

should be clearly marked "Privacy Act Access Request." The request must describe the records sought in sufficient detail to enable Department personnel to locate them with a reasonable amount of effort. The request must include a general description of the records sought and must include the requester's full name, current address, and date and place of birth. The request must be signed and either notarized or submitted under penalty of perjury. Some information may be exempt from the access provisions as described in the "EXEMPTIONS PROMULGATED FOR THE SYSTEM" paragraph, below. An individual who is the subject of a record in this system of records may access those records that are not exempt from access. A determination whether a record may be accessed will be made at the time a request is received.

Although no specific form is required, you may obtain forms for this purpose from the FOIA/Privacy Act Mail Referral Unit, United States Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530, or on the Department of Justice website at <https://www.justice.gov/oip/submit-and-track-request-or-appeal>.

More information regarding the Department's procedures for accessing records in accordance with the Privacy Act can be found at 28 CFR part 16 Subpart D, "Protection of Privacy and Access to Individual Records Under the Privacy Act of 1974."

#### CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records maintained in this system of records must direct their requests to the address indicated in the "RECORD ACCESS PROCEDURES" paragraph, above. All requests to contest or amend records must be in writing and the envelope and letter should be clearly marked "Privacy Act Amendment Request." All requests must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record. Some information may be exempt from the amendment provisions as described in the "EXEMPTIONS PROMULGATED FOR THE SYSTEM" paragraph, below. An individual who is the subject of a record in this system of records may contest or amend those records that are not exempt. A determination of whether a record is exempt from the amendment provisions will be made after a request is received.

More information regarding the Department's procedures for amending or contesting records in accordance with the Privacy Act can be found at 28 CFR

16.46, "Requests for Amendment or Correction of Records."

#### NOTIFICATION PROCEDURES:

Individuals may be notified if a record in this system of records pertains to them when the individuals request information utilizing the same procedures as those identified in the "RECORD ACCESS PROCEDURES" paragraph, above.

#### EXEMPTIONS PROMULGATED FOR THE SYSTEM:

The Attorney General has promulgated rules to exempt those records in this system that pertain to the enforcement of criminal laws, that are investigatory materials compiled for law enforcement purposes, or that are classified secret by an Executive Order, from the following Privacy Act requirements: (1) The requirement under (c)(3) to make available to the individual named in the record an accounting of the circumstances under which records about the individual were disclosed; (2) the requirement under (e)(1) to maintain only such information about an individual that is relevant and necessary to accomplish a purpose of the agency; and (3) the requirement under (f) to establish agency procedures to respond to an individual's request for information about himself. The Attorney General also has promulgated a rule to exempt records in this system compiled for criminal enforcement purposes from these additional requirements: (1) The requirement under (c)(4) to inform any party or agency that received an individual's records about any subsequent corrections made to the record; (2) the requirement under (e)(2) to collect information to the greatest extent practicable directly from the individual when the information may result in adverse determinations about an individual's rights, benefits and privileges under Federal programs; (3) the requirement under (e)(3) to inform each individual from whom information is collected of the authority for the information, the principal purposes for the information, the routine uses, and the effects, if any, of not providing the information; (4) the requirement under (e)(5) to maintain all records with such accuracy, relevance, timeliness and completeness as is reasonably necessary to assure fairness to the individual, (5) the requirement under (e)(8) to make reasonable efforts to serve notice on an individual when any record on the individual is made available to any person under compulsory legal process when that process becomes a matter of public record; and (6) the authority under (g) providing that individuals

may bring a civil action against the agency for violations of the Privacy Act.

These rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e), and have been published in the **Federal Register**.

#### HISTORY:

65 FR 8990 (February 23, 2000): Last published in full; 66 FR 8425 (January 31, 2001); 70 FR 61159 (October 10, 2005); 72 FR 3410 (January 25, 2007) (Rescinded by 82 FR 24147); 82 FR 24147 (May 25, 2017).

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2019-0009]

#### DEKRA Certification Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards

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

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA announces the final decision to expand the scope of recognition of DEKRA Certification Inc., (DEKRA) as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces the final decision to add one test standard to the NRTL List of Appropriate Test Standards.

