

U.S. Federal Register Update: November 9 – November 13, 2015

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?*

[Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps](#)

Published 11/9/2015

Reference ANSI, ASHRAE, IEC, ISO

The U.S. Department of Energy (DOE) proposes to revise its test procedures for central air conditioners and heat pumps established under the Energy Policy and Conservation Act. DOE proposed amendments to the test procedure in a June 2010 notice of proposed rulemaking (NOPR), an April 2011 supplemental notice of proposed rulemaking (SNOPR), and an October 2011 SNOPR. DOE provided additional time for stakeholder comment in a December 2011 extension of the comment period for the October 2011 SNOPR. DOE received further public comment for revising the test procedure in a November 2014 Request for Information for energy conservation standards for central air conditioners and heat pumps. DOE proposes in this SNOPR: A new basic model definition as it pertains to central air conditioners and heat pumps and revised rating requirements; revised alternative efficiency determination methods; termination of active waivers and interim waivers; revised procedures to determine off mode power consumption; changes to the test procedure that would improve test repeatability and reduce test burden; clarifications to ambiguous sections of the test procedure intended also to improve test repeatability; inclusion of, amendments to, and withdrawals of test procedure revisions proposed in published test procedure notices in the rulemaking effort leading to this supplemental notice of proposed rulemaking; and changes to the test procedure that would improve field representativeness. Some of these proposals also include incorporation by reference of updated industry standards. DOE welcomes comments from the public on any subject within the scope of this test procedure rulemaking. **DOE will accept comments, data, and information regarding this supplemental notice of proposed rulemaking (SNOPR) no later than December 9, 2015. See section V, "Public Participation," for details.**

[Safety Standard for High Chairs](#)

Published 11/9/2015

Reference ANSI, ASTM, ISO

The Danny Keysar Child Product Safety Notification Act, section 104(b) of the Consumer Product Safety Improvement Act of 2008 ("CPSIA"; Pub. L. 110-314, 122 Stat. 3016), requires the United States Consumer Product Safety Commission ("Commission" or "CPSC") to promulgate consumer product safety standards for durable infant or toddler products. These standards must be substantially the same as applicable voluntary standards or more stringent than the voluntary standard if the Commission determines that more stringent requirements would further reduce the risk of injury associated with a product. In response to the direction under section 104(b) of the CPSIA, the Commission is proposing a safety standard for high chairs. The proposed rule would incorporate by reference ASTM F404-15, Standard Consumer Safety Specification for High Chairs ("ASTM F404-15") into our new regulation and impose more stringent requirements for rearward stability and warnings on labels and in instructional literature. In addition, the Commission proposes to amend our regulations to include the newly proposed high chair standard in the list of notice of requirements ("NORs") issued by the Commission. **Submit comments by January 25, 2016.**

[Protection of Stratospheric Ozone: Update to the Refrigerant Management Requirements Under the Clean Air Act](#)

Published 11/9/2015

Reference ANSI, AHRI, ASHRAE, ASTM, SAE, UL, IEC, ISO

The Clean Air Act prohibits the knowing release of ozone-depleting and substitute refrigerants during the course of maintaining, servicing, repairing, or disposing of appliances or industrial process refrigeration. The existing regulations require that persons servicing or disposing of air-conditioning and refrigeration equipment observe certain service practices that reduce emissions of ozone-depleting refrigerant. This proposed rule would update those existing requirements as well as extend them, as appropriate, to non-ozone-depleting substitute refrigerants, such as hydrofluorocarbons. The proposed updates include strengthening leak repair requirements, establishing recordkeeping requirements for the disposal of appliances containing five to 50 pounds of refrigerant, changes to the technician certification program, and changes for improved readability, compliance, and restructuring of the requirements. As a result, this action would reduce emissions of ozone-depleting substances and gases with high global warming potentials. **Comments must be received on or before**

January 8, 2016. Any party requesting a public hearing must notify the contact listed below under FOR FURTHER INFORMATION CONTACT by 5 p.m. Eastern Daylight Time on November 16, 2015. If a public hearing is requested, the hearing will be held on or around November 24, 2015. If a hearing is held, it will take place at EPA headquarters in Washington, DC. EPA will post a notice on our Web site, www.epa.gov/ozone/strathome.html, announcing further information should a hearing take place.

