



# OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** 2023-15 (CPL 4)

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**SUBJECT:** Regional Emphasis Program for High Level Noise

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**REGION:** Region III

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**SIGNATURE DATE:** October 1, 2023

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**EFFECTIVE DATE:** October 1, 2023

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## ABSTRACT

**Purpose:** This Instruction continues a Regional Emphasis Program for selected industry classifications where employee exposure to high noise is likely.

**References:** See Section III.

**Cancellations:** Philadelphia Regional Notice: CPL 2019-02 (CPL 04), dated October 1, 2018. This Instruction replaces and updates an earlier version.

**State Impact:** None.

**Action Offices:** All Area Offices in Region 3

**Originating Office:** Philadelphia Regional Office

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By and Under the Authority of

Michael J. Rivera  
Regional Administrator

## **Executive Summary**

This notice is a renewal of the OSHA Regional Instruction CPL 04-2019-02, October 1, 2018, Regional Emphasis Program for High Level Noise, which provided a comprehensive framework of guidance and direction to ensure effective targeting, enforcement and outreach regarding hazards associated with workers that are exposed to high noise levels in certain industries and are at risk for developing occupational noise-induced hearing loss at workplaces in Region III.

## **Significant Changes**

The industries that are targeted were updated based on OSHA and Bureau of Labor Statistics data. Three new NAICS codes were added to the REP: 32111 – Sawmills and Wood Preservation, 32199 – Other Wood Manufacturing, 33232 – Ornamental and Architectural Metal Products.

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I. **Purpose.** This Instruction continues a REP for the selected industry classifications where employee exposure to high noise levels is likely.

II. **Scope.** This Instruction applies to all Federal Area Offices in Region 3.

III. **References.**

1. [CPL 02-00-025](#), Scheduling System for Programmed Inspections (January 4, 1995)
2. [CPL 02-00-164](#), Field Operations Manual (FOM) (December 22, 2022)
3. [OSHA Occupational Noise Exposure Topic Page](#)
4. [OSHA Technical Manual \(TED 01-00-015\)](#) (July 6, 2022)
5. [CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\)](#) (11/13/2018)
6. [Industry Injury, Illness, and Fatality Data](#), U.S. Department of Labor, Bureau of Labor Statistics
7. U.S. Department of Labor [FY 2022 – 2026 Strategic Plan](#)

IV. **Expiration.** This instruction will expire no later than five years from the date of implementation, unless renewed.

V. **Action.** Area Directors will ensure that the procedures contained in this directive are followed during the effective period of this instruction.

VI. **Background**

This Regional Emphasis Program (REP) will support the Performance Goal 2.1 established in the [FY 2022 -2026 Strategic Plan](#) by focusing Area Office resources on industry sectors with a high potential for occupational hazards that are known to cause workplace illness.

Approximately 22 million workers are exposed to potentially damaging noise at work each year. Noise induced hearing loss is one of the most common occupational diseases. The Bureau of Labor Statistics (BLS) reported approximately 12,000 workers suffered work-related hearing loss in 2021 with 9,700 of those cases occurring in the manufacturing industry.

Exposure to high noise levels can cause permanent hearing loss that cannot be corrected through surgery. High noise levels also cause temporary loss in hearing sensitivity, tinnitus, and acoustical trauma. Tinnitus is a condition in which people complain of a sound in the ear such as a hum, buzz, ring, or whistle. Tinnitus is predominantly caused by long-term exposure to high sound levels, though it can be caused by short-term exposure to very high sound levels. Acoustical trauma is temporary or permanent hearing loss due to acute exposure to excessive noise such as an explosion. Noise induced hearing loss can impair a person's ability to communicate and understand speech. Exposure to excessive noise can also have other health effects such as increased physiological stress, muscle tension, loss of sleep, and fatigue. Besides

health effects, excessive noise levels can interfere with communication and concentration, the audibility and clarity of emergency warning devices, and a person's ability to perform tasks.

This REP will target workplaces with excessive noise to prevent permanent hearing loss. In 2021, BLS data showed the manufacturing industry has the highest hearing loss rate among private sector industries. OSHA inspection data from FY16 to FY22 showed that the manufacturing industry (North American Industry Classification System (32-33)) received 64% of the 29 CFR 1910.95 violations issued during that timeframe.

Based on the BLS and OSHA data, the following general industries are included in the REP.

