

U.S. Federal Register Update: August 28 – September 1, 2017

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 the Biorka Island Dock Replacement Project](#)

Published 8/30/2017

Reference ANSI, ISO

NMFS has received a request from the Federal Aviation Administration (FAA) for authorization to take marine mammals incidental to construction activities as part of its Biorka Island Dock Replacement Project. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting public comment on its proposal to issue an incidental harassment authorization (IHA) to the FAA to incidentally take marine mammals, by Level A and Level B harassment, during the specified activity. 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 29, 2017.**

[Promoting Spectrum Access for Wireless Microphone Operations](#)

Published 9/1/2017

Reference ANSI

In this document, the Commission addresses several petitions for reconsideration regarding recent decisions regarding wireless microphones. Specifically, the Commission makes technical revisions to the spurious emission limits that it had adopted for licensed wireless microphone operations in several frequency bands, and for unlicensed wireless microphone operations in the TV bands and in the 600 MHz guard band and duplex gap. The Commission also clarifies output power measurements and how certain antenna-related part 15 rules apply with respect to unlicensed wireless microphones, and revises and clarifies requirements for existing and legacy unlicensed wireless microphones during and after the post-incentive auction transition period. This action promotes the Commission's goal of accommodating wireless microphone users' needs through access to spectrum resources following the incentive auction and reconfiguration of the TV bands. **Effective October 2, 2017, except for amendments to Sec. Sec. 74.803(c) and (d), which contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, that are not effective until approved by the Office of Management and Budget (OMB). The Commission will publish a document in the Federal Register announcing the effective date once OMB approves.**

[National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing; Rotary Spin Lines Technology Review](#)

Published 8/29/2017

Reference ANSI

In this action, the Environmental Protection Agency (EPA) is proposing amendments to previous proposals to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Wool Fiberglass Manufacturing source category. In the July 29, 2015, final rulemaking, the EPA deferred action on previously proposed formaldehyde, methanol and phenol emission limits from rotary spin (RS) lines at wool fiberglass manufacturing facilities. In this action, the EPA is proposing to readopt the existing emission limits for formaldehyde, to establish emission limits for methanol, and to establish a work practice standard for phenol emissions from bonded RS lines at wool fiberglass manufacturing facilities. In addition, the EPA is proposing amendments to the emission limits promulgated on July 29, 2015, for formaldehyde, methanol, and phenol from flame attenuation (FA) lines at wool fiberglass manufacturing facilities. The EPA is only taking comments on the specific proposed requirements and revisions set forth in this proposed rulemaking, which are based on information contained in this proposal. The EPA is not taking comment on any aspect of previous rulemakings, including the November 25, 2011, April 15, 2013, and November 13, 2014, proposals. **The EPA must receive written comments on this proposed rule on or before October 13, 2017.**

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

Published 8/29/2017

Reference ASME

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 August 1 to August 14, 2017. The last biweekly notice was published on August 15, 2017. **Comments must be filed by September 28, 2017. A request for a hearing must be filed by October 30, 2017.**

Clean Water Act Methods Update Rule for the Analysis of Effluent

Published 8/28/2017

Reference ASTM

This rule modifies the testing procedures approved for analysis and sampling under the Clean Water Act. The changes adopted in this final rule fall into the following categories: New and revised EPA methods (including new and/or revised methods published by voluntary consensus standard bodies (VCSB), such as ASTM International and the Standard Methods Committee); updated versions of currently approved methods; methods reviewed under the alternate test procedures (ATP) program; clarifications to the procedures for EPA approval of nationwide and limited use ATPs; and amendments to the procedure for determination of the method detection limit to address laboratory contamination and to better account for intra-laboratory variability. **This regulation is effective on September 27, 2017. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of September 27, 2017. For judicial review purposes, this final rule is promulgated as of 1:00 p.m. (Eastern time) on September 12, 2017 as provided at 40 CFR 23.2 and 23.7.**

Personal Radio Service Reform

Published 8/29/2017

Reference ASTM, IEC, ISO

The Federal Communications Commission (Commission) adopted a comprehensive reorganization of and update to the rules governing the Personal Radio Services (PRS). PRS provides for a wide variety of wireless devices that are used by the general public for personal communication uses, which include applications like walkie-talkies, radio controlled model toys, Personal Locator Beacons (PLBs), medical implant devices and other uses. In addition to the comprehensive review and update of the rules to reflect modern practices, the Commission enhanced the General Mobile Radio Service (GMRS) to allow new digital applications, allot additional interstitial channels and extend the license term from five to ten years. It also allotted additional channels to the Family Radio Service (FRS) and increased the power on certain FRS channels from 0.5 Watts to two Watts. It also updated the CB Radio Service to allow hands-free headsets, removed a restriction on communicating over long distances and removed other outdated requirements. These changes and others outlined below will update PRS rules to be more in line with current public demands for the services and will make the rules easier to read and find information, while also removing outdated requirements and removing unnecessary rules. **Effective September 28, 2017. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of September 28, 2017.**

