



North Carolina Department of Labor  
Division of Occupational Safety and Health  
1101 Mail Service Center  
Raleigh, NC 27699-1101  
(919) 707-7806

---

**NOTICE 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 incorporate by reference the occupational safety and health related provisions of Title 29 of the *Code of Federal Regulations* Parts 1910 promulgated as of September 26, 2019, 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 verbatim adoption:

- Occupational Safety and Health Standards, CFR amendments to § 1910.134 – Respiratory Protection Standard (84 FR 50739, September 26, 2019) to include quantitative fit testing protocols.

The final rule, published in the Federal Register on September 26, 2019 (84 FR 50739), approved two modified condensation nuclei counting (CNC) QNFT protocols, which are being added to Appendix A of 29 CFR 1910.134 as alternatives to the four existing QNFT protocols: one for full-facepiece and half-mask elastomeric respirators, and the other for filtering facepiece respirators. OSHA’s final rule was effective September 26, 2019.

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  
Raleigh, North Carolina 27699-1101

For additional information regarding North Carolina’s process of adopting federal OSHA Standards verbatim, please contact:

Jill F. Cramer, Agency Rulemaking Coordinator  
North Carolina Department of Labor  
Legal Affairs Division  
1101 Mail Service Center  
Raleigh, North Carolina 27699-1101

Summary of Verbatim Adoptions  
Effective February 14, 2020

**Occupational Safety and Health Standards**

The final rule is published in the Federal Register on September 26, 2019 (84 FR 50739). OSHA approved two modified condensation nuclei counting (CNC) QNFT protocols, which are being added to Appendix A of 29 CFR 1910.134 as alternatives to the four existing QNFT protocols: one for full-facepiece and half-mask elastomeric respirators, and the other for filtering facepiece respirators. OSHA's final rule was effective September 26, 2019.

The attached amendment of 13 NCAC 07F .0101 is required by 29 CFR 1902.4(a) 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 was adopted 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 February 14, 2020.**