

manufacturer. Paragraph (b)(6)(i) requires the employer to make a thorough periodic inspection of alloy steel chain slings in use on a regular basis, but at least once a year. Paragraph (b)(6)(ii) requires the employer to make and maintain a record of the most recent month in which each alloy steel chain was inspected and make the record available for examination.

Paragraph (c)(15)(ii) requires that all welded end attachments of wire rope slings be proof tested by the manufacturer at twice their rated capacity prior to initial use, and that the employer retain a certificate of the proof test and make it available for examination.

Paragraphs (e)(1)(i), (ii), and (iii) require that synthetic web slings be marked or coded to show the manufacturer's name or trademark, the rated capacity for the type of hitch and the type of synthetic webbing material.

Paragraph (f)(2) requires that all hooks for which no applicable manufacturer's recommendations are available be tested twice before they are put into use. The employer shall maintain a record of the dates and results of the tests.

## II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
  - The quality, utility, and clarity of the information collected; and
  - Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

## III. Proposed Actions

OSHA is requesting that OMB extend its approval of the information collection requirements contained in the Standard on Rigging Equipment for Material Handling (29 CFR 1926.251). The Agency is requesting an increase in the burden hours from 51,815 burden hours to 52,428 hours. This increase is due to the additional marking requirements for wire rope slings.

*Type of Review:* Extension of a currently approved collection.

*Title:* Rigging Equipment for Material Handling (29 CFR 1926.251).

*OMB Control Number:* 1218-0233.

*Affected Public:* Business or other for-profits.

*Number of Respondents:* 1,220,910.

*Total Responses:* 227,428.

*Frequency of Responses:* On occasion.

*Average Time per Response:* Average of 3 minutes (.05 hour) for an employer to maintain and disclose a certificate to 30 minutes (.50 hour) for an employer to acquire information and make a tag for a sling.

*Estimated Total Burden Hours:* 52,428.

*Estimated Cost (Operation and Maintenance):* \$0.

## IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows:

(1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for the ICR (OSHA Docket No. 2010-0038). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information, such as social security numbers and date of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> Web site to submit comments and access the docket is available at the Web site's "User Tips" link. Contact the OSHA Docket Office

for information about materials not available through the Web site, and for assistance in using the Internet to locate docket submissions.

## V. Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1-2012 (77 FR 3912).

Signed at Washington, DC, on November 19, 2013.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2013-28075 Filed 11-22-13; 8:45 am]

**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2005-0022]

### TÜV SÜD Product Services GmbH: Request for Renewal of Recognition

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

**ACTION:** Notice.

**SUMMARY:** This notice announces TÜV SÜD Product Services GmbH's application containing a request for renewal of recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7.

**DATES:** Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before December 10, 2013.

**ADDRESSES:** Submit comments by any of the following methods:

1. *Electronically:* Submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.

2. *Facsimile:* If submissions, including attachments, are not longer than 10 pages, commenters may fax them to the OSHA Docket Office at (202) 693-1648.

3. *Regular or express mail, hand delivery, or messenger (courier) service:* Submit a copy of comments and any attachments to the OSHA Docket Office, Docket No. OSHA-2005-0022, Technical Data Center, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-2625, Washington, DC 20210;

telephone: (202) 693-2350 (TDY number: (877) 889-5627). Note that security procedures may result in significant delays in receiving comments and other written materials by regular mail. Contact the OSHA Docket Office for information about security procedures concerning delivery of materials by express delivery, hand delivery, or messenger service. The hours of operation for the OSHA Docket Office are 8:15 a.m.–4:45 p.m., e.t.

4. *Instructions:* All submissions must include the Agency name and the OSHA docket number (OSHA-2005-0022). OSHA will place all submissions, including any personal information provided, in the public docket without revision, and these submissions will be available online at <http://www.regulations.gov>.

5. *Docket:* To read or download submissions or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

6. *Extension of comment period:* Submit requests for an extension of the comment period on or before December 10, 2013 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3655, Washington, DC 20210, or by fax to (202) 693-1644.

