

expansion of recognition. This preliminary finding does not constitute an interim or temporary approval of the applications for CSA.

OSHA welcomes public comments, in sufficient detail, as to whether CSA has met the requirements of 29 CFR 1910.7 for the renewal and expansion of its recognition as a Nationally Recognized Testing Laboratory. Your comment should consist of pertinent written documents and exhibits. To consider it, OSHA must receive the comment at the address provided above (see **ADDRESSES**), no later than the last date for comments (see **DATES** above). Should you need more time to comment, OSHA must receive your written request for extension at the address provided above (also see **ADDRESSES**) no later than the last date for comments (also see **DATES** above). You must include your reason(s) for any request for extension. OSHA will limit an extension to 30 days, unless the requester justifies a longer period. We may deny a request for extension if it is frivolous or otherwise unwarranted. You may obtain or review copies of CSA's requests, the on-site review report, and all submitted comments, as received, by contacting the Docket Office, Room N2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. You should refer to Docket No. NRTL-2-92, the permanent record of public information on CSA's recognition.

The NRTL Program staff will review all timely comments and, after resolution of issues raised by these comments, will recommend whether to grant CSA's renewal and expansion requests. The Assistant Secretary will make the final decision on granting the renewal and expansion, and in making this decision, may undertake other proceedings that are prescribed in Appendix A to 29 CFR 1910.7. OSHA will publish a public notice of this final decision in the **Federal Register**.

Signed at Washington, D.C. this 2d day of March, 2001.

**R. Davis Layne,**

*Acting Assistant Secretary.*

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**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. NRTL-2-93]

#### Entela, Inc., Application for Renewal of Recognition

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the application of Entela, Inc., for renewal of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, and presents the Agency's preliminary finding. This preliminary finding does not constitute an interim or temporary approval of this application.

**DATES:** Comments submitted by interested parties, or any request for extension of the time to comment, must be received no later than April 2, 2001.

**ADDRESSES:** Submit written comments concerning this notice to: Docket Office, Docket NRTL-2-93, U.S. Department of Labor, Occupational Safety and Health Administration, Room N2625, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-2350. Commenters may transmit written comments of 10 pages or less in length by facsimile to (202) 693-1648. Submit request for extensions concerning this notice to: Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3653, 200 Constitution Avenue, NW., Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program, Room N3653 at the above address, or phone (202) 693-2110.

#### SUPPLEMENTARY INFORMATION:

##### Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that Entela, Inc. (ENT), has applied for renewal of its current recognition as a Nationally Recognized Testing Laboratory (NRTL). ENT requests renewal for its existing scope of recognition.

OSHA recognition of an NRTL signifies that the organization has met the legal requirements in § 1910.7 of Title 29, Code of Federal Regulations (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, OSHA can accept products "properly certified" by the NRTL. OSHA processes applications related to an NRTL's recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish this public notice of the preliminary finding on an application.

The most recent notices published by OSHA for ENT's recognition covered an expansion of recognition for additional test standards, which OSHA announced on November 10, 1998 (63 FR 63084), and granted on March 9, 1999 (64 FR 11501). The following is a chronology of the other **Federal Register** notices published by OSHA concerning Entela's recognition, all of which involved an expansion of recognition for additional sites, standards, or programs: a request announced on February 21, 1997 (62 FR 8041), and granted on May 22, 1997 (62 FR 28066); and a request announced on April 17, 1998 (63 FR 19275), and granted on July 10, 1998 (63 FR 37416). OSHA also published a correction of recognition on July 13, 1999 (64 FR 37815).

The current addresses of the testing facilities (sites) that OSHA recognizes for ENT are:

Entela, Inc., 3033 Madison, S.E., Grand Rapids, Michigan 49548  
Entela Taiwan Laboratories, 3F No. 260 262 Wen, Lin North Road, Pei Tou, Taipei, Taiwan.

#### General Background on the Applicant and the Application

Entela, Inc., was originally founded in 1974 as a Michigan Corporation specializing in structural steel inspection. In 1981, equipment and personnel were added to initiate an in-house materials laboratory. This was followed by a formation of certification programs within Entela, Inc. The original company was founded as Entel Engineering Services.

Entela received its recognition as an NRTL on July 26, 1994 (59 FR 37997), for a period of five years ending July 26, 1999. Appendix A to 29 CFR 1910.7 stipulates that the period of recognition of an NRTL is five years and that an NRTL may renew its recognition by applying not less than nine months, nor more than one year, before the expiration date of its current recognition. Entela submitted a request to renew its recognition on August 10, 1998 (see Exhibit 15), within the time allotted, and retains its recognition pending OSHA's final decision in this renewal process.

