



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 2 02-00-023

EFFECTIVE DATE: October 1, 2018

SUBJECT: Regional Emphasis Program for High Noise in Manufacturing Industries

REGIONAL IDENTIFIER: Region VI

ABSTRACT

- Purpose:** This Notice 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: Sawmills Wood Product Manufacturing 321113; Wood Containers; Miscellaneous Plastics Products Manufacturing (NAICS 3261); Concrete, Gypsum, Plaster Products, and Nonmetallic Mineral Product Manufacturing (NAICS 327); Cut Stone & Stone Products (NAICS 327991).
- Scope:** This Notice 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 04-00-001 (CPL 2-0.102A)
OSHA Instruction CPL 02-00-160 (CPL 02-00-159)
OSHA Instruction CPL 02-00-025 (CPL 2.25I)
OSHA Instruction CPL 02-00-051 (CPL 2-051J)
- Cancellations:** Region VI Regional Notice CPL 2 02-00-023 dated October 1, 2016, 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 and District 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 Notice 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: Sawmills Wood Product Manufacturing 321113; Wood Containers; Miscellaneous Plastics Products Manufacturing (NAICS 3261); Concrete, Gypsum, Plaster Products, and Nonmetallic Mineral Product Manufacturing (NAICS 327); Cut Stone & Stone Products (NAICS 327991). See Appendix A for corresponding NAICS.

Note: Region VI presently has a Regional Emphasis Program (REP) for the Fabricated Metal Products, Except Machinery and Transportation Equipment industries (NAICS 3329). 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 Notice 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 04-00-001 (CPL2-0.102A), Procedures for Approval of Local Emphasis Programs ("LEPs"), November 10, 1999, or current update.
- B. OSHA Instruction CPL 02-00-160 (CPL 02-00-159), Field Operations Manual (FOM), August 2, 2016, or current update.
- C. OSHA Instruction CPL 02-00-025 (CPL 2.25I), Scheduling System for Programmed Inspections, January 4, 1995, or current update.
- D. OSHA Instruction CPL 02-00-051 (CPL 02-0.51J), 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 Number 2010-136, Occupationally-Induced Hearing Loss

- IV. **Expiration.** This Notice expires on September 30, 2019, but may be renewed as necessary.

- V. **Background.** A 2016 NIOSH publication indicated that an estimated 22 million people are working in hazardous noise levels. 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 respiratory protection, 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.

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 March 2016 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, 2018, if no citation (or other written notice of a hazard) related to high noise was issued as a 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 (CPL 2-0.51J) "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 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 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 notice.
- G. CSHO Personal Protective Equipment (PPE): CSHOs will use personal protective equipment suitable for the targeted industry. PPE will include, at a minimum, respiratory protection, a hard hat, safety glasses with side shields, safety shoes/boots (with metatarsal guards as necessary), and hearing protection.
- 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 the FOM, OSHA Instruction CPL 02-00-160. This does not, however, limit the Area Office's authority to conduct an inspection in accordance with this REP of any establishment selected for 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. Strategic Plan Activity will be coded with any strategic plan codes applicable to the current inspection.
4. 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. Strategic Emphasis Areas will be coded with any strategic plan codes applicable to the current inspection.
3. 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 executed prior to the initiation of the enforcement program. 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).

The outreach component selected should be conducted prior to the start of the inspection portion of the REP. The timing of this should be sufficient to insure that employers have been provided fair notice of the program and opportunities to achieve voluntary compliance. These outreach efforts should be coordinated with or include the consultation program for that area.

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 conclusion of the fiscal year. Information and data from OIS along with input from the Area Directors will be used in the evaluation. Elements to be considered in the evaluation are contained in OSHA Instruction CPL 04-00-001.

