

U.S. Federal Register Update: August 12 – August 16, 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?*

[National Emission Standards for Hazardous Air Pollutants: Integrated Iron and Steel Manufacturing Facilities Residual Risk and Technology Review](#)

Published 8/16/2019

Reference ANSI, ASME, ASTM

The Environmental Protection Agency (EPA) is proposing amendments to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Manufacturing Facilities. This proposal presents the results of the residual risk and technology review (RTR) conducted as required under the Clean Air Act (CAA). Based on the results of the EPA risk review, the Agency is proposing that risks due to emissions of air toxics are acceptable from this source category and that the current NESHAP provides an ample margin of safety to protect public health. Under the technology review, we are proposing there are no developments in practices, processes or control technologies that necessitate revision of the standards. Pursuant to granting a request to reconsider setting mercury standards in 2005, we are proposing an emissions standard for mercury based on limiting the amount of mercury in the metal scrap used by these facilities. We also are proposing: the removal of exemptions for periods of startup, shutdown, and malfunction (SSM) consistent with a 2008 court decision, and clarifying that the emissions standards apply at all times; the addition of electronic reporting of performance test results and compliance reports; and minor corrections and clarifications for a few other rule provisions. Finally, we are soliciting comment on unmeasured fugitive and intermittent emissions that have been identified as occurring at facilities in this source category and the cost and effectiveness of potential work practices that could be implemented to reduce emissions from these fugitive and intermittent sources. **Comments must be received on or before September 30, 2019. 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 September 16, 2019.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Low-Energy Geophysical Survey in the Southwest Atlantic Ocean](#)

Published 8/12/2019

Reference ANSI

NMFS has received a request from the Scripps Institute of Oceanography (SIO) for authorization to take marine mammals incidental to a low-energy marine geophysical survey in the Southwest Atlantic Ocean. 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 September 11, 2019.**

[Steel Propane Cylinders From the People's Republic of China: Countervailing Duty Order](#)

Published 8/15/2019

Reference ANSI, ASME, ISO

Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing a countervailing duty order on steel propane cylinders from the People's Republic of China (China). **Applicable August 15, 2019.**

[Steel Propane Cylinders From the People's Republic of China and Thailand: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Orders](#)

Published 8/15/2019

Reference ANSI, ASME, ISO

Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), we are issuing antidumping duty orders on steel propane cylinders from the People's Republic of China (China) and Thailand. Additionally, we are amending our final affirmative determination of sales at less than fair value (LTFV) for steel propane cylinders from China as a result of ministerial errors. **Applicable August 15, 2019.**

[Energy Conservation Program: Energy Conservation Standards for Microwave Ovens](#)

Published 8/13/2019

Reference AHAM, IEC

The U.S. Department of Energy ("DOE") is initiating an effort to determine whether to amend the current energy conservation standards for microwave ovens. Under the Energy Policy and Conservation Act of 1975, as amended, DOE must review these standards at least once every six years and publish either a notice of proposed rulemaking ("NOPR") to propose new standards for microwave ovens or a notice of determination that the existing standards do not need to be amended. This request for information ("RFI") solicits information from the public to help DOE determine whether amended standards for microwave ovens would result in significant 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 topics not raised in this RFI). **Written comments and information are requested and will be accepted on or before September 27, 2019.**

[Hazardous Materials: Adoption of Miscellaneous Petitions To Reduce Regulatory Burdens](#)

Published 8/14/2019

Reference ASME

This rulemaking responds to numerous petitions for rulemaking submitted by the regulated community that request PHMSA address a variety of provisions, including but not limited to those addressing packaging, hazardous communication, and incorporation by reference documents. PHMSA proposes amendments to the Hazardous Materials Regulations to update, clarify, improve the safety of, or provide relief from various regulatory requirements. The proposed amendments include adopting a phase-out schedule for certain railroad tank cars used to transport materials poisonous by inhalation, allowing the continued use of certain portable and mobile refrigerator systems commonly used in the produce industry, incorporating an industry standard that can help to enhance the production of oil and gas wells, and incorporating an updated consensus standard which applies to the existing market for fireworks; as well as additional proposed amendments derived from PHMSA's petition for rulemaking process. **Comments must be submitted by October 15, 2019. To the extent possible, PHMSA will consider late-filed comments as a final rule is developed.**

[Hazardous Materials: Notice of Applications for New Special Permits](#)

Published 8/12/2019

Reference ASME

In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. **Comments must be received on or before September 11, 2019.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Low-Energy Geophysical Survey in the Southwest Atlantic Ocean](#)

Published 8/12/2019

Reference ISO

NMFS has received a request from the Scripps Institute of Oceanography (SIO) for authorization to take marine mammals incidental to a low-energy marine geophysical survey in the Southwest Atlantic Ocean. 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 September 11, 2019.

Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production and Import, 2020-2029; and Other Updates

Published 8/14/2019

Reference NFPA

The EPA is proposing to allocate production and consumption allowances for specific hydrochlorofluorocarbons, a type of ozone-depleting substance, for the years 2020 through 2029. These hydrochlorofluorocarbons may be used to service certain equipment manufactured before 2020. The EPA is also proposing to update other requirements under the program for controlling production and consumption of ozone-depleting substances, as well as proposing edits to the regulatory text for improved readability and clarity. These updates include revising the labeling requirements for containers of specific hydrochlorofluorocarbons; prohibiting the conversion of hydrochlorofluorocarbon allowances allocated through this rulemaking into allowances for hydrochlorofluorocarbons that have already been phased out; requiring the use of an electronic reporting system for producers, importers, exporters, transformers, and destroyers of class I and class II ozone-depleting substances; revising and removing recordkeeping and reporting requirements; improving the process for petitioning to import used substances for reuse; creating a certification process for importing used and virgin substances for destruction; and restricting the sale of known illegally imported substances. This notice further includes proposed clarifications to the certification requirements for methyl bromide quarantine and preshipment uses. The EPA is also proposing to add polyurethane foam systems containing ozone-depleting chlorofluorocarbons to the list of nonessential products. Lastly, the agency is proposing to update the definition of “destruction” as used in the context of the production and consumption phaseout and remove obsolete provisions. **Comments on this notice of proposed rulemaking must be received on or before September 30, 2019. Any party requesting a public hearing must notify the contact listed below under FOR FURTHER INFORMATION CONTACT by 5 p.m. Eastern Daylight Time on August 19, 2019. If a public hearing is requested, the hearing will be held on August 29, 2019. The hearing will be held in Washington, DC. More details concerning the hearing, including whether a hearing has been requested, will be available at <https://www.epa.gov/ods-phaseout/phaseout-class-ii-ozone-depleting-substances>.**

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

Published 8/13/2019

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 July 16, 2019, to July 29, 2019. The last biweekly notice was published on July 30, 2019. **Comments must be filed by September 12, 2019. A request for a hearing must be filed by October 15, 2019.**
