



# OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** CPL 04-00-27

**EFFECTIVE DATE:** June 1, 2021

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**SUBJECT:** Regional Emphasis Program (REP) for Exposure to Noise Hazards in the Workplace

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**REGIONAL IDENTIFIER:** Region V

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## ABSTRACT

**Purpose:** This Instruction establishes a Regional Emphasis Program (REP) for scheduling and conducting inspections of select manufacturing industries with hearing loss rates higher than the national average.

**References:** CPL 02-00-164, Field Operations Manual (FOM), April 14, 2020

CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, November 13, 2018

CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995

CPL 02-00-051, Enforcement Exemptions and Limitations Under the Appropriations Act, May 28, 1998

TED 01-00-015, OSHA Technical Manual, January 20, 1999

Bureau of Labor Statistics (BLS), Table SNR8 – Incidence rates of nonfatal occupational illness, by industry and category of illness, 2019

**Cancellations:** None

**State Impact:** None

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

**Originating Office:** Chicago Regional Office

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By and Under the Authority of

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## EXECUTIVE SUMMARY

Every year thousands of workers suffer from preventable hearing loss due to high workplace noise levels. According to 1999 - 2004 National Health and Nutrition Examination Survey (NHANES) data cited by National Institute for Occupational Safety and Health (NIOSH) in 2019, about 25% of **all** workers have been exposed to hazardous noise, with 34% of noise-exposed workers reporting not wearing hearing protection, while approximately 12% of **all** workers have hearing difficulty<sup>1</sup>.

According to the Bureau of Labor Statistics (BLS), in 2019 approximately 163 million workers were employed in United States<sup>2</sup>. According to the Occupational Requirements Survey data published by BLS for 2019 (the most recent year for which data is available and not impacted by COVID-19 pandemic), for all civilian workers in United States, a moderate noise intensity level was present for 76.9 percent of workers, and another 8.6 percent were exposed to a loud noise intensity level<sup>3</sup>. In the production occupations group (i.e., goods produced), a category that includes, but is not limited to, engine assemblers, structural metal fabricators and fitters, computer-controlled machine tool operators, forging machine setters, machinists, pourers and casters, tool and die makers, furniture finishers, etc., about half (52.3 percent) of workers were not using personal protective equipment to mitigate noise intensity<sup>4</sup>. According to BLS, the incident rate for hearing loss for all private industries nationwide was 1.4 per 10,000 full time workers. However, the national average hearing loss rate for All Private Manufacturing remains much higher, with 8.6 cases per 10,000 full time workers<sup>5</sup>.

The intent of this Regional Emphasis Program is to encourage employers to take steps to identify, reduce, and eliminate hazards associated with exposure to high levels of noise.

OSHA in Region V proposes to accomplish this through outreach and enforcement activities. Outreach activities may include letters to employers, training sessions with stakeholders, electronic information sharing activities, and news release broadcasts. Enforcement activities will begin not earlier than three months after outreach is initiated and will include, but not be limited to, the inspection and review of operations and working conditions, injury and illness records, and safety and health programs to identify and obtain corrections of workplace hazards at all applicable inspection sites.

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<sup>1</sup> National Institute for Occupational Safety and Health (NIOSH). Overall Statistics - All U.S. Industries – Occupational Hearing Loss. August 27, 2019. <https://www.cdc.gov/niosh/topics/ohl/overall.html> Accessed February 25, 2021.

<sup>2</sup> Bureau of Labor Statistics (BLS) Table 2.1 Employment by Major Industry Sector. September 1, 2020. <https://www.bls.gov/emp/tables/employment-by-major-industry-sector.htm> Accessed February 25, 2021.

<sup>3</sup> Bureau of Labor Statistics (BLS) Occupational Requirements in United States News Release. May 28, 2020. [https://www.bls.gov/news.release/archives/ors\\_05282020.htm](https://www.bls.gov/news.release/archives/ors_05282020.htm). Accessed February 25, 2021.