ENT's request covers only renewal of its existing scope of recognition, which includes the facilities listed above, and 148 test standards and 8 supplemental programs.

#### Test Standards

ENT seeks renewal of its recognition for testing and certification of products to demonstrate compliance to the following 148 test standards, all of which OSHA has determined are appropriate, within the meaning of 29 CFR 1910.7(c). OSHA's recognition of ENT, or any NRTL, for a particular test standard is limited to equipment or materials (i.e., products) for which OSHA standards require third party testing and certification before use in the workplace. As a result, OSHA's recognition of an NRTL for a test standard excludes any product(s), falling within the scope of the test standard, for which OSHA has no such requirements.

UL 22 Amusement and Gaming Machines  
 UL 45 Portable Electric Tools  
 UL 48 Electric Signs  
 UL 50 Electric Cabinets and Boxes  
 UL 67 Electric Panelboards  
 UL 73 Motor-Operated Appliances  
 UL 82 Electric Gardening Appliances  
 UL 94\* Tests for Flammability of Plastic Materials for Parts in Devices and Appliances  
 UL 98 Enclosed and Dead-Front Switches  
 UL 122 Photographic Equipment  
 UL 130 Electric Heating Pads  
 UL 141 Garment Finishing Appliances  
 UL 153 Portable Electric Lamps  
 UL 174 Household Electric Storage-Tank Water Heaters  
 UL 187 X-Ray Equipment  
 UL 197 Commercial Electric Cooking Appliances  
 UL 213 Rubber Gasketed Fittings for Fire Protection Service  
 UL 244A Solid State Controls for Appliances  
 UL 250 Household Refrigerators and Freezers  
 UL 298 Portable Electric Hand Lamps  
 UL 325 Door, Drapery, Louver, and Window Operators and Systems  
 UL 353 Limit Controls  
 UL 355 Cord Reels  
 UL 429 Electrically Operated Valves  
 UL 467 Grounding and Bonding Equipment  
 UL 469 Musical Instruments and Accessories  
 UL 471 Commercial Refrigerators and Freezers  
 UL 482 Portable Sun/Heat Lamps  
 UL 484 Room Air Conditioners  
 UL 496 Edison-Base Lampholders  
 UL 499 Electric Heating Appliances

UL 506 Specialty Transformers  
 UL 507 Electric Fans  
 UL 508\*\* Electric Industrial Control Equipment  
 UL 541 Refrigerated Vending Machines  
 UL 542 Lampholders, Starters, and Starter Holders for Fluorescent Lamps  
 UL 544 Electric Medical and Dental Equipment  
 UL 563 Ice Makers  
 UL 609 Local Burglar-Alarm Units and Systems  
 UL 696 Electric Toys  
 UL 745-1 Portable Electric Tools  
 UL 745-2-1 Drills  
 UL 745-2-2 Screwdrivers and Impact Wrenches  
 UL 745-2-3 Grinders, Polishers and Disk-type Sanders  
 UL 745-2-4 Sanders  
 UL 745-2-5 Circular Saws and Circular Knives  
 UL 745-2-6 Hammers  
 UL 745-2-8 Shears and Nibblers  
 UL 745-2-9 Tappers  
 UL 745-2-11 Reciprocating Saws  
 UL 745-2-12 Concrete Vibrators  
 UL 745-2-14 Planers  
 UL 745-2-17 Routers and Trimmers  
 UL 745-2-30 Staplers  
 UL 745-2-31 Diamond Core Drills  
 UL 745-2-32 Magnetic Drill Press  
 UL 745-2-33 Portable Bandsaws  
 UL 745-2-34 Strapping Tools  
 UL 745-2-35 Drain Cleaners  
 UL 745-2-36 Hand Motor Tools  
 UL 745-2-37 Plate Joiners  
 UL 749 Household Dishwashers  
 UL 751 Vending Machines  
 UL 756 Coin and Currency Changers and Actuators  
 UL 763 Motor Operated Commercial Food Preparing Machines  
 UL 778 Motor-Operated Water Pumps  
 UL 796 Printed-Wiring Boards  
 UL 813 Commercial Audio Equipment  
 UL 817 Cord Sets & Power-Supply Cords  
 UL 826 Household Electric Clocks  
 UL 858 Household Electric Ranges  
 UL 859 Household Electric Personal Grooming Appliances  
 UL 863 Time-Indicating and Recording Appliance  
 UL 867 Electrostatic Air Cleaners  
 UL 869A Reference Standard for Service Equipment  
 UL 873 Temperature-Indicating and Regulating Equipment  
 UL 916 Energy Management Equipment  
 UL 917 Clock Operated Switches  
 UL 921 Commercial Electric Dishwashers  
 UL 923 Microwave Cooking Appliances  
 UL 924 Emergency Lighting and Power Equipment

