

arrangement of the trailers, which are located on lots throughout the 18 acres, prevents the development of attractive public spaces and facilities and inhibits the general public from engaging in most recreation activities in the area. This is in contrast to the wide variety of recreational uses that occur on the rest of Cottonwood Bay. Increased public recreation activity in the area is being prevented by the occupation of the 18 acres by the boat clubs.

#### **Development Potential and Plans for the Area**

The boat club area was reviewed during the preparation of the Plan and found to be suitable for development and recreational use, with low potential for conflicts between development and natural resources. The area is lightly forested with favorable slopes and water access, provides minimal wildlife habitat, has sparse ground cover, existing disturbance from human use, no known or suspected federally listed threatened or endangered species, no wetlands that would be impacted, and no cultural or historical resources within the area boundary.

The proposed new campground at the area would include approximately 40 recreational vehicle sites, including group sites which are large enough to accommodate modern recreational vehicles, approximately 8 tent sites, camper cabins, electrical hook-ups, central water sources, a comfort station, play area, camper boat launch, and expanded parking. The design would utilize many of the existing roads and trailer pads. The new campground could be managed by a concessionaire, creating opportunity for additional amenities for the public including: Boat slip rentals, marina facilities, recreational vehicle sites with electrical and water hookups, and shower facilities. This campground design has been extensively reviewed and revised to assure that it will meet current and future recreation needs.

This campground would provide 48, or almost 20 percent, of the 258 new campsites recommended for the park. It will be located in a highly desirable area with favorable development potential.

#### **Other Relevant Factors**

An Environmental Assessment (EA) for changing the use of the area from exclusive to non-exclusive was completed, with a Finding of No Significant Impact signed on November 17, 2005. This EA analyzed the impact of the proposed action on a variety of resources, and utilized the information gathered during the public involvement process for the Plan. The EA/FONSI

indicates that there will be no significant detrimental impacts to natural resources from changing the use of the area. This change will benefit the general public by allowing them access to the area and meeting public demand for campsites.

All of the provisions of 43 CFR 21.4 (b) have been met. There are no substantial improvements on the 18-acre boat club area which would require amortization as required by 43 CFR 21.4 (b). No substantial improvements were placed in the area prior to the June 10, 1967, the effective date of 43 CFR part 21. Had substantial improvements been in place the 20 year amortization period described in 43 CFR 21.4(b) would have expired in 1987. The trailers and any removable facilities such as decks, fire rings, or the portable toilets used by the boat clubs are not considered substantial improvements as per 43 CFR 21.3 (e). The Keyhole Boat Club constructed a boat ramp in 1980. They agreed in writing that the ramp would become the property of WSPHS after construction.

This administrative decision is consistent with applicable Reclamation policy, directives and standards. Reclamation's Recreation Management Policy (LND P04) directs Reclamation to "Prohibit new exclusive uses, as allowed by current use agreements, to maximize public recreation activities, facilities and services". Reclamation's Land Use Authorizations Directives and Standards (LND 08-01) directs Reclamation to eliminate exclusive private uses of Reclamation land when a use authorization expires if it is determined that there is a public need for the area. The factors to consider when determining when sites are needed for public use included in those directives and standards were evaluated in this review.

Dated: December 7, 2005.

**Gregory Gere,**

*Deputy Area Manager, Dakotas Area Office.*

[FR Doc. E5-7256 Filed 12-12-05; 8:45 am]

**BILLING CODE 4310-MN-P**

## **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 Occupational Safety and Health Administration's final decision expanding the recognition of TUV Product Services GmbH (TUVPSG) as a Nationally Recognized Testing Laboratory under 29 CFR 1910.7.

**DATES:** The expansion of recognition becomes effective on December 13, 2005.

**FOR FURTHER INFORMATION CONTACT:** Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3653, 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 section 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"<sup>1</sup> 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 the application. These notices set forth the NRTL's scope of recognition or

<sup>1</sup> Properly certified means, in part, that the product is labeled or marked with the NRTL's "registered" certification mark (i.e., the mark the NRTL uses for its NRTL work) and that the product certification falls within the scope of recognition of the NRTL.

modifications of that scope. We maintain an informational Web page for each NRTL, which details its scope of recognition. These pages can be accessed from our Web site at <http://www.osha-slc.gov/dts/otpca/nrtl/index.html>.

