

U.S. Federal Register Update: October 7 – October 11, 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?*

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Long Beach Cruise Terminal Improvement Project in the Port of Long Beach, California](#)

Published 10/11/2019

Reference ANSI, ISO

NMFS has received a request from Carnival Corporation & PLC (Carnival) for authorization to take marine mammals incidental to the Port of Long Beach Cruise Terminal Improvement Project in Port of Long Beach, California. 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 November 12, 2019.**

[National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology Standards Residual Risk and Technology Review for Ethylene Production](#)

Published 10/9/2019

Reference ANSI, ASME, ASTM

The U.S. Environmental Protection Agency (EPA) is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP): Generic Maximum Achievable Control Technology Standards. The source category addressed in this action is Ethylene Production. The EPA is proposing decisions concerning the residual risk and technology review (RTR), including proposing amendments pursuant to technology review for storage vessels and heat exchange systems. The EPA is also proposing amendments to correct and clarify regulatory provisions related to emissions during periods of startup, shutdown, and malfunction (SSM), including removing general exemptions for periods of SSM, adding work practice standards for periods of SSM where appropriate, and clarifying regulatory provisions for certain vent control bypasses. Lastly the EPA is proposing to add monitoring and operational requirements for flares; and add provisions for electronic reporting of performance test results and reports and Notification of Compliance Status (NOCS) reports. We estimate that these proposed amendments will reduce hazardous air pollutants (HAP) emissions from this source category by 62 tons per year (tpy). **Comments must be received on or before November 25, 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 November 8, 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 10/11/2019

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 Scripps Institute of Oceanography (SIO) to incidentally harass, by Level A and Level B harassment, marine mammals during a low-energy marine geophysical survey in the Southwest Atlantic Ocean. **This Authorization is effective from September 12, 2019 through September 11, 2020.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the King Pile Markers Project on the Columbia River](#)

Published 10/8/2019

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 U.S. Army Corps of Engineers, Portland District (Corps) to incidentally harass, by Level A and Level B harassment only, marine mammals during the King

Pile Markers Project on the Columbia River in Washington and Oregon. This Authorization is effective from October 1, 2020 through September 30, 2021.

[Energy Conservation Program: Petition for Waiver of Bradford White Corporation From the Department of Energy Consumer Water Heaters Test Procedure and Grant of Interim Waiver](#)

Published 10/8/2019

Reference ASHRAE

This document announces receipt of and publishes a petition for waiver from Bradford White Corporation (“BWC”), which seeks a waiver for a specified consumer water heater basic model from the U.S. Department of Energy (“DOE”) test procedure used for determining the efficiency of consumer water heaters. BWC asserts that for that identified basic model, application of the calculation specified in the DOE test procedure to determine recovery efficiency yields an “artificially high” value that in turn results in a lower overall uniform energy factor value. Consequently, BWC seeks to use an alternate test procedure to address issues involved in testing the basic model identified in its petition. More specifically, BWC has requested that DOE waive the equation for calculating recovery efficiency of the consumer gas-fired storage water heater basic model for which the first occurrence of the main burner cutting out (“cut-out”) occurs during a draw. Instead, BWC requests that the recovery efficiency for this water heater be calculated using a revised recovery efficiency equation that accounts for the first cut-out occurring during a draw. For the reasons discussed in this document, DOE grants BWC an interim waiver from the DOE's consumer water heater test procedure for the basic model listed in the interim waiver, subject to use of the alternate test procedure as set forth in the Interim Waiver Order. DOE solicits comments, data, and information concerning BWC's petition, its suggested alternate test procedure, and the alternate test procedure in the Interim Waiver Order so as to inform its final decision on BWC's waiver request. **Written comments and information will be accepted on or before November 7, 2019.**

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

Published 10/9/2019

Reference ASTM

The Consumer Product Safety Commission (CPSC) is proposing a rule to determine that certain unfinished manufactured fibers would 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 proposed 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. **Submit comments by December 23, 2019.**

[Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From the Russian Federation: Preliminary No Shipments Determination of Antidumping Duty Administrative Review; 2017-2018](#)

Published 10/8/2019

Reference ASTM, ANSI

The Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty order on certain hot-rolled flat-rolled carbon-quality steel products (hot-rolled steel) from the Russian Federation. The period of review (POR) is December 1, 2017 through November 30, 2018. Interested parties are invited to comment on these preliminary results. **Applicable October 8, 2019.**

[Hazardous Materials: Notice of Actions on Special Permits](#)

Published 10/8/2019

Reference ASTM, ISO

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. **Comments must be received on or before November 7, 2019.**

[Federal Motor Vehicle Safety Standard No. 111, Rear Visibility](#)

Published 10/10/2019

Reference ISO

NHTSA seeks public comment on permitting camera-based rear visibility systems, commonly referred to as “Camera Monitor Systems” or “CMS,” as an alternative to inside and outside rearview mirrors. Federal motor vehicle safety standard (FMVSS) No. 111, “Rear Visibility,” currently requires that vehicles be equipped with rearview mirrors to provide drivers

with a view of objects that are to their side or to their side and rear. This notice responds to two rulemaking petitions from manufacturers seeking permission to install CMS, instead of outside rearview mirrors, on both light vehicles and heavy trucks. This ANPRM builds on the agency's prior efforts to obtain supporting technical information, data, and analysis on CMS so that the agency can determine whether these systems can provide the same level of safety as the rearview mirrors currently required under FMVSS No. 111. Written information should be submitted by December 9, 2019.

[Safety Zone for Fireworks Display; Patapsco River, Inner Harbor, Baltimore, MD](#)

Published 10/9/2019

Reference NFPA

The Coast Guard is establishing a temporary safety zone for certain waters of the Patapsco River. This action is necessary to provide for the safety of life on these navigable waters of the Inner Harbor, Baltimore, MD, during a fireworks display on November 10, 2019, (with an alternate date of November 11, 2019). This regulation prohibits persons and vessels from being in the safety zone unless authorized by the Captain of the Port Maryland-National Capital Region or a designated representative. **This rule is effective from 11 p.m. on November 10, 2019, through 1 a.m. on November 12, 2019. This rule will be enforced from 11 p.m. on November 10, 2019, through 1 a.m. on November 11, 2019, or, in the event of inclement weather on November 10th, from 11 p.m. on November 11, 2019, through 1 a.m. on November 12, 2019.**
