

Which Standards Apply

29 CFR 1910—NORTH CAROLINA STATE-SPECIFIC STANDARDS

OVERVIEW:

North Carolina is an [OSHA-approved State Plan](#) that covers both private and state and local government workers. With certain exceptions, the N.C. Department of Labor (NCDOL) adopts federal OSHA standards verbatim. [Standards information and activity](#) provides the status of the Occupational Safety and Health (OSH) Division's adoption of federal standards and compliance dates. When OSH Administrative rules differ from federal OSHA standards, employers must comply with the state-specific rules.

The OSH Division [enforcement procedures](#) provide guidance to compliance personnel, to ensure responsibilities related to enforcement of the OSHA standards are carried out in an effective, efficient and consistent manner. Some of the guidance documents are federal documents that have been adopted for use in N.C. while others have been created specifically for N.C. To learn more about the inspection process, go to the [compliance inspection process](#) webpage.

Many employers have questions regarding which Occupational Safety and Health standards apply to them. For this reason, the OSH Division has put together information at the following links that will help the employer determine which standards apply to them as it pertains to [recordkeeping](#), [general industry](#), [construction](#), [agriculture](#), [shipyard employment](#) (public sector only) and [marine terminals](#) (public sector only). This includes [North Carolina state-specific](#) standards. *The OSH Division **does not** have enforcement jurisdiction for the longshoring standards.*

This document will address standards applicable to **North Carolina State-Specific standards**. interpretations.

INSTRUCTIONS:

To assist the employer in identifying which **North Carolina State-Specific standards** apply to them, questions regarding the subchapters and subsequent standards are provided to help the employer identify which are applicable to the worksite. Once the standards have been identified, the employer is better able to develop their own safety and health management program.

To start this process, please go through each subpart below to identify the standards that apply to your organization by answering yes, no, or unsure. Be sure to come back to the subpart or standard for any answers that were identified as “unsure”.

KEY POINTS:

- Whenever a standard provides a “scope” and/or “application”, be sure to read it. The scope and application state who, what or how a standard applies. It also provides any exemptions from the standard. In some cases, you may find that a standard does not apply to your organization based on the scope and application.

- If a standard provides “definitions”, be sure to read them. Information about a standard such as who and how it applies can also be found in a definition.
- Any time you see “general requirements” listed as a standard in a subpart that you need to comply with, that will generally be an automatic “yes”.
- Most standards have [interpretations](#) which should be referenced when available for clarification of the standard. Other useful [compliance enforcement documents](#) to reference include compliance directives (CPL), field operations manual (FOM), standards directives (STD), and *operational procedure notices (OPN)*.

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

North Carolina State-Specific Standards

13 NCAC CHAPTER 7—OFFICE OF OCCUPATIONAL SAFETY AND HEALTH

Subchapter 7A—General Rules and Operational Procedures

Does “Subchapter 7A—General Rules and Operational Procedures” apply to you?

This subchapter contains state-specific standards requiring "Safety and Health Programs and Committees." These standards apply to general industry and construction worksites with an experience modifier of 1.5 or higher.

Note: *If this subchapter applies, then most of the standards within this subchapter will apply. References applicable to this subchapter are located at the end of this section.*

Yes / No / Unsure If yes, please continue.

Do you have an experience rate modifier of 1.5 or higher? Yes / No / Unsure

The following state-specific standards requires businesses with a workers' compensation experience rate modifier (ERM) of 1.5 or higher to improve their workplace safety and health efforts by establishing a safety and health program.

Experience rate modifier ERM [AKA - (EMR) - Experience modification rate] - Is a rate modifier used to establish a company's insurance premium for worker's compensation (WC). It is based on your past three years (skipping the most current year in effect) of WC claims history for injuries and illnesses. An ERM of 1.0 is considered to be the average industry rate for a company and it can go up or down based on your claims history when comparing claims to other similar type industries. The more claims you have, the higher your ERM and the more you pay in WC premiums. If you have fewer claims, the lower your ERM and the less you pay in WC premiums.

Do you have an ERM of 1.5 or higher? Yes / No / Unsure

The following standard provides the purpose and scope of this subchapter.

[7A .0601](#)—Purpose and scope.

