

U.S. Federal Register Update: November 5 – November 9, 2018

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?*

[Cranes and Derricks in Construction: Operator Qualification](#)

Published 11/9/2018

Reference ANSI, ASME, ASSE, ISO

OSHA is updating the agency's standard for cranes and derricks in construction by clarifying each employer's duty to ensure the competency of crane operators through training, certification or licensing, and evaluation. OSHA is also altering a provision that required different levels of certification based on the rated lifting capacity of equipment. While testing organizations are not required to issue certifications distinguished by rated capacities, they are permitted to do so, and employers may accept them or continue to rely on certifications based on crane type alone. Finally, this rule establishes minimum requirements for determining operator competency. This final rule will maintain safety and health protections for workers while reducing compliance burdens. **This final rule is effective on December 10, 2018, except the amendments to 29 CFR 1926.1427(a) and (f) (evaluation and documentation requirements), which are effective February 7, 2019.**

[Hazardous Materials: Response to Petitions From Industry To Modify, Clarify, or Eliminate Regulations](#)

Published 11/7/2018

Reference ANSI, ASHRAE, ASME, ASTM, NFPA

In this rulemaking, PHMSA is amending the Hazardous Materials Regulations in response to 19 petitions for rulemaking submitted by the regulated community to update, clarify, streamline, or provide relief from miscellaneous regulatory requirements. By adopting these deregulatory amendments, PHMSA is allowing more efficient and effective ways of transporting hazardous materials in commerce while maintaining an equivalent level of safety. **This rule is effective December 7, 2018.**

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

Published 11/9/2018

Reference ASME, ASTM

The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to incorporate by reference the 2015 and 2017 Editions of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (BPV Code) and the 2015 and 2017 Editions of the ASME Operation and Maintenance of Nuclear Power Plants, Division 1: OM: Section IST (OM Code), respectively, for nuclear power plants. The NRC is also proposing to incorporate by reference two revised ASME code cases. This action is in accordance with the NRC's policy to periodically update the regulations to incorporate by reference new editions of the ASME Codes and is intended to maintain the safety of nuclear power plants and to make NRC activities more effective and efficient. **Submit comments by January 23, 2019. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.**

[Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information](#)

Published 11/9/2018

Reference ASME

The U.S. Nuclear Regulatory Commission (NRC) received and is considering approval of two amendment requests. The amendment requests are for both Peach Bottom Atomic Power Station, Unit Nos. 2 and 3. For each amendment request, the NRC proposes to determine that they involve no significant hazards consideration. Because each amendment request contains sensitive unclassified nonsafeguards information (SUNSI) an order imposes procedures to obtain access to SUNSI for contention preparation. **Comments must be filed by December 6, 2018. A request for a hearing must be filed by January 7, 2019. Any potential party as defined in Section 2.4 of title 10 of the Code of Federal Regulations (10 CFR), who believes access to SUNSI is necessary to respond to this notice must request document access by November 16, 2018.**

[Tankers-Automatic Pilot Systems](#)

Published 11/5/2018

Reference IEC

The Coast Guard will permit tankers with automatic pilot systems that meet certain international standards to operate using those systems in shipping safety fairways and traffic separation schemes specified in 33 CFR parts 166 and 167, respectively. This final rule removes the previous regulatory restriction, updates the technical requirements for automatic pilot systems, and promotes the Coast Guard's maritime safety and stewardship (environmental protection) missions by enhancing maritime safety. **This final rule is effective December 5, 2018. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register on December 5, 2018.**

[Biweekly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations](#)

Published 11/6/2018

Reference IEEE, NFPA

Pursuant to Section 189a.(2) of 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 October 6, 2018, to October 22, 2018. The last biweekly notice was published on October 23, 2018. Comments must be filed by December 6, 2018. A request for a hearing must be filed by January 7, 2019.

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

Published 11/7/2018

Reference 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. 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 December 7, 2018.**

[Linde AG and Praxair, Inc.; Analysis To Aid Public Comment](#)

Published 11/6/2018

Reference ISO

The consent agreement in this matter settles alleged violations of federal law prohibiting unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the complaint and the terms of the consent orders—embodied in the consent agreement—that would settle these allegations. **Comments must be received on or before November 21, 2018.**

