

## U.S. Federal Register Update: January 6 – January 10, 2020

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: Energy Conservation Standards for Commercial Packaged Boilers](#)

**Published** 1/10/2020

**Reference** ANSI, ASHRAE

The Energy Policy and Conservation Act of 1975 (EPCA), as amended, prescribes energy conservation standards for various consumer equipment and certain commercial and industrial equipment, including commercial packaged boilers (CPBs). EPCA also requires the U.S. Department of Energy (DOE) to periodically review standards. In this final rule, DOE is adopting more-stringent energy conservation standards for certain commercial packaged boilers. **The effective date of this rule is March 10, 2020. Compliance with the amended standards established for commercial packaged boilers in this final rule is required on and after January 10, 2023.**

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

**Published** 1/10/2020

**Reference** ANSI, AHAM, ASHRAE, UL

The Energy Policy and Conservation Act of 1975 (EPCA or the Act), as amended, prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment. In addition to specifying a list of covered consumer products and commercial equipment, EPCA contains provisions that enable the Secretary of Energy to classify additional types of consumer products as covered products. On April 18, 2016, the U.S. Department of Energy (DOE or the Department) published a final coverage determination to classify portable air conditioners (ACs) as covered consumer products under the applicable provisions in EPCA. In this final rule, DOE establishes new energy conservation standards for portable ACs. DOE has determined that the energy conservation standards for these products would result in significant conservation of energy, and are technologically feasible and economically justified. **The effective date of this rule is March 10, 2020. Compliance with the standards established for portable ACs in this final rule is required on and after January 10, 2025.**

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### [Granting of Requests for Early Termination of the Waiting Period Under the Premerger Notification Rules](#)

**Published** 1/8/2020

**Reference** ANSI

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the Federal Register.

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### [Take of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the North Jetty Maintenance and Repairs Project, Coos Bay, Oregon](#)

**Published** 1/9/2020

**Reference** ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued incidental harassment authorizations (IHAs) to the U.S. Army Corps of Engineers (USACE) to incidentally harass, by Level B harassment only, marine mammals during pile driving and removal activities over two years associated with the Coos Bay North Jetty maintenance and repairs project. **These Authorizations are effective from September 1, 2020 through August 31, 2021 (pile driving removal (Year 1)) and July 1, 2022 through June 30, 2023 (pile driving installation (Year 2)).**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Ferry Berth Improvements in Tongass Narrows, Alaska](#)

**Published** 1/7/2020

**Reference** ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued two consecutive incidental harassment authorizations (IHA) to the Alaska Department of Transportation and Public Facilities (ADOT&PF) to incidentally harass, by Level A and Level B harassment, marine mammals during two years of activity related to ferry berth improvements and construction in Tongass Narrows, near Ketchikan, AK. **The Phase 1 Authorization is effective from March 1, 2020 to February 28, 2021. The Phase 2 Authorization is effective from March 1, 2021 to February 28, 2022.**

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**Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information and Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information**

**Published** 1/7/2020

**Reference** ASME

The U.S. Nuclear Regulatory Commission (NRC) received and is considering approval of five amendment requests. The amendment requests are for Fermi 2; Oconee Nuclear Station, Units 1, 2, and 3; Center for Neutron Research Test Reactors; Joseph M. Farley Nuclear Plant, Units 1 and 2; Watts Bar Nuclear Plant, Unit 2. For each amendment request, the NRC proposes to determine that it involves no significant hazards consideration. Because the amendment request contains sensitive unclassified non-safeguards information (SUNSI) and safeguards information (SGI) an order imposes procedures to obtain access to SUNSI and SGI for contention preparation. **Comments must be filed by February 6, 2020. A request for a hearing must be filed by March 9, 2020. Any potential party as defined in Sec. 2.4 of title 10 of the Code of Federal Regulations (10 CFR), who believes access to SUNSI and/or SGI is necessary to respond to this notice must request document access by January 17, 2020.**

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

**Published** 1/9/2020

**Reference** ASTM

Notice is hereby given that on December 11, 2019 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 11, 2019 and December 5, 2019, 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>.

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**Magnesium Metal From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review: 2018-2019**

**Published** 1/8/2020

**Reference** ASTM

The Department of Commerce (Commerce) is conducting the administrative review of the antidumping duty order on magnesium metal from the People's Republic of China (China), covering the period April 1, 2018 through March 31, 2019. Commerce preliminarily determines that Tianjin Magnesium International, Co., Ltd. (TMI) and Tianjin Magnesium Metal, Co., Ltd. (TMM) did not have reviewable entries during the period of review (POR). We invite interested parties to comment on these preliminary results. **Applicable January 8, 2020.**

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**Certain Collated Steel Staples From the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, Postponement of Final Determination and Extension of Provisional Measures**

**Published** 1/8/2020

**Reference** ASTM

The Department of Commerce (Commerce) preliminarily determines that certain collated steel staples (collated staples) from the People's Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is October 1, 2018 through March 31, 2019.

