

## U.S. Federal Register Update: March 28 – April 1, 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 Refrigerated Bottled or Canned Beverage Vending Machines](#)

**Published** 3/31/2022

**Reference** ANSI, AHAM, ASHRAE, ASTM, IEC, UL

The U.S. Department of Energy ("DOE") proposes to amend the test procedures for refrigerated bottled or canned beverage vending machines ("BVMs") to reference the latest version of the industry standard. DOE also proposes to provide setup instructions for non-beverage shelves, update the lowest application product temperature definition and instructions, require testing of coin and bill payment mechanisms if shipped with the BVM (but not until the compliance date of any amended energy conservation standards), specify setup instructions for leak mitigation controls, and remove an obsolete version of the test procedure. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than May 31, 2022. See section V, "Public Participation," for details. DOE will hold a webinar on Monday, May 2, 2022, from 1:00 p.m. to 4:00 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.**

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### [TUV SUD America, Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards](#)

**Published** 3/28/2022

**Reference** ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for TUV SUD America, Inc. 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 28, 2022.**

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### [Voluntary Consensus Standards Update; Formaldehyde Emission Standards for Composite Wood Products](#)

**Published** 3/29/2022

**Reference** ANSI, ASTM, IEC, ISO, NIST

The Environmental Protection Agency (EPA) is proposing to update the incorporation by reference of several voluntary consensus standards in the Agency's formaldehyde standards for composite wood products regulations under the Toxic Substances Control Act (TSCA) that have since been updated, superseded, or withdrawn by the issuing organizations. In addition, EPA is proposing to address remote inspections for third-party certifiers (TPCs) required to conduct on-site inspections in the event of unsafe conditions such as the on-going COVID-19 pandemic or other unsafe conditions such as natural disasters, outbreaks, political unrest, and epidemics. Finally, EPA is proposing certain technical corrections and conforming changes including updating standards within the definitions section, clarifying language as it relates to production, and creating greater flexibilities for the third-party certification process. **Comments must be received on or before April 28, 2022.**

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### [Energy Conservation Program: Energy Conservation Standards for Air Cooled, Three-Phase, Small Commercial Air Conditioners and Heat Pumps With a Cooling Capacity of Less Than 65,000 Btu/h and Air-Cooled, Three-Phase, Variable Refrigerant Flow Air Conditioners and Heat Pumps With a Cooling Capacity of Less Than 65,000 Btu/h](#)

**Published** 3/30/2022

**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 air cooled, three-phase, small commercial air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h and air-cooled, three-phase, variable refrigerant flow air conditioners and heat pumps with a cooling capacity of less than 65,000 Btu/h are categories. 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. For the three-phase equipment that is the subject of this notice of proposed rulemaking (“NOPR”), DOE is proposing amended energy conservation standards that rely on new efficiency metrics and align with amended efficiency levels in the industry standard. DOE has preliminarily determined that it lacks clear and convincing evidence required by the statute to adopt standards more stringent than the levels specified in the industry standard. This NOPR also announces a webinar to receive comment on these proposed standards and associated analyses and results. **Meeting: DOE will hold a public meeting via webinar on Monday, May 16, 2022, from 1:00 p.m. to 4:00 p.m., in Washington, DC. See section VII, “Public Participation” for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. Comments: DOE will accept comments, data, and information regarding this NOPR no later than May 31, 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 29, 2022.**

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#### [Energy Conservation Program: Test Procedure for Microwave Ovens](#)

**Published** 3/30/2022

**Reference** AHAM, IEC, UL

In this final rule, DOE is amending its test procedure for microwave oven standby mode and off mode to provide additional specifications for the test conditions related to clock displays and network functions. DOE is not prescribing an active mode test procedure for microwave ovens at this time. **The effective date of this rule is April 29, 2022. The final rule changes will be mandatory for product testing starting September 26, 2022. The incorporation by reference of certain other publications listed in this rulemaking was approved by the Director of the Federal Register on December 17, 2012.**

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#### [Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From the Republic of Korea, Mexico, and the Republic of Turkey: Continuation of the Antidumping Duty Orders and Countervailing Duty Order](#)

