

responsibilities on any state; nor does it diminish the power of any state to enforce its own laws. Accordingly, this action does not have federalism implications warranting the application of Executive Order 13132.

#### *Executive Order 12988*

This action meets the applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988 Civil Justice Reform.

#### *Unfunded Mandates Reform Act of 1995*

This action will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$120,000,000 or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### *Congressional Review Act*

This action is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This action will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Dated: September 2, 2009.

**Michele M. Leonhart,**

*Deputy Administrator.*

[FR Doc. E9-22043 Filed 9-11-09; 8:45 am]

**BILLING CODE 4410-09-P**

## **DEPARTMENT OF LABOR**

### **Employee Benefits Security Administration**

#### **148th Meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans; Notice of Meeting**

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the Advisory Council on Employee Welfare and Pension Benefit Plans will hold a public teleconference meeting on September 29, 2009.

The meeting will take place in Room N3437 A-B, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Public access is available only in this room (i.e. not by telephone). The meeting will run from

11:30 a.m. to approximately 5:30 p.m. The purpose of the open meeting is to discuss reports/recommendations for the Secretary of Labor on the issues of (1) Stable Value Funds and Retirement Security in the Current Economic Conditions, (2) Promoting Retirement Literacy and Security by Streamlining Disclosures to Participants and Beneficiaries, and (3) Approaches for Retirement Security in the United States. Descriptions of these topics are available on the Advisory Council page of the EBSA Web site at [http://www.dol.gov/ebsa/aboutebsa/erisa\\_advisory\\_council.html](http://www.dol.gov/ebsa/aboutebsa/erisa_advisory_council.html).

Organizations or members of the public wishing to submit a written statement pertaining to the topic may do so by submitting 30 copies on or before September 22, 2009 to Larry Good, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5623, 200 Constitution Avenue NW., Washington, DC 20210. Statements also may be submitted as e-mail attachments in text or pdf format transmitted to [good.larry@dol.gov](mailto:good.larry@dol.gov). It is requested that statements not be included in the body of the e-mail. Statements received on or before September 22, 2009 will be included in the record of the meeting. Individuals or representatives of organizations wishing to address the Advisory Council should forward their requests to the Executive Secretary or telephone (202) 693-8668. Oral presentations will be limited to 10 minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities who need special accommodations should contact Larry Good by September 22 at the address indicated.

Signed at Washington, DC, this 10th day of September, 2009.

**Michael L. Davis,**

*Deputy Assistant Secretary, Employee Benefits Security Administration.*

[FR Doc. E9-22108 Filed 9-11-09; 8:45 am]

**BILLING CODE 4510-29-P**

## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

[Docket Nos. OSHA-2005-022, OSHA-2006-0028, OSHA-2006-0029, OSHA-2006-0040, OSHA-2006-0042, OSHA-2007-0039, OSHA-2007-0041, OSHA-2007-0042, OSHA-2009-0025, OSHA-2009-0026, OSHA-2009-0027]

#### **Modifications to the Scope of NRTL Recognition**

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

**ACTION:** Notice.

**SUMMARY:** This notice modifies the scopes of recognition of several Nationally Recognized Testing Laboratories resulting from the withdrawal of test standards by standards-developing organizations.

**DATES:** *Effective Date:* The effective date of this notice is September 14, 2009.

**FOR FURTHER INFORMATION CONTACT:** MaryAnn Garrahan, Director, Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC 20210; phone: (202) 693-2110.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Notice of Modifications**

In this notice, the Occupational Safety and Health Administration (OSHA) is modifying the scopes of recognition of several Nationally Recognized Testing Laboratories (NRTLs). Specifically, one or more of the test standards that OSHA currently includes in the scopes of recognition of these NRTLs are no longer "appropriate test standards" under 29 CFR 1910.07(c) because the standards-developing organizations that wrote and published the standards withdrew the standards. Consequently, OSHA is deleting the test standards from the scope of recognition of each affected NRTL. Section IV of this notice ("Modifications to Each NRTL's Scope of Recognition") identifies the affected NRTLs.

