



North Carolina Department of Labor
Division of Occupational Safety and Health
1101 Mail Service Center
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NOTICE OF AMENDMENT OF VERBATIM ADOPTION OF FEDERAL STANDARDS

In consideration of G.S. 150B-21.5(c) the Occupational Safety and Health Division of the Department of Labor hereby gives notice that:

- Rule changes have been submitted to update the *North Carolina Administrative Code* at 13 NCAC 07F .0101 to amend the occupational safety and health related provisions of Title 29 of the *Code of Federal Regulations* Parts 1910 promulgated as of December 21, 2021, except as specifically described, and
- The *North Carolina Administrative Code* at 13 NCAC 07A .0301 automatically adopts subsequent amendments to certain parts of the *Code of Federal Regulations*. Title 29, Part 1910—General Industry Standards does not automatically include subsequent amendments.

This update encompasses the following recent expiration:

- Occupational Safety and Health Standards, Healthcare Emergency Temporary Standard, General Industry, 29 CFR § 1910 (86 FR 32376, June 21, 2021)

The Occupational Safety and Health Administration (OSHA) issued an emergency temporary standard (ETS), published in the Federal Register on June 21, 2021 (86 FR 32376). The ETS on Healthcare was adopted verbatim as a permanent rule, and was published in NC Register Volume 36, Issue 04. The ETS on Healthcare has now expired pursuant to 29 USC 655(c), which requires that a federal emergency temporary standard be effective until a permanent standard is promulgated, but the promulgation of the permanent standard shall be "no later than six months after the publication of the emergency standard" To date, federal OSHA has not promulgated a permanent standard to replace the ETS on Healthcare; therefore, the ETS on Healthcare expired effective December 21, 2021.

For additional information, please contact:

Bureau of Education, Training and Technical Assistance
Occupational Safety and Health Division
North Carolina Department of Labor
1101 Mail Service Center
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For additional information regarding North Carolina's process of adopting federal OSHA Standards verbatim, please contact:

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Legal Affairs Division
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Summary of Verbatim Adoptions
Effective March 4, 2022

Occupational Safety and Health Standards

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The attached amendment of 13 NCAC 07F .0101 is required by 29 CFR 1902.4(a)(1) and G.S. 95-131(a) in order for North Carolina's Occupational Safety and Health program to be as effective as the federal program and to maintain North Carolina's state plan status under the federal Occupational Safety and Health Act of 1970. This rule is amended in accordance with 150B-21.5(c). Pursuant to the provisions of G.S. 150B-21.3(e), **the effective date of this action is March 4, 2022.**