

U.S. Federal Register Update: September 2 – September 6, 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?*

[National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing Residual Risk and Technology Review](#)

Published 9/4/2019

Reference ANSI, ASME, ASTM

The U.S. Environmental Protection Agency (EPA) is proposing the results of a residual risk and technology review (RTR) of the National Emission Standards for Hazardous Air Pollutants for Miscellaneous Coating Manufacturing (MCM NESHAP) facilities, as required by the Clean Air Act (CAA). The EPA is proposing to find risks due to emissions of air toxics to be acceptable from the MCM source category and to determine that the current NESHAP provides an ample margin of safety to protect public health. The EPA identified no new cost-effective controls under the technology review to achieve further emissions reductions from process units subject to standards under the NESHAP. The EPA is also proposing revisions related to emissions during periods of startup, shutdown, and malfunction (SSM), including clarifying regulatory provisions for certain vent control bypasses; provisions for electronic reporting of performance test results, performance evaluation reports, compliance reports, and Notification of Compliance Status (NOCS) reports; and provisions to conduct periodic performance testing of oxidizers used to reduce emissions of organic hazardous air pollutants (HAP). **Comments must be received on or before October 21, 2019. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before October 4, 2019.**

[Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Alaska Fisheries Science Center Fisheries Research](#)

Published 9/5/2019

Reference ANSI

NMFS's Office of Protected Resources (OPR), upon request from NMFS's Alaska Fisheries Science Center (AFSC), hereby issues regulations to govern the unintentional taking of marine mammals incidental to fisheries research conducted in multiple specified geographical regions over the course of five years. These regulations, which allow for the issuance of Letters of Authorization (LOA) for the incidental take of marine mammals during the described activities and specified timeframes, prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat, as well as requirements pertaining to the monitoring and reporting of such taking. **Effective from October 7, 2019, through October 7, 2024.**

[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Construction Activities Associated With the Raritan Bay Pipeline](#)

Published 9/3/2019

Reference ANSI, ISO

NMFS has received a request from Transcontinental Gas Pipe Line Company, LLC (Transco), a subsidiary of Williams Partners L.P., to take marine mammals incidental to construction activities associated with the Raritan Bay Pipeline. 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 3, 2019.**

[Taking of Marine Mammals Incidental to Specific Activities; Taking of Marine Mammals Incidental to Pile Driving Activities During Construction of a Ferry Terminal at Seaplane Lagoon, Alameda Point, San Francisco, California](#)

Published 9/3/2019

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 the City of Alameda (City) to incidentally harass, by Level A and B harassment only, marine mammals during pile driving and removal activities during construction of a ferry terminal at Seaplane Lagoon, Alameda Point, San Francisco, California. **This Authorization is effective from August 20, 2019 through August 19, 2020.**

[Energy Conservation Program: Definition for General Service Lamps](#)

Published 9/5/2019

Reference ANSI, NEMA

On February 11, 2019, the U.S. Department of Energy (DOE) published a notice of proposed rulemaking (NPR) proposing to withdraw the revised definitions of general service lamp (GSL), general service incandescent lamp (GSIL) and other supplemental definitions, that were to go into effect on January 1, 2020. DOE responds to comments received on the NPR in this final rule and maintains the existing regulatory definitions of GSL and GSIL, which are the same as the statutory definitions of those terms. **The final rules published on January 19, 2017 (82 FR 7276 and 82 FR 7322), are withdrawn effective October 7, 2019.**

[Revisions to Safety Standard for Infant Bouncer Seats](#)

Published 9/6/2019

Reference ASTM

In September 2017, the U.S. Consumer Product Safety Commission (CPSC) published a consumer product safety standard for infant bouncer seats under section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA). The standard incorporated by reference the ASTM voluntary standard that was in effect for infant bouncer seats at the time, with modified requirements for warning labels. ASTM has since revised the voluntary standard for infant bouncer seats. The CPSIA provides a process for when a voluntary standards organization updates a standard that the Commission incorporated by reference in a section 104 rule. Consistent with that process, this direct final rule revises the mandatory standard for infant bouncer seats to incorporate by reference the updated version of the ASTM standard. **The rule is effective on December 14, 2019, unless CPSC receives a significant adverse comment by October 7, 2019. If CPSC receives such a comment, it will publish a notice in the Federal Register, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of December 14, 2019.**

