

Dated: February 23, 2000.

Grace A. Kilbane,

Administrator, Office Of Workforce Security.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL-1-93]

Wyle Laboratories, Inc.; Application for Renewal of Recognition

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

ACTION: Notice.

SUMMARY: This notice announces the application of Wyle Laboratories, Inc. (Wyle), for renewal of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, and presents the Agency's preliminary finding. This preliminary finding does not constitute an interim or temporary approval of this application.

DATES: Comments submitted by interested parties must be received no later than May 5, 2000.

ADDRESSES: Send comments concerning this notice to: 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, D.C. 20210.

FOR FURTHER INFORMATION CONTACT: Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program at the above address, or phone (202) 693-2110.

Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that Wyle Laboratories, Inc. (Wyle), has applied for renewal of its current recognition as a Nationally Recognized Test Laboratory (NRTL). Wyle requests renewal for its existing scope of recognition.

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 acknowledgement 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, OSHA can accept products "properly certified" by the NRTL. OSHA processes applications related to

an NRTL's recognition following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish this public notice of the preliminary finding on an application.

The most recent notices published by OSHA for Wyle's recognition covered an expansion of recognition for additional test standards and programs, which OSHA announced on July 12, 1996 (61 FR 36764) and granted on November 20, 1996 (61 FR 59115). The only other notices that OSHA has published for Wyle covered its initial recognition, which OSHA announced on January 6, 1994 (59 FR 783) and granted on July 22, 1994 (59 FR 37509). The renewal would incorporate all recognitions granted to Wyle through the date of publication of this preliminary finding.

The current address of the Wyle facility recognized by OSHA is: Wyle Laboratories, 7800 Highway 20 West, P.O. Box 077777, Huntsville, Alabama 35807.

General Background on the Applicant and the Application

Wyle has submitted a request, dated August 19, 1998 (see Exhibit 15), to renew its recognition as an NRTL. The letter requested renewal for its existing scope of recognition, which includes the facility listed above, and 122 test standards and 8 supplemental programs. However, some of the test standards for which Wyle is currently recognized have been withdrawn by the standards developing organization. As appropriate, OSHA has eliminated or replace these test standards in the list shown below.

Wyle was first recognized as an NRTL in 1994 and, at the time, it was part of Wyle Laboratories, a publicly-held corporation first established in 1949. In 1995, Wyle informed OSHA (see Exhibit 13) that it had become a "privately held company incorporated in the State of Delaware." The "new" company name was also "Wyle Laboratories." In 1997, the NRTL informed OSHA of the sale of its "Electronic Enclosures Division," and requested that OSHA remove a condition that the Agency had imposed in the notice of Wyle's recognition. This condition excluded from the recognition any testing and certification of an "enclosure cabinet manufactured or distributed by Wyle." OSHA granted this request on January 16, 1998 (63 FR 2700).

Test Standards

Wyle seeks renewal of its recognition for testing and certification of products to demonstrate compliance to the following one hundred thirty nine (139) test standards, all of which OSHA has

determined are appropriate, as prescribed by 29 CFR 1910.7(c). As mentioned, some of these standards are substitutes for the test standard that OSHA originally recognized for Wyle. As is the case for any NRTL, Wyle's recognition for a particular test standard is limited to equipment or materials (i.e., products) for which OSHA standards require third party testing and certification before use in the workplace. As a result, OSHA's recognition of an NRTL for a test standard excludes any product(s), falling within the scope of the test standard, for which OSHA has no such requirements.

ANSI/UL 8	Foam Fire Extinguishers
ANSI/UL 20	General-Use Snap Switches
ANSI/UL 22	Amusement and Gaming Machines
ANSI/UL 44	Rubber-Insulated Wires and Cables
ANSI/UL 45	Portable Electric Tools
ANSI/UL 48	Electric Signs
ANSI/UL 62	Flexible Cord and Fixture Wire
ANSI/UL 65	Wired Cabinets
ANSI/UL 67	Panelboards
ANSI/UL 73	Motor-Operated Appliances
ANSI/UL 83	Thermoplastic-Insulated Wires and Cables
ANSI/UL 92	Fire Extinguisher and Booster Hose
ANSI/UL 98	Enclosed and Dead-Front Switches
ANSI/UL 153	Portable Electric Lamps
ANSI/UL 154	Carbon-Dioxide Fire Extinguishers
ANSI/UL 187	X-Ray Equipment
ANSI/UL 198B	Class H Fuses
ANSI/UL 199C	High-Interrupting-Capacity Fuses, Current-Limiting Types
ANSI/UL 198D	Class K Fuses
ANSI/UL 198E	Class R Fuses
ANSI/UL 198F	Plug Fuses
ANSI/UL 198G	Fuse for Supplementary Overcurrent Protection
ANSI/UL 198H	Class T Fuses
ANSI/UL 198L	DC Fuses for Industrial Use
ANSI/UL 244A	Solid-State Controls for Appliances
ANSI/UL 299	Dry Chemical Fire Extinguishers
ANSI/UL 363	Knife Switches
ANSI/UL 393	Indicating Pressure Gauges for Fire-Protection Service
ANSI/UL 429	Electrically Operated Values
UL 444	Communications Cables
ANSI/UL 466	Electric Scales
ANSI/UL 467	Grounding and Bonding Equipment

