

## U.S. Federal Register Update: September 30 – October 4, 2019

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?*

### [Pipeline Safety: Safety of Gas Transmission Pipelines: MAOP Reconfirmation, Expansion of Assessment Requirements, and Other Related Amendments](#)

Published 10/1/2019

Reference ANSI, ASME, ASTM, ISO

PHMSA is revising the Federal Pipeline Safety Regulations to improve the safety of onshore gas transmission pipelines. This final rule addresses congressional mandates, National Transportation Safety Board recommendations, and responds to public input. The amendments in this final rule address integrity management requirements and other requirements, and they focus on the actions an operator must take to reconfirm the maximum allowable operating pressure of previously untested natural gas transmission pipelines and pipelines lacking certain material or operational records, the periodic assessment of pipelines in populated areas not designated as "high consequence areas," the reporting of exceedances of maximum allowable operating pressure, the consideration of seismicity as a risk factor in integrity management, safety features on in-line inspection launchers and receivers, a 6-month grace period for 7-calendar-year integrity management reassessment intervals, and related recordkeeping provisions. **The effective date of this final rule is July 1, 2020. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of July 1, 2020. The incorporation by reference of ASME/ANSI B31.8S was approved by the Director of the Federal Register as of January 14, 2004.**

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### [Bay Area Compliance Laboratories Corp.: Grant of Expansion of Recognition](#)

Published 10/1/2019

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for Bay Area Compliance Laboratories Corp. as a Nationally Recognized Testing Laboratory (NRTL). **The expansion of the scope of recognition becomes effective on October 1, 2019.**

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

Published 10/1/2019

Reference ANSI, UL

In this notice, OSHA announces the final decision to expand the scope of recognition for Underwriters Laboratories, Inc. as a Nationally Recognized Testing Laboratory (NRTL). **The expansion of the scope of recognition becomes effective on October 1, 2019.**

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

Published 10/1/2019

Reference ANSI, 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 October 1, 2019.**

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

Published 10/1/2019

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 October 1, 2019.**

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### [Energy Conservation Program: Test Procedure for Ceiling Fans](#)

Published 9/30/2019

Reference ANSI, IEC, UL

The U.S. Department of Energy (DOE) proposes to amend its test procedures for ceiling fans established under the Energy Policy and Conservation Act. On July 25, 2016, DOE published a final rule amending the test procedure for ceiling fans to support the ceiling fans energy conservation standards rulemaking. In this notice of proposed rulemaking (NOPR), DOE proposes to: Interpret the term “suspended from a ceiling” in the EPCA definition of ceiling fan to mean offered for mounting only on a ceiling; specify that very small-diameter (VSD) ceiling fans that do not also meet the definition of low-speed small-diameter (LSSD) ceiling fan are not required to be tested pursuant to the DOE test method; for LSSD and VSD ceiling fans, increase the tolerance for the stability criteria for the average air velocity measurements in low speed to reduce test burden; specify that large-diameter ceiling with blade spans greater than 24 feet do not need to be tested pursuant to the DOE test method; codify current guidance on calculating several values reported on the U.S. Federal Trade Commission's (FTC) EnergyGuide label for LSSD and VSD ceiling fans using results from the ceiling fan test procedures; and amend certification requirements and product-specific enforcement provisions to reflect the current test procedures and recently amended energy conservation standards for ceiling fans. **Written comments and information are requested and will be accepted on or before November 29, 2019. See section V, “Public Participation,” for details.**

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#### **Maine: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference**

