

## U.S. Federal Register Update: June 27 – July 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 Commercial Refrigerators, Refrigerator-Freezers, and Freezers](#)

**Published** 6/30/2022

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

The U.S. Department of Energy ("DOE") proposes to amend the test procedures for commercial refrigerators, refrigerator-freezers, and freezers to reference the latest versions of the applicable industry standards. DOE also proposes to establish definitions and test procedures for new equipment categories, adopt test procedures consistent with recently published waivers and interim waivers, establish product-specific enforcement provisions, allow for volume determinations based on computer aided designs, specify a sampling plan for volume and total display area, and adopt additional clarifying amendments. DOE is seeking comment from interested parties on the proposal. **DOE will accept comments, data, and information regarding this proposal no later than August 29, 2022. See section [V], "Public Participation," for details. DOE will hold a webinar on Monday, August 1, 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.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Sand Island Pile Dikes Repairs in the Columbia River](#)

**Published** 7/1/2022

**Reference** ANSI

NMFS has received a request from the U.S. Army Corps of Engineers (Corps) for authorization to take marine mammals incidental to the Sand Island Pile Dikes Repairs Project in the Columbia River. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue two consecutive IHAs to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on possible one-time, one-year renewals for each IHA that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision. **Comments and information must be received no later than August 1, 2022.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the U.S. Coast Guard's Floating Dock Extension Project at Base Ketchikan, Alaska](#)

**Published** 7/1/2022

**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 incidental harassment authorization (IHA) to the United States Coast Guard (USCG) to incidentally harass marine mammals during construction of the floating dock extension at Base Ketchikan, Alaska. **This Authorization is effective from July 1, 2022, through June 30, 2023.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Marine Site Characterization Surveys Off the Coast of New Jersey and New York in the New York Bight](#)

**Published** 6/27/2022

**Reference** ANSI

NMFS has received a request from Attentive Energy LLC (Attentive Energy) for authorization to take marine mammals incidental to marine site characterization surveys off the coast of New Jersey and New York in the area of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf Lease Area OCS-A 0538. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses

will be summarized in the final notice of our decision. **Comments and information must be received no later than July 27, 2022.**

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**[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Tillamook South Jetty Repairs in Tillamook Bay, Oregon](#)**

**Published** 6/27/2022

**Reference** ANSI, ISO

NMFS has received a request from the U.S. Army Corps of Engineers (USACE)—Portland District (Corps) for authorization to take marine mammals incidental to 2 years of activity associated with Tillamook South Jetty Repairs in Tillamook Bay, Oregon. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue two one-year incidental harassment authorizations (IHAs) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, one-year renewal for each IHA that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision. **Comments and information must be received no later than July 27, 2022.**

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**[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Site Characterization Surveys Off New Jersey and New York in the Area of the Atlantic Shores Lease Area \(OCS-A 0541\)](#)**

**Published** 6/27/2022

**Reference** ANSI, ISO

NMFS has received a request from Atlantic Shores Offshore Wind Bight, LLC (Atlantic Shores Bight) for authorization to take marine mammals incidental to site characterization surveys off New Jersey and New York in the area of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf Lease Area (OCS-A 0541). Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision. **Comments and information must be received no later than July 27, 2022.**

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**[TUV SUD America, Inc.: Grant of Expansion of Recognition](#)**

**Published** 6/29/2022

**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). **The expansion of the scope of recognition becomes effective on June 29, 2022.**

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**[Petition for Modification of Application of Existing Mandatory Safety Standards](#)**

**Published** 6/27/2022

**Reference** ANSI, UL

This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below. **All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before July 27, 2022.**

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**[Assessment and Collection of Regulatory Fees for Fiscal Year 2022](#)**

**Published** 6/28/2022

**Reference** AHAM

This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below. **All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before July 27, 2022.**

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### [Notice of Availability and Request for Comment: Revision to the Voluntary Standard for Infant Bouncers Seats](#)

**Published** 6/30/2022

**Reference** ASTM

The U.S. Consumer Product Safety Commission's (Commission or CPSC) mandatory rule, Safety Standard for Infant Bouncer Seats, incorporates by reference ASTM F2167-19, Standard Consumer Safety Specification for Infant Bouncer Seats. The Commission has received notice of a revision to this incorporated voluntary standard. CPSC seeks comment on whether the revision improves the safety of the consumer products covered by the standard. **Comments must be received by July 14, 2022.**

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### [Renewable Fuel Standard \(RFS\) Program: RFS Annual Rules](#)

**Published** 7/1/2022

**Reference** ASTM

Under section 211 of the Clean Air Act (CAA), the Environmental Protection Agency (EPA) is required to set standards every year to implement nationally applicable renewable fuel volume targets. This action modifies the 2021 and 2022 statutory volume targets for cellulosic biofuel, advanced biofuel, and total renewable fuel, as well as establishes the 2022 volume target for biomass-based diesel. This action also modifies the previously established cellulosic biofuel, advanced biofuel, and total renewable fuel volume requirements for 2020. In addition, this action establishes the 2020, 2021, and 2022 renewable fuel percentage standards for all four of the above biofuel categories. Finally, this action also addresses a judicial remand of the 2016 standard-setting rulemaking, as well as several regulatory changes to the Renewable Fuel Standard (RFS) program, including regulations for the use of biointermediates to produce qualifying renewable fuel, flexibilities for regulated parties, and clarifications of existing regulations. **This rule is effective on August 30, 2022. The incorporation by reference of certain publications listed in this regulation is approved by the Director of the Federal Register as of August 30, 2022. The incorporation by reference of ASTM E711-87 (R2004) was approved by the Director of the Federal Register as of July 1, 2010.**