**DATES:** The expansion of the scope of recognition becomes effective on April 23, 2024.

**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 or 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; telephone (202) 693-1911 or email [robinson.kevin@dol.gov](mailto:robinson.kevin@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Notice of the Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of DEKRA Certification Inc., (DEKRA) as a

NRTL. DEKRA’s expansion covers the addition of three test standards 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 NRTLs or applicant organizations for initial recognition, as well as for 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 a 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 DEKRA, which details that NRTL’s scope of recognition. These pages are available from the OSHA website at <https://www.osha.gov/dts/otpca/nrtl/index.html>.

DEKRA submitted an application on December 24, 2021 (OSHA–2019–0009–0004), which requested the addition of twenty-two standards to the scope of recognition. DEKRA submitted an amended application, dated June 21, 2023 (OSHA–2019–0009–0003), which requested that OSHA consider three of the twenty-two standards separately. OSHA then moved forward with consideration only of the three standards requested in the June 21, 2023, amended application; it is still evaluating the initial application and will announce the preliminary decision on the remaining nineteen standards in a separate notice. OSHA staff performed a detailed analysis of the application packet for the three standards covered by the June 21, 2023, amended application, and other pertinent information. OSHA staff performed an on-site assessment of DEKRA’s Netherlands facility on June 5–7, 2023, in which OSHA assessors found some nonconformances with the requirements of 29 CFR 1910.7. DEKRA has addressed these issues sufficiently, and OSHA staff preliminarily determined that OSHA should grant the June 21, 2023, amended application.

OSHA published the preliminary notice announcing DEKRA’s expansion application in the **Federal Register** on March 1, 2024 (89 FR 15223). The agency requested comments by March 18, 2024, but it received no comments in response to this notice.

To obtain or review copies of all public documents pertaining to the DEKRA application, go to <http://www.regulations.gov> or contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. Docket No. OSHA–2019–0009 contains all materials in the record concerning DEKRA’s recognition. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

**II. Final Decision and Order**

OSHA staff examined DEKRA’s expansion application, its capability to meet the requirements of the test standards, and other pertinent information. Based on its review of this evidence, OSHA finds that DEKRA meets the requirements of 29 CFR 1910.7 for expansion of its recognition, subject to the limitations and conditions listed in this notice. OSHA, therefore, is proceeding with this final notice to grant DEKRA’s expanded scope of recognition. OSHA limits the expansion of DEKRA’s recognition to testing and certification of products for demonstration of conformance to the test standards listed below in table 1.

TABLE 1—TEST STANDARDS FOR INCLUSION IN DEKRA’S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 2202 .....	DC Charging Equipment for Electric Vehicles.
UL 2251 * .....	Plugs, Receptacles, and Couplers for Electric Vehicles.
UL 2594 .....	Electric Vehicle Supply Equipment.

\* Represents the standard that OSHA will add to the NRTL Program’s List of Appropriate Test Standards.

In this notice, OSHA also announces the final decision to add one new test standard to the NRTL Program’s List of Appropriate Test Standards. Table 2

below lists the standard that is new to the NRTL Program. OSHA has determined that this test standard is an appropriate test standard and will add

it to the NRTL Program’s List of Appropriate Test Standards.

TABLE 2—STANDARD OSHA WILL ADD TO THE NRTL PROGRAM’S LIST OF APPROPRIATE TEST STANDARDS

Test standard	Test standard title
UL 2251 .....	Plugs, Receptacles, and Couplers for Electric Vehicles.

The American National Standards Institute (ANSI) may approve the test standards listed above as American National Standards. However, for convenience, we may use the designation of the standards-developing organization for the standard as opposed

to the ANSI designation. Under the NRTL Program’s policy (see OSHA Instruction CPL 01–00–004, Chapter 2, Section VIII), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that

standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

**A. Conditions**

In addition to those conditions already required by 29 CFR 1910.7,

DEKRA must abide by the following conditions of the recognition:

1. DEKRA 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 a NRTL, and provide details of the change(s);

2. DEKRA must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and

3. DEKRA must continue to meet the requirements for recognition, including all previously published conditions on DEKRA's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of DEKRA as a NRTL, subject to the limitations and conditions specified above. OSHA also adds one test standard to the NRTL Program's List of Appropriate Test Standards.

### III. Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, 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 April 16, 2024.

