



# OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** CPL 2 02-00-023A | **EFFECTIVE DATE:** October 1, 2019

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**SUBJECT:** Regional Emphasis Program for High Noise in Manufacturing Industries

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**REGIONAL IDENTIFIER:** Region VI

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## ABSTRACT

- Purpose:** This Instruction renews a Regional Emphasis Program (REP) for inspections of health hazards related to high noise levels and other industry recognized hazards in the following manufacturing industries: NAICS Groups - 321 Wood Product Manufacturing; 326 Plastics and Rubber Products Manufacturing ; and 327 Nonmetallic Mineral Product Manufacturing
- Scope:** This Instruction applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.
- References:** OSHA Instruction CPL 02-00-025  
OSHA Instruction CPL 02-00-051  
OSHA Instruction CPL 02-00-163  
OSHA Instruction CPL 04-00-002
- Cancellations:** Region VI Regional Notice CPL 2 02-00-023 dated October 1, 2018, Regional Emphasis Program for High Noise Industries.
- State Impact:** Region VI 21(d) Consultation Project Offices in Arkansas, Louisiana, Oklahoma, New Mexico and Texas will provide outreach, consultation services, and training to affected employers as requested.
- Action Offices:** Region VI Area Offices  
Region VI Consultation Project Offices  
Dallas Regional Office
- Information Office:** New Mexico Occupational Health and Safety Bureau
- Originating Office:** Dallas Regional Office

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By and Under the Authority of:

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- I. **Purpose.** This Instruction renews a Regional Emphasis Program (REP) for inspections of health hazards related to high noise levels and other industry recognized hazards in the following manufacturing industries: NAICS Groups - 321 Wood Product Manufacturing Containers; 326 Miscellaneous Plastics and Rubber Products Manufacturing (NAICS 3261); Concrete, Gypsum, Plaster Products, and 327 Nonmetallic Mineral Product Manufacturing (NAICS 327); Cut Stone & Stone Products (NAICS 327991).

**Note:** Region VI presently has a Regional Emphasis Program (REP) for the Fabricated Metal Products, (NAICS 3329), except Machinery and Transportation Equipment industries. The Fabricated Metal Product REP encompasses in part, Fabricated Structural Metal Products and Miscellaneous Fabricated Metal Products. These two industries were listed in the top eight industries of OSHA’s Industry Profile for OSHA Standard 1910.95 (Occupational Noise Exposure). Since the Fabricated Metal Product REP already includes NAICS 332, to prevent duplicative enforcement activities these industries have been excluded from this High Noise REP.

- II. **Scope.** This Instruction applies to all Area Offices in Region VI and those worksites in New Mexico that are under Federal Jurisdiction.

III. **References.**

- A. OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs (“LEPs”), November 13, 2018, or current update.
- B. OSHA Instruction CPL 02-00-163, Field Operations Manual (FOM), September 13, 2019, or current update.
- C. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995, or current update.
- D. OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998, or current update.
- E. OSHA Standards at Subpart G – Occupational Health and Environmental Control.
- F. NIOSH – Industrial Noise Control Manual.
- G. DHHS (NIOSH) Publication OCCUPATIONAL HEARING LOSS (OHL) SURVEILLANCE Overall Statistics – All U.S. Industries, August 27, 2019.

- IV. **Expiration.** This Instruction expires on December 31, 2022, but may be renewed as necessary.

- V. **Background.** An August 2019, NIOSH publication, OCCUPATIONAL HEARING LOSS (OHL) SURVEILLANCE Overall Statistics – All U.S. Industries, indicated that an estimated 22 million people are working in hazardous noise levels; 34% of noise-exposed workers report not wearing hearing protection. According to the Bureau of Labor

Statistics, occupational hearing loss continues to be a critical issue. Manufacturing and utilities sectors had the highest rates of hearing loss of all sectors listed in the North American Industry Classification System (NAICS). Approximately 3.1 million recorded injuries and illnesses were recorded in private industry. These numbers are particularly disturbing considering that a person's hearing loss must be determined to be work-related and the hearing loss must be severe enough that the worker has become hearing impaired, in order to be OSHA-recordable. Many more workers would have measurable occupational hearing loss but would not yet have become hearing impaired.

In addition to hearing loss, OSHA's citation data shows that there are other hazards in these industries related to respirable crystalline silica, lockout-tagout, mechanical power-transmission, electrical, woodworking machinery, powered industrial trucks, and hazard communication. This data shows the need for increased enforcement activity to reduce employee exposure to these safety and health hazards. Between January 1, 2016 and September 30, 2019, Region VI conducted 441 inspections under this emphasis program resulting in the issuance of 794 serious, willful or repeat violations.

## **VI. Enforcement.**

A. Hazard: High noise levels that induce employee hearing loss.

B. Scheduling of Inspections:

1. REP Inspection List. The high noise establishment list will consist of all establishments that were developed for the 2017 lists from the Office of Statistical Analysis for NAICS Groups 321, 326, and 327.
2. Inspection Cycle. If fewer than ten establishments are identified for inspection, the establishments will, as a group be treated as one inspection cycle, and all of the establishments will be inspected, subject to the deletion criteria below. If more than ten establishments are identified for inspection, the establishments will first be listed in alphabetical order, and then a random numbers table will be applied to create a randomized list of establishments. The randomized list will then be divided into groups of ten establishments. Each group of establishments will constitute an inspection cycle. After the Area Office completes inspections of the worksites identified within the first cycle under this REP, the Area Office may (if resources permit and the first cycle of inspections are considered effective) conduct inspections in subsequent cycles.
3. Inspection Order. Establishments within a cycle may be inspected in any order so that Area Office resources are efficiently used. Once a cycle is begun, all establishments in the cycle are to be inspected before a new cycle is started, except that carryovers will be allowed as provided for in OSHA Instruction CPL 02-00-025.
4. Deletions. The Area Office will delete establishments that have received a comprehensive health inspection after October 1, 2019, if no citation (or

result of the inspection. If such a citation or written notice of a hazard was issued, the Area Office shall have the discretion to delete such establishment if it knows that the hazard or condition was satisfactorily abated. The Area Office shall state in writing the basis for any deletions from the inspections list.

