DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA--2009–0025]

UL LLC: Application for Expansion of Recognition and Proposed Modification to the NRTL Program’s List of Appropriate Test Standards

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

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of UL LLC, for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency’s preliminary finding to grant the application. Additionally, OSHA proposes to add one test standard to the NRTL Program’s List of Appropriate Test Standards.

DATES: Submit comments by any of the following methods:

- Electronically: Submit comments and attachments electronically at http://www.regulations.gov, which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.
- Docket: To read or download comments or other material in the docket, go to http://www.regulations.gov or the OSHA Docket Office. All documents in the docket (including this Federal Register notice) are listed on the http://www.regulations.gov index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.
- Instructions: All submissions must include the agency name and the OSHA docket number (OSHA--2009–0025). OSHA places comments and other materials, including any personal information, in the public docket without revision, and these materials will be available online at http://www.regulations.gov. Therefore, the agency cautions commenters about submitting statements they do not want made available to the public, or submitting comments that contain personal information (either about themselves or others) such as Social Security numbers, birth dates, and medical data.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available at https://www.osha.gov/dts/otpca/nrtl/index.html.

II. General Background on the Application

UL submitted an application, dated July 26, 2022 (OSHA--2009–0025–0062), to expand recognition to include one additional test standard. OSHA staff performed a detailed analysis of the application packet and other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

Table 1, below, lists the test standard found in UL’s application for expansion for testing and certification of products under the NRTL Program.

<table>
<thead>
<tr>
<th>Test standard</th>
<th>Test standard title</th>
</tr>
</thead>
<tbody>
<tr>
<td>UL 3741 *</td>
<td>Photovoltaic Hazard Control</td>
</tr>
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* In this notice, OSHA also proposes to add this test standard to the NRTL Program’s List of Appropriate Test Standards.

III. Proposal To Add A New Test Standard to the NRTL Program’s List of Appropriate Test Standards

Periodically, OSHA will propose to add new test standards to the NRTL list of appropriate test standards following an evaluation of the test standard document. To qualify as an appropriate test standard, the agency evaluates the document to: (1) verify it represents a product category for which OSHA requires certification by a NRTL; (2) verify the document represents a
product and not a component; and (3) verify the document defines safety test specifications (not installation or operational performance specifications). OSHA becomes aware of new test standards through various avenues. For example, OSHA may become aware of new test standards by: (1) monitoring notifications issued by certain Standards Development Organizations; (2) reviewing applications by NRTLs or applicants seeking recognition to include new test standards in their scopes of recognition; and (3) obtaining notification from manufacturers, manufacturing organizations, government agencies, or other parties. OSHA may determine to include a new test standard in the list, for example, if the test standard is for a particular type of product that another test standard also covers or it covers a type of product that no standard previously covered.

In this notice, OSHA proposes to add one new test standard to the NRTL Program’s list of appropriate test standards, Table 2, below, lists the test standard that is new to the NRTL Program. OSHA preliminarily determines that this test standard is an appropriate test standard. OSHA seeks public comment on this preliminary determination.

TABLE 2—STANDARD OSHA PROPOSES TO ADD TO THE NRTL PROGRAM’S LIST OF APPROPRIATE TEST STANDARDS

<table>
<thead>
<tr>
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</tr>
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</table>

IV. Preliminary Findings on the Application
UL submitted an acceptable application for expansion of the scope of recognition. OSHA’s review of the application files and related material preliminarily indicates that UL can meet the requirements prescribed by 29 CFR 1910.7 for expanding recognition to include the addition of the test standard listed above for NRTL testing and certification. This preliminary finding does not constitute an interim or temporary approval of UL’s application.

OSHA also preliminarily determined that the test standard listed above is an appropriate test standard. OSHA seeks public comment on these preliminary determinations.

V. Public Participation
OSHA welcomes public comment as to whether UL meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL and whether the test standard listed above is an appropriate test standard that should be included in the NRTL Program’s List of Appropriate Test Standards. 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 by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at https://www.regulations.gov under Docket No. OSHA–2009–0025 (for further information, see the “Docket” heading in the section of this notice titled ADDRESSES).

OSHA staff will review all comments to the docket submitted in a timely manner and after addressing the issues raised by these comments, make a recommendation to the Assistant Secretary for Occupational Safety and Health on whether to grant UL’s application for expansion of its scope of recognition and to add the test standards listed above to the NRTL Program’s List of Appropriate Test Standards. The Assistant Secretary will make the final decision on granting the application and on adding the test standard listed above to the NRTL Program’s List of Appropriate Test Standards. In making these decisions, 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.

VI. Authority and Signature
James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, 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. 8–2020 (85 FR 58393, Sept. 18, 2020)), and 29 CFR 1910.7.

Signed at Washington, DC, on May 20, 2024.
James S. Frederick,
Deputy Assistant Secretary of Labor for Occupational Safety and Health.

DEPARTMENT OF LABOR
Occupational Safety and Health Administration
[Docket No. OSHA–2013–0016]

Nemko North America, Inc.: Application for Expansion of Recognition
AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of Nemko North America, Inc. (NNA) for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency’s preliminary finding to grant the application.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before June 12, 2024.

ADDRESSES: Comments may be submitted as follows:

- Electronically: You may submit comments, including attachments, electronically at https://www.regulations.gov, the Federal eRulemaking Portal. Follow the online instructions for submitting comments.
- Instructions: All submissions must include the agency’s name and the docket number for this rulemaking (Docket No. OSHA–2013–0016). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at https://www.regulations.gov. Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.
- Docket: To read or download comments or other material in the docket, go to https://www.regulations.gov. Documents in the docket (including this Federal Register notice) are listed in the https://www.regulations.gov index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.
- Extension of comment period: Submit requests for an extension of the...