

**DEPARTMENT OF LABOR****Occupational Safety and Health Administration**

[Docket No. NRTL-3-92]

**TUV Rheinland of North America, Inc., Expansion of Recognition****AGENCY:** Occupational Safety and Health Administration, Labor.**ACTION:** Notice of expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL).**SUMMARY:** This notice announces the Agency's final decision on the application of TUV Rheinland of North America, Inc. for expansion of its recognition as a NRTL under 29 CFR 1910.7.**EFFECTIVE DATE:** This recognition will become effective on April 2, 1998 and will be valid until April 2, 2003, unless terminated or modified 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 expanded the recognition of TUV Rheinland of North America, Inc. (TUV) as a Nationally Recognized Testing Laboratory (NRTL) to include the 4 test standards (equipment and materials), and the 5 additional programs and procedures listed below. TUV applied for expansion of its current recognition as a NRTL, pursuant to 29 CFR 1910.7, for equipment or materials and separately for programs and procedures. A notice for each application was published in the **Federal Register** on December 12, 1997 (62 FR 65446), and on January 8, 1998 (93 FR 1127), respectively. Both notices included a preliminary finding that TUV could meet the requirements for recognition detailed in 29 CFR 1910.7, and invited public comment on the application by February 10, 1998, and by March 9, 1998, respectively. No comments were received concerning these requests for expansion. The December 12 notice included a condition on the recognition of the additional standards. However, this condition is no longer necessary since it was to be eliminated once

OSHA granted, and OSHA is granting, TUV recognition for the additional programs and procedures.

Copies of all documents (Docket No. NRTL-3-92) 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 TUV laboratory covered by this application is: TUV Rheinland of North America, Inc., 12 Commerce Road, Newton, Connecticut 06470.

**Background**

TUV submitted a request, dated January 13, 1997 (see Exhibit 13C), to expand its recognition as a Nationally Recognized Testing Laboratory for additional test standards. TUV's request also included a request for recognition of an additional site. TUV reiterated its request in a letter dated May 12, 1997 (see Exhibit 13A). However, in a letter to OSHA dated September 15, 1997 (see Exhibit 13B), TUV requested that the expansion for the standards be processed first since the recognition of the additional site required additional processing time on OSHA's part. In a request dated September 15, 1997 (see Exhibit 13D), TUV amended its application to include recognition for additional programs and procedures, and submitted materials in support of this request.

In connection with the request for expansion, the NRTL Program staff performed an on-site survey (review) of TUV's Newton, CT facility on June 23-24, 1997. In the cover memo for the on-site review report, dated October 10, 1997 (see Exhibit 14), the NRTL Program staff recommended that TUV's recognition be expanded to include the additional test standards. In a recommendation dated November 25, 1997 (see Exhibit 16), the NRTL Program staff recommended that TUV's recognition be expanded to include the additional programs and procedures.

**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 the on-site review report, dated October 10, 1997 (see Exhibit 14), and recommendation, dated November 25, 1997 (see Exhibit 16), OSHA finds that TUV has met the requirements of 29 CFR 1910.7 for expansion of its present recognition to test and certify certain additional equipment or materials, and to use certain additional programs and

procedures. Pursuant to the authority in 29 CFR 1910.7, TUV's recognition is hereby expanded to include the 4 test standards, and the 5 programs and procedures listed below, subject to the following limitations and condition.

*Limitations***Additional Test Standards**

This recognition is limited to equipment or materials that, 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.

TUV 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):

- UL 2601-1 Medical Electrical Equipment, Part 1: General Requirements for Safety
- UL 3101-1 Electrical Equipment for Laboratory Use; Part 1: General Requirements
- UL 3111-1 Electrical Measuring and Test Equipment; Part 1: General Requirements
- UL 6500 Audio/Video and Musical Instrument Apparatus for Household, Commercial, and Similar General Use

**Additional Programs and Procedures**

This recognition is also limited to the use of each of the following programs and procedures in compliance with their specific requirements, as described in the March 9, 1995 **Federal Register** notice (60 FR 12980 entitled, "Nationally Recognized Testing Laboratories; Clarification of the Types of Programs and Procedures").

1. Acceptance of testing data from independent organizations, other than NRTLs.
2. Acceptance of product evaluations from independent organizations, other than NRTLs.
3. Acceptance of witnessed testing data.
4. Acceptance of product evaluations from organizations that function as part of the International Electrotechnical Commission Certification Body (IEC-CB) Scheme.
5. Acceptance of services (other than testing or evaluation) performed by subcontractors or agents.