5. Size of employer. Establishments with ten or fewer employees will be included in this program because of the insidious nature of high noise hazards. Inspection procedures and protocols outlined in the FOM will be followed with respect to these high noise related inspections. Safety violations discovered under this program will be addressed in accordance with CPL 02-00-051“Enforcement Exemptions and Limitations under the Appropriations Act.”
- C. Scope of REP Inspections: Inspections under this emphasis program will focus on manufacturing areas where potential high noise hazards may exist for employees. Other apparent health and safety hazards observed by the CSHO, including respirable crystalline silica, will be evaluated. If the CSHO’s evaluation indicates a more comprehensive inspection should be completed at the worksite, they will request authority to expand the inspection from the Area Director or the Assistant Area Director. In determining whether to approve the expansion, the Area Director or Assistant Area Director will follow the FOM and current agency policy. CSHO’s will evaluate all on-site employers through inspection, observation, photographs, video footage, measurements, and interviews of management and employees.
- D. Citations: Citations for violations will be issued in accordance with the FOM, Chapters IV, V, VI, and VII.
- E. Interface with Unprogrammed Activity: Reports of imminent danger, fatalities, catastrophes, complaints, and referrals shall be scheduled as unprogrammed inspections, and shall be inspected in accordance with the applicable provisions of the FOM.
- F. Inspection Resources: All OSHA personnel participating in this REP must be familiar with the policies and procedures described in this instruction.
- G. CSHO Personal Protective Equipment (PPE): CSHOs must use hearing protection when conducting inspections at these targeted industries. Additional PPE suitable for the targeted industries should also be worn. PPE should at a minimum, include respiratory protection, a hard hat, and safety glasses with side shields and safety shoes/boots (with metatarsal guards as necessary).
- H. Relationship to Other Programs. Reports of imminent danger, fatality/catastrophe, complaints and referrals shall be scheduled as unprogrammed inspections and shall be inspected in accordance with the applicable provisions of

inspection pursuant to this REP. If an unprogrammed inspection is to be conducted at a facility that is also included in the current inspection cycle under this REP, the Area Office may conduct the inspections concurrently.

## VII. Recording in OIS.

- A. Enforcement Inspections: Enforcement inspections completed under this initiative will be coded:

In OIS in the Inspection Type sub-tab:

1. Initiating Type will be coded “Programmed Planned” with the following exception. Any inspections conducted as a result of a complaint, referral, or fatality/catastrophe will be coded as the appropriate “unprogrammed” activity.
2. Local Emphasis Program will be coded **NOISE** for all programmed and unprogrammed inspections.
3. Additional Codes will be coded with any applicable additional codes.

- B. Enforcement Interventions: Enforcement Interventions completed under this initiative, including partnerships, alliances, Voluntary Protection Programs, and other interventions, will be coded:

In OIS in the Task sub tab, Task Details, Emphasis Areas as follows:

1. Local Emphasis Programs will be coded **NOISE**.
2. Other Emphasis Areas will include any applicable additional codes and the codes specific to the general industry activity covered by the inspection per VII.A.4.

- C. Consultation Visits: Consultation Visits completed under this initiative will be coded:

1. In OIS on the Request Form CONS-20:
  - a. Local Emphasis will be coded **NOISE**.
  - b. Field 18 will include any applicable additional codes and the codes specific to the general industry covered by the inspection per VII.A.4.
2. In OIS on the Visit Form CONS-30:

- a. Local Emphasis will be coded **NOISE**.

- b. Field 22 will include any applicable additional codes and the codes specific to the general industry covered by the inspection per VII.A.4.

D. Consultation Interventions: Consultation Interventions completed under this initiative will be coded:

In OIS on the Consultation Intervention Form CONS-66:

1. Local Emphasis will be coded **NOISE**.
  2. Field 15 will include any applicable additional codes and the codes specific to the general industry covered by the inspection per VII.A.4.
- E. Area Offices, Consultation Projects, and the Regional Office shall periodically check their OIS databases to verify accuracy of the data for the initiative.

### **VIII. Outreach.**

All REPs must contain an outreach component that must be ongoing throughout the effective period of the program. These outreach efforts should be coordinated with or include the consultation program for that area. The method of outreach is at the Area Director's discretion and can consist of one or more of the following components.

1. Broadcast mail-outs or program information.
2. Stakeholder meetings.
3. Targeted training sessions.
4. Presentations to the affected group(s).

### **IX. Partnerships and Alliances.**

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

### **X. Evaluation.**

The Regional office will evaluate the impact of the REP at the midpoint of the program as well as at the expiration. Information and data from OIS along with input from the Area Directors will be used in the program reports. Elements to be considered in the program reports are contained in OSHA Instruction CPL 04-00-002.