Do you have an ERM of 1.5 or higher? Yes / No / Unsure

The following standard provides the definitions for this subchapter.

[7A .0602](#)—Definitions.

Note: *This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.*

Do you have an ERM of 1.5 or higher? Yes / No / Unsure

The following standard provides requirements pertaining to written safety and health programs that includes workplace inspection checklists, accident investigations, safe work practices, self-audits, purpose of the safety committee, required OSHA programs, and communication of hazards to employees.

[7A 0603](#)—Safety and health programs.

Do you have 11 or more employees and an ERM of 1.5 or higher? Yes / No / Unsure

The following standard provides requirements pertaining to the safety and health committee including selection of management, non-management members, and collective bargaining agents.

[7A .0604](#)—Selection of safety committees.

Do you have 11 or more employees and an ERM of 1.5 or higher at each location? Yes / No / Unsure

The following standard provides requirements pertaining to the safety and health committee as it relates to multi-site and multi-employer worksites.

[7A .0605](#)—Safety & health committee requirements.

Do you have an ERM of 1.5 or higher? Yes / No / Unsure

The following standard provides requirements pertaining to training and education for safety and health committee members and for employees that are not part of the committee. Training should include hazard identification, accident investigations, employee rights and responsibilities, recordkeeping requirements, common causes of accidents, PPE use, OSHA required training and on frequently cited OSHA violations.

[.7A .0606](#)—Training and education.

SUBCHAPTER 7A REFERENCES:

[Safety and health programs and committees](#)

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

Subchapter 7F .0100—Standards

Does “[Subchapter 7F .0100](#)—Standards” apply to you?

This subchapter contains state-specific standards for general industry employers. It includes the promulgation of the 29 CFR Part 1910 standards (7F .0100—General Industry), and an amendment to 1910.120—HAZWOPER training requirement.

Note: References applicable to this subchapter are located at the end of this section.

Yes / No / Unsure If yes, please continue.

Do employees respond to emergencies involving hazardous materials involving hydrocarbon fuel leaks? Yes / No / Unsure

*The following standard adds a new level of training to **paragraph (q)(6)** of 1910.120—[hazardous waste operations and emergency response](#) for individuals who respond to hydrocarbon fuel leaks; "first responder operations plus level".*

This state-specific standard includes first responders at the operations plus level to receive at least training equal to first responder operations level and, in addition, receive training or have had sufficient experience to objectively demonstrate competency in specific areas and also requires certification by the employer.

First responder operations plus level - First responders at operations plus level are individuals who respond to hydrocarbon fuel tank leaks where the leaking tanks contain a hydrocarbon fuel which is used to propel the vehicle on which the tank is located. Only those vehicles designed for highway use or those used for industrial, agricultural or construction purposes are covered.

[7F .0103](#)—Hazardous materials.

Subchapter 7F .0200—Standards

Does “[Subchapter 7F .0200—Standards](#)” apply to you?

This section of the subchapter contains state-specific standards for construction industry employers. It includes the promulgation of the 29 CFR Part 1926 standards (7F .0200—Construction Standards), along with state-specific standards related to personal protective equipment, nonionizing radiation, snaphooks, bloodborne pathogens, and steel erection.

Note: References applicable to this subchapter are located at the end of this section.

Yes / No / Unsure If yes, please continue.

Do you need to provide personal protective equipment? Yes / No / Unsure

*The following state-specific rule applies if you are required to meet the 1926.28—[personal protective equipment](#) standard. It adds to **paragraph (a) of the standard**, "The employer is responsible for requiring the wearing of appropriate PPE (as described in 1926.28) in all operations where there is an exposure to hazardous conditions or where this part (1926) indicates a need for using such PPE to reduce hazards to the employees."*

[7F .0202](#)—General safety and health provisions.

Are employees exposed to nonionizing radiation? Yes / No / Unsure

*The following state-specific rule applies if you are required to meet the 1926.54—[nonionizing radiation](#) standard. It adds to **paragraph (a) of the standard**, "This standard applies to all direct or reflected laser equipment except unmodified Class 1 equipment maintained in accordance with the manufacturer's recommendations."*

[7F .0203](#)—Occupational health and environmental controls.