**FOR FURTHER INFORMATION CONTACT:** David W. Johnson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3655, Washington, DC 20210, phone (202) 693-2110, or email at [johnson.david.w@dol.gov](mailto:johnson.david.w@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

OSHA recognition of an NRTL signifies that the organization meets the requirements in Section 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 approved by the NRTL to meet OSHA standards that require testing and certification. OSHA maintains an informational Web site for each NRTL that details its scope of recognition available at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

The Agency processes applications by an NRTL for renewal of recognition following requirements in Appendix A to 29 CFR 1910.7. OSHA conducts renewals in accordance with the procedures in 29 CFR 1910.7, App. II.C. In accordance with these procedures, NRTLs would submit a renewal request to OSHA, not less than nine months or no more than one year, before the expiration date of its current recognition. A renewal request would include a request for renewal and any additional information the NRTL wishes to submit to demonstrate its continued compliance with the terms of its recognition and 29 CFR 1910.7. If OSHA has not conducted an on-site assessment of the NRTL headquarters and any key sites within the past 18 months, it will schedule the necessary on-site assessments prior to the expiration date of the NRTL's recognition. Upon review of the submitted material and, as necessary, the successful completion of the on-site assessment, OSHA announces its preliminary decision to grant or deny renewal in the **Federal Register** and solicit comments from the public. OSHA then publishes a final **Federal Register** notice responding to any comments and renewing the NRTL's recognition for a period of five years, or denying the renewal of recognition.

TÜV SÜD Product Services GmbH (TUVPSG) initially received OSHA recognition as a Nationally Recognized Testing Laboratory on July 20, 2001 (66 FR 38032), for a five-year period ending on July 20, 2006. TUVPSG submitted a timely request for renewal, dated October 10, 2005 (see Exhibit 1), and retained its recognition pending OSHA's final decision in this renewal process. The current address of the TUVPSG facility recognized by OSHA and included as part of the renewal request is TÜV SÜD Product Services GmbH, Ridlerstrasse 65, D-80339, Munich, Germany.

**II. Notice of Preliminary Findings**

OSHA is providing notice that TUVPSG is applying for renewal of its

current recognition as a NRTL. This renewal covers TUVPSG's existing NRTL scope of recognition. TUVPSG submitted an acceptable application for renewal of its recognition as an NRTL on October 10, 2005. OSHA evaluated TUVPSG's application for renewal and preliminarily determined that TUVPSG can continue to meet the requirements prescribed by 29 CFR 1910.7 for recognition. Accordingly, OSHA is making a determination that it does not need to conduct an on-site review of TUVPSG's facilities based on its evaluations of TUVPSG's application and all other available information, including its most recent audit of TUVPSG's facility conducted on April 26, 2013, in which the auditors found TUVPSG to be in conformance with all applicable NRTL requirements. This preliminary finding does not constitute an interim or temporary approval of the application.

OSHA welcomes public comment as to whether TUVPSG meets the requirements of 29 CFR 1910.7 for renewal of their recognition as an NRTL. Comments should consist of pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. OSHA must receive the written request for an extension by the due date for comments. OSHA will limit any extension to 30 days unless the requester justifies a longer period. OSHA may deny a request for an extension if it is not adequately justified. To obtain or review copies of the publicly available information in TUVPSG's application and other pertinent documents (including exhibits), as well as all submitted comments, contact the Docket Office, Room N-2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address; these materials also are available online at <http://www.regulations.gov> under Docket No. OSHA-2005-0022.

The NRTL Program staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will recommend whether to grant TUVPSG's application for renewal. The Assistant Secretary will make the final decision on granting the application and, in making this decision, may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7. OSHA will publish a public notice of this final decision in the **Federal Register**.

**III. Authority and Signature**

David Michaels, Ph.D., MPH,  
Assistant Secretary of Labor for

Occupational Safety and Health, 200 Constitution Avenue NW., Washington, DC 20210, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to Section 8(g)(2) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657(g)(2)), Secretary of Labor's Order No. 1–2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on November 19, 2013.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

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**BILLING CODE 4510–26–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA–2013–0012]

#### Modification to the Scopes of Recognition of Several NRTLs; Final Determination

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

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA is making a final determination to delete specific test standards from the scopes of recognition of several Nationally Recognized Testing Laboratories (NRTLs), and to incorporate replacement test standards into the scopes of recognition of several NRTLs.

**DATES:** The actions contained in this notice will become effective on November 25, 2013.

**FOR FURTHER INFORMATION CONTACT:** Information regarding this notice is available from the following sources:

*Press inquiries:* Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693–1999; email: [meilinger.francis2@dol.gov](mailto:meilinger.francis2@dol.gov).

