

## U.S. Federal Register Update: December 16 – December 20, 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?*

### [Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Construction and Operation of the Liberty Drilling and Production Island, Beaufort Sea, Alaska](#)

**Published:** 12/20/2019

**Reference:** ANSI, ISO

NMFS hereby issues regulations to govern the unintentional taking of marine mammals incidental to construction and operation of the Liberty Drilling and Production Island (LDPI) in the Beaufort Sea, Alaska over the course of five years. These regulations, which allow for the issuance of a Letter of Authorization 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. This rule is effective **December 1, 2021** through **November 30, 2026**.

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### [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to THwaites Offshore Research \(THOR\) Project in the Amundsen Sea, Antarctica](#)

**Published:** 12/19/2019

**Reference:** ANSI, ISO

NMFS has received a request from the National Science Foundation (NSF) Office of Polar Programs on behalf of the University of Houston for authorization to take marine mammals incidental to the THOR project in the Amundsen Sea, Antarctica. 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 **January 21, 2020**.

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

**Published:** 12/17/2019

**Reference:** ANSI, ASME, ASTM

The U.S. Environmental Protection Agency (EPA) is proposing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Miscellaneous Organic Chemical Manufacturing source category. The EPA is proposing decisions concerning the residual risk and technology review (RTR), including proposing amendments pursuant to the technology review for equipment leaks and heat exchange systems, and also proposing amendments pursuant to the risk review to specifically address ethylene oxide emissions from storage tanks, process vents, and equipment leaks. The EPA is also proposing amendments 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. Lastly, the EPA is proposing to add monitoring and operational requirements for flares that control ethylene oxide emissions and flares used to control emissions from processes that produce olefins and polyolefins; and add provisions for electronic reporting of performance test results and reports, performance evaluation reports, and compliance reports. We estimate that, if finalized, these proposed amendments (not including the potential excess emission reductions from flares) would reduce hazardous air pollutants (HAP) emissions from this source category by 116 tons per year (tpy) and would reduce ethylene oxide emissions from this source category by approximately 10 tpy.

Comments must be received on or before January 31, 2020. 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 **January 16, 2020**.

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**[Walking-Working Surfaces, Personal Protective Equipment \(Fall Protection Systems\), and Special Industries \(Electric Power Generation, Transmission, and Distribution\); Corrections](#)**

**Published:** 12/17/2019

**Reference:** ANSI, ASSE

OSHA is issuing corrections to the Walking-Working Surfaces, Personal Protective Equipment, and Special Industries standards. The effective date for the corrections to the standards is **December 17, 2019**.

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**[Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to U.S. Navy 2020 Ice Exercise Activities in the Beaufort Sea and Arctic Ocean](#)**

**Published:** 12/17/2019

**Reference:** ANSI, ISO

NMFS has received a request from the United States Department of the Navy (Navy) for authorization to take marine mammals incidental to Ice Exercise 2020 (ICEX20) north of Prudhoe Bay, Alaska. 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. The Navy's activities are considered military readiness activities pursuant to the MMPA, as amended by the National Defense Authorization Act for Fiscal Year 2004 (NDAA). Comments and information must be received no later than **January 16, 2020**.

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**[Agency Information Collection Activities; Submission for OMB Review; Comment Request, Employer Adoption of Voluntary Health and Safety Standards, New Collection](#)**

**Published:** 12/19/2019

**Reference:** ANSI

The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents is properly assessed. Currently, the Department of Labor is soliciting comments concerning the collection of data about Employer Adoption of Voluntary Health and Safety Standards. A copy of the proposed Information Collection Request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice. Written comments must be submitted to the office listed in the addressee section below on or before **February 18, 2020**.

