



Incorporation by Reference Handbook

Appendix A

June 2023 Edition
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Office of the Federal Register
National Archives and Records Administration

Appendix A. Templates, Flowcharts, Boilerplate Language, and Examples

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A. IBR Letter Templates

TEMPLATE 1. Letter Requesting IBR Approval from Director

Instructions: The following numbers correspond to marked locations within the template and contain alternative language and reminders.

1. If sending a signed PDF, add “, as well as an MS Word file of this letter”.
2. Include the centralized IBR section. If the final rule amends more than one centralized IBR section, include all centralized sections and add “, as applicable,” before “and as follows:”.
3. If the final rule does not amend a centralized IBR section, replace this last sentence with “The IBR material will be referenced as follows:”.
4. Include full publisher contact information for any new publisher or when updating the information in the rule.
5. Remember, even if the publication’s designation contains a partial date, for example ASTM F1234-12, this is not the same as the date of the document. You must include the date in addition to the designation.
6. Include the full citation of each location in every section where the material will be referenced. Include all subordinate paragraph levels; for example, § 63.1234(c)(1)(ii)(B).
7. Include this sentence if the same version of any publications you want to use are currently approved for IBR. If all publications are incorporated into a centralized IBR section, just list that section. If the publications are incorporated into different sections, list the sections in order of the listed publications and add “, respectively”.
8. Include this sentence if any existing publications appear in the regulatory text of the draft final rule.
9. Always answer the first question regarding the proposed rule. If the answer is “yes”, continue with the questions. If the answer is “no”, delete the remaining questions from the letter.

AGENCY LETTERHEAD

December 25, 20xx

[Insert full name of DIRECTOR], Director

Office of the Federal Register (F)
The National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Director [insert last name of DIRECTOR]:

In accordance with 1 CFR part 51, we request that you approve the incorporation by reference of the material listed below into title(s) XX of the Code of Federal Regulations (CFR). We have included the IBR material and draft final rule¹. The IBR material will be referenced in § yy.zz² and as follows³:

NAME or ACRONYM of Publisher: [PUBLISHER CONTACT INFORMATION]⁴

(For each publication) DESIGNATION⁵, TITLE, VERSION (if any), DATE, AUTHOR (if applicable); IBR § or §§ xx.xx(y)(#)...⁶

[IF MULTIPLE PUBLISHERS, GROUP ALPHABETICALLY BY PUBLISHER AND THEN BY PUBLICATION IN ALPHA-NUMERIC ORDER]

We are not including [LIST DESIGNATION(S)] because it is/they are already approved for IBR in § [LIST CFR SECTION].⁷

The following publication(s) is/are currently approved for the locations in which they appear in the draft rule and we are not requesting any changes: [LIST DESIGNATION(S)].⁸

⁹Was there a proposed rule published for this rulemaking? yes/no – if yes, include FR citation and FR doc # _____

Did the proposed rule contain regulatory text? yes/no

Does the IBR in this draft rule generally match* the proposed rule? yes/no

*if the publications are the same or are different versions of the publications in the proposed rule, then the draft rule generally matches.

[if no, briefly explain the difference, e.g. added/removed publication(s); no IBR in proposed rule; etc.]

Please contact [INSERT NAME] of my staff at [TELEPHONE NUMBER] or by email at [INSERT EMAIL ADDRESS] if you have any questions.

Sincerely,

[SIGN]

Type name,
Title

TEMPLATE 2. Letter Notifying Director of Removal of IBR

AGENCY LETTERHEAD

December 25, 20xx

[Insert full name of DIRECTOR], Director

Office of the Federal Register (F)
The National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Director [insert last name of DIRECTOR]:

In accordance with 1 CFR 51.11, we are removing the publications listed below as follows:

NAME or ACRONYM of Publisher: [PUBLISHER CONTACT INFORMATION]

(For each publication) DESIGNATION, TITLE, VERSION (if any), DATE, AUTHOR (if applicable); LIST EACH SECTION FROM WHICH THE MATERIAL IS BEING REMOVED.

[IF MULTIPLE PUBLISHERS, GROUP ALPHABETICALLY BY PUBLISHER AND THEN BY PUBLICATION IN ALPHA-NUMERIC ORDER]

We emailed the MS Word file of the draft final rule removing this [these] material(s) from the CFR on [insert date of email].

Please contact [INSERT NAME] of my staff at [TELEPHONE NUMBER] or by email at [INSERT EMAIL ADDRESS] if you have any questions.

Sincerely,

[SIGN]

Type name,

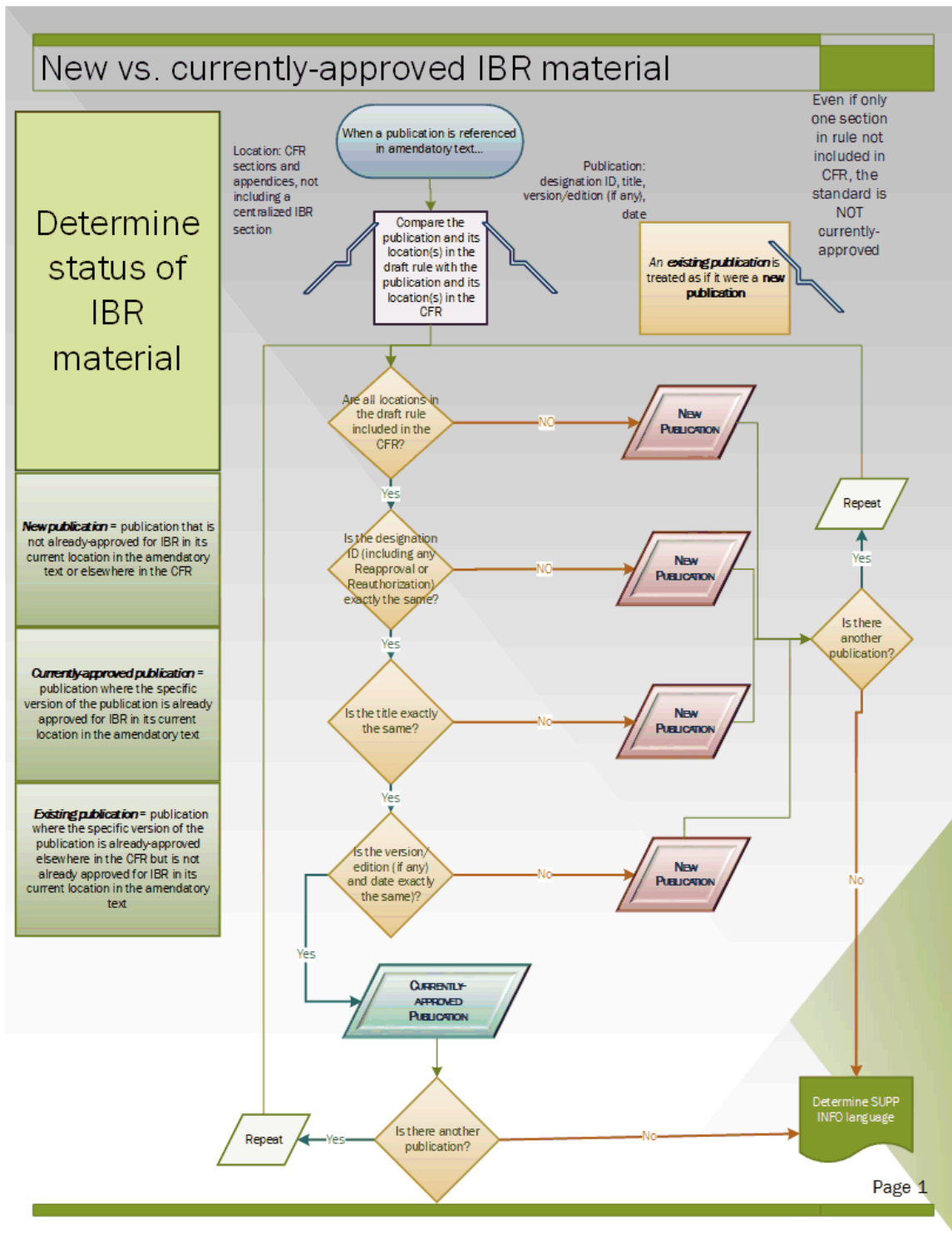
Title

Remember, even if the publication's designation contains a partial date (for example ASTM F1234-12) this is not the same as the date of the document. You must include the date in addition to the designation.