**Conditions**

TUV Rheinland of North America, 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 TUV's facility and records for purposes of ascertaining continuing compliance with the terms of its recognition and to investigate as OSHA deems necessary;

If TUV 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;

TUV 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, TUV 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;

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

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

TUV 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 27 day of March, 1998.

**Charles N. Jeffress,**

*Assistant Secretary.*

[FR Doc. 98-8667 Filed 4-1-98; 8:45 am]

BILLING CODE 4510-26-P

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## **NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE**

### **U.S. Participation in International Library and Information Policy Forums**

The purpose of the collection is to obtain information from private individuals and organizations who regularly participate in international forums and other kinds of activities where library and information policy issues and concerns that are of major importance to the U.S. are previewed, discussed, debated, resolved and acted upon, including the promulgation of

laws, rules, regulations, policies, standards, guidelines and other policy implementation instruments.

The most likely respondents to this collection include university faculty, researchers, public and private librarians, other kinds of information professionals, corporate representatives in the library and information field, experts and consultants, and government agencies whose missions embrace this field such as NTIA, NTIS, the Library of Congress, CRS, and so forth.

*Number of Respondents:* 1,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 30 minutes.

*Estimated Annual Burden:* 500 hours.

The data collected will be used by NCLIS, major U.S. library and information associations, universities, library and information science schools, government agencies with international missions and programs, and selected private individuals to better plan their participation in such international activities so as to minimize duplication and overlap in these forums, and to sharpen U.S. policy focus.

The data collection is planned for the June-August 1998 timeframe.

Written comments and recommendations regarding this information collection should be sent within 30 days from the date of this publication directly to the U.S. National Commission on Libraries and Information Science, 1110 Vermont Avenue, NW., Suite 820, Washington, DC 20005-3522, Attn: F.W. Horton, Jr., or by fax to (202) 606-9203, or electronically to [wh\\_nclis@inet.ed.gov](mailto:wh_nclis@inet.ed.gov). For further information, call (202) 606-9200.

Public comments may also be directed to the Office of Management and Budget, Office of Regulatory and Information Affairs (OMB/OIRA), Room 10236 NEOB, Executive Office of the President, 17th & Pennsylvania Avenue, NW., Washington, DC 20503, Attn: Peter Weiss.

Dated: March 27, 1998

**Robert S. Willard,**

*Acting Executive Director, U.S. National Commission on Libraries and Information Science.*

[FR Doc. 98-8663 Filed 4-1-98; 8:45 am]

BILLING CODE 7527-01-M

## **FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION**

### **Sunshine Act Meeting**

March 27, 1998.

**TIME AND DATE:** 9:00 a.m., Monday, March 30, 1998.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

**STATUS:** Closed [Pursuant to 5 U.S.C. § 552b(c)(10)].

**MATTERS TO BE CONSIDERED:** The Commission will meet to consider whether further briefing should be ordered in *Secretary of Labor v. Harlan Cumberland Coal Co.*, Docket Nos. KENT 96-254, KENT 96-320 through 96-322, and KENT 96-333.

No earlier announcement of the meeting was possible.

**CONTACT PERSON FOR MORE INFORMATION:** Jean Allen, (202) 653-5629/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

**Sandra G. Farrow,**

*Acting Chief Docket Clerk.*

[FR Doc. 98-8744 Filed 3-31-98; 11:56 am]

BILLING CODE 6735-01-M

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## **FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION**

### **Sunshine Act Meeting**

March 25, 1998.

**TIME AND DATE:** 10:00 a.m., Thursday, April 2, 1998.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will hear oral argument on the following:

1. *Secretary of Labor v. Akzo Nobel Salt Co.*, Docket No. LAKE 96-66-RM (Issues include whether the judge erred in vacating the citation charging that the operator had less than two escapeways available in violation of 30 C.F.R. § 57.11050(a)).

**TIME AND DATE:** 2:00 p.m. Thursday, April 2, 1998.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

**STATUS:** Closed [Pursuant to 5 U.S.C. § 552b(c)(10)].

**MATTERS TO BE CONSIDERED:** It was determined by a unanimous vote of the Commission that the Commission consider and act upon the following in closed session:

1. *Secretary of Labor v. Akzo Nobel Salt Co.*, Docket No. LAKE 96-66-RM (See oral argument listing, *supra*, for issues).