accepted, the laboratory must have the capability (including proper testing equipment and facilities, trained staff, written testing procedures, and calibration and quality control programs) to perform appropriate testing.

The on-site review reports indicate that UL has facilities, personnel, and testing equipment which are appropriate for the areas of recognition it seeks. The various laboratories have available all of the general test equipment to perform the testing required by the standards. If any additional test equipment is necessary, it will be purchased or leased as required.

The various UL facilities have adequate equipment calibration procedures. Typical departments maintain laboratory equipment logs which include information relative to repair, routine maintenance, and calibration.

Published standards, laboratory procedural guides, laboratory operations manuals, engineering department manuals, and test data sheets collectively specify records that are to be maintained for an investigation. Laboratory procedural guides detail the procedures to be followed for given tests. Details such as specific equipment (and alternates) which UL uses to conduct the test, and instructions including steps to be used in conducting the tests, are detailed within these documents.

Where these procedural guides have not yet been developed, technicians are guided by the UL standard which illustrates the test, their knowledge of tests required for the product, data sheets (which contain a ''method'' section and lay out basic procedures), and by consultation with the project handler.

No single quality assurance manual exists as such. The size and complexity of UL causes the quality assurance system to be dictated by the corporate laboratory operations manuals and the engineering department manuals. The engineering department manuals provide policies, procedures, definitions, and responsibilities encompassing a wide variety of issues.

The laboratory operations manuals identify areas of responsibilities within the laboratory and govern the laboratory quality system. They identify policies and describe the procedures and controls used by engineering and laboratory staff in performing tests and reporting of test results. They also address areas such as the identification of applicable tests, maintenance and calibration of equipment, procedures and practices for conducting tests, personnel training and qualification, data recording, reporting and review, maintenance of records, feedback and corrective action procedures, and internal audit programs. Such audits are carried out at random and are unannounced. Action is taken to correct performance that is below acceptable levels. The laboratory operations manuals specify the procedures associated with corrective actions, which are initiated immediately upon identification of the deficient conditions.

Follow-Up and Field Inspection Procedures

Section 1910.7(b)(2) requires that the NRTL provide certain follow-up procedures, to the extent necessary, for the particular equipment or material to be listed, labeled, or accepted. These include implementation of control procedures for identifying the listed or labeled equipment or materials, inspecting the production run at factories to assure conformance with test standards, and conducting field inspections to monitor and assure the proper use of the label.

A written follow-up program exists. Field representatives make periodic unannounced examinations or tests of products at the factory and may, from time to time, select samples from the factory, the open market, or elsewhere to be sent to a UL testing station for examination or test to determine compliance with UL's requirements. The determination of the frequency of audits is documented and depends on which of UL's follow-up service is implemented. In any event, a minimum of four unannounced visits per year is required.

The base document for follow-up inspections is the follow-up service procedure. This document includes information regarding the use of the UL mark on the product and the conduct of follow-up service.

In situations involving the establishment of follow-up services for a new manufacturer or for the addition of a new product category for an existing manufacturer, a so-called initial production inspection may be required. This inspection is intended to assure that each manufacturer of a certified product is producing the product in accordance with the requirements of a follow-up service procedure commencing with the very first production run. Under this program, the manufacturer may not ship products bearing a UL mark until the initial production inspection has been successfully completed, and products actually being produced are found to comply with the requirements of the follow-up service procedure.

Depending upon the type of service, UL marks are either obtained through UL, or manufacturers are provided with a control number for all their products under a particular product category and purchase the UL mark directly from an authorized printer or supplier once UL has evaluated the original label design and authorizes the format of the mark. Maintaining control of these marks, as well as varying the issue or serial numbers as they are printed, enables UL to monitor and track closely the usage of its mark, to whom they have been released, and the approximate date of their use.

Independence

Section 1910.7(b)(3) requires that the NRTL be completely independent of employers subject to the tested equipment requirements, and of any manufacturers or vendors of equipment or materials being tested for these purposes.

OSHA believes, based upon an examination of the application, that Underwriters Laboratories Inc. is independent of employers subject to the tested equipment requirements and of any manufacturers or vendors of equipment or materials being tested for these purposes, within the meaning of 29 CFR 1910.7(b)(3).

Creditable Reports/Complaint Handling

Section 1910.7(b)(4) provides that an OSHA recognized NRTL must maintain effective procedures for producing creditable findings and reports that are objective and without bias, as well as for handling complaints and disputes under a fair and reasonable system.

UL's application as well as the on-site review reports indicate that UL does maintain effective procedures for producing creditable findings and reports that are objective.

Published standards, laboratory procedural guides, laboratory operations manuals, engineering department manuals, and test data sheets collectively specify records that are to be maintained for an investigation.

Certification reports contain the following information: name and address of the applicant; name and address of the testing location if different from the laboratory; a unique identifier along with an issue date and file number for the report; a detailed description of the product including drawings and photographs; specific conditions for use of the product when needed; construction and testing narratives which describe how the