

## U.S. Federal Register Update: November 21 – November 25, 2016

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?*

### [Safety Standard for Portable Generators](#)

**Published** 11/21/2016

**Reference** ANSI, ISO, UL

The U.S. Consumer Product Safety Commission has determined preliminarily that there may be an unreasonable risk of injury and death associated with portable generators. To address this risk, the Commission proposes a rule that limits CO emissions from operating portable generators. Specifically, the proposed rule would require that portable generators powered by handheld spark-ignition (SI) engines and Class I SI engines not exceed a weighted CO emission rate of 75 grams per hour (g/hr); generators powered by one-cylinder, Class II SI engines must not exceed a weighted CO emission rate of 150 g/h; and generators powered by Class II SI engines with two cylinders must not exceed a weighted emission rate of 300 g/h. **Submit comments by February 6, 2017.**

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### [Essential Reliability Services and the Evolving Bulk-Power System-Primary Frequency Response](#)

**Published** 11/25/2016

**Reference** ANSI, IEEE

The Federal Energy Regulatory Commission (Commission) proposes to revise its regulations to require all newly interconnecting large and small generating facilities, both synchronous and non-synchronous, to install and enable primary frequency response capability as a condition of interconnection. To implement these requirements, the Commission proposes to revise the pro forma Large Generator Interconnection Agreement (LGIA) and the pro forma Small Generator Interconnection Agreement (SGIA). The proposed changes are designed to address the increasing impact of the evolving generation resource mix and to ensure that the relevant provisions of the pro forma LGIA and pro forma SGIA are just, reasonable, and not unduly discriminatory or preferential. The Commission also seeks comment on whether its proposals in this Notice of Proposed Rulemaking are sufficient at this time to ensure adequate levels of primary frequency response, or whether additional reforms are needed. **Comments are due January 24, 2017.**

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the U.S. Air Force Conducting Maritime Weapon Systems Evaluation Program Operational Testing Within the Eglin Gulf Test and Training Range](#)

**Published** 11/21/2016

**Reference** ANSI, ISO

NMFS (hereinafter, "we") received an application from the U.S. Department of the Air Force, Headquarters 96th Air Base Wing (Air Force), Eglin Air Force Base (Eglin AFB), requesting an Incidental Harassment Authorization (IHA or Authorization) to take marine mammals, by harassment, incidental to a Maritime Weapon Systems Evaluation Program (Maritime WSEP) within a section of the Eglin Gulf Test and Training Range in the northern Gulf of Mexico.

Eglin AFB's Maritime WSEP activities are military readiness activities per the Marine Mammal Protection Act (MMPA), as amended by the National Defense Authorization Act of 2004 (NDAA). Per the MMPA, NMFS requests comments on its proposal to issue an Authorization to Eglin AFB to incidentally take, by Level B and Level A harassment, two species of marine mammals, the Atlantic bottlenose dolphin (*Tursiops truncatus*) and Atlantic spotted dolphin (*Stenella frontalis*), during the specified activity. **NMFS must receive comments and information no later than December 21, 2016.**

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### [Biweekly Notice: Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations](#)

**Published** 11/22/2016

**Reference** ASME

Pursuant to Section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the

Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued, from October 25 to November 7, 2016. The last biweekly notice was published on November 8, 2016. **Comments must be filed by December 22, 2016. A request for a hearing must be filed by January 23, 2017.**

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#### **Hazardous Materials: Notice of Applications for Special Permits**

**Published** 11/25/2016

**Reference** ASME, ISO

In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Comments must be received on or before December 27, 2016. **Comments must be received on or before December 27, 2016.**

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#### **Joint Industry Plan; Order Approving the National Market System Plan Governing the Consolidated Audit Trail**

**Published** 11/23/2016

**Reference** IEC, ISO

On February 27, 2015, pursuant to Section 11A of the Securities Exchange Act of 1934 and Rules 608 and 613 of Regulation NMS thereunder, BATS Exchange, Inc., BATS-Y Exchange, Inc., BOX Options Exchange LLC, C2 Options Exchange, Incorporated, Chicago Board Options Exchange, Incorporated, Chicago Stock Exchange, Inc., EDGA Exchange, Inc., EDGX Exchange, Inc., Financial Industry Regulatory Authority, Inc., International Securities Exchange, LLC, ISE Gemini, LLC, Miami International Securities Exchange LLC, NASDAQ OMX BX, Inc., NASDAQ OMX PHLX LLC, The NASDAQ Stock Market LLC, National Stock Exchange, Inc., New York Stock Exchange LLC, NYSE MKT LLC, and NYSE Arca, Inc. filed with the Securities and Exchange Commission a National Market System Plan Governing the Consolidated Audit Trail. The SROs filed amendments to the CAT NMS Plan on December 24, 2015, and on February 8, 2016. The CAT NMS Plan, as amended, was published for comment in the Federal Register on May 17, 2016.

The Commission received 24 comment letters in response to the CAT NMS Plan. On July 29, 2016, the Commission extended the deadline for Commission action on the CAT NMS Plan and designated November 10, 2016 as the new date by which the Commission would be required to take action. On September 2, 2016, the Participants submitted a response to the comment letters that the Commission received in response to the CAT NMS Plan. The Participants submitted additional response letters on September 23, 2016 and October 7, 2016. On November 2 and 14, 2016, the Participants submitted additional letters. This Order approves the CAT NMS Plan, with limited changes as described in detail below. The Commission concludes that the Plan, as amended, is necessary and appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanism of a national market system, or is otherwise in furtherance of the purposes of the Act. A copy of the CAT NMS Plan, as adopted, is attached as Exhibit A hereto.

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