

### I. Notice of the Application for Expansion

The Occupational Safety and Health Administration is providing notice that Underwriters Laboratories Inc. (UL), is applying for expansion of its current recognition as an NRTL. UL requests the addition of two test standards to its NRTL scope of recognition.

OSHA recognition of an NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by its applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is

not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The Agency processes applications by an NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding. In the second notice, the Agency provides its final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational Web page for each NRTL, including UL, which details the NRTL's scope of recognition. These pages are available from the OSHA Web site at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

UL currently has 15 facilities (sites) recognized by OSHA for product testing and certification, with its headquarters located at: Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook, IL 60062. A complete list of UL's scope of recognition is available at <http://www.osha.gov/dts/otpca/nrtl/ul.html>.

### II. General Background on the Application

UL submitted an application, dated April 3, 2014 (Exhibit 14-2—UL Application for Expansion of Test Standards), to expand its recognition to include two additional test standards. OSHA staff performed a comparability analysis and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

Table 1 below lists the appropriate test standards found in UL's application for expansion for testing and certification of products under the NRTL Program.

TABLE 1—PROPOSED LIST OF APPROPRIATE TEST STANDARDS FOR INCLUSION IN UL'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
AAMI ES60601-1 .....	Medical electrical equipment-Part 1: General requirements for basic safety and essential performance.
UL 1004-1 .....	Rotating Electrical Machines.

### III. Preliminary Findings on the Application

UL submitted an acceptable application for expansion of its scope of recognition. OSHA's review of the application file and the comparability analysis indicate that UL can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include the addition of these two test standards for NRTL testing and certification listed above. This preliminary finding does not constitute an interim or temporary approval of UL's application.

OSHA welcomes public comment as to whether UL meets the requirements of 29 CFR 1910.7 for expansion of its recognition as an NRTL. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. Commenters must submit the written request for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer period. OSHA may deny a request for an extension if the request is not adequately justified. To obtain or review copies of the exhibits identified

in this notice, as well as comments submitted to the docket, contact the Docket Office, Room N-2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. These materials also are available online at <http://www.regulations.gov> under Docket No. OSHA-2009-0025.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will recommend to the Assistant Secretary for Occupational Safety and Health whether to grant UL's application for expansion of its scope of recognition. The Assistant Secretary will make the final decision on granting the application. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7. OSHA will publish a public notice of its final decision in the **Federal Register**.

### IV. Authority and Signature

David Michaels, PhD., MPH, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW., Washington, DC 20210, authorized the preparation of this notice. Accordingly, the Agency is

issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on July 25, 2014.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

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### DEPARTMENT OF LABOR

#### Occupational Safety and Health Administration

[Docket No. OSHA-2006-0041]

#### Southwest Research Institute: Grant of Renewal of Recognition

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** This notice announces the Occupational Safety and Health Administration's final decision granting renewal of recognition of Southwest Research Institute, as a Nationally Recognized Testing Laboratory (NRTL).

**DATES:** The renewal of recognition becomes effective on July 30, 2014.

**FOR FURTHER INFORMATION CONTACT:** Information regarding this notice is available from the following sources:

*Press inquiries:* Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3647, Washington, DC 20210; telephone: (202) 693-1999; email: [Meilinger.frank2@dol.gov](mailto:Meilinger.frank2@dol.gov).

*General and technical information:* Contact Mr. David Johnson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3655, Washington, DC 20210; telephone: (202) 693-2110; email: [johnson.david.w@dol.gov](mailto:johnson.david.w@dol.gov). OSHA's Web page includes information about the NRTL Program (see <http://www.osha.gov/dts/otpcanrtl/index.html>).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

OSHA recognition of an NRTL signifies that the organization meets the requirements specified by 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition, and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification. OSHA maintains an informational Web site for each NRTL at <http://www.osha.gov/dts/otpcanrtl/index.html> that details its scope of recognition.

