

so that they are not expected to be replaced on that shift.

(n) The following maintenance and use conditions shall apply to Versaflo TR-800 or the CleanSpace EX containing lithium-type batteries:

1. The petitioner shall always correctly use and maintain the lithium-ion battery packs. Neither the 3M TR-830 Battery Pack nor the CleanSpace EX Power Unit may be disassembled or modified by anyone other than permitted by the manufacturer of the equipment.

2. The 3M TR-830 Battery Pack must only be charged in an area free of combustible material, readily monitored, and located on the surface of the mine. The 3M TR-830 Battery Pack is to be charged by either:

i. 3M Battery Charger Kit TR-641N, which includes one 3M Charger Cradle TR-640 and one 3M Power Supply TR-941N, or,

ii. 3M 4-Station Battery Charger Kit TR-644N, which includes four 3M Charger Cradles TR-640 and one 3M 4-Station Battery Charger Base/Power Supply TR-944N.

3. The CleanSpace EX Power Unit is to be charged only by the CleanSpace Battery Charger EX, Product Code PAF-0066.

4. The batteries shall be kept dry and shall not be exposed to water or allowed. This does not preclude incidental exposure of sealed battery packs.

5. The batteries shall not be used, charged, or stored in locations where the manufacturer's recommended temperature limits are exceeded. The batteries shall not be placed in direct sunlight or used or stored near a source of heat.

6. The battery shall not be used at the end of its life cycle (e.g., when there is a performance decrease of greater than 20 percent in battery operated equipment). The battery must be disposed of properly.

(o) Affected mine employees must be trained in the proper use and maintenance of the Versaflo TR-800 and the CleanSpace EX PAPRs in accordance with established manufacturer guidelines. This training shall alert the affected employees to recognize the hazards and limitations associated with the use of the equipment in areas where methane could be present and that neither the Versaflo TR-800 nor the CleanSpace EX is approved under 30 CFR part 18. The affected mine employees shall also be trained to de-energize the PAPRs when 1.0 or more percent methane is detected. The training shall also include the proper method to de-energize these PAPRs. In addition to manufacturer guidelines, mine employees shall be trained to inspect the units before use to determine if there is any damage to the PAPRs that would negatively impact intrinsic safety as well as all stipulations in the PDO.

(p) Mine employees shall be trained regarding proper procedures for donning Self-Contained Self Rescuers (SCSRs) during a mine emergency while

wearing the Versaflo TR-800 or CleanSpace EX. The mine operator shall submit proposed revisions to update the Mine Emergency Evacuation and Firefighting Program of Instruction under 30 CFR 75.1502.

(q) Within 60 days after the PDO becomes final, the operator shall submit proposed revisions for its approved 30 CFR part 48 training plans to the MSHA District Manager. These proposed revisions shall specify initial and refresher training regarding the terms and conditions stated in the PDO. When training is conducted on the PDO, an MSHA Certificate of Training (Form 5000-23) shall be completed. Comments shall be included on the Certificate of Training indicating that the training received was for use of the Versaflo TR-800 or CleanSpace EX.

(r) All personnel who will be involved with or affected by the use of the Versaflo TR-800 or CleanSpace EX shall receive training in accordance with 30 CFR 48.7 on the requirements of the PDO within 60 days of the date the PDO becomes final. Such training shall be completed before any Versaflo TR-800 or CleanSpace EX can be used in a continuous miner section where electric face equipment is taken in or in by the last crosscut. The operator shall keep a record of such training and provide such record to MSHA upon request.

(s) The operator shall provide annual retraining to all personnel who will be involved with or affected by the use of the Versaflo TR-800 or CleanSpace EX in accordance with 30 CFR 48.8. The operator shall train new miners on the requirements of the PDO in accordance with 30 CFR 48.5 and shall train experienced miners on its requirements in accordance with 30 CFR 48.6. The operator shall keep a record of such training and provide such record to MSHA upon request.

(t) The final PDO shall be posted in unobstructed locations on the bulletin boards and/or in other conspicuous places where notices to miners are ordinarily posted, for a period of not less than 60 consecutive days.

The petitioner asserts that the alternate method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

**Song-ae Aromie Noe,**

*Director, Office of Standards, Regulations, and Variances.*

[FR Doc. 2023-17618 Filed 8-15-23; 8:45 am]

**BILLING CODE 4520-43-P**

**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

[Docket No. OSHA-2009-0025]

**UL LLC: Application for Expansion of Recognition**

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

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA announces the application of UL LLC, 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 August 31, 2023.

