U.S. Federal Register Update: July 6 – July 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?*

Leakage Tests on Packages for Shipment of Radioactive Material
Published 7/8/2020
Reference ANSI
The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 2 to Regulatory Guide (RG) 7.4, "Leakage Tests on Packages for Shipment of Radioactive Material." This RG (Revision 2) endorses the methods and procedures developed by the Standards Committee on Packaging and Transportation of Radioactive and Nonnuclear Hazardous Materials, N14 Subcommittee of the American National Standards Institute (ANSI) in ANSI N14.5-2014, "American National Standard for Radioactive Materials—Leakage Tests on Packages for Shipment," dated June 19, 2014. **Revision 2 to RG 7.4 is available on July 8, 2020.**

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seattle Multimodal Project at Colman Dock in Washington State
Published 7/8/2020
Reference ANSI
NMFS has received a request from the Washington State Department Transportation (WSDOT) for authorization to take marine mammals incidental to Seattle Multimodal Project at Colman Dock in Seattle, Washington State. 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 August 7, 2020.**

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Construction of Two Liquefied Natural Gas Terminals, Texas
Published 7/6/2020
Reference ANSI
Pursuant to the Marine Mammal Protection Act (MMPA), NMFS has hereby issued an incidental harassment authorization (IHA) to Rio Grande LNG LLC (Rio Grande) and, separately, Annova LNG Common Infrastructure (Annova), authorizing the take of small numbers of marine mammals incidental to the construction of two liquefied natural gas (LNG) terminals in the Brownsville Ship Channel (BSC), Texas. **The Rio Grande IHA is effective July 1, 2020 through June 31, 2021. The Annova IHA is effective March 1, 2021 through February 28, 2022.**

National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline) Residual Risk and Technology Review
Published 7/7/2020
Reference ANSI, ASME, ASTM, ISO, NIST
This action finalizes the residual risk and technology review (RTR) conducted for the Organic Liquids Distribution (Non-Gasoline) (OLD) source category regulated under National Emission Standards for Hazardous Air Pollutants (NESHAP). The U.S. Environmental Protection Agency (EPA) is finalizing amendments to the storage tank requirements as a result of the RTR. In addition, we are taking final action to correct and clarify regulatory provisions related to emissions during periods of startup, shutdown, and malfunction (SSM); add requirements for electronic reporting of performance test results and reports, performance evaluation reports, compliance reports, and Notification of Compliance Status (NOCS) reports; add operational requirements for flares; and make other minor technical improvements. We estimate that these amendments will reduce emissions of hazardous air pollutants (HAP) from this source category by 186 tons per year (tpy), which represents an approximate 8 percent reduction of HAP emissions from the source category. This final rule is effective on July 7, 2020. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of July 7, 2020.

Takes of Marine Mammals Incidental To Specified Activities; Taking Marine Mammals Incidental to the Crowley Kotzebue Dock Upgrade Project in Kotzebue, Alaska

Published 7/8/2020

Reference ANSI

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Crowley Fuels, LLC to incidentally harass, by Level B harassment only, marine mammals during construction activities associated with the Crowley Kotzebue Dock Upgrade in Kotzebue, Alaska. **This Authorization is effective from July 6, 2020 through July 5, 2021.**

National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology Standards Residual Risk and Technology Review for Ethylene Production

Published 7/6/2020

Reference ANSI, ASME, ASTM, NIST

This action finalizes the residual risk and technology review (RTR) conducted for the Ethylene Production source category regulated under National Emission Standards for Hazardous Air Pollutants (NESHAP). In addition, the U.S. Environmental Protection Agency (EPA) is taking final action to correct and clarify regulatory provisions related to emissions during periods of startup, shutdown, and malfunction (SSM), including removing general exemptions for periods of SSM, adding work practice standards for periods of SSM where appropriate, and clarifying regulatory provisions for certain vent control bypasses. The EPA is also taking final action to revise requirements for heat exchange systems; add monitoring and operational requirements for flares; add provisions for electronic reporting of performance test results and other reports; and include other technical corrections to improve consistency and clarity. We estimate that these final amendments will reduce hazardous air pollutants (HAP) emissions from this source category by 29 tons per year (tpy) and reduce excess emissions of HAP from flares by an additional 1,430 tpy. **This final rule is effective on July 6, 2020. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of July 6, 2020.**

