

## U.S. Federal Register Update: July 8 – July 12, 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?*

### [Qualification and Training of Personnel for Nuclear Power Plants](#)

**Published** 7/8/2019

**Reference** ANSI

The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 4 to Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel for Nuclear Power Plants." This RG describes methods acceptable to the NRC staff for complying with those portions of the Commission's regulations associated with the selection, qualifications, and training for nuclear power plant personnel. Revision 4 updates the RG with additional experience gained since Revision 3 was issued in 2000 by endorsing American National Standards Institute/American Nuclear Society (ANSI/ANS)-3.1-2014, "Selection, Qualification, and Training of Personnel for Nuclear Power Plants," with exceptions and clarifications. **Revision 4 to RG 1.8 is available on July 8, 2019.**

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### [Certain Fabricated Structural Steel From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination](#)

**Published** 7/12/2019

**Reference** ANSI, ASSP

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain fabricated structural steel (fabricated structural steel) from the People's Republic of China (China). The period of investigation is January 1, 2018 through December 31, 2018. Interested parties are invited to comment on this preliminary determination. **Applicable July 12, 2019.**

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### [Certain Fabricated Structural Steel From Mexico: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination](#)

**Published** 7/12/2019

**Reference** ANSI, ASSP

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain fabricated structural steel (fabricated structural steel) from Mexico. The period of investigation is January 1, 2018 through December 31, 2018. Interested parties are invited to comment on this preliminary determination. **Applicable July 12, 2019.**

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### [Certain Fabricated Structural Steel From Canada: Preliminary Negative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination](#)

**Published** 7/12/2019

**Reference** ANSI, ASSP

The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are not being provided to producers and exporters of certain fabricated structural steel (fabricated structural steel) from Canada. The period of investigation is January 1, 2018 through December 31, 2018. Interested parties are invited to comment on this preliminary determination. **Applicable July 12, 2019.**

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### [Energy Efficiency Program for Industrial Equipment: Petition of North Carolina Advanced Energy Corporation Efficiency Verification Services for Classification as a Nationally Recognized Certification Program for Electric Motors and Small Electric Motors](#)

**Published** 7/8/2019

**Reference** ANSI, CSA, IEC, IEEE, ISO, UL

This notice announces receipt of a petition from North Carolina Advanced Energy Corporation Efficiency Verification

Services seeking classification as a nationally recognized certification program. The petition, which appears at the end of this notice, includes documentation to help substantiate company's position that its certification program for electric motors and small electric motors satisfies the evaluation criteria for classification as a nationally recognized certification program. This notice summarizes the substantive aspects of these documents and requests public comments on the merits of the petition. DOE will accept comments, data, and information with respect to the Advanced Energy Petition until August 7, 2019.

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#### [Notice of Request for Information on Information and Documentation Required for Clean Claims for Care and Services](#)

**Published** 7/9/2019

**Reference** ANSI

The Department of Veterans Affairs (VA) is requesting information from the public to inform VA's determination regarding the information and documentation that VA will require certain health care entities and providers to submit with certain claims for payment for hospital care, medical services, or extended care services. Specifically, VA is requesting input regarding what information and documentation VA should require non-Federal health care entities and providers to submit with certain claims for payment for hospital care, medical services, or extended care services furnished under chapter 17 of title 38, United States Code (U.S.C.) in order for such claims to constitute "clean claims" under section 1703D of title 38 U.S.C. **Comments must be received on or before August 8, 2019.**

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#### [Notice of Availability: Plan To Evaluate CO Mitigation Requirements for Portable Generators](#)

**Published** 7/9/2019

**Reference** ANSI, UL

The Consumer Product Safety Commission (CPSC) is announcing the availability of, and seeking comment on, a document related to CPSC's efforts to address carbon monoxide poisoning hazards from portable generators, NIST Technical Note 2048, "Simulation and Analysis Plan to Evaluate the Impact of CO Mitigation Requirements for Portable Generators."