[National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products Residual Risk and Technology Review](#)

Published 9/6/2019

Reference ASTM

The U.S. Environmental Protection Agency (EPA) is proposing amendments to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Plywood and Composite Wood Products (PCWP) to address the results of the residual risk and technology review (RTR) that the EPA is required to conduct under the Clean Air Act (CAA). The EPA is proposing to amend provisions addressing periods of startup, shutdown and malfunction (SSM); add provisions regarding electronic reporting; add repeat emissions testing requirements; and make technical and editorial changes. The EPA is proposing these amendments to improve the effectiveness of the NESHAP. While the proposed amendments would not result in reductions in emissions of hazardous air pollutants (HAP), this action, if finalized, would result in improved monitoring, compliance, and implementation of the rule. **Comments must be received on or before October 21, 2019. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before October 7, 2019.**

[National Emission Standards for Hazardous Air Pollutants: Site Remediation Residual Risk and Technology Review](#)

Published 9/3/2019

Reference ASTM

The U.S. Environmental Protection Agency (EPA) is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Site Remediation source category. This proposal presents the results of the residual risk and technology review (RTR) conducted as required under the Clean Air Act (CAA). Based on the results of the residual risk review, the EPA is proposing that risks due to emissions of air toxics 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 technology review, we are

proposing to amend the requirements for leak detection and repair (LDAR). In addition, the EPA is proposing amendments to revise regulatory provisions pertaining to emissions during periods of startup, shutdown and malfunction (SSM), including adding requirements for pressure relief devices; to add requirements for electronic submittal of semiannual reports and performance test results; to clarify provisions pertaining to open-ended valves and lines; and to make minor clarifications and corrections. The proposed revisions to the rule would increase the level of emissions control and environmental protection provided by the Site Remediation NESHAP. We are also requesting additional comment related to subcategorization of sources relating to certain exemption provisions of the original rule that were proposed for removal in 2016. **Comments must be received on or before October 18, 2019. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before October 3, 2019.**

[Agency Information Collection Activities; Proposed Collection; Comment Request; Accreditation Scheme for Conformity Assessment Pilot Program](#)

Published 9/5/2019

Reference IEC, ISO

The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the Federal Register concerning each proposed collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on information collection associated with the Accreditation Scheme for Conformity Assessment (ASCA) Pilot Program. **Submit either electronic or written comments on the collection of information by November 4, 2019.**

[Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority](#)

Published 9/4/2019

Reference IEC

As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number. **Written PRA comments should be submitted on or before November 4, 2019. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.**

[Marine Diesel Engine Emission Standards](#)

Published 9/6/2019

Reference ISO

The Environmental Protection Agency (EPA) is proposing to amend the national marine diesel engine program to provide relief provisions to address concerns associated with finding and installing certified Tier 4 marine diesel engines in certain high-speed commercial vessels. The proposed relief is in the form of additional lead time for qualifying engines and vessels. EPA is also making a technical correction to the diesel fuel regulations to allow fuel manufacturers and distributors to make distillate diesel fuel that complies with the global sulfur standard that applies internationally instead of the fuel standards that otherwise apply to distillate diesel fuel in the United States. **Written comments must be received by October 21, 2019. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before October 7, 2019.**

[Energy Conservation Program: Energy Conservation Standards for General Service Incandescent Lamps](#)

Published 9/5/2019

Reference NEMA

The Energy Policy and Conservation Act of 1975, as amended (EPCA), directs DOE to initiate a rulemaking for general service lamps (GSLs) that, among other requirements, determines whether standards in effect for general service incandescent lamps (GSILs, a subset of GSLs) should be amended. In this notice of proposed determination (NOPD), DOE has initially determined that energy conservation standards for GSILs do not need to be amended and asks for comment on this proposed determination and associated analyses and results. **Written comments and information are requested and will be accepted on or before November 4, 2019.**