To substitute other test standards for the standards being removed, OSHA's policy permits NRTLs to request, or OSHA to provide, recognition for comparable test standards, i.e., other appropriate test standards covering comparable product testing. The table in Section III ("Withdrawn Test Standards and Replacement Test Standards") identifies the test standards removed from the scopes of recognition of the affected NRTL, under the heading

“Withdrawn Standards,” while the replacement standards for the withdrawn standards, if applicable, are provided under the heading “Replacement Standards.” As shown in this table, many of the test standards being removed have no comparable replacement standard. In these cases, if an NRTL or other party has information that a comparable replacement standard exists, it may provide this information to OSHA; if OSHA concurs, it will add the standard to the scope of recognition of the affected NRTL(s).

OSHA will incorporate the modifications specified by this notice on its informational Web page for each NRTL. This page details OSHA’s official scope of recognition for the NRTL, including the standards the NRTL may use to certify products under OSHA’s NRTL Program. Access to these Web pages is available through <http://www.osha.gov/dts/otpca/nrtl/index.html>.

**II. Summary of OSHA’s NRTL Requirements**

OSHA recognition of any NRTL signifies that the organization meets the legal requirements in § 1910.7 of Title 29, Code of Federal Regulations (i.e., 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; recognition is not a delegation or grant of government authority. Recognition allows employers to use products certified by an NRTL to meet OSHA standards that require testing and certification.

OSHA specifies a scope of recognition for each NRTL that includes a list of product-safety test standards that the NRTL may use in testing and certifying (i.e., approving) products; NRTLs must demonstrate that the products conform to “appropriate test standards,” as defined under 29 CFR 1910.7(c).

“Appropriate test standards” are consensus-based product-safety test standards developed and maintained by U.S.-based standards-developing organizations (SDOs). These test standards differ from OSHA standards in that OSHA standards are general requirements that employers must meet, while test standards specify technical safety requirements that particular types of products must meet.

Occasionally, an SDO withdraws existing test standards or adopts replacement test standards. In such cases, OSHA can no longer consider the withdrawn standards as “appropriate,” and, therefore, can no longer include these standards in the NRTLs’ scopes of recognition.

**III. Withdrawn Test Standards and Replacement Test Standards**

The table below lists the withdrawn standards and the replacement standards identified by the SDO for the withdrawn standards, as applicable.

Withdrawn test standards	Replacement test standards
ANSI C37.38—Gas Insulated, Metal Enclosed Disconnecting, Interrupter and Grounding Switches.	None known.
ANSI C37.72—Manually Operated Dead Front, Pad-Mounted Switchgear with Load Interrupting Switches and Separable Connectors for Alternating Current System.	None known.
ANSI C57.12.28—Switchgear and Transformers Pad-Mounted Equipment Enclosure Integrity.	None known.
ANSI ICS 2—Industrial Control Devices, Controllers and Assemblies ....	None known.
UL 3—Flexible Nonmetallic Tubing for Electric Wiring .....	None known.
ANSI/NFPA 11A—Medium and High Expansion Foam Systems .....	None known.
UL 45—Portable Electric Tools .....	UL 60745-1—Hand-Held Motor-Operated Electric Tools—Safety—Part 1: General Requirements.
ANSI/NFPA 72—Installation, Maintenance, and Use of Protective Signaling Systems.	None known.
UL 298—Portable Electric Hand Lamps .....	UL 153—Portable Electric Luminaires <sup>1</sup>
UL 351—Rosettes .....	None known.
UL 486B—Wire Connectors. ....	UL 486A-486B—Wire Connectors.
UL 511—Porcelain Electrical Cleats, Knobs, and Tubes .....	None known.
UL 1004A—Fire Pump Motors .....	UL 1004-1—Rotating Electrical Machines—General Requirements <sup>2</sup> ; and UL 1004-5—Fire Pump Motors.
UL 1020—Thermal Cutoffs for Use in Electrical Appliances and Components.	UL 60691—Thermal-Links—Requirements and Application Guide.
UL 1207—Sewage Pumps for Use in Hazardous (Classified) Locations	None known.
UL 1262—Laboratory Equipment .....	UL 61010A-1 <sup>1</sup> —Electrical Equipment For Laboratory Use; Part 1: General Requirements.
UL 1585—Class 2 and Class 3 Transformers. ....	UL 5085-1—Low Voltage Transformers—Part 1: General Requirements; and UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers.
UL 2083—Halon 1301 Recovery/Recycling Equipment .....	None known.
UL 2125—Motor Operated Air Compressors for Use in Sprinkler Systems.	None known.
UL 3044—Surveillance Closed Circuit Television Equipment .....	None known.