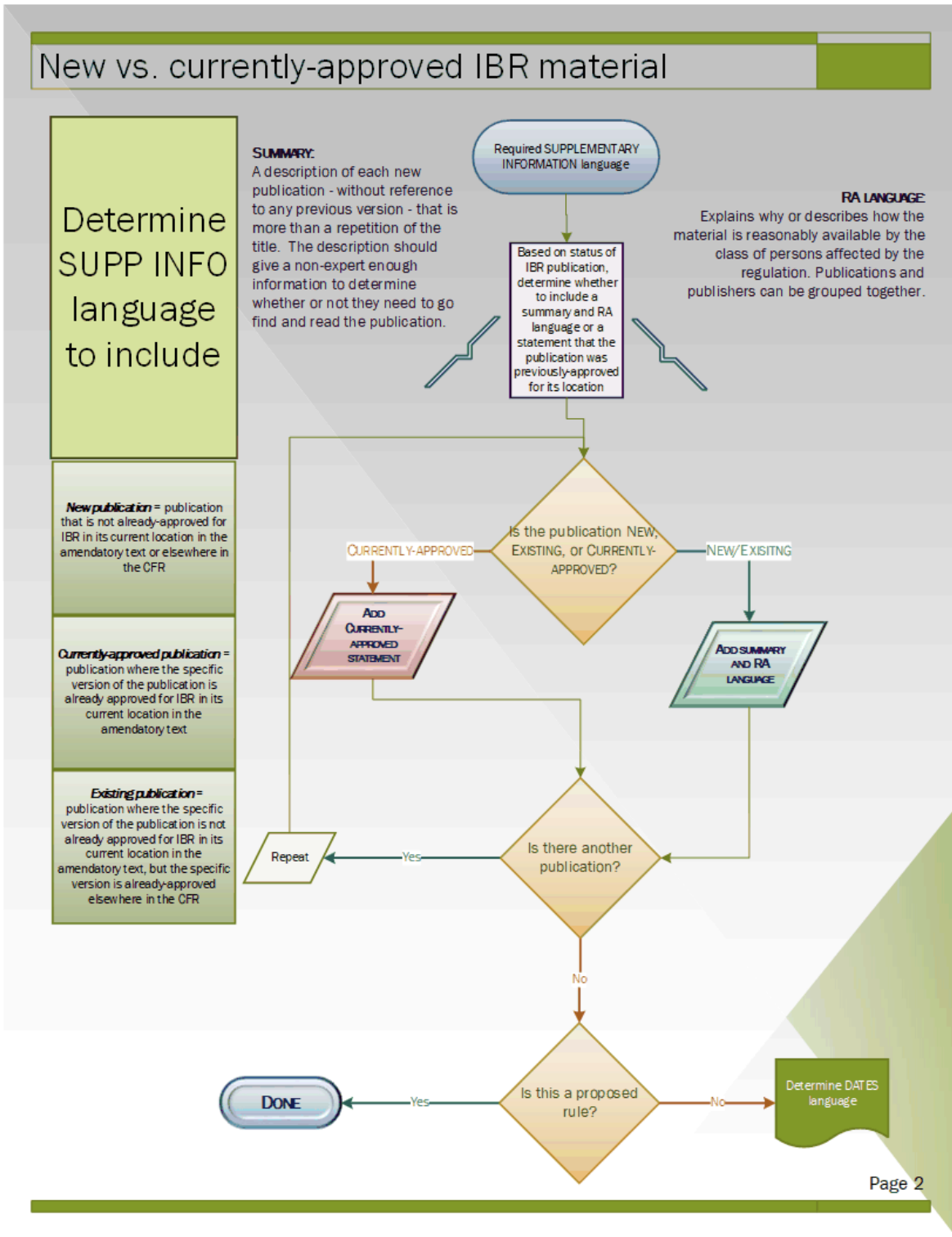
B. Decisional Flowcharts

1. IBR Status

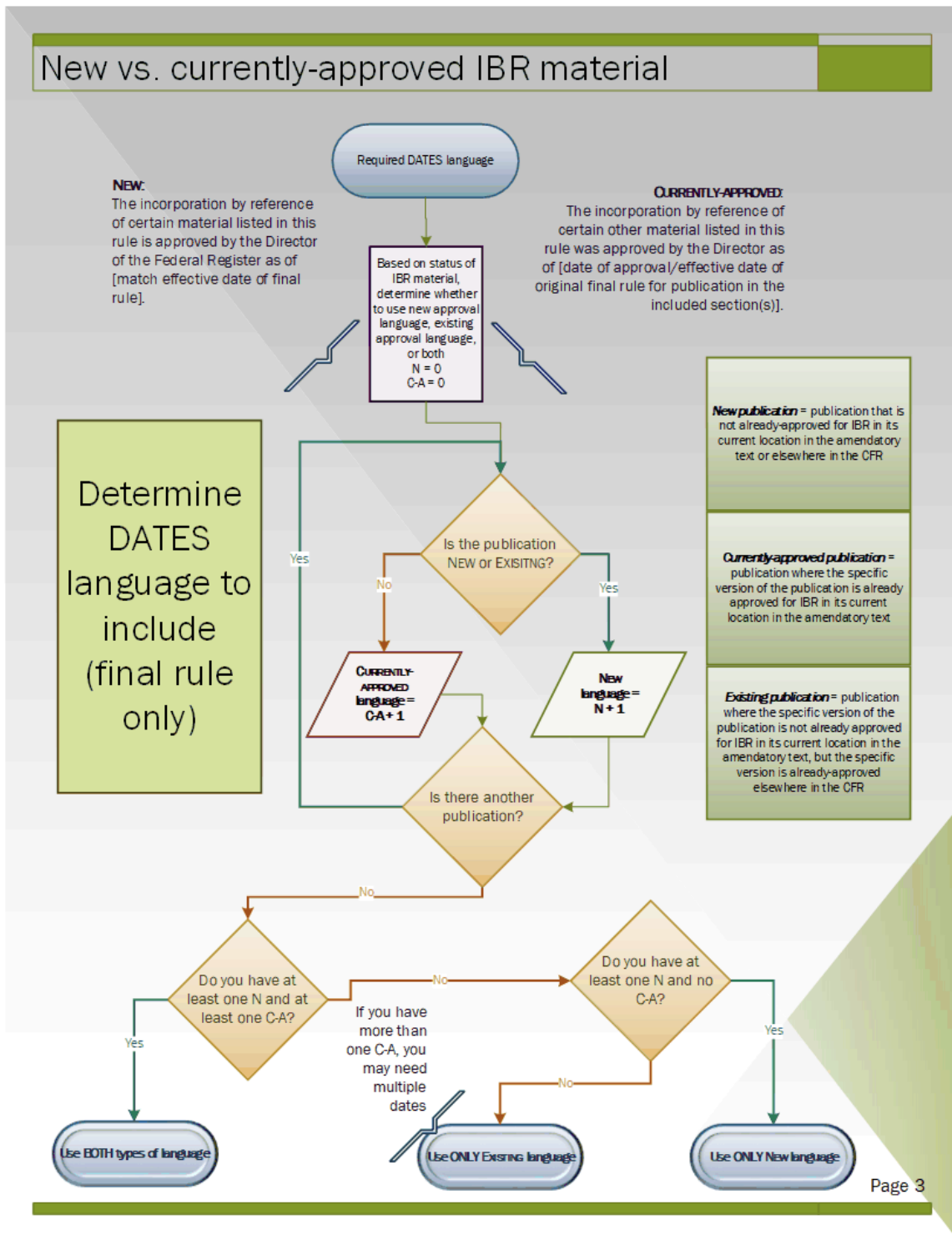
Flowchart 1. Determine Status of IBR Material



