

Draft OSHA NRTL Five-year Audit & Renewal Plan Summary

OSHA is considering possible changes to its policy that would outline a five-year audit and renewal plan for all Nationally Recognized Testing Laboratories (NRTLs). The five-year audit and renewal plan would allow OSHA to thoroughly review all areas of an NRTL's operations over the course of the five-year recognition period through the use of onsite assessments¹. The purpose of the five-year audit and renewal plan would be to reduce the time and scope of work involved in processing NRTL renewals.

Background:

Currently, when an NRTL is due for renewal, OSHA requests the NRTL to submit detailed information about its capability, control programs, independence, and complaint handling procedures, to determine if the NRTL still complies with OSHA's recognition requirements. To process an NRTL's renewal application, OSHA reviews the detailed information to determine if it is adequate, and then conducts an onsite assessment. Following the onsite assessment, OSHA proceeds with granting or, in some cases, denying the NRTL's renewal. However, the detailed nature of this process and the quantity of information that OSHA must review may prove extremely time-consuming and result in significant delays in processing renewals.

As a result, OSHA is considering a revision to its current onsite audit process. This revision would involve examining all areas of an NRTL's operations in sufficient detail during the five-year recognition cycle. This revised onsite audit process would allow OSHA to thoroughly review the same amount of information over the five-year recognition period as it now does upon receipt of a renewal application. As a result of this revised audit process, OSHA would simplify the process for NRTL renewals, and make them more timely and efficient. A summary of the onsite audit process under consideration is provided below:

Pre-Audit Preparation:

Approximately six weeks prior to the scheduled onsite assessment, OSHA would provide the NRTL with the detailed daily schedule and a request for documentation. The documentation request may include, but would not be limited to: an updated list of test equipment, a list of certifications issued over a specified timeframe, procedures that address specific key areas of the NRTL's operation, documentation to support an NRTL's independence, and other similar documentation. NRTLs would be given approximately four weeks to assemble the documentation and provide it to OSHA. OSHA would review the supplied documentation prior to arriving onsite, which would allow the audit team to become more familiar with the NRTL's internal processes. Additionally, the audit team would use this information to select records to

¹For the purpose of this draft summary, the term "audit" and "assessment" are interchangeable.

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review while onsite. The audit team would also use the supplied information to conduct more in-depth desk audits of an NRTL's policies and procedures before arriving onsite. Any findings identified during a desk audit would be presented to the NRTL and discussed during the onsite audit, and if necessary, included in the final report of findings presented to the NRTL.

Onsite Assessment (Audit):

NRTL onsite assessments would typically last two days and would be conducted by a team of two auditors. One auditor would primarily focus on the management and quality control aspects of the NRTL's operation, while the other auditor would focus on the technical areas. If the assessment is as a result of a scope expansion, is at a Satellite Notification and Acceptance Program ("SNAP") headquarters site, or has not been audited during the past 24 months, a third team member and/or an increase in the duration of the audit might be necessary to review all required areas.

OSHA would conduct the onsite assessment in accordance with a previously provided daily schedule. The onsite assessment would follow multiple simultaneous assessment tracks with each OSHA auditor reviewing their designated areas (technical and management/quality). At the conclusion of the audit, OSHA auditors would present the final report of findings to the NRTL. OSHA would not issue any subsequent report of findings or additional non-conformances once the assessment team leaves the facility. Unless otherwise indicated on the final report of findings, the NRTL would be provided 90 days to respond to the report of findings with a root cause analysis and fully implemented corrective action.

Onsite assessments would be tailored to meet the specific scope at each audited site; however, most assessments would include a review of core program requirements. Additional requirements also would be examined periodically over the five-year recognition cycle. Specifically, each onsite assessment would include a review of the core requirements and at least one additional requirement, and each in-depth desk audit conducted in concert with the pre-audit preparation would include one or two core requirements and at least one additional requirement. See Sample five-year audit cycle scope, below.