**Submit comments by September 9, 2019.**

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#### [Energy Conservation Program: Energy Conservation Standards for Variable Refrigerant Flow Multi-Split Air Conditioners and Heat Pumps](#)

**Published** 7/8/2019

**Reference** ANSI, ASHRAE

The U.S. Department of Energy (DOE) is publishing an analysis of the energy savings potential of amended industry consensus standards for certain classes of variable refrigerant flow multi-split air conditioners and heat pumps (VRFs), which are a type of commercial and industrial equipment. The Energy Policy and Conservation Act of 1975, as amended (EPCA), requires DOE to evaluate and assess whether there is a need to update its energy conservation standards following changes to the relevant industry consensus standards in the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90.1 (ASHRAE Standard 90.1). Additionally under EPCA, DOE must review its standards for this equipment at least once every six years and publish either a notice of proposed rulemaking (NOPR) to propose new standards for VRFs or a notice of determination that the existing standards do not need to be amended. Accordingly, DOE is also initiating an effort to determine whether to amend the current energy conservation standards for classes of VRFs for which DOE has tentatively determined that the ASHRAE Standard 90.1 levels have not been updated to be more stringent than the current Federal standards. This document solicits information from the public to help DOE determine whether amended standards for VRFs would result in significant energy savings and whether such standards would be technologically feasible and economically justified. DOE welcomes written comments from the public on any subject within the scope of this document (including topics not raised in this document), as well as the submission of data and other relevant information. **Written comments and information are requested and will be accepted on or before August 22, 2019.**

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#### [Safety Standard for Gates and Enclosures](#)

**Published** 7/8/2019

**Reference** ANSI, ASTM

The Consumer Product Safety Improvement Act of 2008 (CPSIA) requires the United States Consumer Product Safety Commission (Commission or CPSC) to promulgate consumer product safety standards for durable infant or toddler products. Accordingly, the Commission is proposing a safety standard for gates and enclosures in response to the direction under Section 104(b) of the CPSIA. The Commission is also amending its regulations regarding third party conformity

assessment bodies to include the safety standard for gates and enclosures in the list of notice of requirements (NORs) issued by the Commission. **Submit comments by September 23, 2019.**

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### [Energy Conservation Program for Appliance Standards: Energy Conservation Standards for Residential Furnaces and Commercial Water Heaters](#)

**Published** 7/11/2019

**Reference** ASHRAE, NEMA

This document responds to the petition for rulemaking submitted on October 18, 2018 (Gas Industry Petition), by a number of parties asking the Department of Energy (DOE) to issue an interpretive rule and to withdraw related, previously published proposals. The Gas Industry Petition was published in the Federal Register on November 1, 2018, for public review and input. After carefully considering the public comments on the petition, DOE has decided to grant the request for an interpretive rule. DOE has not made, and does not presently propose, any changes or revisions to current policies, legal requirements, or rulemakings with respect to condensing and non-condensing products/equipment. Decisions about whether and how this interpretation of the term “feature” in the context of condensing/non-condensing products/equipment will apply to existing rulemakings will be the subject of subsequent actions. Thus, DOE is denying the Gas Industry Petitioners' request to withdraw its earlier proposed rules for residential furnaces and commercial water heaters. **Written comments and information are requested on or before September 9, 2019.**

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### [Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China: Continuation of Antidumping Duty Order](#)

**Published** 7/9/2019

**Reference** ASME, ASTM, UL

As a result of the determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC) that revocation of the antidumping duty (AD) order on non-malleable cast iron pipe fittings (NMPF) from the People's Republic of China (China) would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD order. **Applicable July 9, 2019.**

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### [Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units; Revisions to Emission Guidelines Implementing Regulations](#)