Are your employees exposed to fall hazards? Yes / No / Unsure

The following state-specific rule applies if you are required to meet 1926.104—[safety belts, lifelines, and lanyards](#). It adds paragraph (g) to the standard, "Snaphooks shall be a locking type designed and used to prevent disengagement of the snaphook keeper by the connected member. Locking type snaphooks have self-closing, self-locking keepers which remain closed and locked until unlocked and pressed open for connection or disconnection."

[7F .0204](#)—Personal protective and life-saving equipment.

Are you employees working in steel erection? Yes / No / Unsure

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

*The following state-specific rule applies if you are required to meet subpart R—[steel erection](#) standards. It expands and clarifies the scope in **paragraph (b)** and adds requirements pertaining to tripping hazards to **paragraph (c)**. It also provides for guardrail systems, personal fall arrest systems or safety nets when leading edge work activities are six feet or more above the lower levels for employees not meeting training requirements.*

[7F .0205](#)—Steel erection.

Do your employees have exposure to blood or other potentially infectious material?

Yes / No / Unsure

The following North Carolina state-specific rule applies to all occupational exposure to blood or other potentially infectious materials (OPIM). It provides requirements for a written exposure control plan, methods of compliance (i.e. engineering controls, work practice controls), personal protective equipment, housekeeping, regulated waste, labels and signs, laundry, hepatitis B vaccination, post-exposure evaluation and follow-up, information and training, recordkeeping (References general industry standard, 1910.1020—[access to employee exposure and medical records](#)), and sharps injury log.

Occupational exposure - Means reasonably anticipated contact with skin, eye, mucous membrane, or parenteral (skin piercing) contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. Occupational exposure includes primary or collateral job duties to provide first aid medical assistance. It does not include Good Samaritan acts of first aid and CPR.

Bloodborne pathogens - Means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Other potentially infectious materials - Means:

- *The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;*
- *Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and*
- *HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.*

[7F .0207](#)—Toxic and hazardous substances. (References general industry standard, [1910.1030](#)—bloodborne pathogens).

Subchapter 7F .0302—General Environmental Controls

Does “[Subchapter 7F .0302](#)—General Environmental Controls” apply to you?

This subchapter contain a state-specific standard for the agriculture industry. It changes the scope for includes the promulgation of the 29 CFR Part 1910 standards (7F .0100—General Industry), and an amendment to 1910.120—HAZWOPER training requirement.

Note: References applicable to this subchapter are located at the end of this section.

Yes / No / Unsure If yes, please continue.

Are you an agricultural establishment where employees (any number) are engaged, on any given day, in hand-labor operations in the field? Yes / No / Unsure

The state-specific standard modifies the "scope" of 1928.110—[field sanitation](#) to read "The scope shall not be limited to any specific number of employees."

1928.110—[field sanitation](#) provides general requirements for employees engaged in hand-labor operations in the field and pertains to potable drinking water, toilet and handwashing facilities, and maintenance of facilities (i.e., clean and sanitary, disposal of wastes, drinking water), reasonable use (i.e., good hygiene practices, use of facilities).

Agricultural establishment - A business operation that uses paid employees in the production of food, fiber, or other materials such as seed, seedlings, plants, or parts of plants.

Agricultural employer - Means any person, corporation, association, or other legal entity that:

- Owns or operates an agricultural establishment;
- Contracts with the owner or operator of an agricultural establishment in advance of production for the purchase of a crop and exercises substantial control over production; or
- Recruits and supervises employees or is responsible for the management a condition of an agricultural establishment.

Hand-labor operations - Means agricultural activities or agricultural operations performed by hand or with hand tools. It also includes other activities or operations performed in conjunction with hand labor in the field. Some examples of "hand labor operations" are the hand-cultivation, hand-weeding, hand-planting and hand-harvesting of vegetables, nuts, fruits, seedlings or other crops, including mushrooms, and the hand packing of produce into containers, whether done on the ground, on a moving machine or in a temporary packing shed located in the field. "Hand-labor" does not include such activities as logging operations, the care or feeding of livestock, or hand-labor operations in permanent structures (e.g., canning facilities or packing houses).

[13 NCAC 07F .0302](#)—General environmental controls.

SUBPART I REFERENCES:

Agricultural safety and health (ASH)

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

North Carolina State-Specific Requirement,
January 2025

7F .0600—Communication Tower Standards

Does [“7F .0600—Communication Tower Standards”](#) apply to you?