National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating Residual Risk and Technology Review

Published 7/9/2020

Reference ANSI, ASME, ASTM, NIST

This action finalizes the residual risk and technology review (RTR) conducted for the Paper and Other Web Coating (POWC) source category regulated under national emission standards for hazardous air pollutants (NESHAP). The Agency is finalizing the proposed determination that risks due to emissions of air toxics are acceptable from this source category and that the current NESHAP provides an ample margin of safety to protect public health. Further, the U.S. Environmental Protection Agency (EPA) identified no new cost-effective controls under the technology review that would achieve significant further emissions reductions, and, thus, is finalizing the proposed determination that no revisions to the standards are necessary based on developments in practices, processes, or control technologies. In addition, the Agency is taking final action addressing startup, shutdown, and malfunction (SSM). These final amendments address emissions during SSM events, add a compliance demonstration equation that accounts for retained volatiles in the coated web; add repeat testing and electronic reporting requirements; and make technical and editorial changes. The EPA is making these amendments to improve the effectiveness of the NESHAP, and although these amendments are not expected to reduce emissions of hazardous air pollutants (HAP), they will improve monitoring, compliance, and implementation of the rule. **This final rule is effective on July 9, 2020. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of July 9, 2020. The IBR of certain other publications listed in the rule is approved by the Director of the Federal Register as of December 4, 2002.**

NESHAP: Surface Coating of Automobiles and Light-Duty Trucks; Miscellaneous Metal Parts and Products; Plastic Parts and Products; Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Metal Furniture Residual Risk and Technology Reviews

Published 7/8/2020

Reference ANSI, 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 Automobiles and Light-Duty Trucks (ALDT); Surface Coating of Miscellaneous Metal Parts and Products (MMPP); and the Surface Coating of Plastic Parts and Products (PPP) source categories regulated under national emission standards for hazardous air pollutants (NESHAP). These final amendments also 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. Several miscellaneous technical amendments were also made to improve the clarity of the rule requirements. We are making no revisions to the numerical emission limits based on these risk analyses or technology reviews. This notice also finalizes technical corrections to the NESHAP for Surface Coating of Large Appliances; NESHAP for Printing, Coating, and Dyeing of Fabrics and Other Textiles; and NESHAP for Surface Coating of Metal Furniture. This final rule is effective on July 8, 2020. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of July 8, 2020. The incorporation by reference of certain other publications listed in the rule was approved by the Director of the Federal Register as of June 25, 2004.

Design Limits, Loading Combinations, Materials, Construction and Testing of Concrete Containments
Published 7/8/2020
Reference ASME
The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG), DG-1372, "Design Limits, Loading Combinations, Materials, Construction and Testing of Concrete Containments." This draft guide is proposed Revision 4 of regulatory guide (RG) 1.136 of the same name. It updates the guidance for materials, design, construction, fabrication, examination, and testing of concrete containments in nuclear power plants through endorsement, with exceptions, of the 2019 edition of the American Society of Mechanical Engineers Boiler & Pressure Vessel Code, Section III, Division 2 (American Concrete Institute Standard 359-19), "Code for Concrete Containments." **Submit comments by September 8, 2020. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.**

Certain Small Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe From Romania: Final Results of Antidumping Duty Administrative Review; 2018-2019
Published 7/10/2020
Reference ASME, ASTM
The Department of Commerce (Commerce) determines that S.C. Silcotub S.A. (Silcotub), a producer/exporter of certain small diameter carbon and alloy seamless standard, line and pressure pipe (small diameter seamless pipe) from Romania, did not sell subject merchandise at prices below normal value (NV) during the period of review (POR) August 1, 2018 through July 31, 2019. In addition, Commerce determines that ArcelorMittal Tubular Products Roman S.A. (ArcelorMittal) had no shipments of subject merchandise during the POR. **Applicable July 10, 2020.**

Revisions to Safety Standard for Sling Carriers; Corrections
Published 7/8/2020
Reference ASTM
On April 20, 2020, the Consumer Product Safety Commission (Commission or CPSC) issued a direct final rule revising CPSC's mandatory standard for sling carriers to incorporate by reference the most recent version of the applicable ASTM standard. That document omitted an ASTM contact phone number. This document adds an ASTM contact telephone number. Additionally, that document contained a CPSC telephone number that is now inactive. To ensure that the public will be able to contact CPSC, in this document, we provide a correct telephone number and add an email contact, which will provide the public several ways to contact CPSC, even during the COVID-19 pandemic. **Effective on July 8, 2020.**