**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.

*Instructions:* All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA-2009-0025). 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 August 31, 2023 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.francis@dol.gov](mailto:meilinger.francis@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) 693-2300 or email: [robinson.kevin@dol.gov](mailto:robinson.kevin@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Notice of the Application for Expansion**

OSHA is providing notice that UL LLC (UL), is applying for an expansion of current recognition as a NRTL. UL requests the addition of 42 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 web page for each NRTL, including UL, 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>.

UL currently has 13 facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: UL LLC, 333 Pfingsten Road, Northbrook, Illinois 60062. A complete list of UL's scope of recognition is available at <https://www.osha.gov/nationally-recognized-testing-laboratory-program/ul>.

**II. General Background on the Application**

UL submitted an application, dated January 20, 2021 (OSHA-2009-0025-0050), requesting the conversion of 42 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 42 sites that UL's application requested for inclusion in the NRTL's expanded scope of recognition:

TABLE 1—LIST OF TEST SITES TO BE INCLUDED IN UL'S NRTL SCOPE OF RECOGNITION

UL site name	Address	Country
Auckland	54 Tarndale Grove, 106 Bush Road Unit 1, Block 1, Albany, Auckland, New Zealand 0632.	New Zealand.
Bangalore	3rd Floor, Block 1, No. 24, Kalyani Platina, EPIP Zone, Phase II, Bangalore, Karnataka 560066, India.	India.
Barcelona	C/Caravel-la la Nina 12, 3 Planta 08017, Barcelona, Spain 08017	Spain.
Milan	Via Europa 5/7/9 & 28, Cabiato-CO, Milan, Italy 22060	Italy.
Changzhou	No. 21 Longmen Road, National High-Tech, Industrial Development District, Wujin, Changzhou, Jiangsu, China 213614.	China.
Plano	801 Klein Road, Suite 200, Plano, Texas 75074	United States.
Dubai	Premises 222-224, 2nd Floor, DSP Laboratory Complex, Dubai Science Park, Al Barsha, Dubai, 345831 United Arab Emirates.	United Arab Emirates.
Edmonton	1040 Parsons Road SW, Edmonton, Alberta, Canada T6X 0J4	Canada.
Fremont	47173 Benicia Street, Fremont, California 94538	United States.
Holland	3480 Windquest Drive, Holland, Michigan 49424	United States.
Gurugram	A-12 Section 34, Infocity-1, Gurugram, Haryana India 122001	India.
Istanbul	Gursel Mah. Yesiltepe Sok No. 34, ERG Is Merkezi 80260 Kat 3&6, Istanbul, Turkey 34400.	Turkey.
Singapore	20 Kian Teck Lane, Singapore 627 854	Singapore.
Basingstoke	Units 1-4, Horizons, Wade Road, Kingsland Business Park, Basingstoke, Hampshire, United Kingdom RG24 8AH.	United Kingdom.
Brea	1075 West Lambert Road, Suite B, Brea, California 92821	United States.
Subang Jaya	Suite 9.01, Level 9, Menara Summit, Persiaran Kewajipan, USJ 1, UEP, Subang Jaya, Selangor, Malaysia.	Malaysia.
Mexico City	Blas Pascal 205 Piso 3, Polanco I Seccion, Mexico City, Mexico 11510.	Mexico.
Mounds View	2222 Wooddale Drive, Mounds View, Minnesota 55112	United States.

