

Laboratory 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:** You may submit comments in response to this notice, or any request for extension of the time to comment, by (1) regular mail, (2) express or overnight delivery service, (3) hand delivery, (4) messenger service, or (5) FAX transmission (facsimile). Because of security-related problems there may be a significant delay in the receipt of comments by regular mail. Comments (or any request for extension of the time to comment) must be submitted by the following dates:

*Regular mail and express delivery service:* Your comments must be postmarked by February 10, 2003.

*Hand delivery and messenger service:* Your comments must be received in the OSHA Docket Office by February 10, 2003. OSHA Docket Office and Department of Labor hours of operation are 8:15 a.m. to 4:45 p.m.

*Facsimile and electronic transmission:* Your comments must be sent by February 10, 2003.

**ADDRESSES:** *Regular mail, express delivery, hand-delivery, and messenger service:* You must submit three copies of your comments and attachments to the OSHA Docket Office, Docket NRTL1-2001, Room N-2625, U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW., Washington, DC 20210. Please contact the OSHA Docket Office at (202) 693-2350 for information about security procedures concerning the delivery of materials by express delivery, hand delivery and messenger service.

*Facsimile:* If your comments, including any attachments, are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693-1648. You must include the docket number of this notice, Docket NRTL1-2001, in your comments.

*Internet access to comments and submissions:* OSHA will place comments and submissions in response to this notice on the OSHA Webpage <http://www.osha.gov>. Accordingly, OSHA cautions you about submitting information of a personal nature (e.g., social security number, date of birth). There may be a lag time between when comments and submissions are received and when they are placed on the Webpage. Please contact the OSHA Docket Office at (202)693-2350 for information about materials not available through the OSHA Webpage and for assistance in using the Webpage

to locate docket submissions. Comments and submissions will also be available for inspection and copying at the OSHA Docket Office at the address above.

*Extension of Comment Period:* Submit requests 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. Or fax to (202) 693-1644.

**FOR FURTHER INFORMATION CONTACT:** Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program, Room N3653 at the address shown immediately above for the program, 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 expansion of its current recognition as a Nationally Recognized Testing Laboratory (NRTL). TUVPSG's expansion request covers the use of additional test standards. OSHA's current scope of recognition for TUVPSG may be found in the following informational web page: <http://www.osha-slc.gov/dts/otpc/nrtl/tuvpsg.html>.

OSHA recognition of any 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, employers may use products "properly certified" by the NRTL to meet OSHA standards that require testing and certification.

The Agency processes applications for initial recognition or for expansion or renewal of this recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding and, in the second notice, the Agency provides its final decision on an application. These notices set forth the NRTL's scope of recognition or modifications of this scope. We maintain an informational web page for each NRTL, which details its scope of recognition. These pages can be accessed from our Web site at <http://www.osha-slc.gov/dts/otpc/nrtl/index.html>.

[/www.osha-slc.gov/dts/otpc/nrtl/index.html](http://www.osha-slc.gov/dts/otpc/nrtl/index.html).

The most recent notices published by OSHA for TUVPSG's recognition covered its initial recognition, which became effective on July 20, 2001 (66 FR 38032).

The current address of the facility (site) that OSHA recognizes for TUVPSG is: TUV Product Services GmbH, Ridlerstrasse 65, D-80339, Munich, Germany.

#### **General Background on the Application**

TUVPSG has submitted an application, dated August 1, 2002 (see Exhibit 7), to expand its recognition to use 46 additional test standards. The NRTL Program staff has determined that two test standards cannot be included in the expansion because they are not "appropriate test standards," within the meaning of 29 CFR 1910.7(c). The staff makes similar determinations in processing expansion requests from any NRTL. Therefore, OSHA would approve 44 test standards for the expansion, which are listed below. One of the test standards requested by TUVPSG, UL 3101-2-20, is listed below using its current designation, UL 61010A-2-020.

As part of OSHA's regular audit of TUVPSG, NRTL Program assessment staff learned of TUVPSG's planned request for expansion and reviewed the NRTL's capability to test to the standards listed below. In a memo, dated July 31, 2002, (see Exhibit 8) the OSHA assessor recommended the expansion request.

TUVPSG seeks recognition for testing and certification of products for demonstration of conformance to the following 44 additional test standards.

- UL 197 Commercial Electric Cooking Appliances
- UL 250 Household Refrigerators and Freezers
- UL 429 Electrically Operated Valves
- UL 474 Dehumidifiers
- UL 484 Room Air Conditioners
- UL 499 Electric Heating Appliances
- UL 749 Household Dishwashers
- UL 859 Household Electric Personal Grooming Appliance
- UL 873 Temperature-Indicating and -Regulating Equipment
- UL 921 Commercial Electric Dishwashers
- UL 923 Microwave Cooking Appliances
- UL 935 Fluorescent-Lamp Ballasts
- UL 982 Motor-Operated Household Food Preparing Machines
- UL 998 Humidifiers
- UL 1004 Electric Motors
- UL 1005 Electric Flatirons
- UL 1026 Electric Household Cooking and Food Serving Appliances
- UL 1082 Household Electric Coffee Makers and Brewing-Type Appliances
- UL 1083 Household Electric Skillets and Frying-Type Appliances