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**[Federal Motor Vehicle Safety Standards; Tires](#)**

**Published:** 12/19/2019

**Reference:** ASTM, ISO, SAE

NHTSA is issuing this ANPRM to seek comment on provisions contained in the Federal Motor Vehicle Safety Standards for tires. NHTSA is reviewing existing regulations to determine if updates are necessary to keep pace with new technology. This notice focuses on tire-related comments received to the DOT's regulatory review and request for public comment notice issued on October 2, 2017. NHTSA seeks comment on matters related to the existing strength test, the bead unseating resistance test, and the tire endurance test. Lastly, the agency seeks comment on the current use and relevance of some tire marking regulations and other matters related to new tire technologies. Comments to this notice will inform NHTSA as it considers regulatory reform aimed at reducing regulatory burden while maintaining existing safety levels for motor vehicle tires. Comments must be received no later than **February**

**18, 2020.** See Public Participation heading of the SUPPLEMENTARY INFORMATION section of this document for more information about written comments

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**[Certain Hot-Rolled Carbon Steel Flat Products From Thailand: Preliminary Determination of No Shipments; 2017-2018](#)**

**Published:** 12/16/2019

**Reference:** ASTM, SAE

The Department of Commerce (Commerce) preliminarily determines that there were no shipments of subject merchandise during the period of review (POR) November 1, 2017 through October 31, 2018. We invite interested parties to comment on these preliminary results. Applicable **December 16, 2019.**

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**[Large Diameter Welded Pipe From India: Initiation and Expedited Preliminary Results of Antidumping Duty and Countervailing Duty Changed Circumstances Reviews](#)**

**Published:** 12/18/2019

**Reference:** ASTM

The Department of Commerce (Commerce) is initiating and issuing expedited preliminary results of changed circumstances reviews (CCRs) of the antidumping duty (AD) and countervailing duty (CVD) orders on large diameter welded pipe from India. **Applicable December 18, 2019.**

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**[Notice of Determinations Regarding Eligibility To Apply for Trade Adjustment Assistance](#)**

**Published:** 12/19/2019

**Reference:** IEIE

In accordance with the Section 223 (19 U.S.C. 2273) of the Trade Act of 1974 (19 U.S.C. 2271, et seq.) (“Act”), as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance under Chapter 2 of the Act (“TAA”) for workers by (TA-W) number issued during the period of November 1, 2019 through November 30, 2019. (This Notice primarily follows the language of the Trade Act. In some places however, changes such as the inclusion of subheadings, a reorganization of language, or “and,” “or,” or other words are added for clarification.)

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**[Amendments Related to Global Marine Fuel](#)**

**Published:** 12/18/2019

**Reference:** ISO

The Environmental Protection Agency (EPA) is amending its diesel fuel regulations to allow fuel suppliers to distribute distillate diesel fuel that complies with the sulfur standard that applies internationally for ships instead of the fuel standards that otherwise apply to distillate diesel fuel in the United States. The affected fuel may not be used in the United States' Emission Control Areas. This final rule is effective on **December 18, 2019.**

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**[Agency Information Collection Activities; Submission for OMB Review; Comment Request, Employer Adoption of Voluntary Health and Safety Standards, New Collection](#)**

**Published:** 12/19/2019

**Reference:** ISO

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**[Request for Information on Toxicological and Physicochemical Data of Engineered Nanomaterials To Evaluate in Developing Categorical Occupational Exposure Limits \(OELs\)](#)**

**Published:** 12/17/2019

**Reference:** ISO

The National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC) intends to evaluate the scientific data on engineered nanomaterials (ENMs) to develop categorical occupational exposure limits (OELs) based on the available scientific evidence regarding the hazard or safety of these materials. NIOSH seeks to obtain materials, including published and unpublished reports and research findings, to evaluate the possible adverse health risks of occupational exposure to ENMs. Electronic or written comments must be received by **February 18, 2020**.

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**[Airworthiness Directives; The Boeing Company Airplanes](#)**

**Published:** 12/16/2019

**Reference:** NEMA, SAE

The FAA is adopting a new airworthiness directive (AD) for all The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 series airplanes. This AD was prompted by significant changes made to the airworthiness limitations (AWLs) related to fuel tank ignition prevention and the nitrogen generation system. This AD requires revising the existing maintenance or inspection program, as applicable, to include new or revised AWLs. The FAA is issuing this AD to address the unsafe condition on these products. The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of **January 21, 2020**.

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