Flowchart 2. Determine Appropriate SUPP INFO Language Based on IBR Status

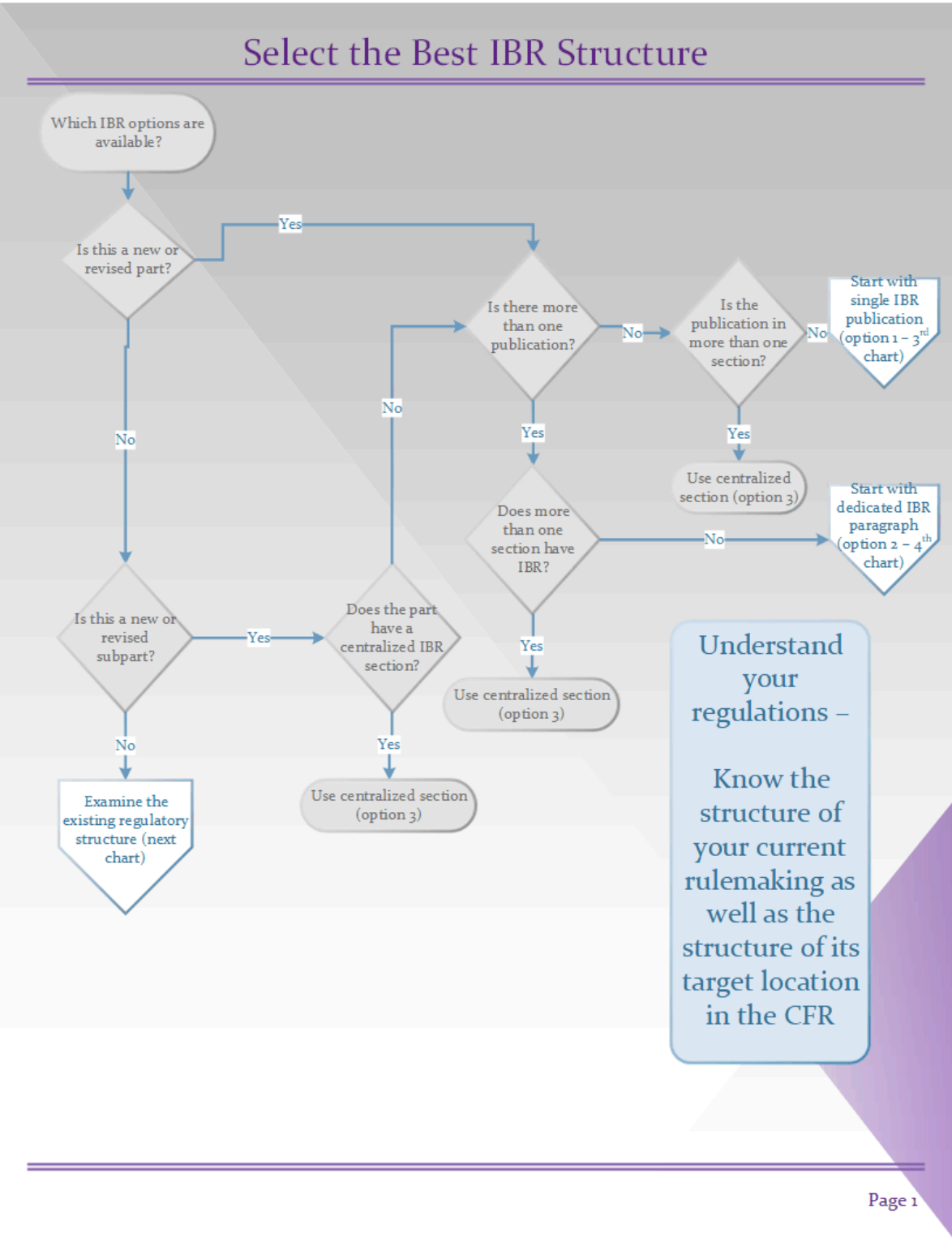


Flowchart 3. Determine Appropriate DATES Language Based on IBR Status

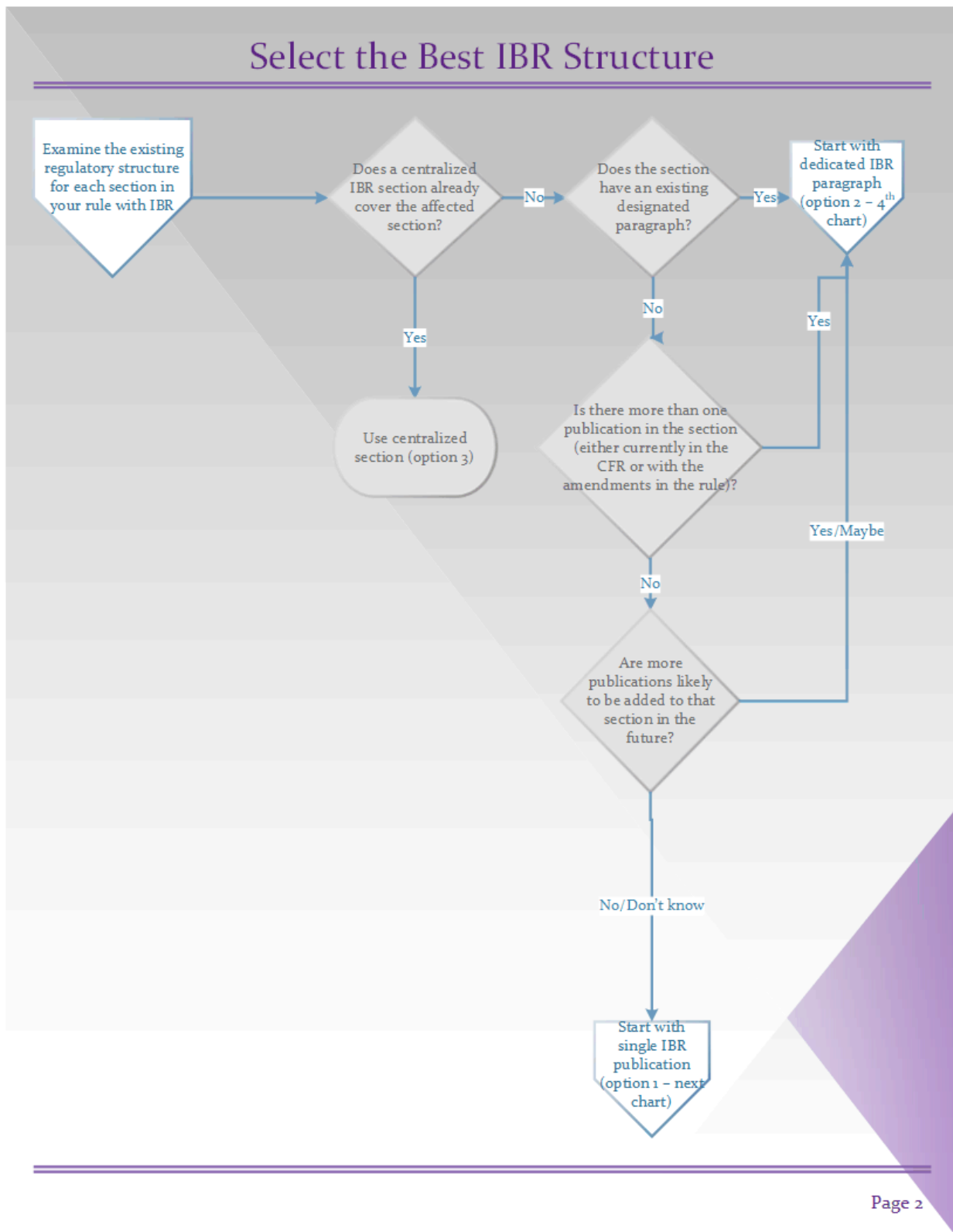


2. Structure of Regulatory Text

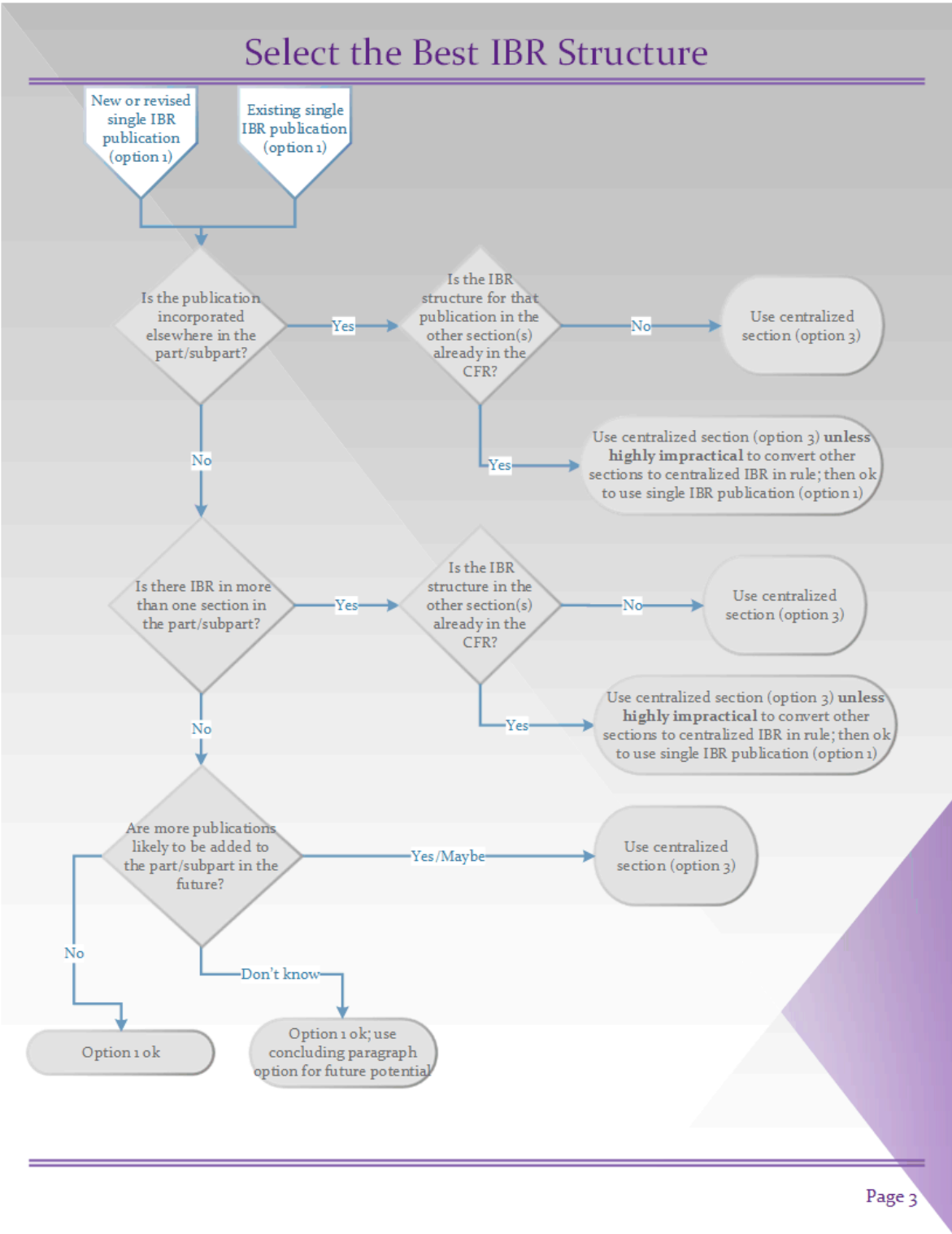
Flowchart 4. Determine Available Structure for Your Rulemaking