<sup>4</sup> Bureau of Labor Statistics (BLS) Occupational Requirements Survey: Occupational Profiles. [https://www.bls.gov/ors/factsheet/pdf/ors\\_occupational\\_profiles.pdf](https://www.bls.gov/ors/factsheet/pdf/ors_occupational_profiles.pdf) Accessed February 25, 2021.

<sup>5</sup> Bureau of Labor Statistics (BLS) TABLE SNR08. Incidence rates of nonfatal occupational illness, by industry and category of illness, 2019. [https://www.bls.gov/iif/oshwc/osh/os/snr08\\_00\\_2019.xlsx](https://www.bls.gov/iif/oshwc/osh/os/snr08_00_2019.xlsx) Accessed February 25, 2021.

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**I. Purpose.** This Instruction establishes a Regional Emphasis Program (REP) for scheduling and conducting inspections of select manufacturing industries with hearing loss rates higher than the national average.

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

This Instruction covers establishments in the following North American Industry Classification System (NAICS) codes:

<b>NAICS</b>	<b>Description</b>
<b>32</b>	
321000	Wood product manufacturing
3211xx	Sawmills and wood preservation (except 321114)
3212xx	Veneer, plywood, and engineered wood product manufacturing (except 321213, and 321219)
3219xx	Other wood product manufacturing
322000	Paper manufacturing
3221xx	Pulp, paper, and paperboard mills (except 322110 and 322122)
3222xx	Converted paper product manufacturing (except 322210, 322211, 322290, 322291, and 322299)
3231xx	Printing and related support activities (except 323100; 323110; 323111; 323113)
326000	Plastics and rubber products manufacturing
3261xx	Plastics product manufacturing (except 326110, 326111, 326113, 326120, 326140, 326190 and 326191)
3262xx	Rubber product manufacturing (except 326212, 326220, 326290, 326291, and 326299)
327000	Nonmetallic mineral product manufacturing
3271xx	Clay product and refractory manufacturing (except 327120)
3272xx	Glass and glass product manufacturing (except 327211, 327212)
327330	Concrete pipe, brick, and block manufacturing
3274xx	Lime and gypsum product manufacturing (except 327410)
327991	Cut stone and stone product manufacturing
<b>33</b>	
331000	Primary metal manufacturing
3312xx	Steel product manufacturing from purchased steel (except 331200 and 331221)
3313xx	Alumina and aluminum production and processing (except 331313 and 331315)
3314xx	Nonferrous metal (except aluminum) production and processing (except 331410, 331490, 331491 and 331492)
3315xx	Foundries (except 331512 and 331529)
3321xx	Forging and stamping (except 332112, 332114 and 332117)
3322xx	Cutlery and hand tool manufacturing (except 332215)
3323xx	Architectural and structural metals manufacturing (except 332300, 332310, 332311, 332312, 332313 and 332323)
3324xx	Boiler, tank, and shipping container manufacturing (except 332420 and 332439)

<b>NAICS</b>	<b>Description</b>
<b>NAICS</b>	<b>Description</b>
332613	Spring manufacturing
3327xx	Machine shops, turned product, and screw, nut, and bolt manufacturing (except 332700 and 332710)
3329xx	Other fabricated metal product manufacturing (except 332910, 332912, 332919, 332992 and 332993)
3331xx	Agriculture, construction, and mining machinery manufacturing (except 333112, 333130, 331131 and 333132)
333318	Other commercial and service industry machinery manufacturing
333413	Industrial and commercial fan and blower and air purification equipment manufacturing
3335xx	Metalworking machinery manufacturing (except 333511, 333514, 333515 and 333517)
3336xx	Engine, turbine, and power transmission equipment manufacturing (except 333611, 333612, 333613 and 333618)
333914	Measuring, dispensing, and other pumping equipment manufacturing
335110	Electric lamp bulb and part manufacturing
335312	Motor and generator manufacturing
335930	Wiring device manufacturing
336000	Transportation equipment manufacturing
3361xx	Motor vehicle manufacturing (except 336120)
3362xx	Motor vehicle body and trailer manufacturing (except 336211 and 336213)
3363xx	Motor vehicle parts manufacturing (except 336320 and 336360)
336411	Aircraft manufacturing
336500	Railroad rolling stock manufacturing
3366xx	Ship and boat building (except 336612)
337000	Furniture and related product manufacturing
3371xx	Household and institutional furniture and kitchen cabinet manufacturing (except 337124 and 337125)
337215	Showcase, partition, shelving, and locker manufacturing
3399xx	Other miscellaneous manufacturing (except 339900, 339920, 339930, 339940, 339950, 339991, 339992, 339993, 339994, and 339999)

