

Conditions

Applied Research Laboratories, Inc. must also abide by the following conditions of the recognition, in addition to those already required by 29 CFR 1910.7:

OSHA shall be allowed access to ARL's facility and records for purposes of ascertaining continuing compliance with the terms of its recognition and to investigate as OSHA deems necessary;

If ARL has reason to doubt the efficacy of any test standard it is using under this program, it shall promptly inform the test standard developing organization of this fact and provide that organization with appropriate relevant information upon which its concerns are based;

ARL shall not engage in or permit others to engage in any misrepresentation of the scope or conditions of its recognition. As part of this condition, ARL agrees that it will allow no representation that it is either a recognized or an accredited Nationally Recognized Testing Laboratory (NRTL) without clearly indicating the specific equipment or material to which this recognition is tied, or that its recognition is limited to certain products;

ARL shall inform OSHA as soon as possible, in writing, of any change of ownership or key personnel, including details;

ARL will continue to meet the requirements for recognition in all areas where it has been recognized; and

ARL will always cooperate with OSHA to assure compliance with the spirit as well as the letter of its recognition and 29 CFR 1910.7.

Authority: 29 CFR 1910.7.

Signed at Washington, DC, this 14th day of November, 1997.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 97-30685 Filed 11-20-97; 8:45 am]

BILLING CODE 4510-26-P

DEPARTMENT OF LABOR**Occupational Safety and Health Administration**

[Docket No. NRTL-2-97]

**Detroit Testing Laboratory, Inc.,
Application for Recognition**

AGENCY: Occupational Safety and Health Administration; Labor.

ACTIONS: Notice of application for recognition as a Nationally Recognized Testing Laboratory, and preliminary finding.

SUMMARY: This notice announces the application of Detroit Testing Laboratory, Inc. for recognition as a NRTL under 29 CFR 1910.7, and presents the Agency's preliminary finding.

DATES: The last date for interested parties to submit comments is January 20, 1998.

ADDRESSES: Send comments concerning this notice to: NRTL Recognition Program, Office of Variance Determination, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N3653, Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT: Bernard Pasquet, Office of Variance Determination, NRTL Recognition Program at the above address, or phone (202) 219-7056.

SUPPLEMENTARY INFORMATION:**Notice of Application**

Notice is hereby given that Detroit Testing Laboratory, Inc. (DTL) has made application pursuant to 29 CFR 1910.7, for recognition as a Nationally Recognized Testing Laboratory.

The address of the laboratory covered by this application is: Detroit Testing Laboratory, Inc., 7111 E. Eleven Mile, Warren, Michigan 48092.

Background

Detroit Testing Laboratory, Inc. (DTL), according to the applicant, is a Michigan corporation and was formally incorporated in 1949. The applicant states that the lab was originally founded in 1903 as a partnership, that ownership of the lab changed in 1948 and again in 1968, and that in 1976, the current owner purchased DTL as sole stockholder.

The applicant submitted an application package, and separately submitted a Quality Assurance (QA) Manual (see Exhibits 2A and 2B). The QA Manual includes: an organization chart, position descriptions, and resumes of key personnel; department descriptions including equipment & standards used for departments involved in testing; description of certifications done and standards used for certification; and the details on how calibrations are handled, including descriptions of equipment and standards.

Capability

Section 1910.7(b)(1) states that for each specified item of equipment or material to be listed, labeled or accepted, the laboratory must have the capability (including proper testing

equipment and facilities, trained staff, written testing procedures, and calibration and quality control programs) to perform appropriate testing.

The applicant has one main facility at its site in Warren, Michigan, and a smaller test facility in Center Line, Michigan. This smaller site is not included in the applicant's request for recognition. The applicant claims that natural gas, electric, compressed air, steam, and water are available in the laboratory for product testing and for calibrations and tests.

The applicant's QA Manual shows the testing experience of its key testing staff, mentions its certification, and listing and labeling experience with products, and describes its testing capabilities and experience in a number of specific areas. It also contains a list of major instrumentation and equipment.

Quality Assurance Procedures, Test/ Operating procedures (developed on a form, the original of which is kept by each lab), calibration procedures, and audits (including proficiency audits which depends in part on the use of outside private services) are described in the QA manual. Furthermore, the QA includes an Internal Corrective Action Procedure whereby reports are issued to an area when it operates outside the guidelines of the QA System. The QA Manual also contains a sample handling procedure and procedures on employee training. Written procedures exist for typical tests, per QA manual.

Control Procedures

Section 1910.7(b)(2) requires that the NRTL provide certain controls and services, to the extent necessary, for the particular equipment or material to be listed, labeled, or accepted. These consist of implementation of control procedures for identifying the listed or labeled equipment or materials, inspecting the production runs at factories to assure conformance with test standards, and conducting field inspections to monitor and assure the proper use of identifying marks or labels.

The application contains the description of the listing and labeling procedure, which indicates "inspections" will be done four times per year, and periodic compliance testing is done every four years. A sample listing and follow-up agreement was also provided. In addition, "Instructions for * * * Inspections * * *," and a sample inspection form were submitted.