- ANSI/UL 484 Room Air Conditioners
- ANSI/UL 486B Wire Connectors for Use With Aluminum Conductors
- ANSI/UL 486C Splicing Wire Connectors
- ANSI/UL 486D Insulated Wire Connectors for Use with Underground Conductors
- ANSI/UL 489 Molded-Case Circuit Breakers and Circuit-Breaker Enclosures
- ANSI/UL 497A Secondary Protectors for Communication Circuits
- ANSI/UL 498 Attachment Plugs and Receptacles
- ANSI/UL 499 Electric Heating Appliances
- ANSI/UL 506 Specialty Transformers
- ANSI/UL 507 Electric Fans
- ANSI/UL 508 Industrial Control Equipment
- ANSI/UL 510 Insulating Tape
- ANSI/UL 512 Fuseholders
- ANSI/UL 539 Single and Multiple Station Heat Detectors
- ANSI/UL 541 Refrigerated Vending Machines
- UL 544 Electric Medical and Dental Equipment
- ANSI/UL 626 2½ Gallon Stored-Pressure Water-Type Fire Extinguishers
- ANSI/UL 698 Industrial Control Equipment for Use in Hazardous (Classified) Locations
- ANSI/UL 711 Rating and Fire Testing of Fire Extinguishers
- ANSI/UL 745-1 Portable Electric Tools
- ANSI/UL 745-2 Particular Requirements of Drills
- ANSI/UL 745-2-2 Particular Requirements for Screwdrivers and Impact Wrenches
- ANSI/UL 745-2-3 Particular Requirements for Grinders, Polishers, and Disk-Type Sanders
- ANSI/UL 745-2-4 Particular Requirements for Sanders
- ANSI/UL 745-2-5 Particular Requirements for Circular Saws and Circular Knives
- ANSI/UL 745-2-6 Particular Requirements for Hammers
- ANSI/UL 745-2-8 Particular Requirements for Shears and Nibblers
- ANSI/UL 745-2-9 Particular Requirements for Tappers
- ANSI/UL 745-2-11 Particular Requirements for Reciprocating Saws
- ANSI/UL 745-2-12 Particular Requirements for Concrete Vibrators
- ANSI/UL 745-2-14 Particular Requirements for Planers
- ANSI/UL 745-2-17 Particular Requirements for Routers and Trimmers
- ANSI/UL 745-2-30 Particular Requirements for Staplers
- ANSI/UL 745-2-31 Particular Requirements for Diamond Core Drills
- ANSI/UL 745-2-32 Particular Requirements for Magnetic Drill Presses
- ANSI/UL 745-2-33 Particular Requirements for Portable Bandsaws
- ANSI/UL 745-2-34 Particular Requirements for Strapping Tools
- ANSI/UL 745-2-35 Particular Requirements for Drain Cleaners
- ANSI/UL 745-2-36 Particular Requirements for Hand Motor Tools
- ANSI/UL 745-2-37 Particular Requirements for Plate Jointer
- ANSI/UL 796 Printed-Wiring Boards
- ANSI/UL 813 Commercial Audio Equipment
- ANSI/UL 817 Cord Sets and Power-Supply Cords
- ANSI/UL 845 Motor Control Centers
- ANSI/UL 854 Service-Entrance Cables
- ANSI/UL 863 Time-Indicating and -Recording Appliances
- ANSI/UL 877 Circuit Breakers and Circuit-Breaker Enclosure for Use in Hazardous (Classified) Locations
- ANSI/UL 894 Switches for Use in Hazardous (Classified) Locations
- ANSI/UL 916 Energy Management Equipment
- ANSI/UL 917 Clock-Operated Switches
- ANSI/UL 924 Emergency Lighting and Power Equipment