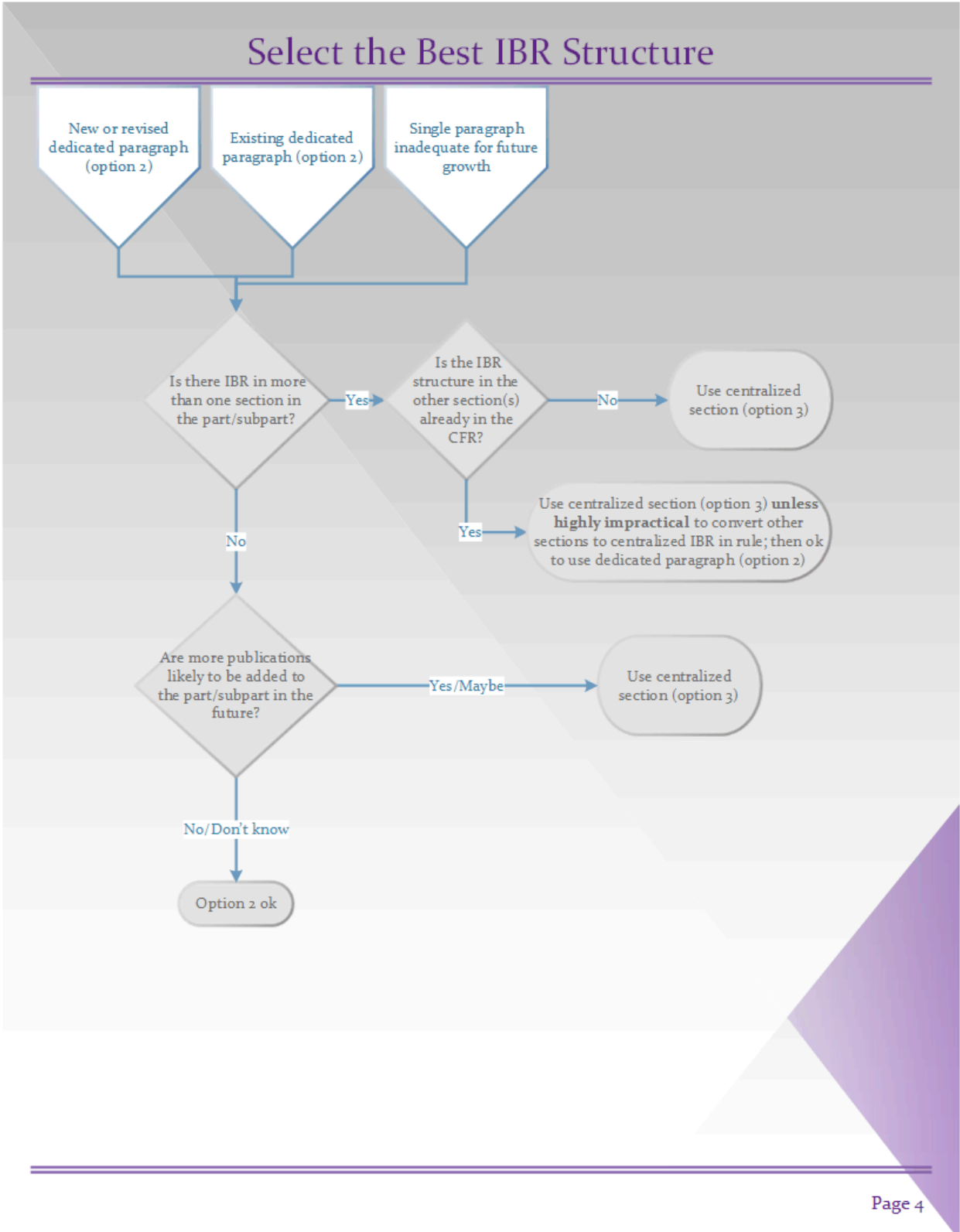
Select the Best IBR Structure



Flowchart 5. Choose Best Option Available for Your Regulations



Select the Best IBR Structure



C. Boilerplate Language

BOILERPLATE 1. Preamble

DATES caption —Required

New IBR only; effective on date certain

DATES: This rule is effective July 3, 20xx. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register as of July 3, 20xx.

Combination of new and existing IBR; calculated effective date

DATES: This rule is effective [INSERT DATE 90 DAYS AFTER PUBLICATION in the FEDERAL REGISTER]. The incorporation by reference of certain material listed in the rule is approved by the Director of the Federal Register as of [INSERT DATE 90 DAYS AFTER PUBLICATION in the FEDERAL REGISTER]. The incorporation by reference of certain other material listed in the rule was approved by the Director of the Federal Register as of July 3, 2017.

Remember: No matter the effective date, the IBR is **ALWAYS** approved as of the effective date of the rule. (For rules with multiple effective dates, contact us.)

Discussion for currently-approved IBR material

Proposed rule

Multiple currently-approved publications

The following standards appear in the amendatory text of this document and have already been approved for the locations in which they appear: [list relevant publications]. No changes are proposed to the IBR material.

Single currently-approved publication

[cite publication] is referenced in the amendatory text of this document and has already been approved for [list section(s) and appendix(es) where publication mentioned in the amendatory text]. No changes are proposed to the IBR material.

Final rule

Multiple currently-approved publications

The following standards appear in the amendatory text of this document and were previously approved for the locations in which they appear: [list relevant publications].

Single currently-approved publication

[cite publication] is referenced in the amendatory text of this document and was previously approved for [list section(s) and appendix(es) where publication mentioned in the amendatory text].

BOILERPLATE 2. IBR Language in Regulatory Text —Required

Option 1: Single IBR publication section

Single IBR section, same paragraph

(a) You must proceed in accordance with [DESIGNATION]. [DESIGNATION, TITLE, VERSION (if any), DATE, AUTHOR (if applicable)] is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. This incorporation by reference (IBR) material is available for inspection at the [AGENCY NAME] and at the National Archives and Records Administration (NARA). Contact [AGENCY NAME] at: [AGENCY INFORMATION]. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from [PUBLISHER NAME], [PUBLISHER INFORMATION].

Single IBR section, concluding paragraph

(a) You must proceed in accordance with [DESIGNATION].

* * * * *

(f) [DESIGNATION, TITLE, VERSION (if any), DATE, AUTHOR (if applicable)] is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. This incorporation by reference (IBR) material is available for inspection at the [AGENCY NAME] and at the National Archives and Records Administration (NARA). Contact [AGENCY NAME] at: [AGENCY INFORMATION]. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from [PUBLISHER NAME], [PUBLISHER INFORMATION].

Option 2: Dedicated IBR paragraph

Dedicated IBR paragraph (first or last paragraph), single publisher

(_) The material listed in this paragraph () is incorporated by reference into this section with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at the [AGENCY NAME] and at the National Archives and Records Administration (NARA). Contact [AGENCY NAME] at [AGENCY INFORMATION]. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from [PUBLISHER NAME], [PUBLISHER INFORMATION].

(1) [DESIGNATION, TITLE, VERSION (IF ANY), DATE, AUTHOR (IF APPLICABLE)].

(2) [Repeat for each publication or reserve this paragraph]

Dedicated IBR paragraph (first or last paragraph), multiple publishers

(_) The material listed in this paragraph () is incorporated by reference into this section with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at the [AGENCY NAME] and at the National Archives and Records Administration (NARA). Contact [AGENCY NAME] at [AGENCY INFORMATION]. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the following sources in this paragraph ().

(1) [PUBLISHER NAME], [PUBLISHER INFORMATION].

(i) [DESIGNATION, TITLE, VERSION (IF ANY), DATE, AUTHOR (IF APPLICABLE)].

(ii) [Repeat for each publication or reserve this paragraph]

(2) [Repeat for each publisher or reserve this paragraph]

Option 3: Centralized IBR section

Centralized IBR section, introductory paragraph [preferred structure]

Certain material is incorporated by reference into this [chapter/subchapter/part/subpart] with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at the [AGENCY NAME] and at the National Archives and Records Administration (NARA). Contact [AGENCY NAME] at [AGENCY INFORMATION]. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the following sources:

(a) [PUBLISHER NAME], [PUBLISHER INFORMATION].

(1) [DESIGNATION, TITLE, VERSION (IF ANY), DATE, AUTHOR (IF APPLICABLE)]; IBR approved for §[§] [CFR citation – section and first level paragraph].

(2) [Repeat for each publication or reserve this paragraph]

(b) [Repeat for each publisher or reserve this paragraph]

Centralized IBR section, paragraph (a)

(a) Certain material is incorporated by reference into this [chapter/subchapter/part/subpart] with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at the [AGENCY NAME] and at the National Archives and Records Administration (NARA). Contact [AGENCY NAME] at [AGENCY INFORMATION]. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the sources in the following paragraphs of this section.

(b) [PUBLISHER NAME], [PUBLISHER INFORMATION].