NOTE: NAICS codes listed above that end with “xx” include all industries within the 4-digit Industrial Classification.

### III. References.

- CPL 02-00-164 - Field Operations Manual (FOM), April 14, 2020
- CPL 04-00-002 - Procedures for Approval of Local Emphasis Programs, November 13, 2018
- CPL 02-00-025 - Scheduling System for Programmed Inspections, January 4, 1995
- CPL 02-00-051 - Enforcement Exemptions and Limitations Under the Appropriations Act, May 28, 1998
- TED 01-00-015 [TED 1-0.15A] - OSHA Technical Manual (OTM)
- Bureau of Labor Statistics (BLS), Table SNR8 – Incidence rates of nonfatal occupational illness, by industry and category of illness, 2019

IV. **Cancellations.** None.

V. **Expiration.** This Instruction expires May 31, 2026.

VI. **Action Offices.** Participating Area Directors will use the procedures described in Paragraph VIII of this Instruction as the basis for developing and implementing inspection activity at those establishments covered under this REP.

### VII. Background.

A review of CY 2019 Bureau of Labor Statistics (BLS) data indicated that the national average hearing loss rate for All Private Manufacturing was 8.6 cases per 10,000 full time workers<sup>6</sup>. A review of Region V inspection data conducted between FY 2013 and FY 2019 revealed 759 citations for violations of OSHA's 29 CFR 1910.95 Occupational Noise Exposure standard in the manufacturing NAICS super sectors 31, 32 and 33.

OSHA Region V issued 47 citations (6.2%) to manufacturing establishments in NAICS super sector 31, which covers Food Manufacturing 311xxx; Beverage and Tobacco Product Manufacturing 312xxx; Textile Mills 313xxx; Textile Product Mills 314xxx; Apparel Manufacturing 315xxx; and Leather and Allied Product Manufacturing 316xxx.

OSHA Region V issued 681 citations (89.7%) to manufacturing establishments in NAICS super sectors 32 and 33, which cover the rest of the industrial manufacturing base<sup>7</sup>. Based on BLS data from CY 2019, the NAICS codes covered by this REP were identified as private manufacturing industries in NAICS super sectors 32 and 33 with an equal to, or higher than average hearing loss rates for All Private Manufacturing (i.e.,  $\geq 8.6$ ).

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<sup>6</sup> Bureau of Labor Statistics (BLS) TABLE SNR08. Incidence rates of nonfatal occupational illness, by industry and category of illness, 2019. [https://www.bls.gov/iif/oshwc/osh/os/snr08\\_00\\_2019.xlsx](https://www.bls.gov/iif/oshwc/osh/os/snr08_00_2019.xlsx). Accessed February 25, 2021.

<sup>7</sup> U.S. Department of Commerce Census Bureau. North American Industry Classification System. <https://www.census.gov/naics/?input=31&chart=2017>. Accessed February 26, 2021.

## VIII. Inspection Scheduling.

- A. Selection and Scheduling of Complaints and Referrals. The Area Offices shall conduct inspections for all complaints and referrals in industries covered by this REP that allege hearing loss, elevated noise levels, lack of personal protective equipment to protect hearing, or any other noise related hazard. The inspection will address all complaint items (including additional complaint items not related to noise hazards) and all aspects of potential employee exposure to noise hazards.