Accreditation and Approval of Intertek USA, Inc., as a Commercial Gauger and Laboratory

Published 8/30/2017

Reference ASTM

Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc., has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of September 15, 2016. **The accreditation and approval of Intertek USA, Inc., as commercial gauger and laboratory became effective on September 15, 2016. The next triennial inspection date will be scheduled for September 2019.**

Biodiesel From the Republic of Indonesia: Preliminary Affirmative Countervailing Duty Determination

Published 8/28/2017

Reference ASTM

The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are being provided to producers and/or exporters of biodiesel from the Republic of Indonesia (Indonesia). The period of investigation is January 1, 2016, through December 31, 2016. Interested parties are invited to comment on this preliminary determination.

[Special Conditions: Game Composites Ltd., GB1 Airplane; Acrobatic Category Aerodynamic Stability](#)

Published 8/29/2017

Reference ASTM, SAE

These special conditions are issued for the Game Composites Ltd. GB1 airplane. This airplane will have a novel or unusual design feature(s) associated with static stability. This airplane can perform at the highest level of aerobatic competition. To be competitive, the airplane is designed with its lateral and directional axes being decoupled from each other; providing more precise maneuvering. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

These special conditions are effective August 29, 2017 and are applicable on August 22, 2017.

[Policy Clarification and Premarket Notification \(510\(k\)\) Submissions for Ultrasonic Diathermy Devices; Draft Guidance for Industry and Food and Drug Administration Staff; Availability](#)

Published 8/31/2017

Reference IEC

The Food and Drug Administration (FDA or Agency) is announcing the availability of the draft guidance entitled “Policy Clarification and Premarket Notification [510(k)] Submissions for Ultrasonic Diathermy Devices—Draft Guidance for Industry and Food and Drug Administration Staff.” When final, this draft guidance will clarify FDA's policy related to compliance with applicable performance standards and conformance to International Electrotechnical Commission (IEC) consensus standards for ultrasonic diathermy devices. This draft guidance will also provide recommendations for information to provide in 510(k) submissions for ultrasonic diathermy devices. This draft guidance is not final nor is it in effect at this time. **Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comment of this draft guidance before it begins work on the final version of the guidance, submit either electronic or written comments on the draft guidance by October 30, 2017.**

[Request for Information on the Development of the Organization of Scientific Area Committees \(OSAC\) for Forensic Science 2.0](#)

Published 8/30/2017

Reference IEC

The National Institute of Standards and Technology (NIST) and the Department of Justice (DOJ) established the Organization of Scientific Area Committees (OSAC) for Forensic Science in 2013 as part of a larger effort to strengthen forensic science in the United States. NIST has primary responsibility to support the OSAC and has publicly announced its intention to transition the administration of the OSAC to another host within five to ten years. NIST made a commitment to the forensic science community (community) that OSAC 2.0 will ensure the continued scientific integrity and stability of the organization. NIST publishes this notice to request information for consideration in the development of a comprehensive transition plan for the OSAC that meets the needs of the community and ensures that transition is conducted in a manner that safeguards the efficiency and effectiveness of the OSAC. **NIST will accept written responses to this request for information until 11:59 p.m. Eastern Time on October 30, 2017.**

[Federated Cloud Public Working Group](#)

Published 8/30/2017

Reference IEEE

The NIST Cloud Computing Program (NCCP) announces the reconstitution of its Federated Cloud Public Working Group. The Working Group's activities will resume and initiate work to develop a vocabulary of terms to support federated cloud and federated cloud environments, as well as a conceptual architecture for federated cloud. Participation in the Start Printed Page 41211 Working Group is open to all interested parties. **An initial teleconference will take place on Thursday, August 31, 2017, at 10:00 a.m. Eastern Time. The goal for completion of the work is June 30, 2018.**

[High Pressure Steel Cylinders From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Antidumping Duty Order](#)

Published 9/1/2017

Reference ISO

As a result of this sunset review, the Department of Commerce (the Department) finds that revocation of the antidumping duty order on certain high pressure steel cylinders (HPSCs) from the People's Republic of China (PRC) would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

Applicable August 28, 2017.