(1) [DESIGNATION, TITLE, VERSION (IF ANY), DATE, AUTHOR (IF APPLICABLE)]; IBR approved for §[§] [CFR citation – section and first level paragraph].

(2) [Repeat for each publication or reserve this paragraph]

(c) [Repeat for each publisher or remove this paragraph]

AGENCY INFORMATION includes at least 2 of the following elements: address, phone, email, website.

PUBLISHER INFORMATION includes at least 2 of the following elements in addition to address: phone, email, website.

Remember, even if the publication's designation contains a partial date (for example ASTM F1234-12) this does not eliminate the requirement to provide a date. You must include the date in addition to the designation.

BOILERPLATE 3. Enforcement Language in IBR Text — Optional

To enforce any edition other than that specified in this section, the [INSERT NAME OF AGENCY] must publish a document in the *Federal Register* and the material must be available to the public.


Note: The OFR does **not** require statements related to enforceability. If your agency determines enforcement language regarding specific versions of IBR material is necessary, include this language after the first sentence of the required text (see Option 2 and Option 3 in Appendix A.D.3 of this handbook).

D. Examples

1. Description of Publications

EXAMPLE 1-1: Identifying an ASTM publication

The designation is at the top of the title page and in the header of the publication. The approval date is in footnote 1: **ASTM D4809-13, Standard Test Method for Heat of Combustion Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), approved May 1, 2013.**



Designation: D4809 – 13


**Standard Test Method for
Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb
Calorimeter (Precision Method)¹**

This standard is issued under the fixed designation D4809; the number immediately following the designation indicates the year of original adoption or, in the case of revision, the year of last revision. A number in parentheses indicates the year of last reapproval. A superscript epsilon (ϵ) indicates an editorial change since the last revision or reapproval.

This standard has been approved for use by agencies of the U.S. Department of Defense.

¹ This test method is under the jurisdiction of ASTM Committee D02 on Petroleum Products and Lubricants and is the direct responsibility of Subcommittee D02.05 on Properties of Fuels, Petroleum Coke and Carbon Material.
Current edition approved May 1, 2013. Published May 2013. Originally approved in 1988. Last previous edition approved in 2009 as D4809 – 09a¹. DOI: 10.1520/D4809-13.


² For referenced ASTM standards, visit the ASTM website, www.astm.org, or contact ASTM Customer Service at service@astm.org. For *Annual Book of ASTM Standards* volume information, refer to the standard's Document Summary page on the ASTM website.



D4809 – 13

EXAMPLE 1-2: Identifying an SAE publication

The designation and type of date are at the top of the title page and in the header of the publication:
SAE J1634, Electric Vehicle Energy Consumption and Range Test Procedure, Cancelled October 2002.

	SURFACE VEHICLE RECOMMENDED PRACTICE	SAE J1634	CAN- CELLED OCT2002
		Issued 1993-05 Cancelled 2002-10 Superseding J1634 APR1999	
Electric Vehicle Energy Consumption and Range Test Procedure			
SAE J1634 Cancelled OCT2002			

2. Preamble

EXAMPLE 2-1: DATES, new and currently-approved IBR material

New material only

DATES: This rule is effective March 30, 2018. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register as of March 30, 2018.

Existing material only

DATES: This rule is effective March 30, 2018. The incorporation by reference of certain material listed in this rule was approved by the Director of the Federal Register as of June 6, 2008 and August 16, 2012.

Combination of new and currently-approved material

DATES: This rule is effective [INSERT DATE 90 DAYS AFTER PUBLICATION in the FEDERAL REGISTER]. The incorporation by reference of certain material listed in the rule is approved by the Director of the Federal Register as of [INSERT DATE 90 DAYS AFTER PUBLICATION in the FEDERAL REGISTER]. The incorporation by reference of certain other material listed in the rule was approved by the Director of the Federal Register as of July 3, 2017.

EXAMPLE 2-2: Preamble, reasonably available language

...the American Petroleum Institute (API), provides free online public access to view read-only copies of its key industry standards, including a broad range of technical standards. All API standards that are safety-related and that are incorporated into Federal regulations are available to the public for free viewing online in the Incorporation by Reference Reading Room on API's website at: <https://publications.api.org>. In addition to the free online availability of these standards for viewing on API's website, hardcopies and printable versions are available for purchase from API. The API website address to purchase standards is: www.api.org/publications-standards-and-statistics/publications/government-cited-safety-documents.

EXAMPLE 2-3: Preamble, IBR summary

API RP 14H, Recommended Practice for Installation, Maintenance and Repair of Surface Safety Valves and Underwater Safety Valves Offshore was withdrawn by API and superseded by API STD 6AV2—Installation, Maintenance, and Repair of Surface Safety Valves and Underwater Safety Valves Offshore. API STD 6AV2, first edition 2014 revises and supersedes API Recommended Practice 14H, Fifth Edition 2007. API STD 6AV2 provides practices for installing and maintaining SSVs and USVs used or intended to be used as part of a safety system, as defined by documents such as API Recommended Practice 14C. The standard includes provisions for conducting inspections, installations, and maintenance, field and off-site repair. Other provisions address testing procedures, acceptance criteria, failure reporting, and documentation. Significant changes include updated definitions; new provisions for qualified personnel; documentation, test procedures and acceptance criteria for post-installation and post-field repair, and offsite repair and remanufacture alignment to API 6A.

EXAMPLE 2-4: Preamble, reasonably available language with IBR summary elsewhere in preamble

VIII. Incorporation by Reference

Section 1237.2 of this final rule provides that booster seats must comply with applicable sections of ASTM F2640-18. The OFR has regulations concerning incorporation by reference. 1 CFR part 51. These regulations require that, for a final rule, agencies must discuss in the preamble to the rule the way in which materials that the agency incorporates by reference are reasonably available to interested persons, and how interested parties can obtain the materials. Additionally, the preamble to the rule must summarize the material. 1 CFR 51.5(b).

In accordance with the OFR's requirements, the discussion in section IV of this preamble summarizes the required provisions of ASTM F2640-18. Interested persons may purchase a copy of ASTM F2640-18 from ASTM, either through ASTM's website, or by mail at the address provided in the rule. A copy of the standard may also be inspected at the CPSC's Office of the Secretary, U.S. Consumer Product Safety Commission. Note that the Commission and ASTM arranged for commenters to have "read-only" access to ASTM F2640-17 e1 during the NPR's comment period.

EXAMPLE 2-5: Preamble, currently-approved IBR material – proposed rule

Multiple currently-approved publications

The following standards appear in the amendatory text of this document and have already been approved for the locations in which they appear: ASTM D 4359, CGA TB-25, ISO 6406:2005(E), and ISO 16148:2016(E). No changes are proposed to the IBR material.

Single currently-approved publication

AS/NZ 4474.1:2007 is referenced in the amendatory text of this document but has already been approved for appendix A. No changes are proposed to the IBR material.

EXAMPLE 2-6: Preamble, currently-approved IBR material – final rule

Multiple currently-approved publications

The following standards appear in the amendatory text of this document and were previously approved for the locations in which they appear: ASTM D 4359, CGA TB-25, ISO 6406:2005(E), and ISO 16148:2016(E).

Single currently-approved publication

AS/NZ 4474.1:2007 is referenced in the amendatory text of this document but was previously approved for appendix A.

3. Regulatory Text – Add or update IBR material

Option 1: Single IBR publication section

EXAMPLE 3-1. *Single IBR publication section, same paragraph*

Title 14—Aeronautics and Space

§ 147.17 Training requirements.

(a) Each certificated aviation maintenance technician school must:

(1) Establish, maintain, and utilize a curriculum that is designed to continually align with the mechanic airman certification standards referenced in paragraph (b) of this section, as appropriate for the ratings held;

(2) Provide training of a quality that meets the requirements of § 147.25; and

(3) Ensure students have the knowledge and skills necessary to be prepared to test for a mechanic certificate and associated ratings under subpart D of part 65 of this chapter.

(b) FAA–S–ACS–1, Aviation Mechanic General, Airframe, and Powerplant Airman Certification Standards, November 1, 2021, is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. This material is available for inspection at the Federal Aviation Administration (FAA) and the National Archives and Records Administration (NARA). Contact FAA, Airman Testing Standards Branch/Regulatory Support Division, 405–954–4151, AFS630Comments@faa.gov. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from FAA, 800 Independence Avenue SW, Washington, DC 20591, 866–835–5322, www.faa.gov/training_testing.

EXAMPLE 3-2. Single IBR publication section, same paragraph

Title 16—Commercial Practices

§ 1220.2 Requirements for non-full-size baby cribs.

(a) Except as provided in paragraph (b) of this section, each non-full-size baby crib shall comply with all applicable provisions of ASTM F406–22, Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play Yards, approved on October 1, 2022. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. This material is available for inspection at the U.S. Consumer Product Safety Commission and at the National Archives and Records Administration (NARA). Contact the U.S. Consumer Product Safety Commission at: the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814, telephone (301) 504–7479, email: cpsc-os@cpsc.gov. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. A free, read-only copy of the standard is available for viewing on the ASTM website at www.astm.org/READINGLIBRARY/. You may also obtain a copy from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; phone: (610) 832–9585; www.astm.org.