Appendix A

Corresponding NAICS for Targeted SIC

NAICS Code	NAICS Title	SIC Code	SIC Description
321113	Sawmills	2421	"Sawmills & Planing Mills, General (sawmills)"
321113	Sawmills	2426	Hardwood Dimension & Flooring Mills (hardwood dimension lumber made from logs or bolts)
321113	Sawmills	2429	"Special Product Sawmills, NEC (shingle mills, shakes)"
321912	"Cut Stock, Resawing Lumber, & Planing"	2421	"Sawmills & Planing Mills, General (lumber manufacturing from purchased lumber, softwood cut stock, wood lath, fence pickets, & planing mill products)"
321912	"Cut Stock, Resawing Lumber, & Planing"	2426	"Hardwood Dimension & Flooring Mills (hardwood cut stock, resawing hardwood lumber, & planing purchased hardwood lumber except flooring)"
321918	Other Millwork (including Flooring)	2421	"Sawmills & Planing Mills, General (softwood flooring)"
321918	Other Millwork (including Flooring)	2426	Hardwood Dimension & Flooring Mills (hardwood flooring)
321920	Wood Container & Pallet	2421	"Sawmills & Planing Mills, General (box lumber made from purchased lumber)"
321920	Wood Container & Pallet	2429	"Special Product Sawmills, Not Elsewhere Classified (cooperage stock)"
321999	All Other Miscellaneous Wood Product	2421	"Sawmills & Planing Mills, General (kiln drying)"
321999	All Other Miscellaneous Wood Product	2429	"Special Product Sawmills, NEC (excelsior)"
337215	"Showcase, Partition, Shelving, & Locker "	2426	Hardwood Dimension & Flooring Mills (wood furniture frames & finished furniture parts)

SIC 244 Wood Containers

NAICS Code	NAICS Title	SIC Code	SIC Description
321920	Wood Container & Pallet	2441	Nailed & Lock Corner Wood Boxes & Shook
321920	Wood Container & Pallet	2448	Wood Pallets & Skids
321920	Wood Container & Pallet	2449	"Wood Containers, NEC"

SIC 308 Miscellaneous Plastic Products

NAICS Code	NAICS Title	SIC Code	SIC Description
325991	Custom Compounding of Purchased Resins	3087	Custom Compounding of Purchased Plastics Resins
326113	Unlaminated Plastics Film & Sheet (except Packaging)	3081	Unsupported Plastics Film & Sheet
326121	Unlaminated Plastics Profile Shape	3082	Unsupported Plastics Profile Shapes
326121	Unlaminated Plastics Profile Shape	3089	"Plastics Products, NEC (plastics sausage casings)"
326122	Plastics Pipe & Pipe Fitting	3084	Plastics Pipe
326122	Plastics Pipe & Pipe Fitting	3089	"Plastics Products, NEC (pipe fittings)"
326130	"Laminated Plastics Plate, Sheet (except Packaging), & Shape "	3083	"Laminated Plastics Plate, Sheet, & Profile Shapes"
326140	Polystyrene Foam Product	3086	Plastics Foam Products (polystyrene foam products)
326150	Urethane & Other Foam Product (except Polystyrene)	3086	Plastics Foam Products (except polystyrene foam products)
326160	Plastics Bottle	3085	Plastics Bottles
326191	Plastics Plumbing Fixture	3088	Plastics Plumbing Fixtures
326199	All Other Plastics Product	3089	"Plastics Products, NEC (except plastics pipe fittings, inflatable plastics life jackets, plastics furniture parts, & plastics sausage casings)"
337215	"Showcase, Partition, Shelving, & Locker "	3089	"Plastics Products, NEC (finished plastic furniture parts)"
339113	Surgical Appliance & Supplies	3089	"Plastics Products, NEC (inflatable plastic life jackets)"

SIC 327 Concrete, Gypsum and Plaster Products

NAICS Code	NAICS Title	SIC Code	SIC Description
327320	Ready-Mix Concrete	3273	Ready-Mixed Concrete
327331	Concrete Block & Brick	3271	Concrete Block & Brick
327332	Concrete Pipe	3272	"Concrete Products, Except Block & Brick (concrete pipe)"
327390	Other Concrete Product	3272	"Concrete Products, Except Block & Brick (concrete products, except dry mix concrete & pipe)"
327410	Lime	3274	Lime
327420	Gypsum Product	3275	Gypsum Products

327999	All Other Miscellaneous Nonmetallic Mineral Product	3272	"Concrete Products, Except Block & Brick (dry mixture concrete)"
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SIC 328 Cut Stone & Stone Products

NAICS Code	NAICS Title	SIC Code	SIC Description
327991	Cut Stone & Stone Product	3281	Cut Stone & Stone Products