<sup>1</sup> OSHA already includes this standard in the scopes of recognition of many NRTLs. It is listed below in section IV of this notice as a Replacement Standard only when an NRTL’s scope does not now include the standard.

<sup>2</sup> NRTLs currently recognized for UL 1004—Electric Motors may request recognition for UL 1004-1 by providing the necessary documentation that demonstrates their technical capability to perform any testing and evaluation covered in UL

1004-1 but not in UL 1004. If it determines that the NRTL has the capability, OSHA will grant the request and update the NRTL’s scope of recognition.

**IV. Modifications to Each NRTL's Scope of Recognition***Canadian Standards Association (CSA)*

(Docket No. OSHA-2006-0042)

*Withdrawn Test Standards*

- UL 3—Flexible Nonmetallic Tubing for Electric Wiring
- UL 45—Portable Electric Tools
- UL 298—Portable Electric Hand Lamps
- UL 351—Electrical Rosettes
- UL 486B—Wire Connectors
- UL 511—Porcelain Electrical Cleats, Knobs, and Tubes
- UL 1020—Thermal Cutoffs for Use in Electrical Appliances and Components
- UL 1207—Sewage Pumps for Use in Hazardous (Classified) Locations
- UL 1262—Laboratory Equipment
- UL 1585—Class 2 and Class 3 Transformers
- UL 2083—Halon 1301 Recovery/ Recycling Equipment
- UL 2125—Motor-Operated Air Compressors for Use in Sprinkler Systems (Note: The title in OSHA's web page is shown incorrectly as Vehicle Battery Adapters.)

*Replacement Test Standards*

- UL 486A-486B—Wire Connectors
- UL 5085-1—Low Voltage Transformers—Part 1: General Requirements
- UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers
- UL 60745-1—Hand-Held Motor-Operated Electric Tools—Safety—Part 1: General Requirements
- UL 60691—Thermal-Links—Requirements and Application Guide

*Curtis-Straus LLC*

(Docket No. OSHA-2009-0026)

*Withdrawn Test Standard*

- UL 3111-1—Electrical Measuring and Test Equipment, Part 1: General Requirements

*Replacement Test Standard*

- UL 61010B-1—Electrical Measuring and Test Equipment; Part 1: General Requirements

*FM Approvals LLC*

(Docket No. OSHA-2007-0041)

*Withdrawn Test Standards*

- ANSI ICS 2—Industrial Control Devices, Controllers and Assemblies
- ANSI/NFPA 11A—Medium and High Expansion Foam Systems
- ANSI/NFPA 72—Installation, Maintenance, and Use of Protective Signaling Systems

- UL 1207—Sewage Pumps for Use in Hazardous (Classified) Locations
- UL 1262—Laboratory Equipment

*Replacement Test Standard*

- UL 61010A-1—Electrical Equipment For Laboratory Use; Part 1: General Requirements

*Intertek Testing Services NA, Inc.*

(Docket No. OSHA-2007-0039)

*Withdrawn Test Standards*

- ANSI C37.38—Gas-Insulated, Metal-Enclosed Disconnecting, Interrupter and Grounding Switches
- ANSI ICS 2—Industrial Control Devices, Controllers and Assemblies
- UL 3—Flexible Nonmetallic Tubing for Electric Wiring
- ANSI/NFPA 11A—Medium and High Expansion Foam Systems
- UL 45—Portable Electric Tools
- ANSI/NFPA 72—Installation, Maintenance, and Use of Protective Signaling Systems
- UL 298—Portable Electric Hand Lamps
- UL 486B—Wire Connectors
- UL 1020—Thermal Cutoffs for Use in Electrical Appliances and Components
- UL 1207—Sewage Pumps for Use in Hazardous (Classified) Locations
- UL 1262—Laboratory Equipment
- UL 1585—Class 2 and Class 3 Transformers
- UL 2083—Halon 1301 Recovery/ Recycling
- UL 2125—Motor-Operated Air Compressors for Use in Sprinkler Systems
- UL 3044—Surveillance Closed Circuit Television Equipment