[Recreational Boating Safety-2016 Nonprofit Organization Grants](#)

Published 11/13/2015

Reference ANSI

The Coast Guard requests public comments on whether it should modify or move forward with its tentative list of topics on which it would invite applications for Fiscal Year 2016 grants to nonprofit organizations. These grants are intended to promote recreational boating safety. **Comments must be submitted to the online docket via [http:// www.regulations.gov](http://www.regulations.gov), or reach the Docket Management Facility, on or before 30 days after date of publication in the Federal Register.**

[Modification of Significant New Uses of Certain Chemical Substances](#)

Published 11/13/2015

Reference ASTM

EPA is amending the significant new use rules (SNURs) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for five chemical substances which were the subject of premanufacture notices (PMNs). This action amends the SNURs to allow certain uses without requiring a significant new use notice (SNUN), and extends SNUN requirements to certain additional uses. EPA is amending these SNURs based on review of new data for each chemical substance. This action requires persons who intend to manufacture (including import) or process any of these chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. The required notification would provide EPA with the opportunity to evaluate the intended use and, if necessary, to prohibit or limit that activity before it occurs. **This final rule is effective January 12, 2016.**

[Agency Information Collection Activities; Proposed Collection; Comment Request; Reporting Harmful and Potentially Harmful Constituents in Tobacco Products and Tobacco Smoke Under the Federal Food, Drug, and Cosmetic Act](#)

Published 11/13/2015

Reference ISO

The Food and Drug Administration (FDA) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (the PRA), Federal Agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the collection of information associated with the reporting of harmful and potentially harmful constituents in tobacco products and tobacco smoke under the Federal Food, Drug, and Cosmetic Act (FD&C Act). **Submit either electronic or written comments on the collection of information by January 12, 2016.**

[Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Short Inpatient Hospital Stays; Transition for Certain Medicare-Dependent, Small Rural Hospitals Under the Hospital Inpatient Prospective Payment System; Provider Administrative Appeals and Judicial Review](#)

Published 11/13/2015

Reference NEMA

This final rule with comment period revises the Medicare hospital outpatient prospective payment system (OPPS) and the Medicare ambulatory surgical center (ASC) payment system for CY 2016 to implement applicable statutory requirements and changes arising from our continuing experience with these systems. In this final rule with comment period, we describe the changes to the amounts and factors used to determine the payment rates for Medicare services paid under the OPPS and those paid under the ASC payment system. In addition, this final rule with comment period updates and refines the requirements for the Hospital Outpatient Quality Reporting (OQR) Program and the ASC Quality Reporting (ASCQR) Program.

Further, this document includes certain finalized policies relating to the hospital inpatient prospective payment system: Changes to the 2-midnight rule under the short inpatient hospital stay policy; and a payment transition for hospitals that

lost their status as a Medicare-dependent, small rural hospital (MDH) because they are no longer in a rural area due to the implementation of the new Office of Management and Budget delineations in FY 2015 and have not reclassified from urban to rural before January 1, 2016.

In addition, this document contains a final rule that finalizes certain 2015 proposals, and addresses public comments received, relating to the changes in the Medicare regulations governing provider administrative appeals and judicial review relating to appropriate claims in provider cost reports. **Final rule with comment period; final rule.**

[Factors Considered When Evaluating a Governor's Request for Individual Assistance for a Major Disaster](#)

Published 11/12/2015

Reference NEMA

FEMA proposes to revise its regulations to comply with Section 1109 of the Sandy Recovery Improvement Act of 2013 which requires FEMA, in cooperation with State, local, and Tribal emergency management agencies, to review, update, and revise through rulemaking the Individual Assistance factors FEMA uses to measure the severity, magnitude, and impact of a disaster. **Comments must be received on or before January 11, 2016.**