(b) Comply with the ASTM F406–22 standard with the following exclusions:

(1) Do not comply with sections 5.6.2 through 5.6.2.4 of ASTM F406–22.

(2) Do not comply with section 5.16.2 through 5.16.2.2 of ASTM F406–22.

* * * * *

EXAMPLE 3-3. Single IBR publication section, concluding paragraph; future potential

Title 47—Telecommunication

§ 300.1 Incorporation by reference of the Manual of Regulations and Procedures for Federal Radio Frequency Management.

(a) The Manual of Regulations and Procedures for Federal Radio Frequency Management (the NTIA Manual) is issued by the Assistant Secretary of Commerce for Communications and Information, and is specifically designed to cover the Assistant Secretary's frequency management responsibilities pursuant to delegated authority under 47 U.S.C. 901 *et seq.* and Executive Order 12046 (March 27, 1978). Federal agencies must comply with the requirements in the NTIA Manual specified in paragraph (b) of this section.

(b) The material listed in this paragraph (b) is incorporated by reference into this section with approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at National Telecommunications and Information Administration (NTIA) and the National Archives and Records Administration (NARA). Contact NTIA at: National Telecommunications and Information Administration, Office of Spectrum Management, 1401 Constitution Avenue NW, Room 1087, Washington, DC 20230, telephone: (202) 482–1670. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material is available from: Commerce Department, National Telecommunications and Information Administration, Office of Spectrum Management, 1401 Constitution Avenue NW, Washington, DC 20230, www.ntia.gov/page/2022/manual-regulations-and-procedures-federal-radio-frequency-management-redbook; and Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402, <https://bookstore.gpo.gov/> (reference Catalog Number 903–008– 00000–8).

(1) Manual of Regulations and Procedures for Federal Radio Frequency Management, January 2022 Revisions to the January 2021 Edition, approved November 8, 2022.

(2) [Reserved]

EXAMPLE 3-4. Single IBR publication section, concluding paragraph

Title 24—Housing and Urban Development

§ 51.201 Definitions.

The terms *Department* and *Secretary* are defined in 24 CFR part 5.

* * * * *

Hazard —means any stationary container which stores, handles, or processes hazardous substances of an explosive or fire prone nature. The term “hazard” does not include:

- (1) Pipelines for the transmission of hazardous substances, if such pipelines are located underground, or comply with applicable Federal, State and local safety standards;
- (2) Containers with a capacity of 100 gallons or less when they contain common liquid industrial fuels, such as gasoline, fuel oil, kerosene, and crude oil, since they generally would pose no danger in terms of thermal radiation or blast overpressure to a project;
- (3) Facilities that are shielded from a proposed HUD-assisted project by the topography, because these topographic features effectively provide a mitigating measure already in place;
- (4) All underground containers; and
- (5) Containers used to hold liquefied petroleum gas with a volumetric capacity not to exceed 1,000 gallons water capacity, if they comply with National Fire Protection Association (NFPA) 58. NFPA 58, Liquefied Petroleum Gas Code, 2017 Edition, copyright 2016 is incorporated by reference into this section with the approval of the Director of the Federal Register, under 5 U.S.C. 552(a) and 1 CFR part 51. All approved material is available for inspection at HUD and the National Archives and Records Administration (NARA). Contact HUD 's Office of Environment and Energy, 202-402-5226. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov . The material is available from National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169; phone: 800-344-3555; fax: 800-593-6372; website: www.nfpa.org. Persons with hearing or speech impairments may access the numbers above through TTY by calling the Federal Relay Service, toll-free, at 800-877-8339.

* * * * *

Option 2: Dedicated IBR paragraph

EXAMPLE 3-5. Dedicated IBR paragraph (last paragraph), single publisher

Title 21—Food and Drugs

§ 73.70 Calcium carbonate.

* * * * *

(b) *Specifications.* Calcium carbonate must meet the specifications given in calcium carbonate (FCC 13) and limestone, ground (FCC 13).

* * * * *

(f) *Incorporation by reference.* Material listed in this paragraph (f) is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved material is available for inspection at the Food and Drug Administration and at the National Archives and Records Administration (NARA). Contact the Food and Drug Administration between 9 a.m. and 4 p.m., Monday through Friday at: Dockets Management Staff, (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. You may obtain the material from the U.S. Pharmacopeial Convention, 12601 Twinbrook Pkwy., Rockville, MD 20852; website: www.usp.org.

(1) Limestone, Ground, Food Chemicals Codex, 13th edition, effective June 1, 2022 (FCC 13).

(2) Calcium Carbonate, Food Chemicals Codex, 13th edition, effective June 1, 2022 (FCC 13).

EXAMPLE 3-6. Dedicated IBR paragraph (last paragraph), single publisher; future potential

Title 40—Protection of Environment

§ 80.8 Sampling methods for gasoline, diesel fuel, fuel additives, and renewable fuels.

The sampling methods specified in this section shall be used to collect samples of gasoline, diesel fuel, blendstocks, fuel additives and renewable fuels for purposes of determining compliance with the requirements of this part.

(a) *Manual sampling.* Manual sampling of tanks and pipelines shall be performed according to the applicable procedures specified in ASTM D4057.

(b) *Automatic sampling.* Automatic sampling of petroleum products in pipelines shall be performed according to the applicable procedures specified in ASTM D4177.

* * * * *

(e) *Material incorporated by reference.* Material listed in this paragraph (f) is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the EPA must publish a document in the *Federal Register* and the material must be available to the public. All approved material is available for inspection at the EPA and the National Archives and Records Administration (NARA). Contact the EPA at: Air and Radiation Docket and Information Center (Air Docket) in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave. NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566–1744, and the telephone number for the Air Docket is (202) 566–1742. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the following sources in this paragraph (e):

(1), 100 Barr Harbor Dr., P.O. Box C700, West Conshohocken, PA 19428–2959; phone: (877) 909–ASTM; website: www.astm.org:

(i) ASTM D4057–12, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, approved December 1, 2012 (“ASTM D4057”).

(ii) ASTM D4177–95 (Reapproved 2010), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, approved May 1, 2010 (“ASTM D4177”).

(iii) ASTM D5842–14, Standard Practice for Sampling and Handling of Fuels for Volatility Measurement, approved January 15, 2014 (“ASTM D5842”).

(iv) ASTM D5854–96 (Reapproved 2010), Standard Practice for Mixing and Handling of Liquid Samples of Petroleum and Petroleum Products, approved May 1, 2010 (“ASTM D5854”).

(2) [Reserved]

EXAMPLE 3-7. Dedicated IBR paragraph (last paragraph), multiple publishers

Title 23—Highways

§ 655.601 Purpose.

To prescribe the policies and procedures of the Federal Highway Administration (FHWA) to obtain basic uniformity of traffic control devices on all streets and highways in accordance with the following references that are approved by the FHWA for application on Federal-aid projects:

- (a) MUTCD.
- (b) AASHTO Guide to Metric Conversion.
- (c) AASHTO Traffic Engineering Metric Conversion Factors.

(d) The material listed in this paragraph (d) is incorporated by reference into this section with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the FHWA must publish a document in the Federal Register and the material must be available to the public. All approved material is available for inspection at the FHWA and at the National Archives and Records Administration (NARA). Contact Federal Highway Administration, Office of Transportation Operations, 1200 New Jersey Avenue SE, Washington, DC 20590, (202) 366–8043; <https://ops.fhwa.dot.gov/contactus.htm>. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the following sources in this paragraph (d).

(1) AASHTO, American Association of State Highway and Transportation Officials, Suite 249, 444 North Capitol Street NW., Washington, DC 20001; phone: (202) 624-5800; email: info@aaashto.org; website: <https://transportation.org/>

(i) AASHTO Guide to Metric Conversion, 1993;

(ii) AASHTO, Traffic Engineering Metric Conversion Factors, 1993—Addendum to the Guide to Metric Conversion, October 1993.

(2) FHWA, Federal Highway Administration, 1200 New Jersey Avenue SE., Washington, DC 20590, telephone (202) 366–1993, also available at <http://mutcd.fhwa.dot.gov>.

(i) Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), as follows:

(A) 2009 edition, November 4, 2009.

(B) Revision No. 1, dated May 2012.

(C) Revision No. 2, dated May 2012.

(D) Revision No. 3, dated June 2022.

(ii) [Reserved]

EXAMPLE 3-8. Dedicated IBR paragraph (last paragraph), multiple publishers

Title 47—Telecommunications

§ 64.621 Interoperability and portability.

* * * * *

(b) *Technical standards for interoperability and portability.* (1) Beginning no later than December 20, 2017, VRS providers shall ensure that their provision of VRS and video communications, including their access technology, meets the requirements of the VRS Provider Interoperability Profile.

(2) Beginning no later than October 24, 2017, VRS providers shall provide a standard xCard export interface to enable users to import their lists of contacts in xCard XML format, in accordance with IETF RFC 6351.

