

Cite/reference	Total respondents	Frequency	Total responses	Average time per response (hours)	Burden (hours)
43.2 General	272 verbal 350 written 622 total	On occasion	622	.2	124
43.4 Giving notice	All burden included under 43.2				
43.7 Informal review	15	On occasion	15	.2	3
43.8 Informal review	All burden included under 43.7				
Totals	637	On occasion	637	.2	127

Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operating/maintaining): \$8.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: April 21, 1998.

George M. Fesak,

Director, Program Evaluation and Information Resources.

[FR Doc. 98-11110 Filed 4-24-98; 8:45 am]

BILLING CODE 4510-43-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL-2-97]

Detroit Testing Laboratory, Inc., Recognition as an NRTL

AGENCY: Occupational Safety and Health Administration; Labor.

ACTION: Notice of recognition as a Nationally Recognized Testing Laboratory (NRTL).

SUMMARY: This notice announces the Agency's final decision on the application of Detroit Testing Laboratory, Inc. for recognition as an NRTL under 29 CFR 1910.7.

EFFECTIVE DATE: This recognition will become effective on April 27, 1998 and will be valid for a period of five years from that date, until April 28, 2003, unless terminated prior to that date, in accordance with 29 CFR 1910.7.

FOR FURTHER INFORMATION CONTACT: Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N3653, Washington, D.C. 20210, or phone (202) 219-7056.

SUPPLEMENTARY INFORMATION:

Notice of Final Decision

Notice is hereby given that the Occupational Safety and Health Administration (OSHA) has recognized Detroit Testing Laboratory, Inc. (DTL) as a Nationally Recognized Testing Laboratory for the equipment or materials listed below. DTL applied for recognition as a Nationally Recognized Testing Laboratory, pursuant to 29 CFR 1910.7, and a notice of the application was published in the **Federal Register** (62 FR 62358, 11/21/97). The notice included a preliminary finding that DTL could meet the requirements for recognition detailed in 29 CFR 1910.7, and invited public comment on the application by January 20, 1998. No comments were received concerning this request for recognition.

Copies of all application documents (Docket No. NRTL-2-97) are available for inspection and duplication at the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N2634, Washington, D.C. 20210.

The address of the laboratory covered by this application is: Detroit Testing Laboratory, Inc., 7111 E. Eleven Mile, Warren, Michigan 48092.

Background

Detroit Testing Laboratory, Inc. (DTL), according to the applicant, is a Michigan corporation and was formally incorporated in 1949. The applicant states that the lab was originally founded in 1903 as a partnership, that ownership of the lab changed in 1948 and again in 1968, and that in 1976, the current owner purchased DTL as sole stockholder.

The applicant submitted an application package, and separately submitted a Quality Assurance (QA) Manual (see Exhibits 2A and 2B). The QA Manual includes: An organization chart, position descriptions, and résumés of key personnel; department descriptions including equipment and standards used for departments involved in testing; description of certifications done and standards used for certification; and the details on how

calibrations are handled, including descriptions of equipment and standards.

The four primary criteria for recognition are presented below, along with examples which illustrate how DTL has met these criteria.

Capability

Section 1910.7(b)(1) states that for each specified item of equipment or material to be listed, labeled or accepted, the laboratory must have the capability (including proper testing equipment and facilities, trained staff, written testing procedures, and calibration and quality control programs) to perform appropriate testing. The application and on-site review report indicate that DTL meets these criteria.

The applicant has one main facility at its site in Warren, Michigan, and a smaller test facility in Center Line, Michigan. This smaller site is not included in the applicant's request for recognition. The applicant has natural gas, electric, compressed air, steam, and water available in the laboratory for product testing and for calibrations and tests.

The applicant's QA Manual shows the testing experience of its key testing staff, mentions its certification, and listing and labeling experience with products, and describes its testing capabilities and experience in a number of specific areas. It also contains a list of major instrumentation and equipment.

Quality Assurance (QA) Procedures, Test/Operating procedures (developed on a form, the original of which is kept by each lab), calibration procedures, and audits (including proficiency audits which depends in part on the use of outside private services) are described in the QA Manual. Furthermore, the QA includes an Internal Corrective Action Procedure whereby reports are issued to an area when it operates outside the guidelines of the QA System. The QA Manual also contains a sample handling procedure and procedures on employee training. Written procedures exist for typical tests, per QA Manual.

Control Procedures

Section 1910.7(b)(2) requires that the NRTL provide certain controls and services, to the extent necessary, for the particular equipment or material to be listed, labeled, or accepted. These consist of implementation of control procedures for identifying the listed or labeled equipment or materials, inspecting the production runs at factories to assure conformance with test standards, and conducting field inspections to monitor and assure the proper use of identifying marks or labels. The application and on-site review report indicate that DTL meets these criteria.

