



North Carolina Department of Labor  
Division of Occupational Safety and Health  
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**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, 13 NCAC 07F .0501, and 13 NCAC 07F .0201 to incorporate by reference the occupational safety and health related provisions of Title 29 of the *Code of Federal Regulations* Parts 1910, 1915, and 1926 promulgated as of January 9, 2017, except as specifically described, and
- The *North Carolina Administrative Code* at 13 NCAC 07A .0301 automatically includes amendments to certain parts of the *Code of Federal Regulations*, including Title 29, Part 1910—General Industry Standards.

This update encompasses the following recent verbatim adoption:

- Occupational Safety and Health Standards, Occupational Exposure to Beryllium, 29 CFR § 1910 (General Industry), 1915 (Shipyard Employment), 1926 (Construction) (*82 FR 2470, January 9, 2017*)

The final rule, published in the Federal Register on January 9, 2017 (*82 FR 2470*), establishes new substance-specific standards governing occupational exposure to beryllium for general industry, maritime and construction. The new rule lowers the 8-hour time-weighted average (TWA) permissible exposure limit (PEL) to 0.2 micrograms per cubic meter, sets a short-term exposure limit of 2.0 micrograms per cubic meter over a 15-minute period and establishes an action level of 0.1 micrograms per cubic meter as an 8-hour TWA.

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:

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1101 Mail Service Center  
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Summary of Verbatim Adoptions  
Effective January 9, 2017

**Occupational Safety and Health Standards**

The final rule, published in the Federal Register on January 9, 2017 (82 FR 2470), establishes new substance-specific standards governing occupational exposure to beryllium for general industry, maritime and construction. The new rule lowers the 8-hour time-weighted average (TWA) permissible exposure limit (PEL) to 0.2 micrograms per cubic meter, sets a short-term exposure limit of 2.0 micrograms per cubic meter over a 15-minute period and establishes an action level of 0.1 micrograms per cubic meter as an 8-hour TWA. OSHA's final rule was effective May 20, 2017.

The attached amendments of 13 NCAC 07F .0101, 13 NCAC 07F .0501, and 13 NCAC 07F .0201 are 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 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 July 1, 2017.**