

construction, and used on high-voltage system(s). This is considered an acceptable alternative method for the Elk Creek Mine. MSHA grants the petition for modification for the use at the Elk Creek Mine with conditions.

Docket No.: M-2001-110-C.

FR Notice: 66 FR 67550.

Petitioner: Apollo Coal Company.

Regulation Affected: 30 CFR 75.503 (18.41(f) of part 18).

Summary of Findings: Petitioner's proposal is to use permanently installed spring-loaded locking devices with specific fastening characteristics to secure plugs and electrical type connectors to batteries and to the permissible mobile powered equipment the batteries serve. The permanently installed spring-loaded locking devices would be used in lieu of padlocks to prevent accidental separation of the battery plugs from their receptacles during normal operation of the battery equipment. This is considered an acceptable alternative method for the No. 3 Mine. MSHA grants the petition for modification for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plug and receptacle-type connectors for mobile battery-powered equipment at the No. 3 Mine with conditions.

Docket No.: M-2001-111-C.

FR Notice: 66 FR 67551.

Petitioner: Straight Fork Mining, Inc.

Regulation Affected: 30 CFR 75.503 (18.41(f) of part 18).

Summary of Findings: Petitioner's proposal is to use permanently installed spring-loaded locking devices with specific fastening characteristics to secure plugs and electrical type connectors to batteries and to the permissible mobile powered equipment the batteries serve. The permanently installed spring-loaded locking devices would be used in lieu of padlocks to prevent accidental separation of the battery plugs from their receptacles during normal operation of the battery equipment. This is considered an acceptable alternative method for the No. 3 Mine. MSHA grants the petition for modification for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plug and receptacle-type connectors for mobile battery-powered equipment at the No. 3 Mine with conditions.

Docket No.: M-2001-114-C.

FR Notice: 66 FR 67551.

Petitioner: Centralia Mining.

Regulation Affected: 30 CFR 75.1100-2(a)(2).

Summary of Findings: Petitioner's proposal is to use two (2) portable fire

extinguishers near the slope bottom and an additional portable fire extinguisher within 500 feet of the working face for equivalent fire protection for the Skidmore Slope Mine. The use of these fire extinguishers would replace existing requirements where rock dust, water cars, and other water storage equipped with three, 10-quart pails is not practical. This is considered an acceptable alternative method for the Skidmore Slope Mine. MSHA grants the petition for modification for firefighting equipment in the working section at the Skidmore Slope Mine with conditions.

Docket No.: M-2000-024-C.

FR Notice: 65 FR 19928.

Petitioner: Webster County Coal, LLC.

Regulation Affected: 30 CFR 75.333.

Summary of Findings: Petitioner's proposal is to use a temporary stopping in the return stopping line, outby the section tailpiece, for a short period of time prior to the section moving from entries to rooms in lieu of using a permanent type stopping. This is considered an acceptable alternative method for the Dotiki Mine. MSHA grants the petition for modification for use at the Dotiki Mine with conditions.

Docket No.: M-2000-109-C.

FR Notice: 65 FR 58819.

Petitioner: The American Coal Company.

Regulation Affected: 30 CFR 75.900.

Summary of Findings: Petitioner's proposal is to use a combination of suitable sized fuses or non-under-voltage release circuit breaker contactor, ground fault device, and three phase under-voltage relay, serving a three-phase low- or medium-voltage alternating current circuit. This modification is to apply to any or all low- or medium-voltage circuits. This is considered an acceptable alternative method for the Galatia Mine. MSHA has determined that the proposed alternative method would apply only to stationary belt drive power centers, stationary water pump power centers, and longwall hydraulic pump power centers. MSHA has limited the modification to those applications. In addition, MSHA determined that future power centers and dedicated electrical installation, may be safely designed and constructed to produce higher low or medium output voltages by using the same basic modification. MSHA grants the petition for modification for the use at the Galatia Mine with conditions.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL2-97]

Detroit Testing Laboratory, Inc. (DTL), Expiration of Recognition

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

ACTION: Notice.

