

Signed at Washington, DC, on January 27, 2014.

David Michaels,
Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2014-01858 Filed 1-29-14; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2007-0043]

TÜV SÜD America, Inc.: Grant of Renewal 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 granting renewal of recognition of TÜV SÜD America, Inc., as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7.

DATES: The renewal of recognition becomes effective on January 30, 2014.

FOR FURTHER INFORMATION CONTACT:

David W. Johnson, 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, or email at johnson.david.w@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Background

OSHA recognition of an NRTL signifies that the organization meets the 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 approved by the NRTL to meet OSHA standards that require testing and certification. OSHA maintains an informational Web site for each NRTL that details its scope of recognition available at <http://www.osha.gov/dts/otpcanrtl/index.html>.

OSHA processes applications by an NRTL for renewal of recognition following requirements in Appendix A to 29 CFR 1910.7. OSHA conducts renewals in accordance with the

procedures in 29 CFR 1910.7, App. II.C. In accordance with these procedures, NRTLs submit a renewal request to OSHA not less than nine months or no more than one year before the expiration date of its current recognition. A renewal request includes a request for renewal and any additional information the NRTL wishes to submit to demonstrate its continued compliance with the terms of its recognition and 29 CFR 1910.7. If OSHA has not conducted an on-site assessment of the NRTL headquarters and any key sites within the past 18 to 24 months, it will schedule the necessary on-site assessments prior to the expiration date of the NRTL's recognition. Upon review of the submitted material and, as necessary, the successful completion of the on-site assessment, OSHA announces its preliminary decision to grant or deny renewal in the **Federal Register** and solicits comments from the public. OSHA then publishes a final **Federal Register** notice responding to any comments and renewing the NRTL's recognition for a period of five years, or denying the renewal of recognition.

TÜV SÜD America, Inc. (TUVAM) initially received OSHA recognition as an NRTL on January 25, 2002 (67 FR 3737), for a five-year period ending on January 25, 2007. TUVAM submitted a timely request for renewal, dated March 7, 2006 (see Exhibit OSHA-2007-0043-0005), and retained its recognition pending OSHA's final decision in this renewal process. The current addresses of TUVAM facilities recognized by OSHA and included as part of the renewal request are:

1. TÜV SÜD America, Inc., 10 Technology Drive, Peabody, Massachusetts 01960;
2. TÜV SÜD America, Inc., 10040 Mesa Rim Road, San Diego, California 92121; and
3. TÜV SÜD America, Inc., 1775 Old Highway 8 NW., Suite 104, New Brighton, Minnesota 55112.

OSHA evaluated TUVAM's application for renewal and made a preliminary determination that TUVAM can continue to meet the requirements prescribed by 29 CFR 1910.7 for recognition. OSHA conducted an audit of TUVAM's facilities on August 17, 2012 (Peabody, MA), and April 27, 2012 (San Diego, CA), and found TUVAM to be in conformance with all applicable NRTL requirements. Accordingly, OSHA determined that it did not need to conduct an on-site review of TUVAM's facilities based on its evaluation of TUVAM's application and all other available information.

OSHA published the preliminary notice announcing TUVAM's renewal

request in the **Federal Register** on November 4, 2013. The Agency requested comments by November 19, 2013, but received no comments in response to this notice. OSHA now is proceeding with this final notice to grant TUVAM's request for renewal of recognition.

To obtain or review copies of all public documents pertaining to the TUVAM's application, contact 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. OSHA-2007-0043 contains all materials in the record concerning TUVAM's recognition.

II. Final Decision and Order

Pursuant to the authority granted under 29 CFR 1910.7, OSHA hereby gives notice of the renewal of recognition of TUVAM as an NRTL. OSHA NRTL Program staff reviewed the renewal request for TUVAM and other pertinent information provided by TUVAM. Based on this review of the renewal request for TUVAM and other pertinent information provided by TUVAM, OSHA finds that TUVAM meets the requirements of 29 CFR 1910.7 for renewal of its recognition, subject to the limitation and conditions listed below. OSHA limits the renewal of TUVAM's recognition to include the terms and conditions of TUVAM's individual scope of recognition. The scope of recognition for TUVAM is available in the **Federal Register** notice dated January 25, 2002 (67 FR 3737) or at OSHA's informational Web page for TUVAM's recognition as an NRTL on OSHA's Web site at <http://www.osha.gov/dts/otpcanrtl/TUVAM.html>.

Conditions

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

1. TUVAM must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as an NRTL, and provide details of the change(s);
2. TUVAM must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and
3. TUVAM must continue to meet the requirements for recognition, including all previously published conditions on TUVAM's scope of recognition, in all areas for which it has recognition.

III. Authority and Signature

David Michaels, Ph.D., MPH, 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 Section 8(g)(2) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657(g)(2)), Secretary of Labor's Order No. 1–2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on January 27, 2014.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

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OFFICE OF MANAGEMENT AND BUDGET

2013 Statutory Pay-as-You-Go Act Annual Report

Authority: 2 U.S.C. 934

AGENCY: Office of Management and Budget (OMB).

ACTION: Notice.

SUMMARY: This report is being published as required by the Statutory Pay-As-You-Go (PAYGO) Act of 2010, 2 U.S.C. 931 et seq. The Act requires that OMB issue (1) an annual report as specified in 2 U.S.C. 934(a) and (2) a sequestration order, if necessary.

