

SUBMISSION FOR PERMANENT RULE

| | |
|--|---|
| 1. Rule-Making Agency: Department of Labor | |
| 2. Rule citation & name (name not required for repeal): 13 NCAC 07F .0502 - Marine Terminals | |
| 3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION | |
| 4. Rule exempt from RRC review? <input checked="" type="checkbox"/> Yes. Cite authority: G.S. 150B-21.5(c1) <input type="checkbox"/> No | 5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No |
| 6. Notice for Proposed Rule: <input type="checkbox"/> Notice Required Notice of Text published on: Link to Agency notice: Hearing on: <input type="checkbox"/> The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register. Adoption by Agency on: <input checked="" type="checkbox"/> Notice not required under G.S.: G.S. 150B-21.5(c1) Adoption by Agency on: 5/12/26 | |
| 7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No | 8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required |
| 9. REASON FOR ACTION | |
| 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: | |
| 9B. Explain: The Department is proposing a verbatim adoption of changes to the Marine Terminals standard promulgated by federal OSHA. | |
| 10. Rulemaking Coordinator: Ashley Snyder Phone: 919-707-7715 E-Mail: ashley.snyder@labor.nc.gov Additional agency contact, if any: Carla Rose Phone: E-Mail: carla.rose@labor.nc.gov | 11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;"><i>Ashley Snyder</i></div> <hr/> By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge. *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ashley Snyder Title: Rulemaking Coordinator |
| RRC AND OAH USE ONLY | |
| Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: | |

1 13 NCAC 07F .0502 is amended without notice pursuant to G.S. 150B-21.5(c1) as follows:

2

3 **13 NCAC 07F .0502 MARINE TERMINALS**

4 (a) The provisions of the Occupational Safety and Health Regulations for Marine Terminals, Title 29 of the Code of
5 Federal Regulations Part 1917, ~~promulgated as of March 25, 2016,~~ published in the Federal Register on or before
6 April 28, 2026, and exclusive of subsequent amendments are incorporated by reference.

7 (b) The provisions of 29 CFR 1917 shall apply only to public sector employees of local governments or of the State
8 of North Carolina.

9

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

11 *Eff. December 1, 1993;*

12 *Amended Eff. October 8, 2014; February 5, 2013; October 31, 2011; October 15, 2009; April 23,*
13 *2009; February 13, 2008; May 30, 2006; July 1, 2003; December 7, 2000; February 22, 1999; July*
14 *1, 1998; October 15, 1997; November 1, 1994; August 1, 1994;*

15 *Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1,*
16 *2016;*

17 *Amended Eff. September 2, 2016; July 1, 2026.*

18

19