

DATES: The denial of recognition is effective on June 23, 2008.

FOR FURTHER INFORMATION CONTACT:

MaryAnn Garrahan, Director, 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-3655, Washington, DC 20210, or phone (202) 693-2110.

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

The Occupational Safety and Health Administration (OSHA) is giving notice of the denial of renewal of recognition of Electrical Reliability Services, Inc. (formerly Electro-Test, Inc.) (ETI) as a Nationally Recognized Testing Laboratory (NRTL). OSHA is taking this action following its requirements under Subsection I.B. of Appendix A to 29 CFR 1910.7.

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), OSHA's NRTL Program regulations. 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 in the workplace that are properly approved by the NRTL to meet OSHA standards that require testing and certification.

Subsection I.B describes the procedures that OSHA must use in deciding an NRTL's application for renewal of recognition. In order to approve such an application, the NRTL must meet all of the requirements for recognition in 29 CFR 1910.7. Subsection I.B sets out the steps OSHA must follow in reviewing each renewal application and provides the NRTL opportunities to correct or respond to any perceived failures to meet the requirements.

OSHA followed the process set forth in Subsection I.B and is denying renewal of ETI as an NRTL. OSHA found that ETI's ownership by Emerson Electric Company resulted in ETI's failure to satisfy the requirement of 29 CFR 1910.7 that NRTLs be independent of the manufacturers and vendors of the products for which OSHA requires certification. This failure constitutes a cause for non-renewal under OSHA's NRTL Program regulations.

OSHA has notified ETI of its final decision to deny its application for

renewal. The effective date of non-renewal is shown in the DATES section above. As of this date, the Agency no longer accepts product certifications done by ETI.

Docket No. OSHA-2007-0038 contains all public materials in the record concerning the recognition of ETI. You may obtain or review copies of these documents 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.

Signed at Washington, DC, this 13th day of June, 2008.

Edwin G. Foulke, Jr.

Assistant Secretary of Labor for Occupational Safety and Health.

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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting

Date: June 19, 2008.

TIME AND DATE: 10 a.m., Wednesday, July 16, 2008.

PLACE: The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following in open session: *Secretary of Labor v. Spartan Mining Company*, Docket Nos. WEVA 2004-117-RM, *et al.* (Issues include whether the Administrative Law Judge properly found violations and assessed penalties for the following standards: 30 CFR 75.606 (requiring protecting cables); 30 CFR 75.511 (requiring locking and tagging out before electrical work); 30 CFR 75.1725(a) (requiring unsafe equipment to be removed from service); and 30 CFR 75.313(a)(3) (requiring withdrawal from a working section in mine fan outage)).

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

FOR FURTHER INFORMATION CONTACT: Jean Ellen (202) 434-9950/(202) 708-9300

for TDD Relay/1-800-877-8339 for toll free.

Sandra G. Farrow,

Acting Chief Docket Clerk.

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THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Meetings of Humanities Panel

AGENCY: The National Endowment for the Humanities.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meetings of Humanities Panels will be held at the Old Post Office, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT:

Michael P. McDonald, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, DC 20506; telephone (202) 606-8322. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Endowment's TDD terminal on (202) 606-8282.

SUPPLEMENTARY INFORMATION: The proposed meetings are for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by the grant applicants. Because the proposed meetings will consider information that is likely to disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential and/or information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee meetings, dated July 19, 1993, I have determined that these meetings will be closed to the public pursuant to subsections (c)(4) and (6) of section 552b of Title 5, United States Code.

1. *Date:* July 8, 2008.

Time: 9 a.m. to 5 p.m.

Room: 421.

Program: This meeting will review applications for Challenge Grants,