- ANSI/UL 943 Ground-Fault Circuit-Interrupters
- ANSI/UL 961 Electric Hobby and Sports Equipment
- ANSI/UL 977 Fused Power-Circuit Devices
- ANSI/UL 998 Humidifiers
- ANSI/UL 1004 Electric Motors
- ANSI/UL 1008 Automatic Transfer Switches
- ANSI/UL 1012 Power Supplies
- ANSI/UL 1018 Electric Aquarium Equipment
- UL 1022 Line Isolation Monitors
- ANSI/UL 1028 Hair Clipping and Shaving Appliances
- ANSI/UL 1047 Isolated Power Systems Equipment
- ANSI/UL 1053 Ground-Fault Sensing and Relaying Equipment
- ANSI/UL 1054 Special-Use Switches
- ANSI/UL 1058 Halogenated Agent Extinguishing System Units
- UL 1059 Terminal Blocks
- ANSI/UL 1066 Low-Voltage AC and DC Power Circuit Breakers Used in Enclosures
- ANSI/UL 1069 Hospital Signaling and Nurse-Call Equipment
- ANSI/UL 1077 Supplementary Protectors for Use in Electrical Equipment
- ANSI/UL 1087 Molded-Case Switches
- UL 1091 Butterfly Valves for Fire-Protection Service
- ANSI/UL 1093 Halogenated Agent Fire Extinguishers
- ANSI/UL 1097 Double Insulation Systems for Use in Electrical Equipment
- ANSI/UL 1236 Battery Chargers
- UL 1244 Electrical and Electronic Measuring and Testing Equipment
- ANSI/UL 1254 Pre-Engineered Dry Chemical Extinguishing Systems Units
- ANSI/UL 1262 Laboratory Equipment
- ANSI/UL 1283 Electromagnetic Interference Filters
- ANSI/UL 1310 Class 2 Power Units
- ANSI/UL 1411 Transformers and Motor Transformer for Use in Audio-Radio-, and Television-Type Appliances
- ANSI/UL 1412 Fusing Resistors and Temperature-Limited Resistors for Radio- and Television-Type Appliances
- ANSI/UL 1416 Overcurrent and Overtemperature Protectors for Radio- and Television-Type Appliances
- ANSI/UL 1424 Cables for Power-Limited Fire-Alarm Circuits
- ANSI/UL 1429 Pullout Switches
- UL 1437 Electrical Analog Instruments—Panel Board Types
- UL 1449 Transient Voltage Surge Suppressors
- ANSI/UL 1459 Telephone Equipment
- ANSI/UL 1474 Adjustable Drop Nipples for Sprinkler Systems
- ANSI/UL 1481 Power Supplies for Fire-Protective Signaling Systems
- ANSI/UL 1486 Quick Opening Devices for Dry Pipe Valves for Fire-Protection Service
- ANSI/UL 1557 Electrically Isolated Semiconductor Devices
- ANSI/UL 1564 Industrial Battery Chargers
- ANSI/UL 1570 Fluorescent Lighting Fixtures
- ANSI/UL 1571 Incandescent Lighting Fixtures
- ANSI/UL 1577 Optical Isolators
- ANSI/UL 1585 Class 2 and Class 3 Transformers
- UL 1604 Electrical Equipment for Use in Class I and II, Division 2, and Class III Hazardous (Classified) Locations
- ANSI/UL 1664 Immersion-Detection Circuit-Interrupters
- ANSI/UL 1673 Electric Space Heating Cables
- ANSI/UL 1682 Plugs, Receptacles, and Cable Connectors, of the Pin and Sleeve Type
- ANSI/UL 1778 Uninterruptible Power Supply Equipment
- UL 1863 Communication Circuit Accessories
- ANSI/UL 1876 Isolating Signal and Feedback Transformers for Use in Electronic Equipment

