

U.S. Federal Register Update: March 7 – March 11, 2022

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?*

[Energy Conservation Program: Test Procedure for Ceiling Fan Light Kits](#)

Published 3/10/2022

Reference ANSI, IEC

The U.S. Department of Energy ("DOE") proposes to amend the test procedure for ceiling fan light kits ("CFLKs"). DOE proposes to update references to industry standards to their latest versions and incorporate industry standards necessary for executing the test; to allow for the use of a goniophotometer; to revise definitions regarding CFLKs with solid-state lighting ("SSL") light sources to clarify the scope and test methods for CFLKs; and to remove obsolete provisions. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than May 9, 2022. See section V, "Public Participation," for details. DOE will hold a webinar on Monday, April 11, 2022, from 1:00 p.m. to 2:30 p.m. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. If no participants register for the webinar, it will be cancelled.**

[UL LLC: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards](#)

Published 3/7/2022

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for UL LLC as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the final decision to add two test standards to the NRTL Program's list of appropriate test standards. **The expansion of the scope of recognition becomes effective on March 7, 2022.**

[Energy Conservation Program: Energy Conservation Standards for Computer Room Air Conditioners](#)

Published 3/7/2022

Reference ANSI, ASHRAE

The Energy Policy and Conservation Act, as amended (EPCA), prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including small, large, and very large commercial package air conditioning and heating equipment, of which computer room air conditioners (CRACs) are a category. EPCA requires the U.S. Department of Energy (DOE or the Department) to consider the need for amended standards each time the relevant industry standard is amended with respect to the standard levels or design requirements applicable to that equipment, or periodically under a six-year-lookback review provision. In this document, DOE is proposing amended energy conservation standards for CRACs that rely on a new efficiency metric and are equivalent to those levels specified in the industry standard. DOE has preliminarily determined that it lacks the clear and convincing evidence required by the statute to adopt standards more stringent than the levels specified in the industry standard. This document also announces a public meeting webinar to receive comment on these proposed standards and associated analyses and results. **Meeting: DOE will hold a public meeting via webinar on Wednesday, April 13, 2022, from 1:00 p.m. to 4:00 p.m. See section VII, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. Comments: DOE will accept written comments, data, and information regarding this notice of proposed rulemaking (NOPR) on and before May 6, 2022. Comments regarding the likely competitive impact of the proposed standard should be sent to the Department of Justice contact listed in the ADDRESSES section on or before April 6, 2022.**

[MET Laboratories, Inc.: Grant of Expansion of Recognition](#)

Published 3/11/2022

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for MET Laboratories, Inc., as a Nationally Recognized Testing Laboratory (NRTL). **The expansion of the scope of recognition becomes effective on March 11, 2022.**

Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under TSCA Section 6(h); Phenol, Isopropylated Phosphate (3:1); Further Compliance Date Extension

Published 3/8/2022

Reference AHAM, NEMA

The Environmental Protection Agency (EPA) is amending the regulations applicable to phenol, isopropylated phosphate (3:1) (PIP (3:1)) promulgated under the Toxic Substances Control Act (TSCA). Specifically, EPA is extending the compliance date applicable to the prohibition on processing and distribution in commerce of certain PIP (3:1)-containing articles, and the PIP (3:1) used to make those articles, until October 31, 2024, along with the compliance date for the associated recordkeeping requirements for manufacturers, processors, and distributors of PIP (3:1)-containing articles. This final rule follows issuance of a proposed rule for public comment on October 28, 2021; comments on the proposed rule are responded to in this action. **This final rule is effective on March 8, 2022. For purposes of judicial review and 40 CFR 23.5, this rule shall be promulgated at 1 p.m. eastern standard time on March 22, 2022.**

Accepted Means of Compliance; Airworthiness Standards: Normal Category Airplanes

Published 3/11/2022

Reference ASTM

This document announces ASTM International (ASTM) consensus standards for use as a means of compliance to the applicable airworthiness standards for normal category airplanes. The FAA accepts ASTM Designation F3264-21 as a means of compliance for applicable airworthiness standards for normal category airplanes, with the changes identified in Table 1 of this document. For ease of use, Table 2 provides a side-by-side view, linking applicable regulations to the associated ASTM sections. **The FAA accepts the means of compliance effective March 11, 2022.**

Notice Pursuant to the National Cooperative Research and Production Act of 1993-ASTM International Standards

Published 3/11/2022

Reference ASTM

Notice is hereby given that on December 14, 2021 pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 et seq. ("the Act"), ASTM International ("ASTM") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, ASTM has provided an updated list of current, ongoing ASTM activities originating between September 15, 2021 and December 14, 2021 designated as Work Items. A complete listing of ASTM Work Items, along with a brief description of each, is available at <http://www.astm.org>.

Energy Conservation Program: Test Procedure for Commercial Prerinse Spray Valves

Published 3/11/2022

Reference ASTM

This final rule incorporates by reference the current version of the industry testing standard for commercial prerinse spray valves, which will not substantively change the current test procedure. The Department of Energy ("DOE") also amends the definition of commercial prerinse spray valve to codify existing guidance on how to apply the definition. This amended definition do not change the current scope of the test procedure. **The effective date of this rule is April 11, 2022. The final rule changes will be mandatory for product testing starting September 7, 2022. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register on April 11, 2022.**

Notice Pursuant to the National Cooperative Research and Production Act of 1993-The Institute of Electrical and Electronics Engineers, Inc.