UL 935 Fluorescent-Lamp Ballasts  
 UL 961 Electric Hobby and Sports Equipment  
 UL 969 Marking and Labeling Systems  
 UL 982 Motor Operated Household Food Preparing Machines  
 UL 984 Hermetic Refrigerant Motor-Compressors  
 UL 987 Stationary and Fixed Electric Tools  
 UL 998 Humidifiers  
 UL 1004\*\*\* Electric Motors  
 UL 1005 Electric Flatirons  
 UL 1008 Transfer Switch Equipment  
 UL 1012 Power Units Other Than Class 2  
 UL 1018 Electric Aquarium Equipment  
 UL 1026 Electric Household Cooking and Food-Serving Equipment  
 UL 1028 Hair Clipping and Shaving Appliances  
 UL 1029 High-Intensity Discharge Lamp Ballasts  
 UL 1042 Electric Baseboard Heating Equipment  
 UL 1069 Hospital Signaling and Nurse-Call System  
 UL 1082 Household Electric Coffee Makers and Brewing-Type Appliances  
 UL 1083 Household Electric Skillets and Frying Type Appliances  
 UL 1086 Household Trash Compactors  
 UL 1088 Temporary Lighting Strings  
 UL 1206 Electric Commercial Clothes Washing Machines  
 UL 1230 Amateur Movie Lights  
 UL 1236 Battery Chargers for Charging Engine-Start Batteries  
 UL 1244 Electrical and Electronic Measuring and Testing Equipment  
 UL 1261 Electric Water Heaters for Pools and Tubs  
 UL 1262 Laboratory Equipment  
 UL 1270 Radio Receivers, Audio Systems, and Accessories  
 UL 1286 Office Furnishings  
 UL 1310 Class 2 Power Units  
 UL 1410 Television Receivers and High-Voltage Video Products  
 UL 1418 Cathode-Ray Tubes  
 UL 1431 Personal Hygiene and Health Care Appliances  
 UL 1433 Control Centers for Changing Message Type Electric Signs  
 UL 1445 Electric Water Bed Heaters  
 UL 1447 Electric Lawn Mowers  
 UL 1448 Electric Hedge Trimmers  
 UL 1459 Telephone Equipment  
 UL 1472 Solid-State Dimming Controls  
 UL 1492 Audio-Video Products & Accessories  
 UL 1564 Industrial Battery Chargers  
 UL 1570 Fluorescent Lighting Fixtures  
 UL 1571 Incandescent Lighting Fixtures  
 UL 1572 High Intensity Discharge Lighting Fixtures  
 UL 1573 Stage and Studio Lighting Units

- UL 1574 Track Lighting Systems
- UL 1585 Class 2 and Class 3 Transformers
- UL 1594 Sewing and Cutting Machines
- UL 1638 Visual Signaling Appliances
- UL 1647 Motor-Operated Massage and Exercise Machines
- UL 1727 Commercial Electric Personal Grooming Appliances
- UL 1786 Nightlights
- UL 1838 Low Voltage Landscape Lighting Systems
- UL 1950 Information Technology Equipment Including Electrical Business Equipment
- UL 1993 Self-Ballasted Lamps and Lamp Adapters
- UL 2044 Commercial Closed Circuit Television Equipment
- UL 2157 Electric Clothes Washing Machines and Extractors
- UL 2161 Neon Transformers and Power Supplies
- UL 2601-1 Medical Electrical Equipment, Part 1: General Requirements for Safety
- UL 3044 Surveillance Closed Circuit Television Equipment
- UL 3101-1 Electric Equipment for Laboratory Use, Part 1, General
- UL 3111-1 Electrical Measuring and Test Equipment, Part 1: General
- UL 6500 Audio/Video and Musical Instrument Apparatus for Household, Commercial, and Similar General Use
- UL 8730-1 Electrical Controls for Household and Similar Use; Part 1: General Requirements
- UL 8730-2-3 Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Thermal Motor Protectors for Ballasts for Tubular Fluorescent Lamps
- UL 8730-2-4 Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Thermal Motor Protectors for Motor Compressors or Hermetic and Semi-Hermetic Type
- UL 8730-2-8 Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Electrically Operated Water Valves

\* Exclusive of radiant panel testing.