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Core program requirements would include:

- Testing Facilities
- Test Equipment
- Testing, Evaluation & Processing Procedures
- Calibration Program
- Quality Assurance
- Personnel (Training & Qualifications)
- Factory Follow-Up and Field inspections
- Qualification of independent organizations (Programs 2-3)²
- Witnessed testing (Program 4)
- Qualification of non-independent organizations (Programs 5 & 6)

Additional requirements would include:

- Records & Standards
- Listing & Labeling
- Independence
- Complaints
- Acceptance of minor product modifications (Program 7)
- Acceptance of International Electrotechnical Commission Certification Body (“CB”) Certificates (Program 8)
- Contract Services (Program 9)
- SNAP (Program 10)

²OSHA permits an NRTL to use outside parties to perform certain activities involved in testing and certifying products, provided the NRTL has met specific criteria. OSHA has broadly grouped these activities into nine "programs," and included the description and criteria for each program in a Federal Register notice published on [March 9, 1995 \(60 FR 12980\)](#). In 2009, OSHA adopted an additional supplemental program (Program 10), SNAP, which permits NRTLs to use certain unrecognized sites to perform some of the functions normally reserved for a recognized site. Information about these programs is available at OSHA’s website at <http://www.osha.gov/dts/otpc/nrtl/>.

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Sample five-year audit cycle scope:

	Desk Audit	Onsite Assessment
Year 1	Test Equipment, Calibration Program & Contract Services	Core + SNAP & contract services
Year 2	Testing, Evaluation & Processing Procedures, & Complaints	Core + records, listing & labeling, complaints & minor product modifications
Year 3	Personnel (Training & Qualifications), Factory Follow-Up and Field inspections & Independence	Core + independence & acceptance of CB certificates
Year 4	Quality Assurance, SNAP & Acceptance of CB Certificates	Core + SNAP, complaints & contract services
Year 5	Qualification of independent organizations, Witnessed testing, Qualification of non-independent organizations & Listing & Labeling	Core + independence & complaints

Note: The sample assessment plan is provided as an example only. OSHA may alter the scope of each audit based on internal statistical data and industry trends.

Renewals:

Renewals would be conducted in accordance with the procedures in 29 CFR 1910.7, App. A.II.C. In accordance with these procedures, NRTLs would submit a renewal request to OSHA not less than nine months, nor more than one year, before the expiration date of its current recognition. A renewal request would include an NRTL Renewal Request form, and any additional information the NRTL wishes to submit to demonstrate its compliance with the terms of its recognition and 29 CFR 1910.7. If an onsite assessment had not been conducted of the NRTL headquarters and any key sites³ within the past 18 months, OSHA would schedule the necessary onsite assessments prior to the expiration date of the NRTL’s recognition. Upon review of the submitted material and, as necessary, the successful completion of the onsite assessment, OSHA would announce its preliminary decision to grant or deny renewal in the Federal Register and solicit comments from the public. A final Federal Register notice would

³A key site is an NRTL recognized site, which conducts evaluation or testing unique to that site and forms part of an NRTL’s scope of product standards. For example, if an NRTL has five recognized sites and two standards (UL60950-1 and UL60601-1) in its scope of recognition, and all five recognized sites have the capability to evaluate and test to UL60950-1, but only one site has the capability to test to UL60601-1, the one site that can evaluate and test to UL60601-1 would be a key site.

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then be published, responding to any comments, and renewing the NRTL's recognition for a period of five years, or denying recognition,

Organizations that have previously been renewed (have been an NRTL more than five years) would have the option of following the standard renewal procedure described above, or they could apply for renewal using the certification-of-continued-compliance procedure described in 29 CFR 1910.7, App. A.II.C. Under this procedure, the NRTL would submit, not less than nine months, nor more than one year, before the expiration date of its current recognition, an NRTL Renewal Request form, a certification of its continuing compliance with the terms of its recognition and 29 CFR 1910.7, and any additional information the NRTL wishes to submit to demonstrate its compliance. Upon review of the submitted material, OSHA would announce its preliminary decision granting renewal in the Federal Register based on the certification of continued compliance and other information submitted by the NRTL, and solicit comments from the public. OSHA then would publish a final Federal Register notice responding to any comments, and renewing the NRTL's recognition for a period of five-years, or denying recognition.

Expansions Submitted Simultaneously with Renewals

To expedite the completion of renewals, expansion requests for additional sites or test standards would no longer be submitted in conjunction with a renewal request. All expansion requests would be submitted separately with a separate check to cover fees as applicable. All expansions would be handled in accordance with the policies and procedures for expansions.

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