

U.S. Federal Register Update: April 18 – April 22, 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?*

[Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 057](#)

Published 4/22/2022

Reference ANSI, AAMI, ASTM, IEC, IEEE, ISO, NEMA, UL

The Food and Drug Administration (FDA or Agency) is announcing a publication containing modifications the Agency is making to the list of standards FDA recognizes for use in premarket reviews (FDA Recognized Consensus Standards). This publication, entitled "Modifications to the List of Recognized Standards, Recognition List Number: 057" (Recognition List Number: 057), will assist manufacturers who elect to declare conformity with consensus standards to meet certain requirements for medical devices. **Submit either electronic or written comments on the notice at any time. These modifications to the list of recognized standards are applicable April 22, 2022.**

[Energy Conservation Program: Test Procedures for Walk-In Coolers and Walk-In Freezers](#)

Published 4/21/2022

Reference ANSI, ASHRAE, ASTM

The U.S. Department of Energy ("DOE") proposes to amend the test procedures for walk-in coolers and walk-in freezers to harmonize with updated industry standards, revise the test methods to more fully represent field energy use, and better account for the range of walk-in cooler and walk-in freezer component equipment designs. DOE also proposes to revise certain definitions applicable to walk-ins. DOE is seeking comment from interested parties on the proposal and announcing a public meeting to collect comments and data on its proposal. **DOE will accept comments, data, and information regarding this proposal no later than June 21, 2022. See section V, "Public Participation," for details. DOE will hold a webinar on Monday, May 9, from 1:00 p.m. to 5:00 p.m. See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Marine Site Characterization Surveys Off New Jersey and New York for Atlantic Shores Offshore Wind, LLC](#)

Published 4/22/2022

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 IHA to Atlantic Shores Offshore Wind, LLC to incidentally harass marine mammals during marine site characterization surveys off New Jersey and New York. **This Authorization is effective from April 20, 2022 through April 19, 2023.**

[Energy Conservation Program: Energy Conservation Standards for Commercial Packaged Boilers; Response to United States Court of Appeals for the District of Columbia Circuit Remand in American Public Gas Association v. United States Department of Energy](#)

Published 4/20/2022

Reference ASHRAE

On January 10, 2020, a final rule amending energy conservation standards for commercial packaged boilers was published in the Federal Register. The American Public Gas Association, Air-conditioning, Heating, and Refrigeration Institute, and Spire Inc. filed petitions for review of the final rule in the United States Courts of Appeals for the District of Columbia Circuit ("D.C. Circuit"), Fourth Circuit, and Eighth Circuit, respectively. These petitions were consolidated in the D.C. Circuit. In its January 18, 2022, opinion, the D.C. Circuit remanded the final rule to the Department of Energy ("DOE") to supplement its responses to the following three issues raised during the public comment period: The random assignment of boilers to buildings, forecasted fuel prices, and estimated burner operating hours. This document provides additional explanation regarding these three issues. **This supplemental response to comments document is effective April 20, 2022. The effective date of the final rule was March 10, 2020. Compliance with the amended standards established for commercial packaged boilers in that final rule is required on and after January 10, 2023.**

[Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From the Republic of Turkey: Final Results of Countervailing Duty Changed Circumstances Review](#)

Published 4/18/2022

Reference ASTM

On February 25, 2022, the Department of Commerce (Commerce) published the notice of initiation and preliminary results of the changed circumstances review (CCR) of the countervailing duty (CVD) order on heavy walled rectangular welded carbon steel pipes and tubes (HWR pipes and tubes) from the Republic of Turkey (Turkey). Commerce preliminarily determined that Özdemir Boru Profil Sanayi ve Ticaret Anonim Sirketi (Ozdemir A.S.) is the successor-in-interest to Özdemir Boru Profil Sanayi ve Ticaret Limited Sirketi (Ozdemir LLC) and, as a result, should be accorded the same CVD cash deposit treatment as Ozdemir LLC with respect to subject merchandise. For these final results, Commerce continues to find that Ozdemir A.S. is the successor-in-interest to Ozdemir LLC and is entitled to the same cash deposit treatment as Ozdemir LLC under the CVD order on HWR pipes and tubes from Turkey. **Applicable April 18, 2022.**

[Safety Glazing Standards; Codifying Existing Waivers and Adding Test Flexibility](#)