SUMMARY: This notice announces that Detroit Testing Laboratory, Inc., recognition as a Nationally Recognized Testing Laboratory under 29 CFR 1910.7, will expire on April 28, 2003.

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

SUPPLEMENTARY INFORMATION:

Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that Detroit Testing Laboratory, Inc. (DTL), has voluntarily decided not to renew its recognition as a Nationally Recognized Testing Laboratory (NRTL). OSHA's current scope of recognition for DTL may be found in the following informational Web page: <http://www.osha-slc.gov/dts/otpca/nrtl/dtl.html>.

The only **Federal Register** notices published by OSHA for DTL's recognition covered its recognition as an NRTL, which became effective on April 27, 1998 (63 FR 20661).

The current address of the DTL facility (site) already recognized by OSHA is: Detroit Testing Laboratory, Inc., 7111 E. Eleven Mile, Warren, Michigan 48092.

General Background on the Expiration of Recognition

Appendix A to 29 CFR 1910.7 stipulates that a recognized NRTL may renew its recognition by filing a renewal request not less than nine months, nor more than one year, before the expiration date of its current recognition.

On June 18, 2002, OSHA sent DTL a reminder indicating that OSHA's recognition of Detroit Testing Lab, Inc. (DTL), as a Nationally Recognized Testing Laboratory (NRTL) would expire on April 28, 2003. DTL did not submit a renewal request within the stipulated time frame of less than nine months

before the expiration date of its current recognition. On July 29, 2002, DTL indicated it will not be renewing its recognition as an NRTL. DTL's recognition will expire on April 28, 2003.

In accordance with OSHA policy pertaining to expiration of recognition, the Agency only publishes one **Federal Register** notice without a comment period to note the expiration of DTL's recognition as an NRTL.

Signed in Washington, DC this 11th day of April, 2003.

John L. Henshaw,

Assistant Secretary.

[FR Doc. 03-9874 Filed 4-21-03; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL1-2001]

TUV Product Services GmbH, Expansion of Recognition

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

ACTION: Notice.

SUMMARY: This notice announces the Agency's final decision on the application of TUV Product Services GmbH for expansion of its recognition as a Nationally Recognized Testing Laboratory under 29 CFR 1910.7. Also, eight standards are granted interim approval subject to review.

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 May 7, 2003.

Hand delivery and messenger service: Your comments must be received in the OSHA Docket Office by May 7, 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 May 7, 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 NRTL2-92, 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 NRTL2-92, in your comments.

Internet access to comments and submissions: OSHA will place comments and submissions in response to this notice on the OSHA Web page 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 Web page. Please contact the OSHA Docket Office at (202) 693-2350 for information about materials not available through the OSHA Web page and for assistance in using the Web page 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.

EFFECTIVE DATE: This recognition becomes effective on April 22, 2003, and, unless modified in accordance with 29 CFR 1910.7, continues in effect while TUVPSG remains recognized by OSHA as an NRTL.

FOR FURTHER INFORMATION CONTACT: Sherrey Nicolas, 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 TUV Product Services GmbH (TUVPSG) as a Nationally Recognized Testing Laboratory (NRTL). TUVPSG's expansion 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 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 an application. These notices set forth the NRTL's scope of recognition or modifications of this scope.

TUVPSG submitted its application to expand its recognition to use 46 additional test standards on June 28, 2002 (*see* Exhibit 7), and submitted an amended application on August 1, 2002 (*see* Exhibit 7-1), which added 11 more test standards to its original request. In the preliminary notice, we inadvertently identified the August 1 amendment as the original application but omitted the additional standards. We have included them as explained below. The NRTL Program staff determined that 2 of the 46 test standards originally requested could not 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 is approving 44 of those 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.

For purposes of the application, OSHA performed an onsite review of the NRTL in June 2002, in conjunction