<b>NAICS</b>	<b>Description</b>
32111	Sawmills and Wood Preservation
32192	Wood Container and Pallet Manufacturing
32199	Other Wood Manufacturing
32619	Other Plastics and Product Manufacturing
32799	All Other Nonmetallic Mineral Product Manufacturing
33231	Plate Work and Fabricated Structural Product Manufacturing
33232	Ornamental and Architectural Metal Products
33281	Coating, Engraving, Heat Treating, and Allied Activities
33299	All Other Fabricated Metal Product Manufacturing
33661	Ship and Boat Building

## VII. **Procedures.**

### A. **Site Selection:**

Each Area Office will request an establishment list from The Office of Statistical Analysis. The list will be in random order as per the protocol outlined in section B.1.b.(1)(b)2 of CPL 02-00-025, Scheduling System for Programmed Inspections. Adjustments to the list for additions and deletions will follow guidelines in CPL 02-00-025, paragraph B.1.b.(1)(b)6.

After all the appropriate changes are made, the Area Office inspection register shall be made up by determining which establishments are to be scheduled for inspection during the current fiscal year. A cycle of establishments which have been selected for inspection will be created from the inspection register. The number of establishments in each cycle will be based on the number of inspections expected to be completed during the fiscal year covered under this REP.

Any establishment that received a health inspection that included a noise evaluation within the last five years will be deleted from the cycle.

Establishments with 10 or fewer employees will not be included in this REP.

Establishments on the inspection cycle can be inspected in any order that makes efficient use of resources. When all establishments in a cycle are completed, an additional cycle may be created in the same manner with the number of establishments in that cycle based on the number of inspections projected to be completed during the balance of the fiscal year. Establishments on a cycle may be carried over to the next cycle only per the requirements of CPL 02-00-025, Scheduling System for Programmed Inspections.

Some establishments selected for inspection under this REP may be covered by one or more other OSHA enforcement initiatives (National Emphasis Program (NEP) or other emphasis program). This REP shall run concurrently with other emphasis programs. Compliance Offices shall use all OIS codes applicable for the covered inspection programs.

As per Chapter 9 of the FOM, if an inspection is scheduled or has begun at an establishment and a complaint or referral is received, that complaint or referral may, at the Area Director's discretion, be incorporated into the scheduled or ongoing inspection. If such a complaint is formal, the complainant must receive a written response addressing the complaint items.

**B. Inspection Activity:**

Upon entering the facility, the Compliance Officer shall verify the NAICS code of the establishment. If the NAICS code is not one of those included in this instruction, the CSHO shall exit the facility and code the OIS form "**No Inspection**".

Compliance Officers shall determine employee exposures to noise through methods such as but not limited to sound level readings, full shift noise dosimetry and a review of any third party noise sampling at the establishment. Sampling will be conducted in accordance with [OSHA Technical Manual Section III: Chapter 5](#).

Compliance Officers shall review the employer's hearing conservation program including the use of appropriate hearing protection, training, and audiometric testing. The employer's efforts to evaluate employee noise exposures and implement engineering and administrative controls shall also be reviewed.

A review of records to determine if standard thresholds shifts exist shall

also be conducted. This includes reviewing audiometric exams and the employer's OSHA 300 logs to ensure recordable standard threshold shifts are properly recorded.

Because employees in the industries listed under this instruction are subject to multiple hazards, the Compliance Officer shall review the injury and illness records for the previous five years. When other hazards are observed or discovered during the inspection, the Compliance Officer will appropriately address the hazards per CPL 02-00-160, FOM, Chapter III. A CSHO referral to the Area Office may be made if the hazards cannot be addressed during the current inspection.

Citations for violations of 29 CFR 1910.95 will be issued in accordance with current OSHA policy and with Section XI.B, Chapter 4 and other applicable chapters of the FOM.

- VIII. **Recording in OIS.** The inspection category in OIS is to be coded "Health." The OIS identifier code to be used will be "NOISE."
- IX. **Evaluation.** Each Area Office will submit to the Assistant Regional Administrator for Enforcement Programs a written evaluation at the midpoint (30 months) and completion (60 months) of this REP in the format specified by OSHA Instruction [CPL 04-00-002 Procedures for the Approval of Local Emphasis Programs \(LEPs\) \(11/13/18\)](#).
- X. **Outreach.** Area Offices subject to this REP will provide initial outreach to stakeholders associated with the three new NAICS codes for a period of three months from the effective date of the REP and will not begin enforcement in those NAICS codes prior to that date. During the course of this REP, Area Directors will ensure an outreach program will continue during the enforcement phase of the program. Outreach activities will be directed to reach as many stakeholders in each Area Office jurisdiction as is practicable. The purpose of the outreach will be to inform interested parties of the existence, purpose and objectives of this local emphasis program as well as promote employer knowledge and employee awareness of the hazards and acceptable methods of abatement to prevent illness and injuries. The method of outreach is at the Area Director's discretion and can include one or more of the following components:
1. Broadcast mail-outs (regular or email) of program information.
  2. Stakeholder meetings.
  3. Targeted training sessions.
  4. Presentations to affected group(s).
  5. Media press release, social media, internet postings, or other electronic means.