Revisions to Safety Standard for Portable Bed Rails; Corrections
Published 7/8/2020
Reference ASTM
On February 25, 2020, the Consumer Product Safety Commission (Commission or CPSC) issued a direct final rule revising CPSC's mandatory standard for portable bed rails to incorporate by reference the most recent version of the applicable ASTM standard. That document contained typographical errors. In this document, we correct those errors, provide an additional option for viewing the standard, and add new contact information, which will provide the public several ways to contact CPSC, even during the COVID-19 pandemic. **Effective July 8, 2020.**

Safety Standard for Hand-Held Infant Carriers; Correction
Published 7/8/2020
Reference ASTM

On May 20, 2020, the Consumer Product Safety Commission (Commission or CPSC) issued a direct final rule revising CPSC's mandatory standard for hand-held infant carriers to incorporate by reference the most recent version of the applicable ASTM standard. This document adds an email address, which will provide the public several ways to contact CPSC, even during the COVID-19 pandemic. **Effective on July 8, 2020.**

Revisions to Safety Standard for Children's Folding Chair and Stools; Correction
Published 7/8/2020
Reference ASTM
On April 1, 2020, the Consumer Product Safety Commission (Commission or CPSC) issued a direct final rule revising CPSC's mandatory standard for children's folding chairs and stools to incorporate by reference the most recent version of the applicable ASTM standard. That document contained a CPSC telephone number that is now inactive. To ensure that the public will be able to contact CPSC, in this document, we provide a correct telephone number and add an email address, which will provide the public several ways to contact CPSC, even during the COVID-19 pandemic. **Effective on July 8, 2020.**

Safety Standard for Gates and Enclosures
Published 7/6/2020
Reference ASTM
Pursuant to the Consumer Product Safety Improvement Act of 2008 (CPSIA), the U.S. Consumer Product Safety Commission (CPSC) is issuing this final rule establishing a safety standard for gates and enclosures that are intended to confine a child. The CPSC is also amending its regulations regarding third party conformity assessment bodies to include the safety standard for gates and enclosures in the list of notices of requirements (NORs). **This rule will become effective July 6, 2021. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of July 6, 2021.**

Modernizing Ignitable Liquids Determinations
Published 7/7/2020
Reference ASTM, NFPA
The Environmental Protection Agency (EPA) is finalizing updates to the regulations for the identification of ignitable hazardous waste under the Resource Conservation and Recovery Act (RCRA) and to modernize the RCRA test methods that currently require the use of mercury thermometers. These revisions provide greater clarity to hazardous waste identification, provide flexibility in testing requirements, improve environmental compliance, and, thereby, enhance protection of human health and the environment. **This final rule is effective on September 8, 2020. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of September 8, 2020.**

Hazardous Materials: Notice of Actions on Special Permits
Published 7/8/2020
Reference ASTM
In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. **Comments must be received on or before August 7, 2020.**

Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2017-2018
Published 7/10/2020
Reference ASTM
The Department of Commerce (Commerce) determines that producers and/or exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR), September 1, 2017 through August 31, 2018. **Applicable July 10, 2020.**

Large Diameter Welded Pipe From the Republic of Korea: Initiation and Expedited Preliminary Results of Antidumping Duty and Countervailing Duty Changed Circumstances Reviews
Published 7/10/2020
Reference ASTM

The Department of Commerce (Commerce) is initiating and issuing expedited preliminary results of changed circumstances reviews (CCR) of the antidumping duty (AD) and countervailing duty (CVD) orders on large diameter welded pipe from the Republic of Korea (Korea). Applicable July 10, 2020.