*General and technical information:* Contact Mr. David Johnson, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, Room N–3655, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–2110; email: [johnson.david.w@dol.gov](mailto:johnson.david.w@dol.gov).

*Copies of this Federal Register notice:* Electronic copies of this **Federal Register** notice are available at <http://>

[www.regulations.gov](http://www.regulations.gov). This Federal Register notice, as well as other relevant information, is also available on OSHA's Web page at <http://www.osha.gov>.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In a notice published in the **Federal Register** on June 26, 2013 (78 FR 38389), OSHA proposed to delete specific test standards from the scopes of recognition of several NRTLs, and incorporate replacement test standards into the scopes of recognition of several NRTLs. OSHA now is issuing its final determination with respect to that proposal.

The NRTL Program recognizes organizations that provide product-safety testing and certification services to manufacturers. For the purposes of OSHA's NRTL Program, these organizations test and certify specific products used in the workplace to U.S. consensus-based product-safety test standards. OSHA does not develop or issue these test standards, but generally relies on U.S. standards-development organizations (SDOs) accredited by the American National Standards Institute (ANSI). The products covered by the NRTL Program consist of those items for which OSHA safety standards require certification by an NRTL. The requirements affect electrical products and 38 other types of products.

OSHA recognition of an organization as an NRTL signifies that the organization meets the legal requirements in the NRTL Program regulations at 29 CFR 1910.7 and the NRTL Program policies in CPL 1–0.3 NRTL Program Policies, Procedures, and Guidelines, December 2, 1999 (“Directive”). Recognition is an acknowledgement by OSHA that the NRTL has the capabilities to perform independent safety testing and certification of the specific products covered within the NRTL's scope of recognition. Recognition of an NRTL by OSHA also allows employers to use products certified by that NRTL to meet those OSHA standards that require product testing and certification (29 CFR 1910.7(a)).

An NRTL's scope of recognition consists, in part, of specific test standard(s) approved by OSHA for use by the NRTL. Pursuant to the NRTL Program regulations, the NRTL must first request to have a test standard included in its scope of recognition. OSHA will grant the NRTL's request only if the NRTL has the capability to

test and examine equipment<sup>1</sup> and materials for workplace safety purposes and to determine conformance with the test standard for each relevant item of equipment or material that it lists, labels, or accepts (29 CFR 1910.7(b)(1)). Capability includes proper testing equipment and facilities, trained staff, written testing procedures, calibration programs, and quality-control programs. An organization's recognition as an NRTL is, therefore, not for products, but for appropriate test standards covering a type of product(s) (29 CFR 1910.7(b)(1)).

Additionally, for OSHA to consider a test standard appropriate, the test standard must be current, and it must specify the safety requirements for a specific type of product(s) (29 CFR 1910.7(c)). OSHA policy provides that a document specifies safety requirements for a specific type product(s) if the document includes “features, parts, capabilities, usage limitations, or installation requirements which if they did not exist would create a potential hazard in using the equipment” (Directive, App. D.IV.B). However, OSHA policy also provides that the document not “focus primarily on usage, installation, or maintenance requirements” (Directive, App. D.IV.B). Finally, as OSHA requires the testing and certification of certain products only (29 CFR 1910.7(a)), an NRTL's scope of recognition should not include test standards that do not specify safety requirements for products for which OSHA does not require testing and certification (Directive, App. D.IV.A).

##### II. OSHA's Rationale for Deleting Specific Test Standards From, and Incorporating Replacement Test Standards Into, NRTLs' Scopes of Recognition

In its June 26, 2013, **Federal Register** notice, OSHA provided several reasons for proposing to delete specific test standards from the scopes of recognition of several NRTLs, and incorporate replacement test standards into the scopes of recognition of several NRTLs. OSHA restates these reasons below.

###### A. Deleting Withdrawn Test Standards From, and Incorporating Replacement Test Standards Into, NRTLs' Scopes of Recognition

In the June 26, 2013, **Federal Register** notice, OSHA proposed to delete test standards withdrawn by SDOs from the scopes of recognition of several NRTLs. OSHA also proposed to replace some of the withdrawn (and deleted) test

<sup>1</sup>In this notice, OSHA uses the terms “equipment” and “product” or “products” interchangeably.