

products properly approved by the NRTL to meet OSHA standards that require testing and certification of the products.

The agency processes applications by a NRTL for initial recognition, or for expansion or renewal of this 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 and, 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 that details the scope of recognition. These pages are available from the agency's website at <http://www.osha.gov/dts/otpca/nrtl/index.html>.

MET submitted one application dated September 25, 2018 (OSHA-2006-0028-0080), to add one test standard to MET's NRTL scope of recognition. OSHA staff performed a detailed analysis of the application packet and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to the application.

OSHA published the preliminary notice announcing MET's expansion application in the **Federal Register** on January 26, 2022 (87 FR 4051). The agency requested comments by February 10, 2022, but it received no comments in response to this notice. OSHA now is proceeding with this final notice to grant expansion of MET's scope of recognition.

To obtain or review copies of all public documents pertaining to MET's 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-2006-0028 contains all materials in the record concerning MET's recognition. Please note: Due to the COVID-19 pandemic, the Docket Office is closed to the public at this time but can be contacted at (202) 693-2350 (TTY (877) 889-5627).

## II. Final Decision and Order

OSHA staff examined MET's expansion application, the capability to meet the requirements of the test standard, and other pertinent information. Based on the review of this evidence, OSHA finds that MET meets the requirements of 29 CFR 1910.7 for expansion of the NRTL scope of recognition, subject to the limitation

and conditions listed below. OSHA, therefore, is proceeding with this final notice to grant MET's scope of recognition. OSHA limits the expansion of MET's recognition to testing and certification of products for demonstration of conformance to the test standard listed in Table 1.

TABLE 1—LIST OF APPROPRIATE TEST STANDARD FOR INCLUSION IN MET'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 62109-1.	Standard for Safety of Power Converters for Use in Photovoltaic Power Systems—Part 1: General requirements.

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standards listed above as American National Standards. However, for convenience, the use of the designation of the standards-developing organization for the standard as opposed to the ANSI designation may occur. Under the NRTL Program's policy (see OSHA Instruction CPL 01-00-004, Chapter 2, Section VIII), only standards determined to be appropriate test standards may be approved for NRTL recognition. 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, MET must abide by the following conditions of the recognition:

1. MET must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in their operations as a NRTL, and provide details of the change(s);

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

3. MET must continue to meet the requirements for recognition, including

all previously published conditions on MET'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 MET, subject to the limitations and conditions specified above.

## 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 February 28, 2022.

**James S. Frederick,**

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

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BILLING CODE 4510-26-P

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts

### National Council on the Arts 206th Meeting

**AGENCY:** National Endowment for the Arts.

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, as amended, notice is hereby given that a meeting of the National Council on the Arts will be held open to the public by videoconference or teleconference.

**DATES:** See the **SUPPLEMENTARY INFORMATION** section for meeting time and date. The meeting is Eastern time and the ending time is approximate.

**ADDRESSES:** The National Endowment for the Arts, Constitution Center, 400 Seventh Street SW, Washington, DC 20560. This meeting will be held by videoconference or teleconference. Please see [arts.gov](https://www.arts.gov) for the most up-to-date information.

**FOR FURTHER INFORMATION CONTACT:** Sonia Tower, Office of Public Affairs, National Endowment for the Arts, Washington, DC 20506, at 202/682-5606.

**SUPPLEMENTARY INFORMATION:** If, in the course of the open session discussion, it becomes necessary for the Council to discuss non-public commercial or financial information of intrinsic value, the Council will go into closed session

pursuant to subsection (c)(4) of the Government in the Sunshine Act, 5 U.S.C. 552b, and in accordance with the September 10, 2019 determination of the Chair. Additionally, discussion concerning purely personal information about individuals, such as personal biographical and salary data or medical information, may be conducted by the Council in closed session in accordance with subsection (c) (6) of 5 U.S.C. 552b.

Any interested persons may attend, as observers, to Council discussions and reviews that are open to the public. If you need special accommodations due to a disability, please contact Beth Bienvenu, Office of Accessibility, National Endowment for the Arts, at 202/682-5532 or [accessibility@arts.gov](mailto:accessibility@arts.gov), at least seven (7) days prior to the meeting.

*The upcoming meeting is:* National Council on the Arts 206th Meeting.