The application contains the description of the listing and labeling procedure, and indicates "inspections" will be done four times per year and periodic compliance testing is done every four years. A sample listing and follow-up agreement was also provided. In addition, "Instructions for * * * Inspections * * *," and a sample inspection form were submitted.

Independence

Section 1910.7(b)(3) requires that the NRTL be completely independent of employers subject to the tested equipment requirements, and for any manufacturers or vendors of equipment or materials being tested for these purposes. The application and on-site review report indicate that DTL meets these criteria.

A statement of independence was supplied attesting that DTL is independent of any producer, supplier, or vendor. The applicant claims in the statement that, for products being tested and certified: It has no managerial affiliations with any producer, supplier, or vendor; it has no securities, investments, or stock options in the product lines; the employment security of its personnel is free from influence by any producer, supplier, or vendor; that it is not owned, operated, or controlled by any producers, suppliers, or vendors; and that it is not engaged in promotion or design.

Credible Reports/Complaint Handling

Section 1910.7(b)(4) provides that the NRTL must maintain effective procedures for producing credible findings and reports that are objective and without bias, as well as for handling complaints and disputes under a fair and reasonable system. The application and on-site review report indicate that DTL meets these criteria.

The QA Manual contains details on development of test data and reports, and both the application and the QA Manual describe a complaint procedure.

Standards

After publication of the notice of the application and preliminary finding, DTL informed OSHA that one of the standards it had requested for recognition, ANSI/UL 1025 Electric Air Heaters, had been withdrawn by Underwriters Laboratories Inc. (UL), the organization that developed this test standard. DTL subsequently requested recognition for the two standards which replaced ANSI/UL 1025, in a letter dated January 6, 1998.

Inasmuch as the original standard was withdrawn by UL prior to the publication of the application, the notice was in error and OSHA is granting the request to correct the error. Also, OSHA believes that the two new standards are substantially equivalent to the standard withdrawn, and that DTL has the necessary capability to test and certify to those standards.

Final Decision and Order

Based upon a preponderance of the evidence resulting from an examination of the complete application, the supporting documentation, and the OSHA staff finding including On-Site Review Report, dated June 25, 1997 (see Exhibit 3), OSHA finds that Detroit Testing Laboratory, Inc. has met the requirements of 29 CFR 1910.7 to be recognized by OSHA as a Nationally Recognized Testing Laboratory to test and certify certain equipment or materials. Pursuant to the authority in 29 CFR 1910.7, Detroit Testing Laboratory, Inc. is hereby recognized as a Nationally Recognized Testing Laboratory, subject to the limitations and conditions listed below.

Limitations

This recognition is limited to equipment or materials which, under Title 29, require or permit testing, listing, labeling, approval, acceptance, or certification, by a Nationally Recognized Testing Laboratory. This recognition is further limited to the use of the following test standards for the testing and certification of equipment or materials included within the scope of these standards.

DTL asserts by its application that the following standards pertain to equipment or materials that will be used in environments under OSHA's jurisdiction, and OSHA has determined they are appropriate within the meaning of 29 CFR 1910.7(c):

ANSI/UL 234 Low Voltage Lighting Fixtures for Use in Recreational Vehicles

ANSI/UL 1278 Standard for Safety for Movable and Wall- or Ceiling-Hung Electric Room Heaters
UL 2021 Fixed and Location-Dedicated Electric Room Heaters

Conditions

Detroit Testing Laboratory, Inc. must also abide by the following conditions of the recognition, in addition to those already required by 29 CFR 1910.7:

OSHA shall be allowed access to DTL's facility and records for purposes of ascertaining continuing compliance with the terms of its recognition and to investigate as OSHA deems necessary;

If DTL has reason to doubt the efficacy of any test standard it is using under this program, it shall promptly inform the test standard developing organization of this fact and provide that organization with appropriate relevant information upon which its concerns are based;

DTL shall not engage in or permit others to engage in any misrepresentation of the scope or conditions of its recognition. As part of this condition, DTL agrees that it will allow no representation that it is either a recognized or an accredited Nationally Recognized Testing Laboratory (NRTL) without clearly indicating the specific equipment or material to which this recognition is tied, or that its recognition is limited to certain products;

DTL shall inform OSHA as soon as possible, in writing, of any change of ownership or key personnel, including details;

DTL will continue to meet the requirements for recognition in all areas where it has been recognized; and

DTL will always cooperate with OSHA to assure compliance with the spirit as well as the letter of its recognition and 29 CFR 1910.7.

Signed at Washington, D.C. this 22nd day of April, 1998.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 98-11107 Filed 4-24-98; 8:45 am]

BILLING CODE 4510-26-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (98-058)]

Government-Owned Inventions, Available for Licensing

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of availability of inventions for licensing.