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### [Cast Iron Soil Pipe Fittings From the People's Republic of China: Final Results of Changed Circumstances Reviews](#)

**Published** 1/8/2020

**Reference** ASTM

Commerce finds that Wor-Biz Industrial Product Co., Ltd. (Anhui) (Wor-Biz Industrial) is the successor-in-interest to Wor-Biz Trading Co., Ltd. (Anhui) (Wor-Biz Trading), and therefore is entitled to Wor-Biz Trading's antidumping duty (AD) and countervailing duty (CVD) cash deposit rates with respect to entries of subject merchandise. **Applicable January 8, 2020.**

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### [National Conference on Weights and Measures Interim Meeting](#)

**Published** 1/10/2020

**Reference** IEC, ISO

The Interim Meeting of the National Conference on Weights and Measures (NCWM) will be held in Riverside, CA, from Sunday, January 26, 2020, through Wednesday, January 29, 2020. 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 meeting will be held from Sunday, January 26, 2020, through Wednesday, January 29, 2020. The meeting schedule will be available on the NCWM website at [www.ncwm.com](http://www.ncwm.com).**

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### [Energy Conservation Program: Energy Conservation Standards for Air Compressors](#)

**Published** 1/10/2020

**Reference** IEC, ISO, NEMA, NFPA, UL

The Energy Policy and Conservation Act of 1975, as amended ("EPCA"), prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment. EPCA also authorizes DOE to establish standards for certain other types of industrial equipment, including air compressors. Such standards must be technologically feasible and economically justified, and must save a significant amount of energy. In this final rule, DOE is adopting new energy conservation standards for air compressors. It has determined that the adopted energy conservation standards for these products would result in significant conservation of energy, and are technologically feasible and economically justified. **The effective date of this rule is March 10, 2020. Compliance with the new standards established for compressors in this final rule is required on and after January 10, 2025.**

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### [Testing Methods for Asbestos in Talc and Cosmetic Products Containing Talc; Public Meeting; Request for Comments](#)

**Published** 1/10/2020

**Reference** ISO

The Food and Drug Administration (FDA or we) is announcing a public meeting entitled "Testing Methods for Asbestos in Talc and Cosmetic Products Containing Talc." The purpose of the public meeting is to discuss and obtain scientific information on topics related to testing methodologies, terminology, and criteria that can be applied to characterize and measure asbestos and other potentially harmful elongate mineral particles (EMPs) that may be present as contaminants in talc and cosmetic products manufactured using talc as an ingredient. **The public meeting will be held on February 4, 2020, from 8:30 a.m. to 5 p.m. Eastern Time, or until after the last public commenter has spoken, whichever occurs first. Submit requests to make oral presentations and comments at the public meeting by January 17, 2020. Electronic or written comments on this meeting will be accepted until March 4, 2020. See the SUPPLEMENTARY INFORMATION section of this document for information about early registration, requesting special accommodations due to disability, and other information regarding meeting participation.**

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### [Energy Conservation Program: Energy Conservation Standards for Uninterruptible Power Supplies](#)

**Published** 1/10/2020

**Reference** NEMA, UL

The Energy Policy and Conservation Act of 1975 (EPCA), as amended, prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including battery chargers. EPCA also requires the U.S. Department of Energy (DOE) to periodically determine whether more-stringent standards would be technologically feasible and economically justified, and would save a significant amount of energy. In this final rule, DOE is adopting new energy conservation standards for uninterruptible power supplies, a class of battery chargers. It has determined that the new energy conservation standards for these products would result in significant conservation of energy, and are technologically feasible and economically justified. **The effective date of this rule is March 10, 2020. Compliance with the new standards established for uninterruptible power supplies in this final rule is required on and after January 10, 2022.**

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## [Replica Motor Vehicles; Vehicle Identification Number \(VIN\) Requirements; Manufacturer Identification; Certification](#)

Published 1/7/2020

Reference SAE

Section 24405 of the Fixing America's Surface Transportation Act (FAST Act) amended the National Traffic and Motor Vehicle Safety Act (Safety Act) to direct the Secretary of Transportation (NHTSA by delegation) to exempt annually a limited number of replica motor vehicles manufactured or imported by low-volume manufacturers from Federal motor vehicle safety standards (FMVSS) 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, NHTSA is proposing, in a new Part 586, requirements for registering as a replica manufacturer, submitting annual reports, providing consumer disclosures, and labeling. NHTSA is proposing procedures to exempt replica vehicles produced by registrants from all the FMVSS that apply to new motor vehicles. This Notice of Proposed Rulemaking (NPRM) also proposes changes to Part 565, to require manufacturers to encode specific information into each replica vehicle's VIN, and to Parts 566 and 567 for manufacturer identification and vehicle certification, respectively. **You should submit your comments early enough to ensure that the docket receives them not later than February 6, 2020. In compliance with the Paperwork Reduction Act, NHTSA is also seeking comment on a new information collection and revisions to existing information collections. For additional information, see the Paperwork Reduction Act section under the Regulatory Notices and Analyses section below. All comments relating to the information collection requirements should be submitted to NHTSA and to the Office of Management and Budget (OMB) at the address listed in the ADDRESSES section on or before February 6, 2020.**

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## [Request for Information \(RFI\) for the Inclusive Design Challenge](#)

Published 1/7/2020

Reference SAE

The U.S. Department of Transportation (DOT) Office of the Secretary of Transportation (OST) is seeking feedback on a proposed inclusive design challenge (Challenge) via this Request for Information (RFI). The Challenge is intended to incentivize creation of innovative, inclusive design solutions to enable access to automated vehicles (AV), also known as Highly automated Vehicles (HAV), for persons with disabilities. The Challenge seeks to emphasize the opportunities and challenges introduced by AVs which human occupants are not expected to drive, nor supervise the driving functions of the automated system, or perform any other element of the dynamic driving task as long as the vehicle remains within its operational design domain.

The Challenge will solicit solutions addressing obstacles faced by persons with physical, sensory, and/or cognitive disabilities. The goal of the Challenge is to inspire inclusive designs as AVs are developed, which may also increase access to conventional vehicles today. Solutions proposed should aim to decrease the need to modify Level 4 and 5 AVs post-production, or to reduce the cost of retrofitting AVs for use by persons with disabilities, including wheelchair users.

**Responses to the RFI must be received by January 31, 2020, no later than 5:00 p.m. (ET).**

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