



June 22, 2022

MEMORANDUM FOR: REGIONAL ADMINISTRATORS
EXECUTIVE STAFF

FROM: JAMES S. FREDERICK
Deputy Assistant Secretary

SUBJECT: Second Revision to the Nationally Recognized Testing Laboratory
(NRTL) Policy for Transitioning to Satellite Notification and Acceptance
Program (SNAP) Termination

This memorandum rescinds and replaces the July 12, 2021 memorandum, “Revisions to the Nationally Recognized Testing Laboratory (NRTL) Policy for Transitioning to Satellite Notification and Acceptance Program (SNAP) Termination” (“Rescinded July 12, 2021 Revision to the SNAP Transition Policy”), which revised the Nationally Recognized Testing Laboratory (NRTL) Policy for Transitioning to Satellite Notification and Acceptance Program (SNAP) Termination (“SNAP Transition Policy, 85 FR 75042, Nov. 24, 2020). This memorandum also revises the SNAP Transition Policy.

A. Revision to Paragraphs 4 and 11 of the SNAP Transition Policy

Paragraphs 4 and 11 of the SNAP Transition Policy provide:

4. Effect of Not Meeting the Preconditions of Eligibility. If a NRTL timely submits to OSHA a list of the NRTL's existing SNAP sites by December 24, 2020, and then submits to OSHA a timely application to convert all or some of the NRTL's existing SNAP sites in the list to recognized sites by January 25, 2021, this NRTL may continue performing SNAP functions at the SNAP sites that are listed in the NRTL's application that do not meet all or some of the other preconditions of eligibility, but only for the time period(s) permitted by these procedures. This NRTL must cease performing SNAP functions at these SNAP sites no later than **September 30, 2021**, to the extent these procedures do not otherwise address when SNAP functions must cease for the NRTL. This will be the case even if OSHA does not issue a final decision on the NRTL's application by **September 30, 2021**.

11. Termination of the SNAP Entirely. A NRTL must cease performing SNAP activities at existing SNAP sites that are listed in the application and meet the preconditions of eligibility no later than **September 30, 2021**. This will be the case even if OSHA does not issue a final decision on the NRTL's application by that date. The SNAP will be entirely terminated on **September 30, 2021**.

Paragraph 12 of the SNAP Transition Policy permits OSHA to extend the SNAP Termination Date at its discretion. Pursuant to that paragraph, OSHA extended the SNAP Termination Date in the Rescinded July 12, 2021 Revision to the SNAP Transition Policy by one year, to October 1, 2022. OSHA finds it is necessary to further extend the SNAP Termination Date due to the continuing impact of the COVID-19 global pandemic. Therefore, OSHA hereby revises Paragraphs 4 and 11 of the SNAP Transition Policy as follows:

4. *Effect of Not Meeting the Preconditions of Eligibility.* If a NRTL timely submits to OSHA a list of the NRTL's existing SNAP sites by December 24, 2020, and then submits to OSHA a timely application to convert all or some of the NRTL's existing SNAP sites in the list to recognized sites by January 25, 2021, this NRTL may continue performing SNAP functions at the SNAP sites that are listed in the NRTL's application that do not meet all or some of the other preconditions of eligibility, but only for the time period(s) permitted by these procedures. This NRTL must cease performing SNAP functions at these SNAP sites no later than **September 30, 2023**, to the extent these procedures do not otherwise address when SNAP functions must cease for the NRTL. This will be the case even if OSHA does not issue a final decision on the NRTL's application by **September 30, 2023**.

11. *Termination of the SNAP Entirely.* A NRTL must cease performing SNAP activities at existing SNAP sites that are listed in the application and meet the preconditions of eligibility no later than **September 30, 2023**. This will be the case even if OSHA does not issue a final decision on the NRTL's application by that date. The SNAP will be entirely terminated on **October 1, 2023**.

B. Reference to the July 2, 2020 policy memorandum, “Extension of Some Deadlines to Comply with Revised Nationally Recognized Testing Laboratory (NRTL) Program Policies, Procedures and Guidelines Directive.”

The SNAP Transition Policy references a July 2, 2020 policy memorandum, “Extension of Some Deadlines to Comply with Revised Nationally Recognized Testing Laboratory (NRTL) Program Policies, Procedures and Guidelines Directive.” For example, the SNAP Transition Policy provides that it “supersedes the policies contained in the July 2, 2020 memorandum [Extension of Some Deadlines to Comply with Revised Nationally Recognized Testing Laboratory (NRTL) Program Policies, Procedures and Guidelines Directive] to the extent there is a conflict.” The July 2, 2020 memorandum is also referenced in several other paragraphs of the SNAP Transition Policy. On July 12, 2021, OSHA rescinded and replaced the July 2, 2020 memorandum with a new policy memorandum, “Further Extension of Some Deadlines to Comply with Revised Nationally Recognized Testing Laboratory (NRTL) Program Policies, Procedures and Guidelines Directive.” In addition to implementing other policies, the July 2, 2020 memorandum implemented dates by which existing NRTLs would need to comply with OSHA’s revision of the NRTL Program, Policies and Guidelines Directive, CPL 01-00-004 (NRTL Program Directive), effective October 1, 2019 (revised NRTL Program Directive or revised Directive, as distinguished from the prior NRTL Program Directive or old Directive). The July 12, 2021 memorandum extended some of those dates because of the continuing impact of the COVID-19

global pandemic. On June 21, 2022, OSHA rescinded and replaced the July 12, 2021 memorandum with a new memorandum, also titled “Further Extension of Some Deadlines to Comply with Revised Nationally Recognized Testing Laboratory (NRTL) Program Policies, Procedures and Guidelines Directive.” The June 21, 2022 memorandum replaced an outdated reference with a current one, but is otherwise the same as the July 12, 2021 memorandum. Moreover, other than the revisions noted above, the policies in both the July 12, 2021 memorandum and the June 21, 2022 memorandum are the same as those contained in the July 2, 2020 memorandum.

OSHA hereby replaces all references to the July 2, 2020 memorandum in the SNAP Transition Policy with references to the June 21, 2022 memorandum. Thus, for example, OSHA revises the SNAP Transition Policy to provide that it “supersedes the policies contained in the June 21, 2022 memorandum [Further Extension of Some Deadlines to Comply with Revised Nationally Recognized Testing Laboratory (NRTL) Program Policies, Procedures and Guidelines Directive] to the extent there is a conflict.”

These revisions to the SNAP Transition Policy are effective immediately. The remainder of the SNAP Transition Policy (including all dates therein) remains unchanged. If you have questions about these revisions to the SNAP Transition Policy, please contact Thomas Hannigan, Acting Director, Office of Technical Programs and Coordination Activities at 202-693-2110 or hannigan.thomas@dol.gov.