[Michelin North America, Inc., Denial of Petition for Decision of Inconsequential Noncompliance](#)

Published 9/1/2017

Reference ISO

Michelin North America, Inc. (MNA), has determined that certain MNA tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 119, New pneumatic tires for motor vehicles with a GVWR of more than 4,536 kilograms (10,000 pounds) and motorcycles. MNA filed a noncompliance report dated September 1, 2016. MNA then petitioned NHTSA on September 8, 2016, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

[Small-Scale Natural Gas Exports](#)

Published 9/1/2017

Reference ISO

The Department of Energy (DOE or Department) proposes to revise its regulations to provide that DOE will issue an export authorization upon receipt of any complete application that seeks to export natural gas, including liquefied natural gas (LNG), to countries with which the United States has not entered into a free trade agreement (FTA) requiring national treatment for trade in natural gas and with which trade is not prohibited by U.S. law or policy (non-FTA countries), provided that the application satisfies the following two criteria: The application proposes to export natural gas in a volume up to and including 0.14 billion cubic feet (Bcf) per day (Bcf/d), and DOE's approval of the application does not require an environmental impact statement (EIS) or an environmental assessment (EA) under the National Environmental Policy Act of 1969 (NEPA). In proposing this revision, DOE is interpreting the phrase "public interest" set forth in the Natural Gas Act (NGA). DOE proposes that applications that satisfy these criteria are requesting authorization for "small-scale natural gas exports" and, as such, the exports are deemed to be consistent with the public interest under the NGA. DOE's regulations regarding notice of applications and procedures conducted on applications would no longer apply to applications that satisfy these criteria. The proposed regulation is intended to expedite DOE's processing of these applications, thereby reducing administrative burdens for the small-scale natural gas export market. **Public comment on this proposed rule will be accepted until October 16, 2017.**

[Jaguar Land Rover North America, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance](#)

Published 9/1/2017

Reference ISO

Jaguar Land Rover North America, LLC (JLR), on behalf of Jaguar Land Rover Limited, has determined that certain model year (MY) 2012-2018 Jaguar motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 135, Light Vehicle Brake Systems. JLR filed a noncompliance report dated June 22, 2017. JLR also petitioned NHTSA on July 20, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. **The closing date for comments on the petition is October 2, 2017.**

[Request for Information on the Development of the Organization of Scientific Area Committees \(OSAC\) for Forensic Science 2.0](#)

Published 8/30/2017

Reference ISO

The National Institute of Standards and Technology (NIST) and the Department of Justice (DOJ) established the Organization of Scientific Area Committees (OSAC) for Forensic Science in 2013 as part of a larger effort to strengthen forensic science in the United States. NIST has primary responsibility to support the OSAC and has publicly announced its intention to transition the administration of the OSAC to another host within five to ten years. NIST made a commitment to the forensic science community (community) that OSAC 2.0 will ensure the continued scientific integrity and stability of the

organization. NIST publishes this notice to request information for consideration in the development of a comprehensive transition plan for the OSAC that meets the needs of the community and ensures that transition is conducted in a manner that safeguards the efficiency and effectiveness of the OSAC. **NIST will accept written responses to this request for information until 11:59 p.m. Eastern Time on October 30, 2017.**

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

Published 8/30/2017

Reference NEMA

On July 31, 2017, the U.S. Department of Energy (DOE) published a request for information (RFI) pertaining to the test procedures for small electric motors and electric motors. The notice provided an opportunity for submitting written comments, data, and information by August 30, 2017. This document announces an extension of the comment period until September 13, 2017. **The comment period for the RFI, published on July 31, 2017 (82 FR 35468), is extended. DOE will accept written comments, data, and information in response to the RFI received no later than September 13, 2017.**

[Southern Nuclear Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2](#)

Published 8/29/2017

Reference NFPA

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Renewed Facility Operating License Nos. NPF-2 and NPF-8, held by Southern Nuclear Company, Inc. (SNC, the licensee), for the operation of Joseph M. Farley Nuclear Plant (Farley), Units 1 and 2, respectively, located in Houston County, Alabama. The proposed amendment would revise the implementation date to transition to National Fire Protection Association (NFPA) 805 from November 6, 2017, to the conclusion of the 1R28 spring 2018, refueling outage. The NRC proposes to determine that the license amendment request involves no significant hazards consideration. Because the amendment request contains sensitive unclassified non-safeguards information (SUNSI), an order imposes procedures to obtain access to SUNSI for contention preparation. **Submit comments by September 28, 2017. Requests for a hearing or petition for leave to intervene must be filed by October 30, 2017. Any potential party as defined in Sec. 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 September 8, 2017.**

[Intertek Testing Services NA, Inc.: Application for Expansion of Recognition](#)

Published 8/30/2017

Reference UL

In this notice, OSHA announces the application of Intertek Testing Services NA, Inc. for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the Agency's preliminary finding to grant the application. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before September 14, 2017.**
