

responsibilities on any state; nor does it diminish the power of any state to enforce its own laws. Accordingly, this action does not have federalism implications warranting the application of Executive Order 13132.

#### *Executive Order 12988*

This action meets the applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988 Civil Justice Reform.

#### *Unfunded Mandates Reform Act of 1995*

This action will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$120,000,000 or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### *Congressional Review Act*

This action is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This action will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Dated: September 2, 2009.

**Michele M. Leonhart,**

*Deputy Administrator.*

[FR Doc. E9-22043 Filed 9-11-09; 8:45 am]

**BILLING CODE 4410-09-P**

## **DEPARTMENT OF LABOR**

### **Employee Benefits Security Administration**

#### **148th Meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans; Notice of Meeting**

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the Advisory Council on Employee Welfare and Pension Benefit Plans will hold a public teleconference meeting on September 29, 2009.

The meeting will take place in Room N3437 A-B, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Public access is available only in this room (i.e. not by telephone). The meeting will run from

11:30 a.m. to approximately 5:30 p.m. The purpose of the open meeting is to discuss reports/recommendations for the Secretary of Labor on the issues of (1) Stable Value Funds and Retirement Security in the Current Economic Conditions, (2) Promoting Retirement Literacy and Security by Streamlining Disclosures to Participants and Beneficiaries, and (3) Approaches for Retirement Security in the United States. Descriptions of these topics are available on the Advisory Council page of the EBSA Web site at [http://www.dol.gov/ebsa/aboutebsa/erisa\\_advisory\\_council.html](http://www.dol.gov/ebsa/aboutebsa/erisa_advisory_council.html).

Organizations or members of the public wishing to submit a written statement pertaining to the topic may do so by submitting 30 copies on or before September 22, 2009 to Larry Good, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5623, 200 Constitution Avenue NW., Washington, DC 20210. Statements also may be submitted as e-mail attachments in text or pdf format transmitted to [good.larry@dol.gov](mailto:good.larry@dol.gov). It is requested that statements not be included in the body of the e-mail. Statements received on or before September 22, 2009 will be included in the record of the meeting. Individuals or representatives of organizations wishing to address the Advisory Council should forward their requests to the Executive Secretary or telephone (202) 693-8668. Oral presentations will be limited to 10 minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities who need special accommodations should contact Larry Good by September 22 at the address indicated.

Signed at Washington, DC, this 10th day of September, 2009.

**Michael L. Davis,**

*Deputy Assistant Secretary, Employee Benefits Security Administration.*

[FR Doc. E9-22108 Filed 9-11-09; 8:45 am]

**BILLING CODE 4510-29-P**

## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

[Docket Nos. OSHA-2005-022, OSHA-2006-0028, OSHA-2006-0029, OSHA-2006-0040, OSHA-2006-0042, OSHA-2007-0039, OSHA-2007-0041, OSHA-2007-0042, OSHA-2009-0025, OSHA-2009-0026, OSHA-2009-0027]

#### **Modifications to the Scope of NRTL Recognition**

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

**ACTION:** Notice.

**SUMMARY:** This notice modifies the scopes of recognition of several Nationally Recognized Testing Laboratories resulting from the withdrawal of test standards by standards-developing organizations.

**DATES:** *Effective Date:* The effective date of this notice is September 14, 2009.

**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; phone: (202) 693-2110.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Notice of Modifications**

In this notice, the Occupational Safety and Health Administration (OSHA) is modifying the scopes of recognition of several Nationally Recognized Testing Laboratories (NRTLs). Specifically, one or more of the test standards that OSHA currently includes in the scopes of recognition of these NRTLs are no longer "appropriate test standards" under 29 CFR 1910.07(c) because the standards-developing organizations that wrote and published the standards withdrew the standards. Consequently, OSHA is deleting the test standards from the scope of recognition of each affected NRTL. Section IV of this notice ("Modifications to Each NRTL's Scope of Recognition") identifies the affected NRTLs.

To substitute other test standards for the standards being removed, OSHA's policy permits NRTLs to request, or OSHA to provide, recognition for comparable test standards, i.e., other appropriate test standards covering comparable product testing. The table in Section III ("Withdrawn Test Standards and Replacement Test Standards") identifies the test standards removed from the scopes of recognition of the affected NRTL, under the heading