Published 4/18/2022

Reference ASTM

FRA proposes to amend its Safety Glazing Standards for exterior windows on railroad equipment to codify long-standing waivers, add a new testing option to improve consistency of glazing testing, and revise outdated section headings. The proposed changes would update and clarify existing requirements to maintain and, in some cases, enhance safety, while reducing unnecessary costs. Codification of the waivers as proposed is also consistent with the Infrastructure Investment and Jobs Act, and would enable FRA to more efficiently use its inspection resources. **Comments on the proposed rule must be received by June 17, 2022. Comments received after that date will be considered to the extent practicable.**

[Exempt Chemical Preparations Under the Controlled Substances Act](#)

Published 4/19/2022

Reference ISO

The applications for exempt chemical preparations received by the Drug Enforcement Administration (DEA) between July 1, 2021, and December 31, 2021, as listed below, were accepted for filing and have been approved or denied as indicated. **Interested persons may file written comments on this order in accordance with 21 CFR 1308.23(e). Electronic comments must be submitted, and written comments must be postmarked, on or before June 21, 2022. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period.**

[Visiting Committee on Advanced Technology](#)

Published 4/21/2022

Reference NIST

National Institute of Standards and Technology (NIST)'s Visiting Committee on Advanced Technology (VCAT or Committee) will meet on Tuesday, June 14, 2022, from 8:30 a.m. to 5:00 p.m. Eastern Time, and Wednesday, June 15, 2022, from 8:30 a.m. to 12:00 p.m. Eastern Time. **The VCAT will meet on Tuesday, June 14, 2022, from 8:30 a.m. to 5:00 p.m. and Wednesday, June 15, 2022, from 8:30 a.m. to 12:00 p.m. Eastern Time.**

[National Artificial Intelligence Advisory Committee](#)

Published 4/19/2022

Reference NIST

The National Institute of Standards and Technology (NIST) announces that the National Artificial Intelligence Advisory Committee (NAIAC or Committee) will hold an open meeting on Wednesday, May 4, 2022 from 1:00 p.m. to 3:00 p.m. Eastern Daylight Time. The primary purpose of the meeting is for the NAIAC members to discuss how to organize to address the current state of U.S. competitiveness, the state of the science around Artificial Intelligence (AI), issues related to workforce and the potential to use AI for workforce training, government operations, whether societal issues are adequately being addressed, international coordination, oversight of AI systems, and enhancing opportunities for diverse geographic regions of the United States. The agenda may change to accommodate Committee business. The final agenda will be posted to the NAIAC website: <https://www.ai.gov/naiac/>. **The meeting will be held on Wednesday, May 4, 2022 from 1:00 p.m. to 3:00 p.m. Eastern Daylight Time.**

[Agency Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; Malcolm Baldrige National Quality Award and Examiner Applications](#)

Published 4/19/2022

Reference NIST

The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB. **To ensure consideration, comments regarding this proposed information collection must be received on or before June 21, 2022.**

[Developing a Report on Competition in the Mobile App Ecosystem](#)

Published 4/22/2022

Reference NIST

Restoring competition in the American technology sector is a critical priority of the President's Executive order on Promoting Competition in the American Economy. On behalf of the U.S. Department of Commerce, the National Telecommunications and Information Administration (NTIA) is requesting comments on competition in the mobile application ecosystem. The data gathered through this process will be used to inform the Biden-Harris Administration's competition agenda, including, but not limited to, the Department of Commerce's work developing a report to submit to the Chair of the White House Competition Council regarding the mobile application ecosystem. **Written comments must be received on or before 11:59 p.m. Eastern Time on May 23, 2022.**

[Sumitomo Rubber Industries, Ltd., and Sumitomo Rubber North America, Inc, Denial of Petition for Decision of Inconsequential Noncompliance](#)

Published 4/18/2022

Reference SAE

Sumitomo Rubber Industries, Ltd. and Sumitomo Rubber North America, Inc. (collectively, "Sumitomo") have determined that certain Sumitomo and Falken truck 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. Sumitomo filed a noncompliance report dated November 12, 2020. Sumitomo subsequently petitioned NHTSA on December 4, 2020, and later amended its petition on April 8, 2021, and July 9, 2021, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This notice announces the denial of Sumitomo's petition.