National Emission Standards for Hazardous Air Pollutants: Site Remediation Residual Risk and Technology Review
Published 7/10/2020
Reference ASTM
This action finalizes the residual risk and technology review (RTR) conducted for the Site Remediation source category regulated under national emission standards for hazardous air pollutants (NESHAP). The U.S. Environmental Protection Agency (EPA) is finalizing the proposed determination that risks due to emissions of air toxics from site remediation sources are acceptable and that no revision to the standards is required to provide an ample margin of safety to protect public health. Based on the results of our technology review, we are promulgating the proposed changes to the leak detection and repair (LDAR) program. In addition, the EPA is finalizing amendments to revise regulatory provisions pertaining to emissions during periods of startup, shutdown and malfunction (SSM), including finalizing work practice requirements for pressure relief devices (PRDs) and the 240-hour maintenance period for control devices on tanks. We are finalizing requirements for electronic submittal of semiannual reports and performance test results. Finally, we are making minor clarifications and corrections. The final revisions to the rule will increase the level of emissions control and environmental protection provided by the Site Remediation NESHAP. **This final rule is effective on July 10, 2020. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of July 10, 2020.**

Energy Efficiency Program for Industrial Equipment: Final Determination Classifying North Carolina Advanced Energy Corporation as a Nationally Recognized Certification Program for Electric Motors and Small Electric Motors
Published 7/6/2020
Reference CSA, IEC, IEEE, ISO
This notice announces a final determination classifying North Carolina Advanced Energy Corporation as a nationally recognized certification program under United States Department of Energy ("DOE") regulations regarding federal recognition of certification programs for electric motors and small electric motors. **This final determination is effective July 6, 2020.**

Securing the United States Bulk-Power System
Published 7/8/2020
Reference IEC, ISO, NIST
Pursuant to Executive Order 13920 (E.O. 13920) issued May 1, 2020, titled "Securing the United States Bulk-Power System," the Department of Energy (DOE or the Department) is seeking information to understand the energy industry's current practices to identify and mitigate vulnerabilities in the supply chain for components of the bulk-power system (BPS). **Comments must be received on or before August 7, 2020. If you anticipate difficulty in submitting comments within that period, contact the person listed in FOR FURTHER INFORMATION CONTACT as soon as possible.**

Deprecation of the United States (U.S.) Survey Foot
Published 7/10/2020
Reference NIST
The National Institute of Standards and Technology (NIST) and the National Geodetic Survey (NGS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), announced collaborative action to provide national uniformity in the measurement of length in an October 17, 2019, Federal Register notice and anticipated conducting the public comment review and analysis, and publishing and publicly announcing the resulting decision to deprecate the use of the U.S. survey foot before June 30, 2020. It is necessary to announce a 90-day extension of the review and analysis period to address public comments. The final determination will be published by September 28, 2020. **Final determination to be published on or before September 28, 2020.**

Advisory Committee on Earthquake Hazards Reduction Meeting
Published 7/9/2020
Reference NIST

National Institute of Standards and Technology (NIST)'s Advisory Committee on Earthquake Hazards Reduction (ACEHR or Committee) will hold a virtual meeting via web conference on Monday, November 9, 2020, from 1:00 p.m. to 4:00 p.m. Eastern Time and Tuesday, November 10, 2020, from 1:00 p.m. to 4:00 p.m. Eastern Time. The primary purpose of this meeting is for the Committee to review the activities of the National Earthquake Hazards Reduction Program (NEHRP) and work on their 2021 biennial Report on the Effectiveness of NEHRP. The agenda may change to accommodate Committee business. The final agenda and any meeting materials will be posted on the NEHRP website at http://nehrp.gov/. **The ACEHR will meet on Monday, November 9, 2020, from 1:00 p.m. to 4:00 p.m. Eastern Time and Tuesday, November 10, 2020, from 1:00 p.m. to 4:00 p.m. Eastern Time.**

Special Conditions: The Boeing Company Model 777-300ER Series Airplanes; Dynamic Test Requirements for Single-Occupant Oblique Seats With Pretensioner Restraint Systems

Published 7/10/2020

Reference SAE

These special conditions are issued for The Boeing Company (Boeing) Model 777-300ER series airplanes. These airplanes will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. This design feature is single-occupant, oblique seats equipped with pretensioner restraint systems. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards. **Effective August 10, 2020.**

Special Conditions: The Boeing Company Model 787-10 Series Airplanes; Dynamic Test Requirements for Single-Occupant Oblique Seats With Pretensioner Restraint Systems

Published 7/10/2020

Reference SAE

These special conditions are issued for The Boeing Company (Boeing) Model 787-10 series airplanes. These airplanes will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. This design feature is single-occupant oblique seats equipped with pretensioner restraint systems. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards. **Effective August 10, 2020.**
