

NORTH CAROLINA DEPARTMENT OF LABOR
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
RALEIGH, NORTH CAROLINA

Chapter 7
Subchapter 7F

CFR Revision 117C
CFR II

Field Information System
Occupational Exposure to 1,3-Butadiene
29 CFR 1910, 1915 and 1926
Final Rule

DISCUSSION:

Based on animal and human data, federal has determined that current permissible exposure limits (PELs) for 1,3-Butadiene (BD) do not adequately protect human health. Therefore, on November 4, 1996, federal OSHA promulgated a final rule to amend its existing regulations for employee exposure to 1,3-Butadiene, ([61 FR 214, 56746-56856](#)). The amended rule is applicable to all employment in general industry (Ref.: 29 CFR 1910), construction (Ref.: 29 CFR 1926), and shipyards (Ref.: 29 CFR 1915). The North Carolina Administrative Code at 13 NCAC 07F.0101 currently contains an 8-hour TWA (Time Waited Average) limit of 1000 ppm. The new federal standard contains an 8-hour TWA (Time Waited Average) limit of 1 ppm, and a short term exposure limit (STEL) of 5 ppm for 15 minutes. In addition, the new federal standard includes an "action level" of 0.5 ppm, measured as an 8-hour TWA, as a mechanism for exempting an employer from some administrative burdens in instances where the employer can demonstrate that the employee's exposures are consistently at very low levels. The new federal standard also contains provisions for engineering controls, work practices and personal protective equipment, measurement of employee exposures, training, medical surveillance, hazard communication, regulated areas, emergency procedures and record keeping. The final federal rule became effective February 3, 1997; however, compliance with certain information collection requirements will not be mandatory pending the U.S. Department of Labor's issuance of control numbers that notify the public that the Office of Management and Budget (OMB) has approved these information collection requirements under the Paperwork Reduction Act of 1995. The issue date for such numbers can not be forecast at this time.

ACTION:

This final rule concerning employee exposure to 1,3-Butadiene (BD) (61 FR 214, 56746-56856, November 4, 1996) was adopted verbatim in North Carolina by the Commissioner of Labor with an effective date of March 7, 1997. The applicable portion of the November 4, 1996, *Federal Register*, which includes the regulatory text of the amended standard, is attached. The 1,3-Butadiene entry on Table Z-1 of 13 NCAC 07F.0101, has been amended to remove specific PEL entries and to insert "See 29 CFR 1910.1051; 29 CFR 1910.19(1)". Copies of the associated amendments to the *NC Administrative Code* are available upon request. 13 NCAC 07F.0101, 13 NCAC 07F.0201, and 13 NCAC 07F.0501 have been amended to update the date that bounds the verbatim adoption of federal regulations.

Please file this NC CFR Revision 117C in CFR II of your Field Information System.1

Date: March 11, 1997

Filing Date: March 7, 1997
NC Effective Date: March 7, 1997
Number: 13 NCAC 7F.0101, 13 NCAC 7F.0201, 13 NCAC 7F.0501