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### [Agency Information Collection Activities; Proposed Collection; Comment Request; Third Party Testing of Children's Products](#)

**Published** 6/29/2022

**Reference** ASTM

In accordance with the requirements of the Paperwork Reduction Act (PRA) of 1995, the Consumer Product Safety Commission (CPSC) announces that the CPSC has submitted to the Office of Management and Budget (OMB) a request for extension of approval of a collection of information for Third Party Testing of Children's Products, approved previously under OMB Control No. 3041-0159. In the Federal Register of April 13, 2022, the CPSC published a notice to announce the agency's intention to seek extension of approval of the collection of information. The Commission did not receive any comments on the proposed extension of approval. By publication of this notice, the Commission announces that CPSC has submitted to the OMB a request for extension of approval of that collection of information, without change. **Submit written or electronic comments on the collection of information by July 29, 2022.**

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### [Transmission System Planning Performance Requirements for Extreme Weather](#)

**Published** 6/27/2022

**Reference** IEEE

The Federal Energy Regulatory Commission proposes to direct that the North American Electric Reliability Corporation, the Commission-certified Electric Reliability Organization, submit to the Commission modifications to Reliability Standard TPL-001-5.1 (Transmission System Planning Performance Requirements) within one year of the effective date of a final rule in this proceeding to address reliability concerns pertaining to transmission system planning for extreme heat and cold weather events that impact the reliable operations of the Bulk-Power System. Specifically, we propose to direct NERC to develop modifications to Reliability Standard TPL-001-5.1 to require: development of benchmark planning cases based on information such as major prior extreme heat and cold weather events or future meteorological projections; planning for extreme heat and cold events using steady state and transient stability analyses expanded to cover a range of extreme weather scenarios including the expected resource mix's availability during extreme weather conditions, and including the broad area impacts of extreme weather; and corrective action plans that include mitigation for any instances where performance requirements for extreme heat and cold events are not met. **Comments are due August 26, 2022.**

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[Federal Motor Vehicle Safety Standards; Child Restraint Systems, Child Restraint Systems-Side Impact Protection, Incorporation by Reference](#)

**Published** 6/30/2022

**Reference** ISO, SAE

This final rule amends Federal Motor Vehicle Safety Standard (FMVSS) (Standard) No. 213, "Child restraint systems," and adds FMVSS No. 213a, which is referenced by Standard No. 213. This final rule fulfills a statutory mandate set forth in the "Moving Ahead for Progress in the 21st Century Act" (MAP-21) that directed the Secretary of Transportation (NHTSA by delegation) to issue a final rule to improve the protection of children seated in child restraint systems during side impacts.

**Effective date: August 1, 2022. The incorporation by reference of the publications listed in the rule is approved by the Director of the Federal Register as of August 1, 2022. Compliance date: June 30, 2025. Optional early compliance is permitted. Petitions for reconsideration: Petitions for reconsideration of this final rule must be received no later than August 15, 2022.**

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[Assessment and Collection of Regulatory Fees for Fiscal Year 2022](#)

**Published** 6/28/2022

**Reference** NEMA

In this document, the Federal Communications Commission (Commission) seeks comment on revising the fee schedule of FY 2022 regulatory fees to collect \$381,950,000 in regulatory fees by fiscal year end. Regulatory fee collections offset one hundred percent of the Commission's budget. **Submit comments on or before July 5, 2022; and reply comments on or before July 18, 2022.**

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[National Conference on Weights and Measures 107th Annual Meeting](#)

**Published** 6/27/2022

**Reference** NIST

The 107th Annual Meeting of the National Conference on Weights and Measures (NCWM) will be held in Tacoma, Washington from Sunday, July 10, 2022, through Thursday, July 14, 2022. This notice contains information about significant items on the NCWM Committee agendas but does not include all agenda items. As a result, the items are not consecutively numbered. **The 2022 Annual Meeting will be held from Sunday, July 10, 2022, through Thursday, July 14, 2022. The meeting schedule is available on the NCWM website at [www.ncwm.com](http://www.ncwm.com).**

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[National Advanced Spectrum and Communications Test Network: Citizens Broadband Radio Service Sharing Ecosystem Assessment](#)

**Published** 7/1/2022

**Reference** NIST

The National Advanced Spectrum and Communications Test Network (NASCTN) is hosting a public meeting on NASCTN's next project, the `Citizens Broadband Radio Service (CBRS) Sharing Ecosystem Assessment, on July 12, 2022 at 12:00 p.m.-1:30 p.m. Mountain Daylight Time. The purpose of this meeting is to bring together federal, industry, and academic stakeholders to disseminate information about NASCTN's next project. **The NASCTN meeting on the CBRS Sharing Ecosystem Assessment will take place on July 12, 2022 at 12:00 p.m.-1:30 p.m. Mountain Daylight Time.**

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[TUV Rheinland of North America, Inc.: Grant of Expansion of Recognition](#)

**Published** 6/29/2022

**Reference** UL

In this notice, OSHA announces the final decision to expand the scope of recognition for TUV Rheinland of North America, Inc., as a Nationally Recognized Testing Laboratory (NRTL). **The expansion of the scope of recognition becomes effective on June 29, 2022.**

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