TUVPSG submitted an application, dated September 18, 2003 (see Exhibit 10) to expand its recognition to include 5 additional test standards. The NRTL Program staff determined that each of these standards is an "appropriate test standard" within the meaning of 29 CFR 1910.7(c). Therefore, OSHA is approving these five test standards for the expansion. Following review of the application, OSHA requested certain additional information from TUVPSG and deferred action on the application pending receipt of this information. The NRTL adequately responded to that request prior to publication of the preliminary notice, permitting OSHA to resume processing of the application. In connection with this request, OSHA evaluated the NRTL's capability for the additional test standards during an on-site review of TUVPSG's NRTL facility, and the assessor recommended the expansion for the additional standards (see Exhibit 11). The preliminary notice announcing the expansion application was published in the **Federal Register** on May 18, 2005 (70 FR 28583). Comments were requested by June 2, but no comments were received in response to this notice.

The previous notices published by OSHA for TUVPSG's recognition covered an expansion of recognition, which became effective on April 22, 2003 (68 FR 19856).

You may obtain or review copies of all public documents pertaining to the TUVPSG application by contacting the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC, 20210. Docket No. NRTL1-2001 contains all materials in the record concerning TUVPSG's recognition.

The current address of the TUVPSG facility already recognized by OSHA is: TUV Product Services GmbH, Ridlerstrasse 65, D-80339, Munich, Germany.

#### Final Decision and Order

NRTL Program staff has examined the application, the assessor's report, and other pertinent information. Based upon this examination and the assessor's recommendation, OSHA finds that TUVPSG has met the requirements of 29 CFR 1910.7 for expansion of its recognition, subject to the limitation and conditions listed below. Pursuant to

the authority in 29 CFR 1910.7, OSHA hereby expands the recognition of TUVPSG, subject to the following limitation and conditions.

#### Limitation

OSHA limits the expansion of TUVPSG's recognition to testing and certification of products for demonstration of conformance to the test standards listed below. OSHA has determined that the standards meet the requirements for an appropriate test standard, within the meaning of 29 CFR 1910.7(c).

UL 201 Garage Equipment  
 UL 325 Door, Drapery, Gate, Louver and Window Operator and Systems  
 UL 696 Electric Toys  
 UL 697 Toy Transformers  
 UL 1029 High-Intensity-Discharge Lamp Ballasts

The designation and title of the above test standards were current at the time of the preparation of the notice of the preliminary finding.

OSHA's recognition of TUVPSG, or any NRTL, 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. Consequently, an NRTL's scope of recognition excludes any product(s) falling within the scope of a test standard for which OSHA has no NRTL testing and certification requirements.

Many UL test standards also are approved as American National Standards by the American National Standards Institute (ANSI). However, for convenience, we use the designation of the standards developing organization for the standard as opposed to the ANSI designation. Under our procedures, any NRTL recognized for an ANSI-approved test standard may use either the latest proprietary version of the test standard or the latest ANSI version of that standard. You may contact ANSI to find out whether or not a test standard is currently ANSI-approved.

#### Conditions

TUVPSG must also abide by the following conditions of the recognition, in addition to those already required by 29 CFR 1910.7:

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

If TUVPSG has reason to doubt the efficacy of any test standard it is using under this program, it must promptly

inform the test standard developing organization of this fact and provide that organization with appropriate relevant information upon which its concerns are based;

TUVPSG must not engage in or permit others to engage in any misrepresentation of the scope or conditions of its recognition. As part of this condition, TUVPSG 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;

TUVPSG must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major changes in its operations as an NRTL, including details;

TUVPSG will meet all the terms of its recognition and will always comply with all OSHA policies pertaining to this recognition; and

TUVPSG will continue to meet the requirements for recognition in all areas where it has been recognized.

Signed at Washington, DC this 28th day of November, 2005.

**Jonathan L. Snare,**

*Acting Assistant Secretary.*

[FR Doc. E5-7261 Filed 12-12-05; 8:45 am]

**BILLING CODE 4510-26-P**

## NATIONAL CREDIT UNION ADMINISTRATION

### Sunshine Act Meeting

**TIME AND DATE:** 10 a.m., Thursday, December 15, 2005.

**PLACE:** Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314-3428.

**STATUS:** Open.

#### MATTERS TO BE CONSIDERED:

1. National Credit Union Share Insurance Fund (NCUSIF) Operating Level for 2006.

2. Proposed Rule: Section 701.2(h) of NCUA's Rules and Regulations, Third-Party Servicing of Indirect Vehicle Loans.

3. Final Rule: Part 723 of NCUA's Rules and Regulations, Member Business Loans.

4. Final Rule: Section 741.8 of NCUA's Rules and Regulations, Purchase of Assets and Assumptions of Liabilities.

**RECESS:** 11:15 a.m.

**TIME AND DATE:** 11:30 a.m., Thursday, December 15, 2005.