This section of the subchapter contains state-specific standards for communication tower including construction, repair, maintenance, and inspections. If you construct, repair, maintain and/or inspect communication towers, then most of the standards in 7F .0600 will apply to your organization.

Note: *References applicable to this subchapter are located at the end of this section.*

Yes / No / Unsure If yes, please continue.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides the scope and application for this section of the subchapter. It applies to communication towers during construction, repair, maintenance, and inspections.

Where the communication tower is affixed to another structure, such as an electrical transmission tower, church steeple, building rooftop, or water tower, the applicable part of any controlling regulation for protection of employees (e.g., [1910.268](#)—telecommunications, [1910.269](#)—electric power generation, transmission, and distribution and 29 CFR 1926 [subpart V](#)—electric power transmission and distribution) applies up to the point of access to the communication tower. Thereafter, the provisions of these standards apply. These rules do not apply to communication towers that are mounted on motor vehicles.

It provides requirements for policies, procedures, and safe work practices to protect employees throughout North Carolina from the hazards of working on communication towers during construction, alteration, repair, operation, inspection, and maintenance activities. The standard includes requirements related to employer responsibilities, hazard identification and assessment, fall protection (i.e., pre-climb planning and inspections, fall protection systems, fall protection plan, guardrail systems, rescue procedures, first aid and CPR training and supplies, non-ionizing radiation, hoists and gin poles, recordkeeping, and training (i.e., written work procedures, fall protection training, trainer competency, hoist operator training, hazardous materials training, refresher training, training records).

[7F .0601](#)—Scope and application.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides the definitions for this section of the subchapter.

Communication tower - Defined as any tower over six feet in height that is used primarily as an antenna or to host one or more antennas.

[7F .0602](#)—Definitions.

Note: *This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.*

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides employer responsibilities as it relates to inspections by competent person, tower access and fall hazards.

[7F .0603](#)—Employer responsibilities.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard requires a hazard assessment to identify, assess and control employee exposure to hazards.

[7F .0604](#)—Hazard identification and assessment.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides for fall protection, fall protection systems, guardrail systems, personal fall arrest systems, positioning device systems, ladder safety systems, a fall protection plan, emergency and rescue procedures, and first aid/ CPR training and supplies.

[7F .0605](#)—Fall protection.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides for protection from radiation exposure, control procedures, and use of controls.

[7F .0606](#)—Non-ionizing radiation.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides requirements for using hoists and gin poles which include inspections, repair, maintenance, and alterations,

[7F .0607](#)—Hoists and gin poles.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides the recordkeeping requirements pertaining to the communication tower standards. It includes maintaining training records, medical and exposure records, and records relating to inspections and tests.

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

[7F .0608](#)—Recordkeeping.

Do your employees construct or work on communication towers? Yes / No / Unsure

The following standard provides requirements pertaining to competency of trainers, providing written work procedures to employees, hazardous materials training, fall protection raining, hoist operator training, retraining and training certification records.

[7F .0609](#)—Training.

SUBCHAPTER 7F REFERENCES:

[Communication towers](#)

[Electrical safety](#)

[Emergency action plans](#)

[Fall protection](#)

[Flammable liquids](#)

[Hazard communication](#)

[HAZWOPER](#)

[Radiation, ionizing and non-ionizing radiation](#)

[Materials handling and storage](#)

[Medical services and first aid](#)

[Personal protective equipment](#)

[Respiratory protection](#)

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

7F .0700—Blasting and Use of Explosives

Does [“7F .0700—Blasting and Use of Explosives”](#) apply to you?

This Section contains state- specific standards for blasting and use of explosives. This standard is in addition to Part 1926, subpart U—Blasting and Use of Explosives.

Note: *If subpart U applies, then most of the standards in this section also applies. References applicable to this subchapter are located at the end of this section.*

Explosives - Means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion; that is, with substantially instantaneous release of gas and heat, unless such compound, mixture or device is otherwise specifically classified by the U.S. Department of Transportation (USDOT), and any material designated as a Class 1 Explosive by the USDOT.

Yes / No / Unsure If yes, please continue.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard incorporates subpart U.