\*\* Limited to equipment of no greater than 500 amperes.

\*\*\* Limited to motors rated no greater than one-half horsepower.

**Note:** Testing and certification of gas operated equipment is limited to equipment for use with "liquefied petroleum gas" ("LPG" or "LP-Gas").

The designations and titles of the above test standards were current at the time of the preparation of this notice.

Many of the Underwriters Laboratories (UL) test standards listed above are approved as American

National Standards by the American National Standards Institute (ANSI). However, for convenience in compiling the list, we show the designation of the standards developing organization (e.g., UL 22) for the standard, as opposed to the ANSI designation (e.g., ANSI/UL 22). Under our procedures, an NRTL recognized for an ANSI approved test standard may use either the latest proprietary version of the test standard or the latest ANSI version of that standard, regardless of whether it is currently recognized for the proprietary or ANSI version. Contact ANSI or the ANSI web site to find out whether or not a standard is currently ANSI approved.

#### *Programs and Procedures*

ENT's renewal also covers use of the supplemental programs listed below, based upon the criteria detailed in the March 9, 1995 **Federal Register** notice (60 FR 12980, 3/9/95). This notice lists nine (9) programs and procedures (collectively, programs), eight of which (called supplemental programs) an NRTL may use to control and audit, but not actually to generate, the data relied upon for product certification. An NRTL's initial recognition will always include the first or basic program, which requires that all product testing and evaluation be performed in-house by the NRTL that will certify the product. OSHA previously granted ENT recognition to use these programs, which are listed in OSHA's informational web page on the ENT recognition.

Program 2: Acceptance of testing data from independent organizations, other than NRTLs.

Program 3: Acceptance of product evaluations from independent organizations, other than NRTLs.

Program 4: Acceptance of witnessed testing data.

Program 5: Acceptance of testing data from non-independent organizations.

Program 6: Acceptance of evaluation data from non-independent organizations (requiring NRTL review prior to marketing).

Program 7: Acceptance of continued certification following minor modifications by the client.

Program 8: Acceptance of product evaluations from organizations that function as part of the International Electrotechnical Commission Certification Body (IEC-CB) Scheme.

Program 9: Acceptance of services other than testing or evaluation performed by subcontractors or agents.

OSHA developed the program descriptions to limit how an NRTL may perform certain aspects of its work and

to accept the activities covered under a program only when the NRTL meets certain criteria. In this sense, they are special conditions that the Agency places on an NRTL's recognition. OSHA does not consider these programs in determining whether an NRTL meets the requirements for recognition under 29 CFR 1910.7. However, OSHA does treat these programs as one of the three elements that defines an NRTL's scope of recognition.

#### **Limitations on the Recognition**

The following limitations currently apply to the recognition of the Taiwan facility, and would continue to apply for the renewal:

a. The Taiwan facility shall be limited to carrying out minor mechanical and electrical testing of instruments and small appliances.

b. Performance of inspections shall be limited to Entela personnel.

#### **Preliminary Finding on the Application**

ENT has submitted an acceptable request for renewal of its recognition as an NRTL. While processing this request, OSHA performed on-site reviews (audits) of ENT's NRTL testing facilities. Entela has addressed the discrepancies noted by the auditors following the review. NRTL Program assessment staff reviewed information from these reviews and, in a memo dated October 6, 2000 (see Exhibit 20), recommended the renewal of ENT's recognition.

Following a review of the application file, the assessor's memo, and other pertinent documents, the NRTL Program staff has concluded that OSHA can grant to ENT the renewal of its recognition as an NRTL to use the facilities, test standards, and programs listed above. The staff therefore recommended to the Assistant Secretary that the application be preliminarily approved.

Based upon the recommendation of the staff, the Assistant Secretary has made a preliminary finding that Entela, Inc., can meet the recognition requirements as prescribed by 29 CFR 1910.7 for the renewal of its recognition. This preliminary finding does not constitute an interim or temporary approval of the application for Entela.

OSHA welcomes public comments, in sufficient detail, as to whether ENT has met the requirements of 29 CFR 1910.7 for renewal of its recognition as a Nationally Recognized Testing Laboratory. Your comment should consist of pertinent written documents and exhibits. To consider it, OSHA must receive the comment at the address provided above (see **ADDRESSES**) no later than the last date for comments (see **DATES** above). Should you need more

time to comment, OSHA must receive your written request for extension at the address provided above (also see **ADDRESSES**) no later than the last date for comments (also see **DATES** above). You must include your reason(s) for any request for extension. OSHA will limit an extension to 30 days, unless the requester justifies a longer period. We may deny a request for extension if it is frivolous or otherwise unwarranted. You may obtain or review copies of ENT's requests, the memo on the recommendation, and all submitted comments, as received, by contacting the Docket Office, Room N2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. You should refer to Docket No. NRTL-2-93, the permanent record of public information on ENT's recognition.