**Published** 7/8/2019

**Reference** ASME

The U.S. Environmental Protection Agency (EPA) is finalizing three separate and distinct rulemakings. First, the EPA is repealing the Clean Power Plan (CPP) because the Agency has determined that the CPP exceeded the EPA's statutory authority under the Clean Air Act (CAA). Second, the EPA is finalizing the Affordable Clean Energy rule (ACE), consisting of Emission Guidelines for Greenhouse Gas (GHG) Emissions from Existing Electric Utility Generating Units (EGUs) under CAA section 111(d), that will inform states on the development, submittal, and implementation of state plans to establish performance standards for GHG emissions from certain fossil fuel-fired EGUs. In ACE, the Agency is finalizing its determination that heat rate improvement (HRI) is the best system of emission reduction (BSER) for reducing GHG—specifically carbon dioxide (CO<sub>2</sub>)—emissions from existing coal-fired EGUs. Third, the EPA is finalizing new regulations for the EPA and state implementation of ACE and any future emission guidelines issued under CAA section 111(d). **Effective September 6, 2019.**

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### [Submission for OMB Review; Comment Request](#)

**Published** 7/12/2019

**Reference** ATM

NIST's Engineering Laboratory will be developing methods to evaluate performance of exoskeletons in two key areas (1) The fit and motion of the exoskeleton device with respect to the users' body and (2) The impact that using an exoskeleton has on the performance of users executing tasks that are representative of activities in industrial settings. The results of these experiments will inform future test method development at NIST, other organizations, and under the purview of the new American Society for Testing Materials (ASTM) Committee F48 on Exoskeletons and Exosuits. This study had previously been approved through the PRA process, however, updates to the questionnaire are needed to include additional research questions. The changes to the questionnaire are needed to better align research questions with the tasks being performed by subjects. Some additional background information is also being asked to correlate data during analysis of subject performance with age, height, activity level, etc.

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### [Review of the Dust-Lead Hazard Standards and the Definition of Lead-Based Paint](#)

**Published** 7/9/2019

**Reference** ATM

Addressing childhood lead exposure is a priority for EPA. As part of EPA's efforts to reduce childhood lead exposure, EPA evaluated the current dust-lead hazard standards (DLHS) and the definition of lead-based paint (LBP). Based on this evaluation, this final rule revises the DLHS from 40 µg/ft<sup>2</sup> and 250 µg/ft<sup>2</sup> to 10 µg/ft<sup>2</sup> and 100 µg/ft<sup>2</sup> on floors and window sills, respectively. EPA is also finalizing its proposal to make no change to the definition of LBP because insufficient information exists to support such a change at this time. **This final rule is effective January 6, 2020.**

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### [Magnesium From Israel: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures](#)

**Published** 7/9/2019

**Reference** ATM

The Department of Commerce (Commerce) preliminarily determines that magnesium from Israel is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is October 1, 2017 through September 30, 2018. Interested parties are invited to comment on this preliminary determination. **Applicable July 9, 2019.**

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### [Designation of Music Licensing Collective and Digital Licensee Coordinator](#)

**Published** 7/8/2019

**Reference** IEC, ISO

Pursuant to title I of the Orrin G. Hatch-Bob Goodlatte Music Modernization Act, and following a solicitation of proposals and public comment on those proposals, the Register is designating the entities who will perform certain functions relating to the compulsory license for digital music providers to make and distribute digital phonorecord deliveries. For the reasons published in this document, the Register designates Mechanical Licensing Collective, Inc. as the mechanical licensing collective and Digital Licensee Coordinator, Inc. as the digital licensee coordinator, including their individual proposed board members. **Effective July 8, 2019.**

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### [Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3](#)

**Published** 7/11/2019

**Reference** NFPA

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of amendments to Renewed Facility Operating Licenses (RFOL) Nos. DPR-33, DPR-52, and DPR-68, issued to Tennessee Valley Authority (TVA, the licensee) for the Browns Ferry Nuclear Plant (BFN), Units 1, 2, and 3, respectively. The proposed amendment requested that the implementation due dates for Modifications 102 and 106 listed in Transition License Condition 2 in each unit's license be extended to the end of Unit 1's Fall 2020 outage and April 30, 2020, respectively, due to technical and scheduling difficulties related to implementation of these modifications. In its application, TVA stated that "An extension of these implementation due dates will ensure that TVA can complete the modifications and not impact operation and safety of the BFN units." **Submit comments by August 12, 2019. 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 before this date. Requests for a hearing or petition for leave to intervene must be filed by September 9, 2019.**

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