

## TITLE 13 – DEPARTMENT OF LABOR

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Department of Labor intends to amend the rule cited as 13 NCAC 07F .0201.*

**Link to agency website pursuant to G.S. 150B-19.1(c):** <https://www.labor.nc.gov/rules-and-regulations>

**Proposed Effective Date:** July 1, 2025

**Instructions on How to Demand a Public Hearing:** *(must be requested in writing within 15 days of notice): Contact Ashley Snyder via email at [ashley.snyder@labor.nc.gov](mailto:ashley.snyder@labor.nc.gov) in writing to demand a public hearing.*

**Reason for Proposed Action:** *NCDOL is proposing to amend 13 NCAC 07F. 0201 to incorporate by reference a federal OSHA Personal Protective Equipment (PPE) amendment to the existing Construction PPE standard found at 29 CFR Part 1926.95(c). This amendment will make the North Carolina Occupational Safety and Health Division's State Plan as effective as the federal program.*

**Comments may be submitted to:** Ashley Snyder, 1101 Mail Service Center, Raleigh, NC 27699-1101

**Comment period ends:** May 2, 2025

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to [oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov). If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

**Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

- State funds affected
- Local funds affected
- Substantial economic impact ( $\geq$  \$1,000,000)
- Approved by OSBM
- No fiscal note required

### CHAPTER 07 - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH

#### SUBCHAPTER 07F - STANDARDS

#### SECTION .0200 - CONSTRUCTION STANDARDS

##### 13 NCAC 07F .0201 CONSTRUCTION

The provisions for the Occupational Safety and Health Standards for Construction, Title 29 of the Code of Federal Regulations Part 1926 promulgated as of ~~June 30, 2022~~, January 1, 2025, and exclusive of subsequent amendments, are incorporated by reference except as modified or amended in 13 NCAC 07F .0202 through .0207.

*History Note: Authority G.S. 95-131; ~~150B-21.6~~;*

*Eff. August 2, 1993;*

*Amended Eff. April 14, 2005; March 14, 2005; September 17, 2004; July 1, 2003; December 11, 2002; August 1, 2002; January 18, 2002; September 1, 2000; February 22, 1999; October 8, 1998; July 1, 1998; April 8, 1998; March 7, 1997; February 11, 1997; September 1, 1996; February 1, 1996; January 1, 1996; October 1, 1995; September 6, 1995;*

*Item (5): Subpart U-Blasting and Use of Explosives, was recodified to Rules - .0701-.0716 Eff. August 3, 2005;*

*Amended Eff. November 22, 2006; August 24, 2006; May 30, 2006;*

*Recodified Items (1) - (6) to Rules .0202 - .0207 Eff. December 17, 2007;*

*Amended Eff. October 2, 2015; November 20, 2014; October 8, 2014; November 18, 2013; November 8, 2013; June 18, 2013; February 5, 2013; June 11, 2012; October 31, 2011; November 8, 2010; August 19, 2010; July 1, 2010; April 23, 2009; February 13, 2008;*

*Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016;*

*Amended Eff. July 1, 2025; September 1, 2022; March 8, 2021; February 1, 2021; September 23, 2020; February 14, 2020; October 7, 2019; May 3, 2019; May 1, 2018; July 1, 2017; September 2, 2016.*