



DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2007-0039]

Intertek Testing Services NA, Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards

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

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the final decision to expand the scope of recognition for Intertek Testing Service NA, Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the final decision to add one test standard to the NRTL Program's List of Appropriate Test Standards.

DATES: The expansion of the scope of recognition becomes effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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, U.S. Department of Labor; telephone (202) 693-1999 or email meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, 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; telephone (202) 693-2300 or email robinson.kevin@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of Intertek Testing Services NA, Inc. (ITSNA) as a NRTL. ITSNA's expansion covers the addition of eighteen test standards to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by the applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes an application by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A, 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 the preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational webpage for each NRTL, including ITSNA, which details the NRTL's scope of recognition. These pages are available from the OSHA website at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

ITSNA submitted two applications, one dated October 31, 2018 (OSHA-2007-0039-0040), requesting the addition of twenty-three test standards to the NRTL scope of recognition and a second application, dated April 24, 2020 (OSHA-2007-0039-0041),

requesting the addition of seven test standards to the NRTL scope of recognition. The first application was amended on April 5, 2023, to remove five standards from the original request (OSHA-2007-0039-0042). The second application was amended on December 9, 2022, to remove four standards from the original request (OSHA-2007-0039-0043). The first application was revised again on May 10, 2023, to remove three standards from the original application (OSHA-2007-0039-0045). This notice covers the remaining eighteen test standards across both applications. OSHA did not perform any on-site reviews in relation to these applications.

OSHA published the preliminary notice announcing ITSNA's expansion application in the *Federal Register* on May 24, 2023 (88 FR 33651). The agency requested comments by June 8, 2023, but it received no comments in response to this notice. OSHA is now proceeding with this final grant of expansion of ITSNA's NRTL recognition.

To obtain or review copies of all public documents pertaining to the ITSNA applications, go to <http://www.regulations.gov> or contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. Docket No. OSHA-2007-0039 contains all materials in the record concerning ITSNA's recognition. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693-2350 for assistance in locating docket submissions.

II. Final Decision and Order

OSHA staff examined ITSNA's expansion applications, its capability to meet the requirements of the test standards, and other pertinent information. Based on its review of this evidence, OSHA finds that ITSNA meets the requirements of 29 CFR 1910.7 for expansion of its recognition, subject to the limitations and conditions listed in this notice. OSHA, therefore, is proceeding with this final notice to grant ITSNA's expanded scope

of recognition. OSHA limits the expansion of ITSNA’s recognition to testing and certification of products for demonstration of conformance to the test standards listed below in Table 1.

Table 1
Appropriate Test Standards for Inclusion in
ITSNA’s NRTL Scope of Recognition

Test Standard	Test Standard Title
UL 283	Air Fresheners and Deodorizers
UL 1340	Hoists
UL 1598C	Standard for Light Emitting Diode (LED) Retrofit Luminaire Conversion Kits
UL 2208	Solvent Distillation Units
UL 3730*	Standard for Photovoltaic Junction Boxes
UL 4703	Standard for Photovoltaic Wire
UL 60335-2-40	Household and Similar Electrical Appliances, Part 2: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers
UL 60079-25	Explosive Atmospheres – Part 25: Intrinsically Safe Electrical Systems
UL 60079-28	Standard for Explosive Atmospheres – Part 28: Protection of Equipment and Transmission Systems Using Optical Radiation
UL 60079-31	Standard for Explosive Atmospheres – Part 31: Equipment Dust Ignition Protection Enclosure “t”
UL 60730-1	Automatic Electrical Controls – Part 1: General Requirements
UL 60730-2-5	Automatic Electrical Controls for Household and Similar Use – Part 2-5: Particular Requirements for Laboratory Equipment for the Automatic Electrical Burner Control Systems
UL 61010-2-081	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2- 081: Particular Requirements for Automatic and Semi-Automatic Laboratory Equipment for Analysis and Other Purposes
UL 61010-2-091	Standard for Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2- 091: Particular Requirements for Cabinet X-Ray Systems
UL 61010-2-101	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-101: Particular Requirements for In Vitro Diagnostic (IVD) Medical Equipment
UL 2054	Standard for Household and Commercial Batteries
UL 60730-2-8	Automatic Electrical Controls for Household and Similar Use; Part 2: Particular Requirements for Electrically Operated Water Valves, Including Mechanical Requirements
UL 62841-1	Electric Motor-Operated Hand-Held Tools, Transportable Tools and Lawn and Garden Machinery – Safety – Part 1: General Requirements

*Represents the standard that OSHA will add to the NRTL Program's List of Appropriate Test Standards

In this notice, OSHA also announces the final decision to add one new test standard to the NRTL Program's List of Appropriate Test Standards. Table 2, below, lists the standard that is new to the NRTL Program. OSHA has determined that this test standard is an appropriate test standard and will add it to the NRTL Program's List of Appropriate Test Standards.

Table 2
Test Standard OSHA Will Add to the NRTL Program's
List of Appropriate Test Standards

Test Standard	Test Standard Title
UL 3730	Standard for Photovoltaic Junction Boxes

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standards listed above as American National Standards. However, for convenience, we may use the designation of the standards-developing organization for the standard as opposed to the ANSI designation. Under the NRTL Program's policy (see OSHA Instruction CPL 01-00-004, Chapter 2, Section VIII), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

A. Conditions

Recognition is contingent on continued compliance with 29 CFR 1910.7, including, but not limited to, abiding by the following conditions of the recognition:

1. ITSNA must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as a NRTL, and provide details of the change(s);
2. ITSNA must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and
3. ITSNA must continue to meet the requirements for recognition, including all previously published conditions on ITSNA's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of ITSNA as a NRTL, subject to the limitations and conditions specified above. OSHA additionally adds one test standard to the NRTL Program's List of Appropriate Test Standards.

III. Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8-2020 (85 FR 58393, Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on July 18, 2023.

James S. Frederick,
Deputy Assistant Secretary of Labor for Occupational Safety and Health.