OSHA processes applications submitted by an NRTL for renewal of recognition following requirements in Appendix A to 29 CFR 1910.7. OSHA conducts renewals in accordance with the procedures in 29 CFR 1910.7, App. A II.C. In accordance with these procedures, NRTLs submit a renewal request to OSHA between nine months and one year before the expiration date of its current recognition. A renewal request includes a request for renewal and any additional information demonstrating its continued compliance with the terms of its recognition and 29 CFR 1910.7. If OSHA has not conducted an on-site assessment of the NRTL headquarters and any key sites within the past 18 to 24 months, it will schedule the necessary on-site

assessment prior to the expiration date of the NRTL's recognition. Upon review of the submitted material and, as necessary, the successful completion of the on-site assessment, OSHA announces its preliminary decision to grant or deny renewal in the **Federal Register** and solicits comments from the public. OSHA then publishes a final **Federal Register** notice responding to any comments and renewing the NRTL's recognition for a period of five years, or denying the renewal of recognition.

Southwest Research Institute (SWRI) initially received OSHA recognition as an NRTL on July 13, 1993 (58 FR 37752). The most recent renewal for SWRI was on February 28, 2007, for a five-year period expiring on February 28, 2012. SWRI submitted a timely request for renewal, dated May 26, 2011 (see Ex. OSHA-2006-0041-0003), and retained its recognition pending OSHA's final decision in this renewal process. The current address of the SWRI facility recognized by OSHA and included as part of the renewal request is Southwest Research Institute, 6220 Culebra Road, Post Office Drawer 28510, San Antonio, Texas 78238.

OSHA evaluated SWRI's application for renewal and made a preliminary determination that SWRI can continue to meet the requirements prescribed by 29 CFR 1910.7 for recognition. OSHA conducted an audit of SWRI on February 28-29, 2012, and found non-conformances with the requirements of 29 CFR 1910.7. SWRI addressed these issues sufficiently to meet the applicable NRTL requirements. Accordingly, OSHA determined that it did not need to conduct an on-site review of SWRI's facilities for this renewal based on its evaluation of SWRI's application and all other available information.

OSHA published the preliminary notice announcing SWRI's renewal request in the **Federal Register** on February 25, 2014 (79 FR 10565). The Agency requested comments by March 12, 2014, but received no comments in response to this notice. OSHA now is proceeding with this final notice to grant SWRI's request for renewal of recognition.

To obtain or review copies of all public documents pertaining to SWRI's application, go to [www.regulations.gov](http://www.regulations.gov) or contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-2625, Washington, DC 20210. Docket No. OSHA-2006-0041 contains all materials in the record concerning SWRI's recognition.

##### II. Final Decision and Order

Pursuant to the authority granted under 29 CFR 1910.7, OSHA hereby gives notice of the renewal of recognition of SWRI as an NRTL. OSHA NRTL Program staff reviewed the renewal request for SWRI and other pertinent information. Based on this review of the renewal request for SWRI and other pertinent information, OSHA finds that SWRI meets the requirements of 29 CFR 1910.7 for renewal of its recognition, subject to the specified limitation and conditions. OSHA limits the renewal of SWRI's recognition to include the terms and conditions of SWRI's scope of recognition. The scope of recognition for SWRI is available in the **Federal Register** notice dated July 13, 1993 (58 FR 37752), or on OSHA's Web site at <http://www.osha.gov/dts/otpcanrtl/swri.html>. This renewal extends SWRI's recognition for a period of five years from July 30, 2014.

##### Conditions

In addition to those conditions already required by 29 CFR 1910.7, SWRI also must abide by the following conditions of recognition:

1. SWRI must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as an NRTL, and provide details of the change(s);
2. SWRI must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and
3. SWRI must continue to meet the requirements for recognition, including all previously published conditions on SWRI's scope of recognition, in all areas for which it has recognition.

##### III. Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW., Washington, DC 20210, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on July 25, 2014.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

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