[7F .0701](#)—Blasting and use of explosives.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard provides definitions applicable to these standards.

[7F .0702](#)—Definitions.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard provides requirements for qualified employees, prohibited devices (e.g., smoking, sparks), accounting for explosives, use of original containers, precautions, disposal, delivery of explosives, blaster-in-charge, buildings used for mixing, unauthorized entry, and carrying explosives.

[7F .0703](#)—General provisions.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard provides requirements for additional blaster qualifications including understanding orders, being qualified and knowledgeable, evidence of competency, and instruction provided of avoidance of unsafe conditions.

Note: *This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.*

[7F .0704](#)—Blaster qualifications.

Are you transporting explosives? Yes / No / Unsure

The following standard provides additional requirements for surface transportation of explosives. It provides requirements relating DOT regulations, licensing for drivers, items securely attached to vehicles used for transportation, vehicle markings and placards, fire extinguishers, servicing vehicles, and no delays in transportation.

[7F .0705](#)—Surface transportation of explosives.

Are explosives transported underground? Yes / No / Unsure

The following standard provides requirements for storage, quantities, occupied vehicles, signage, compartments for detonators, and closed containers.

[7F .0706](#)—Underground transportation of explosives.

Do you store explosives and blasting agents? Yes / No / Unsure

The following standard provides requirements for explosives, blasting agents, blasting caps and detonators in magazines and containers, storage underground, and no smoking and open flames permitted in storage areas.

[7F .0707](#)—Storage of explosives and blasting agents.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard provides the requirements for procedures relating to safe loading of explosives, removal of equipment and personnel from blast site, maintaining safe distances from blast area, maintaining explosive records, and other procedures.

[7F .0708](#)—Loading of explosives or blasting agents.

Do you use electric detonators? Yes / No / Unsure

The following standard provides the requirements for using electric detonators including conducting stray voltage surveys, use of blasting machines or power circuits, and other applicable procedures.

[7F .0709](#)—Initiation of explosive charges-electric blasting.

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard provides the requirements for using the safety fuse and safe handling of the fuse.

[7F .0710](#)—Use of safety fuse.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard provides procedures for use of the detonating cord and connections, following manufacturer' instructions, inspections, taping securely, and handling,

[7F .0711](#)—Use of detonating cord and shock tube.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard applies to firing the blast and includes a code of blasting signals, for them to be audible, an emergency.

[7F .0712](#)—Firing the blast.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard provides the requirements for inspections after blasting. It includes sufficient time being allowed before returning to the blast, and following 7F .0714 if there are misfires.

[7F .0713](#)—Inspection after blasting.

Are employees doing blasting work and/or use explosives? Yes / No / Unsure

The following standard pertains to misfires and includes procedures involving safeguards, removing misfires, and detonating misfires.

[7F .0714](#)—Misfires.

Are you conducting underwater blasting? Yes / No / Unsure

The following standard provides requirements for blasting under water. It includes blaster-in-charge approvals, use of water-resistant detonators, and detonating cords,

[7F .0715](#)—Underwater blasting.

Does the blasting involve excavation work under compressed air? Yes / No / Unsure

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

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The following standard states that the explosives should be water-resistant, and that only qualified employees (i.e., blaster, lock tender) should enter the air lock.

[7F .0716](#)—Blasting in excavation work under compressed air.

SUBCHAPTER 7F APPENDICES:

[Bloodborne pathogens:](#)

1910.1030, [appendix A](#) provides the hepatitis B vaccine declination form.

SUBCHAPTER 7F REFERENCES:

[Bloodborne pathogens](#)

[Communication towers](#)

[Competent person](#)

[Demolition](#)

[Electrical safety](#)

[Emergency action plans](#)

[Eyewash stations and emergency showers](#)

[Fall protection](#)

[Flammable liquids](#)

[Hazard communication](#)

[HAZWOPER](#)

[Radiation, ionizing and non-ionizing radiation](#)

[Materials handling and storage](#)

[Medical services and first aid](#)

[Personal protective equipment](#)

[Recording and reporting](#)

[Respiratory protection](#)

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

Subchapter 7G—Handling of Antineoplastic Agents

Does “Subchapter 7G—Handling of Antineoplastic Agents” apply to you?