The NRTL Program staff will review all timely comments and, after resolution of issues raised by these comments, will recommend whether to grant ENT's application for renewal of recognition. The Assistant Secretary will make the final decision on granting the renewal and, in making this decision, may undertake other proceedings that are prescribed in Appendix A to 29 CFR 1910.7. OSHA will publish a public notice of this final decision in the **Federal Register**.

Signed at Washington, DC, this 2nd day of March, 2001.

**R. Davis Layne,**

*Acting Assistant Secretary.*

[FR Doc. 01-6563 Filed 3-15-01; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. NRTL-1-01]

#### TUV Product Services GmbH, Application for Recognition

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the application of TUV Product Services GmbH for recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, and presents the Agency's preliminary finding. This preliminary finding does not constitute an interim or temporary approval of this application.

**DATES:** Comments submitted by interested parties, or any request for extension of the time to comment, must be received no later than April 16, 2001.

**ADDRESSES:** Submit written comments concerning this notice to: Docket Office, Docket NRTL-1-01, U.S. Department of Labor, Occupational Safety and Health Administration, Room N2625, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 693-2350. Commenters may transmit written comments of 10 pages or less in length by facsimile to (202) 693-1648. Submit request for extensions concerning this notice to: Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3653, 200 Constitution Avenue, NW, Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program, Room N3653 at the above address, or phone (202) 693-2110.

#### SUPPLEMENTARY INFORMATION:

##### Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that TUV Product Services GmbH (TUVPSG) has applied for recognition as a Nationally Recognized Testing Laboratory (NRTL) for testing and certification of the equipment or materials and using the site, listed below. TUVPSG has also requested recognition to use certain supplemental programs.

OSHA recognition of an NRTL signifies that the organization has met the legal requirements in § 1910.7 of Title 29, Code of Federal Regulations (29 CFR part 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, OSHA can accept products "properly certified" by the NRTL. OSHA processes applications related to an NRTL's recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish this public notice of the preliminary finding on an application.

The current address of the laboratory covered by this application is: TUV Product Services GmbH, Ridlerstrasse 65, D-80339, Munich, Germany.

##### Background

According to the application, TUV Product Services GmbH (TUVPSG) is a limited liability company founded under German law in 1988. TUVPSG states that it is an "international organization for testing, evaluation, and

certification of products and management systems." Also, the applicant states that it traces its origins to German steam boiler inspection associations formed as early as 1866 "to protect workers against injury and to prevent damage to industrial installations." TUVPSG owns and operates a number of laboratories in Germany and in many other countries, including the U.S. However, the recognition would only apply to the one location listed above.

The regulations for the NRTL Program in 29 CFR 1910.7 allow any testing organization, whether or not it is US-based, to apply to OSHA for recognition as an NRTL. However, in determining eligibility for a foreign-based testing organization, such as TUVPSG, the regulations require OSHA to take into consideration reciprocal treatment by the foreign government of certain US-based testing agencies. Germany is part of the European Union (EU), and the US and the EU have signed a Mutual Recognition Agreement (MRA) on conformity assessment, which went into effect in May 1999. The MRA includes provisions for the reciprocal treatment of US-based testing agencies by governments of countries that are part of the EU. As a result of the MRA, reciprocity is assumed for all countries in the EU, and OSHA does not have to go through a country-by-country determination. The MRA does not change any of the requirements or processes that OSHA follows under its NRTL Program. For more information on the MRA, refer to the U.S. Department of Commerce web site.

In the application, TUVPSG states that it is owned by TUV Suddeutschland and TUV Nord, both based in Germany. However, recently TUV Suddeutschland (TUVS) became sole owner of TUVPSG. Organizationally, the applicant falls within the "Product Division" of TUVS, one of its three main divisions. TUVS in general provides testing and other technical services in a number of areas throughout the world.

TUVPSG submitted an application for recognition, dated August 21, 1998 (see Exhibit 2-1). OSHA received this application from the European Commission (EC) on March 1, 1999, along with applications from other organizations located in the EU. The EC submitted the applications under the provisions of the Electrical Safety Annex of the MRA. However, none of these applications contained sufficient information for processing, and OSHA returned them to the Commission in April 1999 to obtain the additional information.