Independence

A statement of independence was supplied attesting that DTL is independent of any producer, supplier, or vendor. The applicant claims in the statement that, for products being tested and certified: it has no managerial affiliations with any producer, supplier, or vendor; it has no securities, investments, or stock options in the product lines; the employment security of its personnel is free from influence by any producer, supplier, or vendor; that it is not owned, operated, or controlled by any producers, suppliers, or vendors; and that it is not engaged in promotion or design.

Creditable Reports/Complaint Handling

Section 1910.7(b)(4) provides that a OSHA recognized NRTL must maintain effective procedures for producing credible findings and reports that are objective and without bias, as well as for handling complaints and disputes under a fair and reasonable system. The QA manual contains details on development of test data and reports, and both the application and the QA manual describe a complaint procedure.

Standards

DTL desires recognition for testing and certification of products to determine compliance with the following test standards, which are appropriate within the meaning of 29 CFR 1910.7(c):

ANSI/UL 234—Low Voltage Lighting Fixtures for Use in Recreational Vehicles
ANSI/UL 1025—Electric Air Heaters

Preliminary Finding

Detroit Testing Laboratory, Inc., addressed all of the criteria which had to be met for recognition as an NRTL, as summarized above. In addition, the NRTL Recognition Program staff performed an on-site review of DTL's main facility and investigated nine major areas: facility; test equipment; calibration program; test and evaluation procedures; test reports; records; quality assurance program; follow-up listing program; and personnel. Any discrepancies noted by the survey team during the on-site review were adequately responded to following the on-site evaluation and are included as an integral part of the On-Site Review Report (see Exhibit 3). With the preparation of the final report, the Program staff was satisfied that the testing facility appeared to meet the necessary criteria required by 29 CFR 1910.7, and recommended that DTL be recognized.

Following a review of the application file and the On-Site Review Report, the NRTL Recognition Program staff concluded that the applicant appeared to have met the requirements for recognition as a Nationally Recognized Testing Laboratory for the Warren, Michigan facility and, therefore, recommended to the Assistant Secretary that the application be preliminarily approved.

Based upon a review of the completed application file, the On-Site Review Report, and the recommendation of the staff, the Assistant Secretary has made a preliminary finding that Detroit Testing Laboratory, Inc. can meet the requirements as prescribed by 29 CFR 1910.7 to recognize the Warren, Michigan facility for the two standards previously listed.

All interested members of the public are invited to supply detailed reasons and evidence supporting or challenging the sufficiency of the applicant having met the requirements for recognition as a Nationally Recognized Testing Laboratory, as well as Appendix A to 29 CFR 1910.7. Submission of pertinent written documents and exhibits shall be made no later than January 20, 1998 and must be addressed to the Office of Variance Determination, NRTL Recognition Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N 3653, Washington, D.C. 20210. Copies of the DTL application, the laboratory On-Site Review Report, and all submitted comments, as received, (Docket No. NRTL-2-97), are available for inspection and duplication at the Docket Office, Room N 2634, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address.

The Assistant Secretary's final decision on whether the applicant (DTL) satisfies the requirements for recognition as a NRTL will be made on the basis of the entire record including the public submissions and any further proceedings that the Assistant Secretary may consider appropriate in accordance with Appendix A to Section 1910.7.

Authority: 29 CFR 1910.7.

Signed at Washington, DC, this 14th day of November, 1997.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 97-30684 Filed 11-20-97; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL-4-93]

Underwriters Laboratories Inc.; Request for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Notice of request for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL), and preliminary finding.

SUMMARY: This notice announces the application of Underwriters Laboratory for expansion of its recognition as a NRTL under 29 CFR 1910.7, for test standards, and presents the Agency's preliminary finding.

DATES: The last date for interested parties to submit comments is January 20, 1998.

ADDRESSES: Send comments concerning this notice to: NRTL Recognition Program, Office of Variance Determination, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N3653 Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT: Bernard Pasquet, Office of Variance Determination, NRTL Recognition Program at the above address, or phone (202) 219-7056.

SUPPLEMENTARY INFORMATION:

Notice of Application

Notice is hereby given that Underwriters Laboratories Inc. (UL), has made application pursuant to 29 CFR 1910.7, for expansion of its recognition as a Nationally Recognized Testing Laboratory for the equipment or materials listed below. UL previously made application pursuant to 29 CFR 1910.7, for renewal of its recognition as a Nationally Recognized Testing Laboratory (see 60 FR 16171, 3/29/95), and was so recognized (see 60 FR 33852, 6/29/95).

The addresses of the UL laboratories covered by this application are:

333 Pfinsten Road, Northbrook, Illinois 60062
1285 Walt Whitman Road, Melville, Long Island, New York 11747
1655 Scott Boulevard, Santa Clara, California 95050
12 Laboratory Drive, P.O. Box 13995, Research Triangle Park, North Carolina 27709
2600 N.W. Lake Road, Camas, Washington 98607
UL International Limited, Veristrong Industrial Centre, Block B, 14th Floor