**James S. Frederick,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–99984; File No. SR–PEARL–2024–19]

### Self-Regulatory Organizations; MIAx PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Make Minor, Non-Substantive Edits to Rule 531, Reports and Market Data Products

April 17, 2024.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) <sup>1</sup> and Rule 19b–4 thereunder,<sup>2</sup> notice is hereby given that on April 9, 2024, MIAx PEARL, LLC (“MIAx Pearl” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) a

proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend (1) make a non-substantive, clarifying change to a footnote in prior rule filings submitted to the U.S. Securities and Exchange Commission (“Commission”) for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act <sup>3</sup> and Rule 19b–4(f)(6) <sup>4</sup> to adopt the Liquidity Taker Event Report and Liquidity Taker Event Report—Resting Simple Orders;<sup>5</sup> and (2) make a non-substantive clarifying change to Exchange Rule 531, Reports and Market Data Products.

The text of the proposed rule change is available on the Exchange's website at <https://www.miaxglobal.com/markets/us-equities/pearl-equities/rule-filings>, at MIAx Pearl's principal office, and at the Commission's Public Reference Room.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>4</sup> 17 CFR 240.19b–4(f)(6).

<sup>5</sup> The Exchange notes that its affiliate, MIAx Emerald, LLC (“MIAx Emerald”), submitted the first filing to adopt the Liquidity Taker Event Report—Simple Orders, pursuant to Section 19(b)(2) of the Act. 15 U.S.C. 78s(b)(2). See Securities Exchange Act Release Nos. 91356 (March 18, 2021), 86 FR 15759 (March 24, 2021) (SR–EMERALD–2021–09) (Notice of Filing of a Proposed Rule Change To Adopt Exchange Rule 531, Reports, To Provide for the New “Liquidity Taker Event Report”); and 91787 (May 6, 2021), 86 FR 26111 (May 12, 2021) (SR–EMERALD–2021–09) (Order Approving Proposed Rule Change To Adopt Exchange Rule 531(a), Reports, To Provide for a New “Liquidity Taker Event Report”).

#### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

##### 1. Purpose

The Exchange proposes to: (1) make a non-substantive, clarifying change to a footnote in prior rule filings submitted to the Commission for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act <sup>6</sup> and Rule 19b–4(f)(6) <sup>7</sup> thereunder to adopt the Liquidity Taker Event Report and Liquidity Taker Event Report—Resting Simple Orders; and (2) make a non-substantive clarifying change to Exchange Rule 531, Reports and Market Data Products.

The Exchange offers two versions of the Liquidity Taker Event Report: (1) Liquidity Taker Event Report (referred to herein as the “Simple Order Report”); and (2) Liquidity Taker Event Report—Resting Simple Orders (referred to herein as the “Resting Simple Order Report”).<sup>8</sup> Each of the Reports are available for purchase by Exchange Members<sup>9</sup> on a voluntary basis. The Exchange's prior rule filings to adopt each Liquidity Taker Event Report were submitted to the Commission for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act <sup>10</sup> and Rule 19b–4(f)(6) thereunder.<sup>11</sup> Each Liquidity Taker Event Report is described under Exchange Rules 531(a) and (c).<sup>12</sup>

In general, each Liquidity Taker Event Report is a daily report that provides a Member (“Recipient Member”) with its liquidity response time details for executions and contra-side responses of

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>7</sup> 17 CFR 240.19b–4(f)(6).

<sup>8</sup> The Simple Order Report and Resting Simple Order Report are collectively referred to herein as the “Reports.”

<sup>9</sup> The term “Member” means an individual or organization that is registered with the Exchange pursuant to Chapter II of the Exchange's Rules for purposes of trading on the Exchange as an “Electronic Exchange Member” or “Market Maker.” Members are deemed “members” under the Exchange Act. See Exchange Rule 100.

<sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>11</sup> 17 CFR 240.19b–4(f)(6).

<sup>12</sup> See Exchange Rules 531(a) and (c); see also Securities Exchange Act Release Nos. 92082 (June 1, 2021), 86 FR 30337 (June 7, 2021) (SR–PEARL–2021–25) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rule 531, Reports and Market Data Products, To Adopt the Liquidity Taker Event Report for Options Trading); and 96837 (February 8, 2023), 88 FR 9543 (February 14, 2023) (SR–PEARL–2023–01) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 531, Reports and Market Data Products, To Provide for the New “Liquidity Taker Event Report—Resting Simple Orders”).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b–4.