**Published** 10/3/2019

**Reference** ANSI, ASME, UL

Pursuant to the Resource Conservation and Recovery Act (RCRA or Act), the Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the State of Maine's Underground Storage Tank (UST) program submitted by the Maine Department of Environmental Protection (ME DEP). This action also codifies EPA's approval of Maine's State program and incorporates by reference those provisions of the State regulations that we have determined meet the requirements for approval. The provisions will be subject to EPA's inspection and enforcement authorities under sections 9005 and 9006 of RCRA Subtitle I and other applicable statutory and regulatory provisions. **This rule is effective December 2, 2019, unless EPA receives adverse comment by November 4, 2019. If EPA receives adverse comments, it will publish a timely withdrawal in the Federal Register informing the public that the rule will not take effect. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register, as of December 2, 2019, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.**

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#### **Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Site Characterization Surveys of Lease Areas**

**Published** 10/2/2019

**Reference** ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that we have issued an incidental harassment authorization (IHA) to Ørsted Wind Power LLC (Ørsted) to take small numbers of marine mammals, by harassment, incidental to high-resolution geophysical (HRG) survey investigations associated with marine site characterization activities off the coast of Massachusetts and Rhode Island in the areas of Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (OCS). These areas are currently being leased by the Applicant's affiliates, Deepwater Wind New England, LLC and Bay State Wind LLC respectively, and are identified as OCS-A 0486, OCS-A 0487, and OCS-A 0500 (collectively referred to as the Lease Areas). Ørsted is also planning to conduct marine site characterization surveys along one or more export cable route corridors (ECRs) originating from the Lease Areas and landing along the shoreline at locations from New York to Massachusetts, between Raritan Bay (part of the New York Bight) to Falmouth, Massachusetts. **This authorization is effective one year from the date of issuance.**

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#### **Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Low-Energy Geophysical Survey in the South Atlantic Ocean**

**Published** 9/30/2019

**Reference** ANSI, ISO

NMFS has received a request from the Scripps Institute of Oceanography (SIO) for authorization to take marine mammals incidental to a low-energy marine geophysical survey in the South Atlantic Ocean. 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-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 authorizations and agency responses will be summarized in the final notice of our decision. Comments and information must be received no later than October 30, 2019.

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#### [Odometer Disclosure Requirements](#)

**Published** 10/2/2019

**Reference** ANSI, SAE

This final rule is issued to fulfill a requirement in the Moving Ahead for Progress in the 21st Century Act of 2012 (MAP-21) that NHTSA establish regulations permitting states to adopt schemes that allow electronic odometer disclosure statements in conjunction with electronic titling systems associated with the transfer of interests in motor vehicles. Amendments in this final rule allow odometer disclosures in an electronic medium while maintaining and protecting the existing system(s) ensuring accurate odometer disclosures and aid law enforcement in prosecuting odometer fraud. To accomplish this goal, the final rule amends prior regulations governing transactions made on paper titles and similar documents allowing odometer disclosures to be made in a purely electronic environment or through using paper documents that are scanned and converted into electronic form and stored in a state data system. This final rule also adds new sections containing specific additional requirements only applying to electronic disclosures to ensure the secure creation and maintenance of electronic records. NHTSA is also amending the mileage disclosure exemption to vehicles that are 20 years old or older. **This rule is effective December 31, 2019.**

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#### [Energy Conservation Program: Energy Conservation Standards for Residential Clothes Washers](#)

**Published** 10/3/2019

**Reference** AHAM

The U.S. Department of Energy ("DOE") is reopening the public comment period for its request for information ("RFI") to solicit information from the public to help DOE determine whether to amend standards for residential clothes washers ("RCWs"). DOE published the RFI in the Federal Register on August 2, 2019 establishing a 30-day public comment period ending September 3, 2019. On August 2, 2019, DOE received a comment requesting a 30 day comment period extension. On August 26, 2019, DOE published a notice in the Federal Register extending the public comment on the RFI to receive comments no later than October 3, 2019. On September 20, 2019, DOE received a comment requesting an additional 14 day comment period extension; therefore, DOE is reopening the public comment period for submitting comments and data on the RFI by 14 days to October 17, 2019. **The comment period for the RFI published on August 2, 2019 (84 FR 37794), is reopening. DOE will accept comments, data, and information regarding this rulemaking received no later than October 17, 2019.**