**Published** 4/1/2022

**Reference** ASTM

As a result of the determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC) in their five-year (sunset) reviews that revocation of the antidumping duty (AD) orders on heavy walled rectangular welded carbon steel pipes and tubes (HWR pipes and tubes) from the Republic of Korea (Korea), Mexico, and the Republic of Turkey (Turkey) and the countervailing duty (CVD) order on HWR pipes and tubes from Turkey would likely lead to a continuation or recurrence of dumping and net countervailable subsidies, and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD orders on HWR pipes and tubes from Korea, Mexico, and Turkey, and the CVD order on HWR pipes and tubes from Turkey. **Applicable April 1, 2022.**

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#### [Control of Air Pollution From New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards](#)

**Published** 3/28/2022

**Reference** ASTM, IEC, ISO, NIST, SAE, UL

The Environmental Protection Agency (EPA) is proposing a rule that would reduce air pollution from highway heavy-duty vehicles and engines, including ozone, particulate matter, and greenhouse gases. This proposal would change the heavy-duty emission control program—including the standards, test procedures, useful life, warranty, and other requirements—to further reduce the air quality impacts of heavy-duty engines across a range of operating conditions and over a longer period of the operational life of heavy-duty engines. Heavy-duty vehicles and engines are important contributors to concentrations of ozone and particulate matter and their resulting threat to public health, which includes premature death, respiratory illness (including childhood asthma), cardiovascular problems, and other adverse health impacts. This proposal would reduce emissions of nitrogen oxides and other pollutants. In addition, this proposal would make targeted updates to the existing Heavy-Duty Greenhouse Gas Emissions Phase 2 program, proposing that further GHG reductions in the MY 2027 timeframe are appropriate considering lead time, costs, and other factors, including market shifts to zero-emission technologies in certain segments of the heavy-duty vehicle sector. We also propose limited amendments to the regulations that implement our air pollutant emission standards for other sectors (e.g., light-duty vehicles, marine diesel engines, locomotives, various types of nonroad engines, vehicles, and equipment). **Comments: Written comments must be received on or before May 13, 2022. 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 April 27, 2022. Public Hearing: EPA plans to hold a virtual public hearing on April 12, 2022. An additional session may be held on April 13, 2022. Please refer to Participation in Virtual Public Hearing in the SUPPLEMENTARY INFORMATION section for additional information on the public hearing.**

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### [Electronic Chart and Navigational Equipment Carriage Requirements](#)

Published 3/28/2022

Reference IEC

The Coast Guard seeks public input regarding the modification of the chart and navigational equipment carriage requirements in the Code of Federal Regulations (CFR). This advance notice of proposed rulemaking (ANPRM) outlines the Coast Guard's broad strategy to revise its CFR chart and navigational equipment carriage requirements to implement statutory electronic-chart-use provisions for commercial U.S.-flagged vessels and certain foreign-flagged vessels operating in the waters of the United States. This ANPRM is necessary to obtain additional information from the public before issuing a notice of proposed rulemaking. It will allow us to verify the extent of the requirements for the rule, such as how widely electronic charts currently are used, which types of vessels are using them, the appropriate equipment requirements for different vessel classes, and where the vessels operate, and will thereby allow us to tailor electronic chart requirements to vessel class and location. **Comments and related material must be received by the Coast Guard on or before June 27, 2022.**

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### [Atlantic Wind Lease Sale 9 \(ATLW-9\) for Commercial Leasing for Wind Power on the Outer Continental Shelf \(OCS\) in the Carolina Long Bay Area \(CLBA\)-Final Sale Notice \(FSN\)](#)

Published 3/28/2022

Reference ISO

This FSN contains information pertaining to the areas available for commercial wind energy leasing on the OCS in the Carolina Long Bay Area. Specifically, this FSN details certain provisions and conditions of the leases, auction details, the lease form, criteria for evaluating competing bids, award procedures, appeal procedures, and lease execution. The Bureau of Ocean Energy Management (BOEM) will offer two leases: Lease OCS-A 0545 and Lease OCS-A 0546. The issuance of any lease resulting from this sale would not constitute an approval of project-specific plans to develop offshore wind energy. Such plans, if submitted by the lessee, would be subject to subsequent environmental, technical, and public reviews prior to a decision on whether the proposed development should be authorized. **BOEM will hold an online mock auction for potential bidders starting at 9:00 a.m. Eastern Daylight Time (EDT) on May 6, 2022. The monetary auction will be held online and will begin at 9:00 a.m. EDT on May 11, 2022. Additional details are provided in the section entitled "Deadlines and Milestones for Bidders."**