ANSI/UL 1950 Information Technology Equipment, Including Electrical Business Equipment
 ANSI/UL 1995 Heating and Cooling Equipment
 ANSI/UL 2006 Halon 1211 Recovery/Recharge Equipment
 UL 2111 Overheating Protection for Motors

The designations and titles of the above test standards were current at the time of the preparation of this notice.

Programs and Procedures

In its renewal, Wyle also seeks continued use of the supplemental programs listed below, based upon the criteria detailed in the March 9, 1995 **Federal Register** notice (60 FR 12980, 3/9/95). This notice lists nine (9) programs and procedures (collectively, programs), eight of which (called supplemental programs) an NRTL may use to control and audit, but not actually to generate, the data relied upon for product certification. An NRTL's initial recognition will always include the first or basic program, which requires that all product testing and evaluation be performed in-house by the NRTL that will certify the product. OSHA previously granted Wyle recognition to use these programs, which are listed in OSHA's informational web page on the Wyle recognition.

Program 2: Acceptance of testing data from independent organizations, other than NRTLs.

Program 3: Acceptance of product evaluations from independent organizations, other than NRTLs.

Program 4: Acceptance of witnessed testing data.

Program 5: Acceptance of testing data from non-independent organizations.

Program 6: Acceptance of evaluation data from non-independent organizations (requiring NRTL review prior to marketing).

Program 7: Acceptance of continued certification following minor modifications by the client.

Program 8: Acceptance of product evaluations from organizations that function as part of the International Electrotechnical Commission Certification Body (IEC-CB) Scheme.

Program 9: Acceptance of services other than testing or evaluation performed by subcontractors or agents.

OSHA developed the program descriptions to limit how an NRTL may perform certain aspects of its work and to accept the activities covered under a program only when the NRTL meets certain criteria. In this sense, they are special conditions that the Agency places on an NRTL's recognition. OSHA does not consider these programs in

determining whether an NRTL meets the requirements for recognition under 29 CFR 1910.7. However, OSHA does treat these programs as one of the three elements that defines an NRTL's scope of recognition.

Preliminary Finding on the Application

Wyle has submitted an acceptable request for renewal of its recognition as an NRTL. In connection with the request, OSHA performed an on-site assessment (review) of Wyle's facility in Huntsville, Alabama, on August 3-5, 1999. Discrepancies noted by the assessor during the on-site review were addressed by Wyle following the on-site evaluation and are factored into the recommendation in the non-site review report (see Exhibit 16).

Following a review of the application file, the on-site review report, and other pertinent documents, the NRTL Program staff has concluded that OSHA can grant to Wyle the renewal of its recognition as an NRTL to use the facility, test standards, and programs, listed above, with any limitations to be applied as noted. The staff therefore recommended to the Assistant Secretary that the application be preliminarily approved.

Based upon the recommendation of the staff, the Assistant Secretary has made a preliminary finding that the Wyle Laboratories, Inc., can meet the requirements, as prescribed by 29 CFR 1910.7, for renewal of its recognition, subject to any limitations described above. This preliminary finding does not constitute an interim or temporary approval of the application.

OSHA welcomes public comments, in sufficient detail, as to whether Wyle has met the requirements of 29 CFR 1910.7 for renewal of its recognition as a Nationally Recognized Testing Laboratory. Your comment should consist of pertinent written documents and exhibits. To consider a comment, OSHA must receive it at the address provided above (see **ADDRESS**), no later than the last date for comments (see **DATES** above). You may obtain or review copies of Wyle's request, the on-site review report, and all submitted comments, as received, by contacting the Docket Office, Room N2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. You should refer to Docket No. NRTL-1-93, the permanent record of public information on the Wyle recognition.

The NRTL Program staff will review all timely comments and, after resolution of issues raised by these comments, will recommend whether to grant Wyle's application for renewal of recognition. The Assistant Secretary

will make the final decision on granting the renewal and, in making this decision, may undertake other proceedings prescribed in Appendix A to 29 CFR Section 1910.7. OSHA will publish a public notice of this final decision in the **Federal Register**.

Signed at Washington, DC this 18th day of February, 2000.

Charles N. Jeffress,

Assistant Secretary.

[FR Doc. 00-5342 Filed 3-3-00; 8:45 am]

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 00-024]

NASA Advisory Council, Aero-Space Technology Advisory Committee, Aviation Safety Reporting System Subcommittee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a NASA Advisory Council, Aero-Space Technology Advisory Committee, Aviation Safety Reporting System Subcommittee meeting.

DATES: Tuesday, March 28, 2000, 9:00 a.m. to 5:00 p.m. and Wednesday, March 29, 2000, 9:00 a.m. to 2:00 p.m.

ADDRESSES: Airline Pilots Association International, 535 Herndon Parkway, Conference Room 3, Herndon, VA 20170.

FOR FURTHER INFORMATION CONTACT: Ms. Linda Connell, National Aeronautics and Space Administration, Ames Research Center, Moffett Field, CA 94035, 650/969-8340.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. Agenda topics for the meeting are as follows:

- Report on Aviation Safety Reporting System
- Report on Aviation Performance Measuring System Program
- Report on NASA Aviation Safety Program Elements Related to Aviation Safety Reporting System/Aircraft Performance Monitoring System

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitors register.