



BILLING CODE: 4510-26-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2007-0039]

Intertek Testing Services NA, Inc.: Application for Expansion of Recognition

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

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of Intertek Testing Services NA, Inc., for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application.

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 [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at: <http://www.regulations.gov>, the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

OSHA will place comments, including personal information, in the public docket, which will be available online. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA-2007-0039). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at <https://www.regulations.gov>. Therefore, OSHA cautions

commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to <http://www.regulations.gov>. Documents in the docket (including this *Federal Register* notice) 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 website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] 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-3653, Washington, DC 20210.

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; 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, phone: (202) 693-2110 or email: robinson.kevin@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Notice of the Application for Expansion

OSHA is providing notice that Intertek Testing Services NA, Inc. (ITSNA), is applying for an expansion of current recognition as a NRTL. ITSNA requests the addition of 23 test sites to its 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 applications by a NRTL for initial recognition, as well as for an expansion or renewal of 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 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 that NRTL's scope of recognition. These pages are available from the OSHA website at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

ITSNA currently has 13 facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: Intertek Testing Services NA, Inc., 545

East Algonquin Road, Suite F, Arlington Heights, Illinois 60005. A complete list of ITSNA's scope of recognition is available at <https://www.osha.gov/nationally-recognized-testing-laboratory-program/itsna>.

II. General Background on the Application

ITSNA submitted an application, dated December 18, 2020 (OSHA-2007-0039-0047), requesting the conversion of 23 existing Satellite Notification Acceptance Program (SNAP) sites to recognized sites under the NRTL Policy for Transitioning to Satellite Notification and Acceptance Program Termination (SNAP Transition Policy) published in the *Federal Register* on November 24, 2020 (85 FR 75042), as amended by a June 22, 2022 Memorandum from James S. Frederick, Deputy Assistant Secretary for Occupational Safety and Health, to Regional Administrators and Executive Staff, titled "Second Revision to the Nationally Recognized Testing Laboratory (NRTL) Policy for Transitioning to Satellite Notification and Acceptance Program (SNAP) Termination."

Table 1, below, lists the 23 sites that ITSNA's application requested for inclusion in the NRTL's expanded scope of recognition:

Table 1**List of Test Sites to be Included in ITSNA's****NRTL Scope of Recognition**

ITSNA Site Name	Address	Country
Columbus	1717 Arlingate Lane Columbus, Ohio 43228 United States	North America
Detroit	45000 Helm Street - Suite 150 Plymouth Township, Michigan 48170 United States	North America
Grand Rapids	4700 Broadmoor SE - Suite 200 Kentwood, Michigan 49512 United States	North America
Edmonton	14920 135 Ave Edmonton, Alberta T5V 1R9 Canada	North America
Montreal	1829 32 nd Avenue Lachine, Quebec H8T 3J1 Canada	North America
Toronto	6225 Kenway Drive Mississauga, Ontario L5T 2L3 Canada	North America
Mexico City	Poniente 134 No. 660 Col. Industrial Vallejo Mexico City, Azcapotzalco 02300 Mexico	North America
Kaufbeuren	Innovapark 20 Kaufbeuren, 87600, Germany	Europe
Leatherhead	Cleeve Road Leatherhead, Surrey KT22 7SA, United Kingdom	Europe
Milton Keynes	Davy Avenue Knowlhill Milton Keynes, Buckinghamshire MK5 8NL, United Kingdom	Europe
Udine	Via Principe di Udine 114 Campofornido, Udine 33030, Italy	Europe

Guangzhou	Building E Guangdong Software Science Park No. 7-2, Caipin Road, Science City - GETDD Guangzhou, Guangdong 510663, China	Asia
Hangzhou	4 th Floor, Building 4#, No. 22 22 nd Street Qiantang District Hangzhou, 310018 China	Asia
Shanghai Fengxian	Plant 5, No. 6958 Daye Road, Fengxian District, Shanghai, 201405, China	Asia
Shanghai Qinzhou	No. 86, 1198 Qinzhou Road North Shanghai, 200233, China	Asia
Shenzhen	2F, Building B, No. 308 Wuhe Avenue, Zhangkengjing Community, GuanHu Subdistrict, LongHua District Shenzhen, Guangdong 518067, China	Asia
Shunde (Foshan)	Guangzhou Branch Shunde Testing Site Room 604, Block 5, Tianfulai International Industrial Park (the fifth phase), No. 3 Changfu West Road Ronggui Town, Shunde District, Foshan City, Guangdong Province, China	Asia
Mumbai	“F Wing” Tex Centre, Chandivali Farm Road, Andheri (East), Mumbai, Maharashtra - 400072, India	Asia
New Delhi	E-20 & E26 Block B1 Mohan Cooperative Industrial Area Mathura Road New Delhi, 110044, India	Asia

Tokyo	Yasuda Shibaura No.2 Bldg. 4F 3-2-12, Kaigan, Minato-ku Tokyo, Japan 108-0022	Asia
Seoul	3, Gongdan-ro 160beon-gil Intertek Building Gunpo-si, Gyeonggi-do 15845, South Korea	Asia
Bangkok	1285/5 Prachachuen Road Wong Sawang Bangsue, Bangkok 10800, Thailand	Asia
Taipei	5F, No. 423, Ruiguang Road Neihu District Taipei, 114690, Taiwan	Asia

OSHA has preliminarily determined that it is appropriate to review this application under the SNAP Transition Policy. ITSNA’s application was timely submitted under that policy, and OSHA preliminarily finds that the SNAP sites in ITSNA’s application met all other preconditions of eligibility for conversion to recognized sites under the policy (See SNAP Termination Policy, part III 1.a-g, 85 FR at 75047). OSHA also preliminarily decided that it was not necessary to conduct on-site reviews in connection with ITSNA’s expansion application, based on historical assessment records and supporting documentation submitted by ITSNA. Moreover, OSHA staff performed assessments of several ITSNA facilities included in the SNAP conversion application from June 2020 to November 2022, and, while assessors found some nonconformances with the requirements of 29 CFR 1910.7, ITSNA addressed these issues sufficiently. OSHA staff has preliminarily determined that OSHA should grant the application and grant recognition to the 23 sites requested in the application.

III. Preliminary Finding on the Application

ITSNA submitted an acceptable application for expansion of its scope of recognition. OSHA’s review of the application file and pertinent documentation indicates that ITSNA can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to

include the addition of the 23 additional test sites for NRTL testing and certification. This preliminary finding does not constitute an interim or temporary approval of ITSNA's application.

OSHA seeks public comment on this preliminary determination.

IV. Public Participation

OSHA welcomes public comment as to whether ITSNA meets the requirements of 29 CFR 1910.7 for expansion of recognition as a 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 by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibit identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at <https://www.regulations.gov> under Docket No. OSHA-2007-0039 (for further information, see the "*Docket*" heading in the section of this notice titled **ADDRESSES**).

OSHA staff will review all comments to the docket submitted in a timely manner. After addressing the issues raised by these comments, staff will make a recommendation to the Assistant Secretary of Labor for Occupational Safety and Health on whether to grant ITSNA's application for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the application. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the *Federal Register*.

IV. Authority and Signature

James S. Frederick, Deputy 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 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 August 9, 2023.

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

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