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### [Extension of the Call for Nominations To Serve on the Internet of Things Advisory Board](#)

Published 3/30/2022

Reference NIST

The National Institute of Standards and Technology (NIST or Institute) is extending the call for nominations to serve on the inaugural Internet of Things Advisory Board. An earlier notice had requested nominations by February 28, 2022. Registered Federal lobbyists may not serve on NIST Federal Advisory Committees in an individual capacity. **Nominations to serve on the inaugural IoTAB must be received by 5:00 p.m. Eastern Time on April 14, 2022.**

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### [Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; Generic Clearance for Usability Data Collections](#)

Published 3/29/2022

Reference NIST

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite 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. Public comments were previously requested via the Federal Register on December 7, 2021, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

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### [Denial of Motor Vehicle Defect Petition, DP21-005](#)

Published 3/30/2022

Reference SAE

This notice sets forth the reasons for the denial of a petition submitted on September 27, 2021, by Mr. James Lamb to NHTSA's Office of Defects Investigation (ODI). The petition requests that the Agency initiate an investigation into alleged "defects in the 2006 J1939 databus," citing a 2016 research paper published through the University of Michigan. On

December 23, 2021, NHTSA opened Defect Petition DP21-005 to evaluate the petitioner's request. After reviewing the information provided by the petitioner regarding the alleged defect and conducting searches of complaints from vehicle owners, operators, and fleet supervisors, NHTSA has concluded that there is insufficient evidence to warrant further action at this time. Accordingly, the Agency has denied the petition.

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### [Occupant Protection for Vehicles With Automated Driving Systems](#)

**Published** 3/30/2022

**Reference** SAE

This final rule amends the occupant protection Federal motor vehicle safety standards (FMVSSs) to account for future vehicles that do not have the traditional manual controls associated with a human driver because they are equipped with Automated Driving Systems (ADS). This final rule makes clear that, despite their innovative designs, vehicles with ADS technology must continue to provide the same high levels of occupant protection that current passenger vehicles provide. The occupant protection standards are currently written for traditionally designed vehicles and use terms such as “driver’s seat” and “steering wheel,” that are not meaningful to vehicle designs that, for example, lack a steering wheel or other driver controls. This final rule updates the standards in a manner that clarifies existing terminology while avoiding unnecessary terminology, and, in doing so, resolves ambiguities in applying the standards to ADS-equipped vehicles without traditional manual controls. In addition, this final rule amends the standards in a manner that maintains the existing regulatory text whenever possible, to make clear that this rule maintains the level of crash protection currently provided occupants in more traditionally designed vehicles. This final rule is limited to the crashworthiness standards to provide a unified set of regulatory text applicable to vehicles with and without ADS functionality. **Effective date: September 26, 2022. Optional early compliance (i.e., prior to the effective date) is permitted. Petitions for reconsideration must be received on or before May 16, 2022. The incorporation by reference of certain publications listed in the rule was approved by the Director as of February 6, 2012.**

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### [Accessible Lavatories on Single-Aisle Aircraft: Part 2](#)

**Published** 3/28/2022

**Reference** SAE

The U.S. Department of Transportation (Department or DOT) proposes in this notice of proposed rulemaking (NPRM) to require airlines to ensure that at least one lavatory on new single-aisle aircraft with 125 or more passenger seats is large enough to permit a passenger with a disability (with the help of an assistant, if necessary) to approach, enter, and maneuver within the aircraft lavatory, as necessary, to use all lavatory facilities and leave by means of the aircraft’s on-board wheelchair. **Comments should be filed by May 27, 2022. Late-filed comments will be considered to the extent practicable.**

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