TABLE 1—LIST OF TEST SITES TO BE INCLUDED IN UL’S NRTL SCOPE OF RECOGNITION—Continued

UL site name	Address	Country
Montreal	6505 Trans-Canada Highway, Suite 330, St. Laurent, Quebec, Canada, H4T1S3.	Canada.
Mumbai	Patina Block no 102, 1st Floor, C–59, G-Block, Mumbai, India 400 051.	India.
Munich	Hopfenstrasse 6, Munich, Germany 80335	Germany.
Guangzhou	1–3F, Building 2 (R&D Building A1), No. 25, South Huanshi Avenue, Nansha District, Guangzhou, Guangdong Sheng, China 511458.	China.
Guangzhou	Block B, Electronic Building, No. 8, Nanyun Er Road, Hangpu District, Guangzhou, China 510670.	China.
Warsaw	Rownolegla 4, Warsaw, Poland 02–235	Poland.
Queretaro	Module K1 Unit 6 & 7, Kaizen Industrial Park, State Road 100, KM, 8+820, Colonia Galeras, Colon Municipality, Queretaro 76295 Mexico.	Mexico.
Rosenheim	Am Oberfeld 19, Rosenheim, Germany 83026	Germany.
Saint Aubin	Espace Technologique, De Saint-Aubins, Baitmont Explorer, Route de L’Orme des Mersies, Saint Aubin, France 91190.	France.
Sao Paulo	Av. Engenheiro Luis, Carlos Berrini, 105, 23th Floor, Brooklin, Sao Paulo, Brazil 0451–010.	Brazil.
Shanghai	29 F, Wheelock Square, No. 1717 West Nanjing Road, Shanghai, China 200040.	China.
Suzhou	No. 2, Chengwan Road, Suzhou Industrial Park, Suzhou, Jiangsu, China 215122.	China.
Taoyuan	No. 2 Wenming 1st Street, Guishan District, Taoyuan, Taiwan 333	Taiwan.
Samutprakarn	888 Moo 5, Srinakarin Road, Tambol Samrong Nua, Amphur Muang Samutprakarn, 10270.	Thailand.
Tokyo	6F, Marunouchi Trust Tower, 1–8–3 Marunouchi, Chiyoda-ku, Tokyo, Japan 100–0005.	Japan.
Krefeld-Uerdingen	Rheinufestr. 7–9 Building R33, Krefeld-Uerdingen, Germany, 47829	Germany.
Bayrakli—Izmir	Adlet Mah. Sehit Polis, Fethi Sekin Cad. Ventus Tower No: 6, Ic Kapi No: 241, Bayrakli-Izmir, Turkey 35530.	Turkey.
Beijing	11/F, Tower W3, Oriental Plaza, No. 1, East Chang’an Avenue, Dongcheng District, Beijing, China 100738.	China.
Richmond	#130–137775, Commerce Parkway, Richmond, British Columbia, V6V2V4 Canada.	Canada.
Vancouver	14301 SE 1st Street, Suite 140, Vancouver, Washington 98684	United States.
Warrington	220 Cygnet Court, Centre Park, Warrington, Chesire, WA1 1PP, United Kingdom.	United Kingdom.
Kwai Chung N.T.	19F, Watson Centre, 16–22 Kung Yip Street, Kwai Chung N.T. Hong Kong.	Hong Kong.
Xiamen	17/F, The Bank Centre, No. 189 Xxiahe Road, Xiamen, China 361004.	China.
Zhongshan	Block C, C101–102 &, C202–202, No.8, Jinsan Avenue East, Sanjiao Town, Zhongshan, China 528445.	China.

OSHA has preliminarily determined that it is appropriate to review this application under the SNAP Transition Policy. UL’s application was timely submitted under that policy, and OSHA preliminarily finds that the SNAP sites in UL’s application met all other preconditions of eligibility for conversion to recognized sites under the policy (See SNAP Transition 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 UL’s expansion application, based on historical assessment records and supporting documentation submitted by UL. Moreover, OSHA staff performed assessments of several UL 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, UL addressed these issues sufficiently. OSHA staff has preliminarily determined that OSHA should grant the application and grant recognition to the 42 sites requested in the application.

**III. Preliminary Finding on the Application**

UL submitted an acceptable application for expansion of its scope of recognition. OSHA’s review of the application file and pertinent documentation indicates that UL can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include the addition of the 42 additional test sites for NRTL testing and certification. This preliminary finding does not constitute an interim or temporary approval of UL’s application.

OSHA seeks public comment on this preliminary determination.

**IV. Public Participation**

OSHA welcomes public comment as to whether UL 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–2009–0025 (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 UL’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.*

[FR Doc. 2023–17534 Filed 8–15–23; 8:45 am]

**BILLING CODE 4510–26–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA–2006–0048]

#### NSF International: Application for Expansion of Recognition

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

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA announces the application of NSF International, 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 August 31, 2023.

**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.

*Instructions:* All submissions must include the agency’s name and the docket number for this rulemaking (Docket No. OSHA–2006–0048). 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 August 31, 2023 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, or by fax to (202) 693–1644.

**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](mailto: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) 693–2300 or email: [robinson.kevin@dol.gov](mailto:robinson.kevin@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Notice of the Application for Expansion

OSHA is providing notice that NSF International (NSF), is applying for an expansion of current recognition as a NRTL. NSF requests the addition of one test site to the 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 web page for each NRTL, including NSF, which details that NRTL’s scope of recognition. These pages are available from the OSHA website at <http://www.osha.gov/dts/otpc/nrtl/index.html>.

NSF currently has one facility (site) recognized by OSHA for product testing and certification, with the headquarters located at: NSF International, 789 North Dixboro Road, Ann Arbor, Michigan 48105. A complete list of NSF sites recognized by OSHA is available at <https://www.osha.gov/nationally-recognized-testing-laboratory-program/nsf>.