This subchapter contains the state-specific standard for general industry employers that handle antineoplastic agents (chemotherapeutic agents used to treat cancer).

Note: *References applicable to this subchapter are located at the end of this section.*

Yes / No / Unsure If yes, please continue.

Do your employees handle antineoplastic agents? Yes / No / Unsure

The following standard states that the recommendations contained in the Alert identified below with respect to the handling of antineoplastic agents are incorporated by reference, including subsequent amendments and editions:

- *The recommendations issued by the National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC), as contained in the [Alert: Preventing Occupational Exposure to Antineoplastic and Other Hazardous Drugs in Health Care Settings](#), as published in 2004.*

Antineoplastic drugs - *A chemotherapeutic agent that controls or kills cancer cells.*

[7G .0101](#)—Handling of antineoplastic agents.

SUBCHAPTER 7G REFERENCES:

[Antineoplastic agents](#)

Note: *This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.*

NORTH CAROLINA GENERAL STATUTE (NCGS)

NCGS 95-129—Rights and Duties of Employers

Does “[NCGS 95-129](#)—Rights and Duties of Employers” apply to you?

The General Duty Clause is used only where there is no standard that applies to the particular hazard. Employers can be cited for violation of the General Duty Clause if a recognized serious hazard exists in their workplace and the employer does not take reasonable steps to prevent or abate the hazard.

***Note:** References applicable to this subchapter are located at the end of this section.*

Yes / No / Unsure If yes, please continue.

Are you covered by the OSH Act? Yes / No / Unsure

The following standard applies to everyone covered under the OSH Act. The GDC is used when there isn't a standard for a recognized hazard that can cause death or serious injury or serious physical harm. Examples of GDC violations can include hazards such as heat stress, seatbelt not on a forklift, and ergonomics.

"Each employer shall furnish to each of his employees conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or serious physical harm to his employees."

[NCGS 95-129\(1\)](#)—General Duty Clause.

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

NCGS 95-173 - 218—Hazardous Chemical Right to Know Act

Does "[NCGS 95-173-218](#)—Hazardous Chemical Right to Know Act" apply to you?

This state statute (Article 18 – Identification of Toxic or Hazardous Substances) consists of two major parts; public safety and emergency response right to know, and community right to know. The state-specific standard provides the requirements pertaining to a hazardous substance list, safety data sheets (SDS), labels, emergency information, complaints, investigations and penalties, employee rights, withholding hazardous substance trade secret information, medical emergency and nonemergency situations, community information on hazardous chemicals, exemptions (i.e., farming operations, distilled spirits, tobacco, patient care medicines), preemption of local regulations, and severability.

Note: References applicable to this subchapter are located at the end of this section.

Public safety and emergency response right to know - Requires employers who manufacture, process, use, store or produce at least 55 gallons or 500 pounds, whichever is greater, of hazardous chemicals to compile and annually update a list of the hazardous chemicals including the identity of each such chemical and their respective quantities. A copy of this list must be provided to the local fire chief.

Community right to know - Permits any person in North Carolina to request a list of chemicals used or stored at a given facility. The request must be in writing and applies to employers who must compile a hazardous chemicals list and for those chemicals included on the list. In addition, an employer claiming a trade secret may withhold the identity of the chemical.

Yes / No / Unsure If yes, please continue.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard provides that the article will be referred to as the Hazardous Chemical Right to Know Act.

[95-173](#)—Short title.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard provides the definitions applicable to this rule.

[95-174](#)—Definitions.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

The following state-specific standard provides the requirements for maintaining a hazardous substance list. It requires that it be updated at least annually if not more frequently. A copy of this list must be provided to the local fire chief.

[95-191](#) —Hazardous substance list.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard requires that the most current SDS be maintained by the employer.

[95-192](#) —Safety data sheets.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard requires that all labels not be removed or defaced.

[95-193](#) —Labels.

Do you store more 55 gallons or 500 pounds of any hazardous substance? Yes / No / Unsure

The following standard requires that the local fire department be notified in writing of a contact person and the list of hazardous substances at the site. It also provides for updating the local fire department of updates in the list, allow for on-site inspections by the fire department, and preparing an emergency response plan for the facility.