FOR FURTHER INFORMATION CONTACT: Patrick Locke. 202–395–3672.

SUPPLEMENTARY INFORMATION: This report and additional information about the PAYGO Act can be found at http://www.whitehouse.gov/omb/paygo_default.

Courtney Timberlake,

Assistant Director for Budget.

This Report is being published pursuant to section 5 of the Statutory Pay-As-You-Go (PAYGO) Act of 2010, Public Law 111–139, 124 Stat. 8, 2 U.S.C. 934, which requires that OMB issue an annual PAYGO report, including a sequestration order if necessary, no later than 14 working days after the end of a congressional session.

This Report describes the budgetary effects of all legislation enacted during the first session of the 113th Congress and presents the 5-year and 10-year PAYGO scorecards maintained by OMB. Because neither the 5-year nor 10-year scorecard shows a debit for the budget year, which for purposes of this Report

is fiscal year 2014,¹ a sequestration order under subsection 5(b) of the PAYGO Act, 2 U.S.C. § 934(b), is not necessary.

No legislation was enacted with an emergency designation under section 4(g) of the PAYGO Act, 2 U.S.C. 933(g), during the first session of the 113th Congress. In addition, the scorecards include no current policy adjustments made under section 4(c) of the PAYGO Act, 2 U.S.C. 933(c), for legislation enacted during the first session of the 113th Congress. The authority for current policy adjustments expired as of December 31, 2011. For these reasons, the Report does not contain any information about emergency legislation or a description of any current policy adjustments.

I. PAYGO Legislation With Budgetary Effects

PAYGO legislation is authorizing legislation that affects direct spending or revenues; and appropriations legislation that affects direct spending in the years beyond the budget year or affects revenues in any year.² For a more complete description of the Statutory PAYGO Act, see the OMB Web site, http://www.whitehouse.gov/omb/paygo_description, and Chapter 11, “Budget Concepts,” of the *Analytical Perspectives* volume of the 2014 Budget, <http://www.whitehouse.gov/sites/default/files/omb/budget/fy2014/assets/concepts.pdf>.

The 5-year PAYGO scorecard shows that PAYGO legislation enacted in the first session of the 113th Congress was estimated to have PAYGO budgetary effects that increased the deficit by an average of \$25 million each year from 2014 through 2018.³ Balances carried

¹ References to years on the PAYGO scorecards are to fiscal years.

² Provisions in appropriations acts that affect direct spending in the years beyond the budget year (also known as “outyears”) or affect revenues in any year are scorable for the purposes of the PAYGO scorecards except if the provisions produce outlay changes that net to zero over the current year, budget year, and the four subsequent years. As specified in section 3 of the Statutory PAYGO Act, off-budget effects are not counted as budgetary effects. Off-budget effects refer to effects on the Social Security trust funds (Old-Age and Survivors Insurance and Disability Insurance) and the Postal Service.

³ As provided in section 4(d) of the PAYGO Act, 2 U.S.C. 933(d), budgetary effects on the PAYGO scorecards are based on congressional estimates for bills including a reference to a congressional estimate in the Congressional Record, and for which such a reference is indeed present in the Record. Absent such a congressional cost estimate, OMB is required to use its own estimate for the scorecard. None of the bills enacted during the first session of the 113th Congress had such a congressional estimate and therefore OMB was required to provide an estimate for all PAYGO laws enacted during the session.

over from prior sessions of the Congress more than offset the deficit increases being shown on the 5-year scorecard in years 2014, 2015, and 2017, but would add to the deficit increase in 2016. The 10-year PAYGO scorecard shows that PAYGO legislation for the first session of the 113th Congress increased the deficit by an average of \$7 million each year from 2014 through 2023. Balances from prior sessions more than offset the deficit increases in years 2014 through 2022.

In the first session of the 113th Congress, 21 laws were enacted that were determined to constitute PAYGO legislation. Of the 21 enacted PAYGO laws, 9 laws were estimated to have PAYGO budgetary effects (costs or savings) in excess of \$500,000 over one or both of the 5-year or 10-year PAYGO windows. These were:

- Consolidated and Further Continuing Appropriations Act, 2013, Public Law 113–6;
- Bonneville Unit Clean Hydropower Facilitation Act, Public Law 113–20;
- Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, Public Law 113–24;
- Department of Veterans Affairs Expiring Authorities Act of 2013, Public Law 113–37;
- Helium Stewardship Act of 2013, Public Law 113–40;
- An Act to extend the period during which Iraqis who were employed by the United States Government in Iraq may be granted special immigrant status and to temporarily increase the fee or surcharge for processing machine-readable nonimmigrant visas, Public Law 113–42;
- Congressional Award Program Reauthorization Act of 2013;
- Continuing Appropriations Act, 2014, Public Law 113–46; and
- National Defense Authorization Act for Fiscal Year 2014, Public Law 113–66.

Finally, in addition to the laws identified above, 12 laws enacted in this session were estimated to have negligible budgetary effects—costs or savings of less than \$500,000 over both the 5-year and 10-year PAYGO windows.

II. Budgetary Effects Excluded From the Scorecard Balances

Two laws enacted in the first session of the 113th Congress had estimated budgetary effects on direct spending and revenues that are not included in the calculations for the PAYGO scorecards due to exclusions required by law. Public Law 113–28, the Bipartisan Student Loan Certainty Act of 2013, and Public Law 113–67, the Bipartisan