When OSHA is notified of any Imminent Danger, Fatality/Catastrophe, Complaints or Referrals in any of the industries covered by this Instruction, the Area Offices shall incorporate this REP into the scheduled or ongoing inspection upon a determination of noise-related hazards or injuries/illnesses. An appropriate referral may be made, subject to any current exemptions or limitations on such activity. Refer to the general procedures in [FOM](#) Chapter 9, *Complaint and Referral Processing*, and Chapter 11, *Imminent Danger, Fatality, Catastrophe, and Emergency Response*, for additional information.

- B. Programmed Inspection Lists. The National Office will prepare a master inspection list for Area Offices in accordance with the CPL 02-00-025, Scheduling Systems for Programmed Inspections. The National Office will assign a random number to each establishment on the list and provide the list to the Area Offices, sorted in random number order.

All selected establishments, regardless of size, will be inspected, including establishments which employ 10 or fewer employees as these employers are not currently exempt from health inspection activity under the Appropriations Act per CPL 02-00-051.

- C. Cycle Generation. Cycles will be prepared in accordance with CPL 02-00-025, Scheduling System for Programmed Inspections. All establishments in a cycle must be opened before any establishment from a new cycle can be inspected. The establishments within the cycle may be inspected in any order.

- D. Additions. Based on their familiarity with local industries, Area Offices shall add to the master inspection list any establishments that are covered by this REP. If establishments are added to the master inspection list, the list must be re-randomized prior to use. The Area Office may return the modified list to the National Office for assignment of new random numbers or the Area Office may assign new random numbers to the list using the RANDBETWEEN function in Microsoft Excel.

- E. Deletions. Based on their familiarity with local industries, Area Offices shall delete from the master inspection list any firms known to be out of business. Additionally, establishments that have received a comprehensive health inspection within 24 months prior to the creation of the current inspection cycle will be deleted from the inspection list. This timeframe will be calculated using the previous inspection's



opening conference date.

- F. Data Collection. The Area Office will collect data from OSHA 300 logs for the previous three calendar years plus the current year from all establishments inspected under this program that are required to maintain them. The data, which will include the totals from all the columns of the 300 log and the total hours worked by all employees for these years, will be used to assist in the evaluation of the program.
- G. Strategic Plan. The Area Offices shall conduct inspections under this program each fiscal year that this program is active. The inspections conducted under this REP should be incorporated into each Area Office's overall strategic operating plan.

## **IX. Inspection Procedures.**

- A. Scope. The scope of inspections conducted under this REP shall generally be health inspections focusing on evaluating noise hazards. The scheduling of inspections will be conducted in accordance with Paragraph VIII of this REP and may be expanded to address additional hazards based on information gathered by the CSHO during the inspection process, in accordance with Chapter 3 of the FOM.
- B. Procedures.
  - 1. Upon entering the establishment, the Compliance Safety and Health Officer (CSHO) shall verify the NAICS code of the establishment. If the NAICS code is not one of those targeted in this REP, the CSHO shall exit the facility and code the OSHA Information System (OIS) form "No Inspection."
  - 2. During the opening conference, the CSHO shall review the OSHA 300 injury and illness logs for any standard threshold shifts in hearing, and any noise monitoring data collected by the employer. The CSHO shall evaluate the employer's hearing conservation program, including the use of hearing protectors, training, and audiometric testing.
  - 3. CSHOs shall conduct a walk around of the facility and obtain sound level meter readings to identify noise levels in excess of OSHA's exposure limits (action level and permissible exposure limit). If the sound level meter readings are below OSHA's exposure limits during working conditions representative of a typical work shift, the CSHO shall terminate the portion of the inspection related to noise hazards.
  - 4. If the sound level meter readings indicate a potential for noise overexposures, CSHOs shall conduct full shift noise monitoring, which includes sound level meter readings and personal noise dosimetry. Noise measurements will be conducted in accordance with Section III, Chapter 5 of the OSHA Technical Manual TED 01-00-015. The case file will contain documentation of noise surveys, screening, and sampling results.