*Replacement Test Standards*

- UL 486A-486B—Wire Connectors
- UL 5085-1—Low Voltage Transformers—Part 1: General Requirements
- UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers
- UL 60745-1—Hand-Held Motor-Operated Electric Tools—Safety—Part 1: General
- UL 60691—Thermal-Links—Requirements and Application Guide (for UL 1020)

*MET Laboratories, Inc.*

(Docket No. OSHA-2006-0028)

*Withdrawn Test Standards*

- UL 45—Portable Electric Tools
- UL 298—Portable Electric Hand Lamps
- UL 1262—Laboratory Equipment
- UL 1585—Class 2 and Class 3 Transformers
- UL 3044—Surveillance Closed Circuit Television Equipment

*Replacement Test Standards*

- UL 5085-1—Low Voltage Transformers—Part 1: General Requirements
- UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers
- UL 60745-1—Hand-Held Motor-Operated Electric Tools—Safety—Part 1: General

*SGS U.S. Testing Company, Inc.*

(Docket No. OSHA-2006-0040)

*Withdrawn Test Standard*

- UL 3—Flexible Nonmetallic Tubing for Electric Wiring

*Replacement Test Standards*

None

*TUV America, Inc.*

(Docket No. OSHA-2009-0027)

*Withdrawn Test Standards*

- UL 45—Portable Electric Tools
- UL 1585—Class 2 and Class 3 Transformers

*Replacement Standards*

- UL 5085-1—Low Voltage Transformers—Part 1: General Requirements
- UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers
- UL 60745-1—Already in TUVAM's scope

*TUV Product Services GmbH*

(Docket No. OSHA-2005-022)

*Withdrawn Test Standards*

- UL 298—Portable Electric Hand Lamps
- UL 1585—Class 2 and Class 3 Transformers

*Replacement Test Standards*

- UL 153—Portable Electric Luminaires
- UL 5085-1—Low Voltage Transformers—Part 1: General Requirements
- UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers

*TUV Rheinland of North America, Inc.*

(Docket No. OSHA-2007-0042)

*Withdrawn Test Standards*

- UL 45—Portable Electric Tools
- ANSI/NFPA 72—Installation, Maintenance, and Use of Protective Signaling Systems
- UL 298—Portable Electric Hand Lamps
- UL 1262—Laboratory Equipment
- UL 1585—Class 2 and Class 3 Transformers
- UL 3044—Surveillance Closed Circuit Television Equipment

UL 60730-1—Automatic Electrical Controls for Household and Similar Use; Part 1: General Requirements<sup>3</sup>

#### Replacement Test Standards

UL 5085-1—Low Voltage Transformers—Part 1: General Requirements  
 UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers  
 UL 60745-1—Hand-Held Motor-Operated Electric Tools—Safety—Part 1: General Requirements

#### Underwriters Laboratories Inc.

(Docket No. OSHA-2009-0025)

#### Withdrawn Test Standards

ANSI/IEEE C37.38—Gas-Insulated, Metal-Enclosed Disconnecting, Interrupter and Grounding Switches  
 ANSI C37.72—Manually-Operated Dead-Front, Pad-Mounted Switchgear with Load-Interrupting Switches and Separable Connectors for Alternating-Current System  
 ANSI C57.12.28—Switchgear and Transformers—Pad-Mounted Equipment—Enclosure Integrity  
 UL 3—Flexible Nonmetallic Tubing for Electric Wiring  
 ANSI/NFPA 11A—Medium and High Expansion Foam Systems  
 UL 45—Portable Electric Tools  
 ANSI/NFPA 72—Installation, Maintenance, and Use of Protective Signaling Systems  
 UL 298—Portable Electric Hand Lamps  
 UL 351—Electrical Rosettes  
 UL 486B—Wire Connectors  
 UL 511—Porcelain Electrical Cleats, Knobs, and Tubes  
 UL 1004A—Fire Pump Motors  
 UL 1020—Thermal Cutoffs for Use in Electrical Appliances and Components  
 UL 1207—Sewage Pumps for Use in Hazardous (Classified) Locations  
 UL 1262—Laboratory Equipment  
 UL 1585—Class 2 and Class 3 Transformers  
 UL 2083—Halon 1301 Recovery/Recycling Equipment  
 UL 2125—Motor-Operated Air Compressors for Use in Sprinkler Systems  
 UL 3044—Surveillance Closed Circuit Television Equipment

#### Replacement Test Standards

UL 486A-486B—Wire Connectors  
 UL 1004-5—Fire Pump Motors  
 UL 5085-1—Low Voltage Transformers—Part 1: General Requirements

<sup>3</sup> Previously withdrawn—see <http://www.osha.gov/dts/otpca/nrtl/stdsdercgn.html>, Note “\*\*” concerning notice published on January 6, 2003 (68 FR 579-583).

UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers  
 UL 60745-1—Hand-Held Motor-Operated Electric Tools—Safety—Part 1: General Requirements  
 UL 60691—Thermal-Links—Requirements and Application Guide

#### Wyle Laboratories, Inc.

(Docket No. OSHA-2006-0029)

#### Withdrawn Test Standards

UL 45—Portable Electric Tools  
 UL 486B—Wire Connectors  
 UL 1262—Laboratory Equipment  
 UL 1585—Class 2 and Class 3 Transformers

#### Replacement Test Standards

UL 486A-486B—Wire Connectors  
 UL 5085-1—Low Voltage Transformers—Part 1: General Requirements  
 UL 5085-3—Low Voltage Transformers—Part 3: Class 2 and Class 3 Transformers  
 UL 60745-1—Hand-Held Motor-Operated Electric Tools—Safety—Part 1: General Requirements

#### V. Authority and Signature

Jordan Barab, Acting Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, DC 20210, directed the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to Sections 6(b) and 8(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655 and 657), Secretary of Labor's Order No. 5-2007 (72 FR 31160), and 29 CFR Part 1911.

Signed at Washington, DC, on September 4th, 2009.

#### Jordan Barab,

*Acting Assistant Secretary for Occupational Safety and Health.*

[FR Doc. E9-22004 Filed 9-11-09; 8:45 am]

**BILLING CODE 4510-26-P**

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## NATIONAL COUNCIL ON DISABILITY

### Sunshine Act Meetings

**TYPE:** Quarterly Meeting.

**DATES AND TIMES:**

October 26, 2009, 8:30 a.m.–4:30 p.m.  
 October 27, 2009, 9 a.m.–5 p.m.  
 October 28, 2009, 8:30 a.m.–11 a.m.

**LOCATION:** Holiday Inn Express, 920 Broadway, Nashville, TN 37203.

**STATUS:**

October 26, 2009, 8:30 a.m.–4:30 p.m.—Open  
 October 27, 2009, 9 a.m.–5 p.m.—Open

October 28, 2009, 8 a.m.–8:30 a.m.—Closed Executive Session  
 October 28, 2009, 8:30 a.m.–11 a.m.—Open

**AGENDA:** Public Comment Sessions; Emergency Preparedness; Housing; Health Care; Developmental Disabilities and Bill of Rights Act, Workforce Infrastructure, International Development, National Summit on Disability Policy 2010, United States Marine Corps Research Project, 2011 Strategic Planning, Reports from the Chairperson, Council Members, and the Executive Director; Unfinished Business; New Business; Announcements; Adjournment.

**SUNSHINE ACT MEETING CONTACT:** Mark S. Quigley, Director of External Affairs, NCD, 1331 F Street, NW., suite 850, Washington, DC 20004; 202-272-2004 (voice), 202-272-2074 (TTY), 202-272-2022 (fax).

**AGENCY MISSION:** NCD is an independent federal agency, composed of 15 members appointed by the President, by and with the consent of the U.S. Senate. The purpose of the NCD is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all individuals with disabilities, and that empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society. To carry out this mandate we gather public and stakeholder input, including that received at our public meetings held around the country; review and evaluate federal programs and legislation; and provide the President, Congress and federal agencies with advice and recommendations.

**ACCOMMODATIONS:** Those needing reasonable accommodations should notify NCD immediately.

Dated: September 3, 2009.

**Michael C. Collins,**

*Executive Director.*

[FR Doc. E9-21989 Filed 9-11-09; 8:45 am]

**BILLING CODE 6820-MA-P**

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## NATIONAL SCIENCE FOUNDATION

### Astronomy and Astrophysics Advisory Committee #13883; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following Astronomy and Astrophysics Advisory Committee (#13883) meeting:

**Date and Time:** October 15–16, 2009, 8:30 a.m.–5 p.m.