[95-194](#) —Emergency information.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard provides for filing of complaints to the Commissioner of Labor and allows for on-site investigations and penalties.

[95-195](#) —Complaints, investigations, penalties.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard protects employees from being disciplined as it relates to complaint inspections.

[95-196](#) —Employee rights.

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard allows for an employer to withhold hazardous chemical information as long as it is provided to the local fire department who will maintain confidentiality.

[95-197](#) —Withholding hazardous substance trade secret information.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

In an emergency situation, the employer must immediately disclose the information to the healthcare provider. For nonemergency situations, the provider can request the information and the employer shall disclose the information but may still request confidentiality.

[95-198](#) —Medical emergency and nonemergency situations.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard allows for any person in North Carolina to request in writing a list of hazardous chemicals kept at the worksite.

[95-208](#) —Community information on hazardous chemicals.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard provides the exemptions to Article 18 – Identification of Toxic or Hazardous Substances. These include chemicals in or on any of the following: (1) Hazardous substances while being transported in interstate commerce into or through this State. (2) Products intended for personal consumption by employees in the facilities. (3) Retail food sale establishments and all other retail trade establishments in North American Industry Classification System Codes 44 through 45, exclusive of processing and repair areas, except that the employer must comply with the provisions of G.S. 95-194(a)(i). (4) Any food, food additive, color additive, drug or cosmetic as such terms are defined in the Federal Food, Drug and Cosmetic Act (21 U.S.C. § 301, et seq.). (5) A laboratory under the direct supervision or guidance of a technically qualified individual provided that: a. Labels on containers of incoming chemicals shall not be removed or defaced; b. SDSs received by the laboratory shall be maintained and made accessible to employees and students; c. The laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes; and d. The laboratory operator complies with the provisions of G.S. 95-194(a)(i). (6) Any farming operation which employs 10 or fewer full-time employees, except that if any hazardous chemical in an amount in excess of 55 gallons or 500 pounds, whichever is greater, is normally stored at the farming operation, the employer must comply with the

provisions of G.S. 95-194(a)(i). (7) Any distilled spirits, tobacco, and untreated wood products. (8) Medicines used directly in patient care in health care facilities and health care facility laboratories.

[95-216](#) —Exemptions.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard states that local government are preempted from exercising their powers to require disclosure, directly or indirectly, of information regarding the use or storage of hazardous chemicals by employers to any members of the public, or to any branch or agent of State or local government in any manner other than as provided for in this Article.

[95-217](#) —Preemption of local regulations.

Do you manufacture, process, use, store, or produce hazardous chemicals in quantities of at least 55 gallons or 500 pounds? Yes / No / Unsure

The following standard provides for severability of the standards within this Article.

[95-218](#) —Severability.

NORTH CAROLINA GENERAL STATUTE REFERENCES:

[Hazard communication](#)

[Hazardous chemicals right to know](#)

North Carolina field operations manual, [chapter IV](#) - violations

Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.

OSH DIVISION OUTREACH RESOURCES AND SERVICES:

[Safety and health programs and plans](#) (i.e., example programs to be made site-specific)

[Safety and health topics](#) (i.e., learn more about safety and health topics)

[Which standards apply?](#) (identify the standards applicable to your worksite)

[Safety and health presentations](#) (downloadable presentations to be made site-specific)

[OSH training calendar](#) (i.e., register for webinars, in-person classroom training, virtual events)

[Streaming video services](#) (on-demand training)

[Request outreach services](#) (i.e., request training, booths, guest speaker)

[AskOSH](#) (interpretations)

[NCDOL library](#) (i.e., consensus standards, research assistance)

[Inspections](#) (general industry standards that require inspections)

[Inspections](#) (construction standards that require inspections)

[Programs, plans and procedures](#) (general industry standards that require programs, plans, procedures)

[Programs, plans and procedures](#) (construction standards that require programs, plans, procedures)

[Training](#) (general industry standards that require training)

[Training](#) (construction standards that require training)

[OSH enforcement procedures](#) (e.g., compliance directives, operational procedure notices)

OTHER OUTREACH RESOURCES:

[Establishment search](#) (search OSHA enforcement inspections nationwide)

[Interpretations](#) (federal OSHA interpretations for general industry)

[Training](#) (Susan Harwood Grant PowerPoint)