5. Citations for violations of 29 CFR 1910.95 will be issued in accordance with Section XI.B, Chapter 4 of the FOM.

## **X. OIS Coding.**

Inspections conducted under this REP will be coded appropriately as either “Programmed Planned” or “Unprogrammed” under Initiating Type and “NOISE” under Local Emphasis Program. Other coding related to concurrent NEPs or REPs may also be used as appropriate.

## **XI. CSHO Protection.**

Inspections under this REP are to be conducted by CSHOs who have received training on the REP. CSHOs shall attempt to document the presence of potential hazards prior to initiating the walk around portion of the inspection, and shall make appropriate personal protective equipment (PPE) selections, relying on information obtained during the opening conference, from previous inspection activity at similar sites, safety data sheets, and/or previous exposure monitoring surveys.

The Area Director will ensure that the CSHO has the necessary PPE to conduct the inspection, including but not limited to hard hats, safety glasses, hearing protection, safety boots, and respiratory protection. The CSHO will not place themselves in potentially hazardous situations, such as entry into permit required confined spaces or activities that would require the performance of hazardous energy control. In such cases, necessary information should be sought in another manner, such as private employee interviews, witness statements, engineering drawings, manufacturing specifications/manuals, etc. Supervisors shall ensure CSHOs comply with all related requirements developed as part of the [ADM 04-00-003, OSHA Safety and Health Management System](#).

Where applicable, the CSHO shall follow policies outlined in Chapter 27 of the OSHA Technical Manual, Exposure Monitoring, and will conduct self-sampling when they are potentially exposed to hazardous chemicals. A list of hazardous chemicals is included in Appendix A to Chapter 27.

## **XII. Outreach.**

Prior to the initiation of the enforcement of this REP, each covered Area Office will implement outreach programs that support the efforts of the Agency in meeting the goals of the REP. These outreach efforts should take place at least three months before the initiation of inspections. Such programs may include:

- A. Targeted presentations, speeches, meetings, and/or training sessions with employers/stakeholders.
- B. Letters/mailings to employers, professional associations, local safety councils, apprenticeship programs, local hospitals, and occupational health clinics.

- C. News releases through local newspapers, safety councils, and/or industrial hygiene organizations.
- D. Use of current Social Media methods such as twitter and e-mail contacts.
- E. OSHA Area Offices may leverage existing Partnerships and Alliances with groups representing employers and workers in the affected industries to share successes and technical information concerning effective means of controlling and reducing worker exposures to noise and other hazards.
- F. Encourage small businesses to contact OSHA's On-Site Consultation Program. OSHA's On-Site Consultation Service offers free and confidential advice to small and medium businesses in all States across the country, with priority given to high-hazard worksites.
- G. OSHA's compliance assistance resources for this industry include:
  - Noise and Hearing Conservation eTool and Safety and Health Topics Page
  - Respiratory Protection eTool
  - Eye and Face Protection eTool
  - Machine Guarding eTool
  - Hazard Exposure and Risk Assessment eMatrix
  - Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace

### **XIII. Partnerships and Alliances.**

In the event outreach efforts result in interest for developing an alliance or partnership, the Area Director will ensure that these efforts conform to current National and Regional Policy.

### **XIV. Evaluation Procedures.**

It is important that this program be evaluated in a timely manner in order to assess its potential future value and to make any necessary modifications. The Chicago Regional Office will prepare a written evaluation of this REP in the format specified by OSHA Instruction CPL 04-00-002. A midpoint assessment will be completed no later than the end of the fiscal year following the calendar year midpoint between the program effective date and expiration dates.