

## U.S. Federal Register Update: February 24 – February 28, 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?*

### [Aerial Lifts Standard \(29 CFR 1926.453\); Extension of the Office of Management and Budget's \(OMB\) Approval of Information Collection \(Paperwork\) Requirements](#)

Published 2/26/2020

Reference ANSI

OSHA solicits public comments concerning the proposal to extend the Office of Management and Budget (OMB) approval of the information collection requirement contained in the Aerial Lift Standard. Employers who modify an aerial lift for uses other than those provided by the manufacturer must obtain a certificate from the manufacturer or equivalent entity certifying that the modification is in conformance with applicable American National Standards Institute (ANSI) standards and the OSHA Standard, and the equipment is as safe as it was prior to the modification. **Comments must be submitted (postmarked, sent, or received) by April 27, 2020.**

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### [BMW of North America, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance](#)

Published 2/27/2020

Reference ANSI, SAE

BMW of North America, LLC (BMW), a subsidiary of BMW AG, has determined that certain model year (MY) 2019 BMW F750 GS and F850 GS motorcycles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 205, Glazing Materials. BMW filed a noncompliance report dated October 19, 2018. BMW subsequently petitioned NHTSA on October 29, 2018, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. **The closing date for comments on the petition is March 30, 2020.**

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### [Standards for Business Practices and Communication Protocols for Public Utilities](#)

Published 2/25/2020

Reference ANSI, NIST

The Federal Energy Regulatory Commission (Commission) is revising its regulations to incorporate by reference, with certain enumerated exceptions, the latest version (Version 003.2) of the Standards for Business Practices and Communication Protocols for Public Utilities adopted by the Wholesale Electric Quadrant (WEQ) of the North American Energy Standards Board (NAESB) as mandatory enforceable requirements. The Commission is adopting this latest version instead of WEQ Version 003.1, which was the subject of an earlier notice of proposed rulemaking. The Commission declines to adopt the proposal to remove the incorporation by reference of the WEQ-006 Manual Time Error Correction Business Practice Standards as adopted by NAESB. **This rule is effective April 27, 2020.**

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### [QAI Laboratories, Ltd. Application for Expansion of Recognition](#)

Published 2/26/2020

Reference AAMI

In this notice, OSHA announces the application of QAI Laboratories, Ltd., for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before March 12, 2020.**

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### [National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans and Surface Coating of Metal Coil Residual Risk and Technology Reviews](#)

Published 2/25/2020

Reference ASME, ASTM

The U.S. Environmental Protection Agency (EPA) is taking final action on the residual risk and technology reviews (RTRs) conducted for the Surface Coating of Metal Cans and Surface Coating of Metal Coil source categories regulated under national emission standards for hazardous air pollutants (NESHAP). The EPA is also taking final action on amendments for the two source categories to address emissions during periods of startup, shutdown, and malfunction (SSM); electronic reporting of performance test results and compliance reports; the addition of EPA Method 18 and updates to several measurement methods; and the addition of requirements for periodic performance testing. Additionally, several

miscellaneous technical amendments are being made to improve the clarity of the rule requirements. We are making no revisions to the numerical emission limits for the two source categories based on the residual risk and technology reviews. This final rule is effective on February 25, 2020. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of February 25, 2020.

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#### **[Notice Pursuant to the National Cooperative Research and Production Act of 1993-ASTM International Standards](#)**

**Published** 2/27/2020

**Reference** ASTM

Notice is hereby given that on February 10, 2020 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 December 5, 2019 and February 10, 2020, 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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#### **[Non-Oriented Electrical Steel From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order](#)**

**Published** 2/27/2020

**Reference** ASTM, IEC

The Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order would be likely to lead to the continuation or recurrence of a countervailable subsidy at the levels indicated in the “Final Results of Review” section of this notice. **Applicable February 27, 2020.**

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#### **[Applicability Determination Index Data System Posting: EPA Formal Responses to Inquiries Concerning Compliance With Clean Air Act Stationary Source Program](#)**

**Published** 2/25/2020

**Reference** ASTM

This document announces applicability determinations, alternative monitoring decisions, and regulatory interpretations that EPA has made with regard to the New Source Performance Standards (NSPS); the National Emission Standards for Hazardous Air Pollutants (NESHAP); the Emission Guidelines and Federal Plan Requirements for existing sources; and/or the Stratospheric Ozone Protection Program.

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#### **[Notice Pursuant to the National Cooperative Research and Production Act of 1993-Institute of Electrical and Electronics Engineers](#)**

**Published** 2/27/2020

**Reference** IEEE

Notice is hereby given that, on February 6, 2020, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 et seq. (“the Act”), the Institute of Electrical and Electronics Engineers (“IEEE”) 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, 30 new standards have been initiated and 18 existing standards are being revised. More detail regarding these changes can be found at: <https://standards.ieee.org/about/sasb/sba/sept2019.html>.

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#### **[Request for Information Regarding Manufacturing USA Institutes and Processes](#)**

**Published** 2/27/2020

**Reference** NIST

The Manufacturing USA reauthorization prescribes three pathways for creating centers for manufacturing innovation or institutes in the Manufacturing USA network. Through this Request for Information (RFI), NIST is seeking comment from the public on the pathway where manufacturing centers outside of Manufacturing USA are recognized by the Secretary of Commerce as centers for manufacturing innovation in response to a formal request by the centers for such recognition. The law provides that a manufacturing center substantially similar to Manufacturing USA institutes, but which do not have federal sponsorship, may be recognized for participation in the network, but does not specify criteria for similarity. This pathway may be termed the “alliance” model for membership in Manufacturing USA. These could be existing agency-

sponsored institutes which are no longer under a federal financial aid agreement or existing entities not in the network with relevant characteristics that are new to the network. Through this RFI, NIST also is seeking broad input and participation from stakeholders to assist in identifying and prioritizing issues and proposed solutions on the information provided regarding the proposed “alliance” path to designate a Manufacturing USA Institute, including what should be the minimum characteristics and requirements for such entities. Comments must be received by 5:00 p.m. Eastern time on August 25, 2020. Written comments in response to the RFI should be submitted according to the instructions in the ADDRESSES and SUPPLEMENTARY INFORMATION sections below. Submissions received after that date may not be considered.

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#### [Virtualization and Cloud Computing Services](#)

**Published** 2/27/2020

**Reference** NIST

The Federal Energy Regulatory Commission (Commission) seeks comments regarding the potential benefits and risks associated with the use of virtualization and cloud computing services in association with bulk electric system operations, as well as whether barriers exist in the Commission-approved Critical Infrastructure Protection Reliability Standards that impede the voluntary adoption of virtualization or cloud computing services. **Initial Comments are due April 27, 2020, and Reply Comments are due May 27, 2020.**

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

**Published** 2/26/2020

**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 February 26, 2020.**

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