(c) *Incorporation by reference.* The material listed in this paragraph (c) is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference (IBR) material is available for inspection at the FCC and the National Archives and Records Administration (NARA). Contact the FCC through the Federal Communications Commission's Reference Information Center, phone: (202) 418-0270. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the following sources in this paragraph (c):

(1) FCC (on behalf of SIP Forum), located at the address indicated in 47 CFR 0.401(a), Tel: (888) 225-5322 (voice), (844) 432-2275 (videophone), (888) 835-5322 (TTY).

(i) VRS US Providers Profile TWG-6.1, the US VRS Provider Interoperability Profile, September 23, 2015.
<https://www.fcc.gov/files/sip-forum-vrs-us-providers-profile-twg-6-1>.

(ii) [Reserved]

(2) Internet Engineering Task Force (IETF) Secretariat, 5177 Brandin Court, Fremont, CA 94538, 510-492-4080.

(i) [Reserved]

(ii) Request for Comments (RFC) 6351, xCard: vCard XML Representation (August 2011)
<https://tools.ietf.org/html/rfc6351>.

Option 3: Centralized IBR section

EXAMPLE 3-9. Centralized IBR section, introductory paragraph (with outlying section) [preferred structure]

Title 40: Protection of Environment

§ 1036.810 Incorporation by reference.

Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Environmental Protection Agency (EPA) must publish a document in the *Federal Register* and the material must be available to the public. This incorporation by reference (IBR) material is available for inspection at EPA and the National Archives and Records Administration (NARA). Contact EPA at: U.S. EPA, Air and Radiation Docket and Information Center, WJC West Building, Room 3334, 1301 Constitution Ave. NW, Washington, DC 20460; (202) 202-1744; www.epa.gov/dockets. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the following sources:

(a) ASTM International (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959; (877) 909-2786; www.astm.org.

(1) ASTM D3588-98 (Reapproved 2017)e1, Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels, approved April 1, 2017, (“ASTM D3588”); IBR approved for § 1036.530(b).

(2) ASTM D4809-13, Standard Test Method for Heat of COMBustion of Liquid Hydrocarbon Fuels by BOMB Calorimeter (Precision Method), approved May 1, 2013, (“ASTM D4809”); IBR approved for § 1036.530(b).

(b) National Institute of Standards and Technology (NIST), 100 Bureau Drive, Stop 1070, Gaithersburg, MD 20899-1070; (301) 975-6478; www.nist.gov.

(1) NIST Special Publication 811, Guide for the Use of the International System of Units (SI), 2008 Edition, March 2008; IBR approved for § 1036.805.

(2) [Reserved]

Title 40: Protection of Environment

§ 1036.530 Calculating greenhouse gas emission rates.

* * * * *

(b) * * *

(1)* * *

(ii) For gaseous fuels, determine $E_{mfuelmeas}$ according to ASTM D3588 (incorporated by reference, see § 1036.810).

* * * * *

EXAMPLE 3-10. Centralized IBR section, paragraph (a) (with outlying section)

Title 46: Shipping

§ 107.1 15 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. This incorporation by reference (IBR) material is available for inspection at the Coast Guard and at the National Archives and Records Administration (NARA). Contact Coast Guard at: Commandant (CG-NAV), U.S. Coast Guard Stop 7418, Attn: Office of Navigation Systems, 2703 Martin Luther King Jr. Ave. SE., Washington, DC 20593-7418; phone 202-372-1565. For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. The material may be obtained from the sources in the following paragraphs of this section.

(b) The American Bureau of Shipping (ABS), ABS Plaza, 16855 Northchase Drive, Houston, TX 77060; 281-877-5800; www.eagle.org.

(1) Rules for Building and Classing Mobile Offshore Drilling Units, 1978; IBR approved for § 107.205(b).

(2) U.S. Supplement to ABS Rules for Mobile Offshore Drilling Units, November 1, 1998; IBR approved for § 107.205(b),

(c) The American Petroleum Institute (API), 200 Massachusetts Ave NW Suite 1100, Washington, DC 20001, 202 682-8000; www.api.org.

(1) API RP2D - Recommended Practice for Operation and Maintenance of Offshore Cranes, 1972 ("API RP2D"); IBR approved for § 107.259.

(2) API Spec 2C - Specification for Offshore Cranes, 1972 ("API Spec 2C"); IBR approved for § 107.309.

* * * * *

Title 46: Shipping

§ 107.259 Crane inspection and testing.

(a) Each crane must be inspected and tested in accordance with Section 3 of the API RP 2D (incorporated by reference, see § 107.1 15), except that the rated load test must be performed in accordance with § 107.260.

* * * * *

EXAMPLE 3-11. Centralized IBR section, paragraph (a)

Title 40: Protection of Environment

§ 63.14 Incorporations by reference.

(a) The materials listed in this section are incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, a document must be published in the Federal Register and the material must be available to the public. All approved materials are available for inspection at the Air and Radiation Docket and Information Center (Air Docket) in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave. NW, Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566–1744, and the telephone number for the Air Docket is (202) 566–1742. These approved materials are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov. In addition, these materials are available from the following sources:

(b) American Conference of Governmental Industrial Hygienists (ACGIH), Customer Service Department, 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240, telephone number (513) 742–2020.

(1) Industrial Ventilation: A Manual of Recommended Practice, 22nd Edition, 1995, Chapter 3, “Local Exhaust Hoods” and Chapter 5, “Exhaust System Design Procedure”; IBR approved for §§ 63.843(b); 63.844(b).

(2) Industrial Ventilation: A Manual of Recommended Practice, 23rd Edition, 1998, Chapter 3, “Local Exhaust Hoods” and Chapter 5, “Exhaust System Design Procedure”; IBR approved for §§ 63.1503; 63.1506(c); 63.1512(e); table 2 to subpart RRR; ;table 3 to subpart RRR; appendix A to subpart RRR; § 63.2984(e).

(3) Industrial Ventilation: A Manual of Recommended Practice for Design, 27th Edition, 2010; IBR approved for §§ 63.1503; 63.1506(c); 63.1512(e); table 2 to subpart RRR; table 3 to subpart RRR; appendix A to subpart RRR; § 63.2984(e).

(c) American Petroleum Institute (API), 1220 L Street NW., Washington, DC 20005.

(1) API Publication 2517, Evaporative Loss from External Floating-Roof Tanks, Third Edition, February 1989; IBR approved for §§ 63.111, 63.1402, 63.2406 and 63.7944.

Note 1 to paragraph (c)(1): API Publication 2517 available through reseller HIS Markit at <https://global.ihs.com/> (b) National Institute of Standards and Technology (NIST), 100 Bureau Drive, Stop 1070, Gaithersburg, MD 20899-1070; (301) 975-6478; www.nist.gov.

* * * * *

(f) American Society of Mechanical Engineers (ASME), Three Park Avenue, New York, NY 10016–5990, Telephone (800) 843–2763, <http://www.asme.org>; also available from HIS, Incorporated, 15 Inverness Way East, Englewood, CO 80112, Telephone (877) 413–5184, <http://global.ihs.com>.

(1) ANSI/ASME PTC 19.10–1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], issued August 31, 1981; IBR approved for §§ 63.309(k); 63.457(k); 63.772(e) and (h); 63.865(b); 63.997(e); 63.1282(d) and (g); 63.1625(b); table 5 to subpart EEEE; §§ 63.3166(a); 63.3360(e); 63.3545(a); 63.3555(a); 63.4166(a); 63.4362(a); 63.4766(a); 63.4965(a); 63.5160(d); table 4 to subpart UUUU; table 3 to subpart YYYY, §§ 63.7822(b); 63.7824(e); 63.7825(b); 63.8000(d); 63.9307(c); 63.9323(a); 63.9621(b) and (c); 63.11148(e); 63.11155(e); 63.11162(f); 63.11163(g); 63.11410(j); 63.11551(a); 63.11646(a); 63.11945; table 4 to subpart AAAAA; table 5 to subpart DDDDD; table 4 to subpart JJJJ; table 4 to subpart KKKKK; table 4 to subpart SSSSS; tables 4 and 5 of subpart UUUUU; table 1 to subpart ZZZZ; table 4 to subpart JJJJJ.

* * * * *

(i) ASTM International, 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, PA 19428–2959, Telephone (610) 832–9585, <http://www.astm.org>; also available from ProQuest, 789 East Eisenhower Parkway, Ann Arbor, MI 48106–1346, Telephone (734) 761–4700, <http://www.proquest.com>.

* * * * *

(24) ASTM D2369–93, Standard Test Method for Volatile Content of Coatings; IBR approved for appendix A to subpart II.

(25) ASTM D2369–95, Standard Test Method for Volatile Content of Coatings; IBR approved for appendix A to subpart II.

(26) ASTM D2369–10 (Reapproved 2015)e1, Standard Test Method for Volatile Content of Coatings, approved June 1, 2015; IBR approved for §§ 63.3151(a); 63.3360(c); 63.3961(j); 63.4141(a) and (b); 63.4161(h); 63.4321(e); 63.4341(e); 63.4351(d); 63.4541(a); 63.4561(j); appendix A to subpart PPPP; §§ 63.4741(a); 63.4941(a) and (b); 63.4961(j); 63.8055(b).