Published 3/11/2022

Reference IEEE

Notice is hereby given that, on December 16, 2021, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 et seq. ("the Act"), The Institute of Electrical and Electronics Engineers, Inc. ("IEEE") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, 16 new standards have been initiated and 10 existing standards are being revised. More detail regarding these changes can be

found at: <https://standards.ieee.org/about/sasb/sba/dec2021.html>. The following pre-standards activities associated with IEEE Industry Connections Activities were launched or renewed: <https://standards.ieee.org/about/bog/smdc/december2021.html>.

[New Car Assessment Program](#)

Published 3/9/2022

Reference ISO

NHTSA's New Car Assessment Program (NCAP) provides comparative information on the safety performance of new vehicles to assist consumers with vehicle purchasing decisions and to encourage safety improvements. In addition to star ratings for crash protection and rollover resistance, the NCAP program recommends particular advanced driver assistance systems (ADAS) technologies and identifies the vehicles in the marketplace that offer the systems that pass NCAP performance test criteria for those systems. This notice proposes significant upgrades to NCAP, first, by proposing to add four more ADAS technologies to those NHTSA currently recommends. The new technologies are blind spot detection, blind spot intervention, lane keeping support, and pedestrian automatic emergency braking. Other plans on updating NCAP are discussed in the Supplementary Information. **Comments should be submitted no later than May 9, 2022.**

[Notice Pursuant to the National Cooperative Research and Production Act of 1993-National Fire Protection Association](#)

Published 3/10/2022

Reference NFPA

Notice is hereby given that, on January 28, 2022, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 et seq. ("the Act"), National Fire Protection Association ("NFPA") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, NFPA has provided an updated and current list of its standards development activities, related technical committee and conformity assessment activities. Information concerning NFPA regulations, technical committees, current standards, standards development and conformity assessment activities are publicly available at nfpa.org.

[Secure Internet Routing](#)

Published 3/11/2022

Reference NIST

In this document, the Federal Communications Commission (FCC or the Commission) seeks comment on vulnerabilities threatening the security and integrity of the Border Gateway Protocol (BGP), which is central to the Internet's global routing system, its impact on the transmission of data from email, e-commerce, and bank transactions to interconnected Voice-over Internet Protocol (VoIP) and 9-1-1 calls, and how best to address them. **Comments are due on or before April 11, 2022; and reply comments are due on or before May 10, 2022.**

[Federal-State Unemployment Compensation Program: Notice of Federal Agency With Adequate Safeguards To Satisfy the Requirements of the Federal Regulation on Confidentiality and Disclosure of Unemployment Compensation Information](#)

Published 3/10/2022

Reference NIST

In this notice, the Department of Labor (Department) recognizes that the United States Census Bureau (Census) has in place safeguards adequate to satisfy the requirements of the Federal regulation on the confidentiality and disclosure of unemployment compensation (UC) information. As a result, the safeguards and security requirements enumerated in the regulation do not apply to disclosures of confidential unemployment compensation information by state UC agencies to Census for the Longitudinal Employer Household Dynamics (LEHD) program.

[Cybersecurity Risk Management for Investment Advisers, Registered Investment Companies, and Business Development Companies](#)

Published 3/9/2022

Reference NIST

The Securities and Exchange Commission is proposing new rules under the Investment Advisers Act of 1940 ("Advisers Act") and the Investment Company Act of 1940 ("Investment Company Act") to require registered investment advisers ("advisers") and investment companies ("funds") to adopt and implement written cybersecurity policies and procedures

reasonably designed to address cybersecurity risks. The Commission also is proposing a new rule and form under the Advisers Act to require advisers to report significant cybersecurity incidents affecting the adviser, or its fund or private fund clients, to the Commission. With respect to disclosure, the Commission is proposing amendments to various forms regarding the disclosure related to significant cybersecurity risks and cybersecurity incidents that affect advisers and funds and their clients and shareholders. Finally, we are proposing new recordkeeping requirements under the Advisers Act and Investment Company Act. **Comments should be received on or before April 11, 2022.**

Federal Motor Vehicle Safety Standards; Denial of Petitions for Rulemaking

Published 3/7/2022

Reference SAE

This document denies the September 27, 2021 petitions for rulemaking submitted by the Small Business in Transportation Coalition (SBTC) (“petitioner”). The petitioner requested that the agency initiate rulemaking to establish a new Federal motor vehicle safety standard (FMVSS) on the installation of electronic logging devices (ELDs), and to amend existing FMVSSs for heavy vehicle braking and accelerator control systems (i.e., FMVSS Nos. 105, 121, and 124). NHTSA is denying the petitions based on a lack of information necessary under the National Traffic and Motor Vehicle Safety Act and the allocation of agency resources.

Vehicle Identification Number (VIN) Requirements; Manufacturer Identification; Certification; Replica Motor Vehicles; Importation of Vehicles and Equipment Subject to Federal Safety, Bumper, and Theft Prevention Standards

Published 3/9/2022

Reference SAE

This final rule implements an exemption program for replica motor vehicles manufactured or imported by low-volume manufacturers, as set forth in Section 24405 of the Fixing America’s Surface Transportation Act (FAST Act). The FAST Act amended the National Traffic and Motor Vehicle Safety Act to direct the Secretary of Transportation (NHTSA by delegation) to exempt annually 325 replica motor vehicles manufactured or imported by low-volume manufacturers from Federal motor vehicle safety standards that apply to motor vehicles, but not standards that apply to motor vehicle equipment. To implement the exemption program and the procedural mandates of the FAST Act, this final rule establishes a new part 586 and amends VIN requirements in part 565, manufacturer identification requirements in part 566, manufacturer certification requirements in part 567, and importation requirements in part 591. **Effective Date: This rule is effective March 9, 2022.**
Petitions for reconsideration: Petitions for reconsideration of this final rule must be received no later than April 25, 2022.
