

**DEPARTMENT OF LABOR****Occupational Safety and Health Administration****[Docket No. NRTL1-89]****Intertek Testing Services NA, Inc.,  
Expansion of Recognition****AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.**ACTION:** Notice.

**SUMMARY:** This notice announces the Agency's final decision to approve an expansion of its recognition of Intertek Testing Services NA, Inc., (ITSNA) as a Nationally Recognized Testing Laboratory (NRTL) to include an additional 46 test standards. ITSNA is also approved to use one other test standard, ANSI/BHMA A156.3 Exit Devices, on an interim basis, subject to review.

**DATES:** *Recognition:* This recognition becomes effective on November 4, 2003 and, unless modified in accordance with 29 CFR 1910.7, continues in effect while ITSNA remains recognized by OSHA as an NRTL. *Comments on Interim Approval:* Comments on the interim approval for test standard ANSI/BHMA A156.3 Exit Devices must be received no later than November 19, 2003.

**ADDRESSES:** Submit comments on the interim approval for test standard ANSI/BHMA A156.3 Exit Devices to: the OSHA Docket Office, Docket NRTL1-89, Room N-2625, U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW., Washington DC, 20210.

**FOR FURTHER INFORMATION CONTACT:** Bernard Pasquet or Roy Resnick, Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N3653, Washington DC 20210, or phone (202) 693-2110.

**SUPPLEMENTARY INFORMATION:****Notice of Final Decision**

The Occupational Safety and Health Administration (OSHA) hereby gives notice of the expansion of recognition of Intertek Testing Services NA, Inc., (ITSNA) as a Nationally Recognized Testing Laboratory (NRTL). ITSNA's expansion covers the use of additional test standards. OSHA's current scope of recognition for ITSNA may be found in the following informational Web page: <http://www.osha-slc.gov/dts/otpcanrtl/its.html>.

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

The Agency processes applications by an NRTL 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 the application. These notices set forth the NRTL's scope of recognition or modifications of that scope.

ITSNA submitted an application, dated June 3, 2002 (see Exhibit 43), to expand its recognition to use 141 additional test standards. The NRTL Program staff determined that 94 of the 141 test standards cannot be included in the expansion because they either are not "appropriate test standards," within the meaning of 29 CFR 1910.7(c), or are already included in ITSNA's scope. The staff makes similar determinations in processing expansion requests from any NRTL. Therefore, OSHA approves 47 test standards for the expansion, which are listed below. However, one of these standards was inadvertently excluded from the listing published in the preliminary notice. Therefore, only 46 standards were listed even though the notice showed the total was 47. We are including this standard in the expansion as explained below under Interim Approval Subject to Review.

In connection with ITSNA's expansion request, OSHA did not perform an on-site review (evaluation) of ITSNA. However, an OSHA NRTL Program assessor reviewed information pertinent to this request and recommended that ITSNA be granted the expansion (see Exhibit 45). OSHA delayed processing of this request, in part, through no fault of the NRTL.

OSHA published the notice of its preliminary findings on the expansion request in the **Federal Register** on June 20, 2003 (68 FR 37026). The notice requested submission of any public comments by July 7, 2003. OSHA did not receive any comments pertaining to the application.

The previous notices published by OSHA for ITSNA's recognition covered another expansion of recognition, which became effective on March 25, 2003 (68 FR 14430).

You may obtain or review copies of all public documents pertaining to the ITSNA application by contacting the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N2625, Washington, DC 20210. You should refer to Docket No. NRTL1-89, the permanent record of public information on ITSNA's recognition.

The current addresses of the ITSNA facilities already recognized by OSHA are:

ITSNA Atlanta, 1950 Evergreen Blvd., Suite 100, Duluth, Georgia 30096  
ITSNA Boxborough, 70 Codman Hill Road, Boxborough, Massachusetts 01719  
ITSNA Cortland, 3933 U.S. Route 11, Cortland, New York 13045  
ITSNA Lexington, 731 Enterprise Drive, Lexington, Kentucky 40510  
ITSNA Los Angeles, 27611 LaPaz Road, Suite C, Laguna Niguel, California 92677  
ITSNA Madison, 8431 Murphy Drive, Middleton, Wisconsin 53562  
ITSNA Minneapolis, 7250 Hudson Blvd., Suite 100, Oakdale, Minnesota 55128  
ITSNA San Francisco, 1365 Adams Court, Menlo Park, CA 94025  
ITSNA Sweden AB, Box 1103, S-164 #22, Kista, Stockholm, Sweden  
ITSNA Totowa, 40 Commerce Way, Unit B, Totowa, New Jersey 07512  
ITSNA Vancouver, 211 Schoolhouse Street, Coquitlam, British Columbia, V3K 4X9 Canada  
ITSNA Hong Kong, 2/F., Garment Centre, 576 Castle Peak Road, Kowloon, Hong Kong  
ITSNA Taiwan, 14/F., Huei Fung Building, 27, Chung Shan North Road, Sec. 3, Taipei 10451, Taiwan

**Interim Approval Subject to Review**

As mentioned above, one of the test standards was inadvertently excluded from the listing of test standards in the preliminary notice. The standard is ANSI/BHMA A156.3 Exit Devices. Therefore, OSHA is expanding the recognition of ITSNA to include this standard. The total approved for the expansion remains at 47, the number mentioned in the preliminary notice. However, since this standard was not included in the preliminary notice, the Agency will provide interested parties an opportunity to comment. Comments submitted by interested parties must be received no later than November 19, 2003 at the address listed above. If we