* * * * *

4. Amendatory Instructions – Remove IBR material

EXAMPLE 4-1. Instructions to remove publications from a centralized IBR section

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

1. The authority citation for part 63 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

2. Amend § 63.14 by:

a. Removing paragraphs (a)(5) and (e)(27); and

b. Redesignating paragraphs (a)(6) through (9) as paragraphs (a)(5) through (8) and paragraphs (e)(28) and (29) as paragraphs (e)(27) and (28), respectively.

5. Request Letters

**Example 5-1: New, existing, and currently-approved material; redesignated centralized
IBR section**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
ANN ARBOR, MI 48105

OFFICE OF
AIR AND RADIATION

May 11, 2023

Oliver Potts, Director
Office of the Federal Register (F)
The National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Director Potts:

In accordance with 1 CFR part 51, we request that you approve the incorporation by reference the materials listed below into Title 40 of the Code of Federal Regulations (CFR). We have included copies of all IBR material. The material will be referenced in § 80.12 and as follows:

American Petroleum Institute (API): 200 Massachusetts Avenue NW, Suite 1100, Washington, DC 20001-5571, (202) 682-8000, or www.api.org.

API MPMS 14.1-2016, Manual of Petroleum Measurement Standards Chapter 14—Natural Gas Fluids Measurement Section 1—Collecting and Handling of Natural Gas Samples for Custody Transfer, 7th Edition, May 2016; § 80.155(b)(1).

API MPMS 14.3.1-2012, Manual of Petroleum Measurement Standards Chapter 14.3.1—Orifice Metering of Natural Gas and Other Related Hydrocarbon Fluids—Concentric, Square-edged Orifice Meters Part 1: General Equations and Uncertainty Guidelines, 4th Edition, including Errata July 2013, Reaffirmed, July 2022; § 80.155(a)(2)(i). (Co-published as AGA Report No. 3, Part 1)

API MPMS 14.3.2-2016, Manual of Petroleum Measurement Standards Chapter 14.3.2—Orifice Metering of Natural Gas and Other Related Hydrocarbon Fluids—Concentric, Square-edged Orifice Meters Part 2: Specification and Installation Requirements, 5th Edition, March 2016; § 80.155(a)(2)(i). (Co-published as AGA Report No. 3, Part 2)

API MPMS 14.3.3-2013, Manual of Petroleum Measurement Standards Chapter 14.3.3—Orifice Metering of Natural Gas and Other Related Hydrocarbon Fluids—Concentric, Square-edged Orifice Meters Part 3: Natural Gas Applications, 4th Edition, Reaffirmed, June 2021; § 80.155(a)(2)(i). (Co-published as AGA Report No. 3, Part 3)

API MPMS 14.3.4-2019, Manual of Petroleum Measurement Standards Chapter 14.3.4—Orifice Metering of Natural Gas and Other Related Hydrocarbon Fluids—Concentric, Square-edged Orifice Meters Part 4—Background, Development, Implementation Procedure, and Example

Calculations, 4th Edition, October 2019; § 80.155(a)(2)(i). (Co-published as AGA Report No. 3, Part 4)

API MPMS 14.12-2017, Manual of Petroleum Measurement Standards Chapter 14—Natural Gas Fluid Measurement Section 12—Measurement of Gas by Vortex Meters, 1st Edition, March 2017; § 80.155(a)(2)(ii).

American Public Health Association (APHA): 1015 15th Street, NW., Washington, DC 20005, (202) 777-2742, or www.standardmethods.org.

SM 2540, Solids, revised June 10, 2020; § 80.155(c)(1), (2), and (3).

ASTM International: 100 Barr Harbor Dr., P.O. Box C700, West Conshohocken, PA 19428-2959, (877) 909-2786, or www.astm.org.

ASTM D975-21, Standard Specification for Diesel Fuel, approved August 1, 2021; § 80.2 *Non-ester renewable diesel* or *renewable diesel*.

ASTM D3588-98(R2017)e1, Standard Practice for Calculating Heat Value, Compressibility Factor, and Relative Density of Gaseous Fuels, approved April 1, 2017; § 80.155(b)(2)(vi) and (f).

ASTM D4888-20, Standard Test Method for Water Vapor in Natural Gas Using Length-of-Stain Detector Tubes, approved December 15, 2020; § 80.155(b)(2)(iv).

ASTM D5504-20, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Chemiluminescence, approved November 1, 2020; § 80.155(b)(2)(ii).

ASTM D6751–20a, Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels, approved August 1, 2020 (“ASTM D6751”); § 80.2 *Biodiesel*.

ASTM D6866-22, Standard Test Methods for Determining the Biobased Content of Solid, Liquid, and Gaseous Samples Using Radiocarbon Analysis, approved March 15, 2022; § 80.155(b)(2)(viii).

ASTM D7164-21, Standard Practice for On-line/At-line Heating Value Determination of Gaseous Fuels by Gas Chromatography, approved April 1, 2021; § 80.155(a)(1).

ASTM D8230-19, Standard Test Method for Measurement of Volatile Silicon-Containing Compounds in a Gaseous Fuel Sample Using Gas Chromatography with Spectroscopic Detection, approved June 1, 2019; § 80.155(b)(2)(iii).

European Committee for Standardization (CEN): Rue de la Science 23, B - 1040 Brussels, Belgium, + 32 2 550 08 11, or www.cencenelec.eu.

EN 17526:2021(E), Gas meter – Thermal-mass flow-meter based gas meter, approved July 11, 2021; § 80.155(a)(2)(iii).

The following standards have already been approved elsewhere in part 80, so we did not provide a copy with this package: ASTM D975-21, ASTM D6751-20a, and ASTM D6866-22.

We are moving the centralized IBR section (currently § 80.1468) out of subpart M and into subpart A as § 80.12. We are also adding standards that were approved for a specific section but never added to the centralized IBR section as follows –

Currently in § 80.1468 and to be added to § 80.12: ASTM D1250-19e1, ASTM D4442-20, ASTM D4444-13 (R2018), ASTM E711-87 (R2004), and ASTM E870-82 (R2019).

Currently in § 80.8 and to be added to § 80.12: ASTM D4057-12, ASTM D4177-95 (R2010), ASTM D5842-14, and ASTM D5854-96 (R2010).

Was there a proposed rule published for this rulemaking? yes FR 2022-26499; 87 FR 80582

Did the proposed rule contain regulatory text? yes

Does the IBR in this draft rule generally match the proposed rule? yes

We uploaded a complete request package to the FTP server with this letter. We expect to sign the final rule by June 14, 2023, as this action is under a consent decree to be signed no later than this date. Please contact me at (xxx) xxx-xxxx or myname@agency.gov if you have any questions.

Sincerely,

Name
Title, Office

Example 5-2: Existing material consolidated into centralized IBR section

U.S. Department of Homeland Security
Washington, DC 20528



Homeland Security

March 27, 2023

Oliver Potts, Director
Office of the Federal Register
National Archives and Records Administration
7 G Street, NW, Suite A-734
Washington, DC 20401

Dear Mr. Potts,

In accordance with 1 CFR part 51, we request that you approve a new centralized incorporation by reference section (37.4) into 6 CFR part 37. Currently, 6 CFR 37.17 and 37.19 are formatted so that the standardized IBR approval language required by 1 CFR part 51 is repeated in 37.17(e),(g),(m) and 37.19. Section 37.4 consolidates and updates the standardized incorporation by reference approval language into one centralized section for this part. Please note we are also updating the contact information so that the public may contact the department to arrange to examine the standards. This action is editorial in nature and does not impose any new regulatory requirements on affected parties. ***There was no associated proposed rule.***

The four standards referenced in 34.7 were incorporated by reference when DHS established 6 CFR part 37 in 2008 (73 FR 5272 (Jan. 29, 2008)) and are listed here:

International Organization for Standardization, Chemin de Blandonnet 8, CP 401, 1214 Vernier, Geneva, Switzerland, +41 22 749 01 11, customerservice@iso.org, <https://www.iso.org/contact-iso.html>; or obtain a copy by contacting ANSI at ANSI, 25 West 43rd Street, 4th Floor, New York, New York 10036, www.ansi.org.

(1) ISO/IEC 15438:2006(E) Information Technology - Automatic identification and data capture techniques - PDF417 symbology specification, dated June 2006. IBR'd at § 37.19.

(2) ISO/IEC 19794-5:2005(E) Information technology - Biometric Data Interchange Formats - Part 5: Face Image Data, dated June 2005. IBR'd at § 37.17.

American Association of Motor Vehicle Administrators (AAMVA) 4301 Wilson Boulevard, Suite 400, Arlington, VA 22203 or on-line at <http://www.aamva.org>.

(1) 2005 AAMVA Driver's License/Identification Card Design Specifications, Annex A, section A.7.7.2., March 2005. IBR'd at § 37.17.

Letter to Oliver Potts
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International Civil Aviation Organization (ICAO), ICAO, Document Sales Unit, 999 University Street, Montreal, Quebec, Canada H3C 5H7, e-mail: sales@icao.int.

(1) ICAO 9303, "Machine Readable Travel Documents," Volume 1, part 1, Sixth Edition, 2006. IBR'd at § 37.17.

Please feel free to contact me at 202.893.3668 or myname@agency.gov, if you would like to discuss further or have any questions.

Sincerely,

name

title

Department of Homeland Security