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#### [Energy Conservation Program: Test Procedures for Clothes Dryers](#)

**Published** 10/3/2019

**Reference** AHAM

On July 23, 2019, the U.S. Department of Energy ("DOE") published in the Federal Register a notice of proposed rulemaking ("NOPR") regarding proposals to amend the test procedures for clothes dryers and to request comment on the proposals and other aspects of clothes dryer testing. This notice also announced a webinar to be held on August 14, 2019, and stated that DOE would hold a public meeting on the proposal if one was requested by August 6, 2019. On July 29, 2019, DOE received a comment requesting a public meeting. **The comment period for the NOPR published on July 23, 2019 (84 FR 35484), is extended. DOE will accept comments, data, and information regarding this proposed rulemaking received no later than November 6, 2019.**

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#### [Medicare and Medicaid Programs; Regulatory Provisions To Promote Program Efficiency, Transparency, and Burden Reduction; Fire Safety Requirements for Certain Dialysis Facilities; Hospital and Critical Access Hospital \(CAH\) Changes To Promote Innovation, Flexibility, and Improvement in Patient Care](#)

**Published** 9/30/2019

**Reference** ASHRAE, NFPA

This final rule reforms Medicare regulations that are identified as unnecessary, obsolete, or excessively burdensome on health care providers and suppliers. This final rule also increases the ability of health care professionals to devote resources to improving patient care by eliminating or reducing requirements that impede quality patient care or that divert resources away from furnishing high quality patient care. Additionally, this rule updates fire safety standards for Medicare and Medicaid participating End-Stage Renal Disease (ESRD) facilities by adopting the 2012 edition of the Life Safety Code and the 2012 edition of the Health Care Facilities Code. Finally, this final rule updates the requirements that hospitals and Critical Access Hospitals (CAHs) must meet to participate in the Medicare and Medicaid programs. These requirements are intended to conform to current standards of practice and support improvements in quality of care, reduce barriers to care,

and reduce some issues that may exacerbate workforce shortage concerns. These regulations are effective on November 29, 2019. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of November 29, 2019.

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**[Welded Stainless Steel Pressure Pipe From Malaysia, Thailand, and the Socialist Republic of Vietnam: Final Results of Expedited First Sunset Reviews of Antidumping Duty Orders](#)**

**Published** 10/2/2019

**Reference** ASTM

As a result of these sunset reviews, the Department of Commerce (Commerce) finds that revocation of the antidumping duty orders on welded stainless steel pressure pipe (WSSPP) from Malaysia, Thailand, and the Socialist Republic of Vietnam (Vietnam) would be likely to lead to continuation or recurrence of dumping, at the levels identified in the “Final Results of Sunset Reviews” section of this notice. **Applicable October 2, 2019.**

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**[Accreditation and Approval of Chemical and Petrochemical Inspections \(Groves, TX\), as a Commercial Gauger and Laboratory](#)**

**Published** 10/3/2019

**Reference** ASTM

Notice is hereby given, pursuant to CBP regulations, that Chemical and Petrochemical Inspections (Groves, TX), 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 25, 2018. **Chemical and Petrochemical Inspections (Groves, TX) was approved and accredited, as a commercial gauger and laboratory as of September 25, 2018. The next triennial inspection date will be scheduled for September 2021.**

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**[Accreditation and Approval of Product Quality Management, LLC \(Pasadena, TX\) as a Commercial Gauger and Laboratory](#)**

**Published** 10/3/2019

**Reference** ASTM

Notice is hereby given, pursuant to CBP regulations, Product Quality Management, LLC (Pasadena, TX), 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 April 9, 2019. **Product Quality Management, LLC (Pasadena, TX) was approved and accredited as a commercial gauger and laboratory as of April 9, 2019. The next triennial inspection date will be scheduled for April 2022.**

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