural's existing Beatrice compressor station located in Gage County, Nebraska at an estimated cost of \$29,730,000, all as more fully described in their application which is on file with the Commission and open to public inspection. **Dates: 5:00 p.m. Eastern Standard Time on June 18, 2020.**

---

#### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Floating Dry Dock Project at Naval Base San Diego in San Diego, California](#)

**Published** 6/1/2020

**Reference** ISO

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 U.S. Navy (Navy) to incidentally take, by Level B harassment, one species of marine mammal during the Floating Dry Dock Project at Naval Base San Diego in San Diego, California. **This Authorization is effective from September 15, 2020 through September 14, 2021.**

---

#### [Rapid Microbial Testing Methods Consortium](#)

**Published** 6/5/2020

**Reference** NIST

The National Institute of Standards and Technology (NIST), an agency of the United States Department of Commerce, in support of efforts to develop Standards for Regenerative Medicine and Advanced Therapies, is establishing the Rapid Microbial Testing Methods (RMTM) Consortium ("Consortium") for developing standards, including reference materials, related to rapid microbial testing for regenerative medicine products. The Consortium efforts are intended to advance rapid microbial measurement capabilities, provide measurement assurance strategies, support the development of microbial reference material(s), and collect data to support the development of best practices and standard methods. Participants will be required to sign a Cooperative Research and Development Agreement (CRADA). There is no cost for participating in the consortium. **The Consortium's activities will commence on September 15, 2020 ("Commencement Date"). NIST will accept letters of interest to participate in this Consortium on an ongoing basis. Acceptance of participants into the Consortium after the Commencement Date will depend on the availability of NIST resources.**

---

### [Board of Overseers of the Malcolm Baldrige National Quality Award and Judges Panel of the Malcolm Baldrige National Quality Award](#)

**Published** 6/1/2020

**Reference** NIST

The Board of Overseers of the Malcolm Baldrige National Quality Award (Board of Overseers) and the Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in open session on Thursday, June 11, 2020, from 11:00 a.m. to 4:00 p.m. Eastern time. The Board of Overseers, appointed by the Secretary of Commerce, reports the results of the Malcolm Baldrige National Quality Award (Award) activities to the Director of the National Institute of Standards and Technology (NIST) each year, along with its recommendations for the improvement of the Award process. The Judges Panel, also appointed by the Secretary of Commerce, ensures the integrity of the Award selection process and recommends Award recipients to the Secretary of Commerce. The purpose of this meeting is to discuss and review information received from the National Institute of Standards and Technology and from the Chair of the Judges Panel. The agenda will include: Baldrige Program Update, Baldrige Foundation Update, Baldrige Judges Panel Update, Ethics Review, Baldrige Award Process, and New Business/Public Comment. **The meeting will be held on Thursday, June 11, 2020 from 11:00 a.m. Eastern Time until 4:00 p.m. Eastern Time. The meeting will be open to the public.**

---

### [Judges Panel of the Malcolm Baldrige National Quality Award](#)

**Published** 6/1/2020

**Reference** NIST

The Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet on Wednesday, June 10, 2020, from 11:00 a.m. to 4:00 p.m. Eastern time. The purpose of this meeting is to discuss and review the role and responsibilities of the Judges Panel and information received from the National Institute of Standards and Technology (NIST) in order to ensure the integrity of the Malcolm Baldrige National Quality Award (Award) selection process. The agenda will include: Judges Panel roles and processes; Baldrige Program updates; new business/public comment; lessons learned from the 2019 judging process; and the 2020 Award process. A portion of this meeting is closed to the public in order to protect the proprietary data to be examined and discussed. **The Judges Panel will meet on Wednesday, June 10, 2020 from 11:00 a.m. Eastern Time until 4:00 p.m. Eastern Time. The portion of the meeting that is closed to the public will take place on Wednesday, June 10, 2020 from 2:00 p.m. to 4:00 p.m.**

---

### [Sunshine Act Meetings](#)

**Published** 6/3/2020

**Reference** NIST

Public Hearing: U.S. Election Assistance Commission Board of Advisors Annual Meeting. The hearing is open to the public and will be livestreamed on the U.S. Election Assistance Commission YouTube Channel: <https://www.youtube.com/channel/UCpN6i0g2rIF4ITWhwvBwwZw>. **Dates: Tuesday, June 16, 2020 1:30 p.m.-3:30 p.m. Eastern.**

---

### [Anthropomorphic Test Devices, Hill 5th Percentile Female Test Dummy; Incorporation by Reference](#)

**Published** 6/2/2020

**Reference** SAE

In response to a request from the public, NHTSA is re-opening the comment period on a Notice of Proposed Rulemaking (NPRM) issued in December 2019 for an additional 60 days. With this extension, the comment period will re-open today and close on August 3, 2020. NHTSA is also docketing a document describing procedures it has developed to measure SAE chest jackets already in use in the field in order to assess the uniformity of the jackets and to determine jacket dimensions and tolerances to be specified in the Final Rule. **You should submit your comments early enough to be received not later than August 3, 2020.**

---