This meeting will be held by videoconference or teleconference.

*Date and time:* March 24, 2022; 3:15 p.m. to 4:15 p.m.

There will be opening remarks and voting on recommendations for grant funding and rejection, followed by updates from the NEA Chair.

*Register in advance for this webinar:* [https://arts.zoomgov.com/webinar/register/WN\\_1IzFiabNTyKXJGYW0SjB-w](https://arts.zoomgov.com/webinar/register/WN_1IzFiabNTyKXJGYW0SjB-w).

Dated: March 8, 2022.

**Sherry Hale.**

*Staff Assistant, National Endowment for the Arts.*

[FR Doc. 2022-05189 Filed 3-10-22; 8:45 am]

**BILLING CODE 7537-01-P**

## NUCLEAR REGULATORY COMMISSION

[IA-21-062; NRC-2022-0055]

### In the Matter of Mr. Joseph Berkich

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Order; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an Order prohibiting involvement in NRC-licensed activities to Mr. Joseph Berkich. Mr. Berkich, the former owner of Steel City Gamma, LLC (SCG), engaged in deliberate misconduct that caused SCG to be in violation of NRC requirements.

**DATES:** The Order prohibiting involvement in NRC-licensed activities became effective on March 2, 2022.

**ADDRESSES:** Please refer to Docket ID NRC-2022-0055 when contacting the

NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2022-0055. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Document collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The Order prohibiting involvement in NRC-licensed activities is available in ADAMS under Accession No. ML22046A014.

- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Leelavathi Sreenivas, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-001; telephone: 301-287-9249, email: [Leelavathi.Sreenivas@nrc.gov](mailto:Leelavathi.Sreenivas@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The text of the Order is attached.

Dated: March 8, 2022.

For the Nuclear Regulatory Commission.

**Mark D. Lombard,**

*Director, Office of Enforcement.*

### Attachment—Order Prohibiting Involvement in NRC-Licensed Activities

#### United States of America

#### Nuclear Regulatory Commission

*In the Matter of* Mr. Joseph Berkich.  
**IA-21-062**

### Order Prohibiting Involvement in NRC-Licensed Activities

#### I

At the time of the events discussed below, Joseph Berkich was the owner of Steel City Gamma, LLC (SCG), an industrial radiography company located in Pennsylvania. On May 14, 2019, SCG was issued Commonwealth of Pennsylvania radioactive materials license No. PA-1633, which authorized SCG to possess and utilize byproduct material in up to three (3) devices for the purposes of industrial radiography. During the relevant time periods discussed below, SCG did not possess a specific license issued by the Nuclear Regulatory Commission under 10 CFR part 30, but as an Agreement State licensee, SCG could conduct radiography in NRC jurisdiction under the general NRC license granted pursuant to 10 CFR 150.20.

#### II

On April 2, 2020, the NRC was notified by the Pennsylvania Department of Environmental Protection (PA DEP) that SCG had been conducting licensed activities (industrial radiography) under the company name A&B Testing Services (ABT) for Mid-Atlantic Fabrication (MAF) at MAF's facility in Pleasant Valley, West Virginia. PA DEP also informed the NRC that on March 10, 2020, PA DEP had issued Administrative Orders to SCG and to Mr. Berkich as an individual. The Administrative Order to SCG amended the company's PA license to authorize possession and storage only. On April 21, 2020, the U.S. Regulatory Commission (NRC), Office of Investigations (OI), Region I field office initiated an investigation to determine whether Steel City Gamma, LLC and/or A & B Testing Services, LLC (ABT) deliberately conducted unauthorized and/or unlicensed radiography activities within NRC jurisdiction.

Based on the evidence gathered during the investigation, the NRC concluded that two apparent violations of NRC requirements occurred. First, on December 18, 2019, and from approximately January 1, 2020, through March 9, 2020, SCG performed radiographic operations in NRC jurisdiction without first filing for reciprocity, in violation of 10 CFR 150.20(a)(1). Second, from March 10, 2020, until April 9, 2020, SCG performed radiographic operations in NRC jurisdiction without a valid NRC or agreement state license, in violation of 10 CFR 30.3(a). The NRC also concluded that Mr. Berkich's actions appeared to