



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: BOS-CPL-04-00-029

SUBJECT: Regional Local Emphasis Program for Noise in the Workplace

REGION: Boston (BOS)

SIGNATURE DATE: 09/30/2024

EFFECTIVE DATE: 10/01/2024

ABSTRACT

Purpose: This instruction renews a region-wide local emphasis program (LEP) for inspections in workplaces with noise hazards.

Scope: This instruction applies to Federal OSHA, Boston Region jurisdiction.

References: [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, 01/04/1995.](#)
[OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs \(LEPs\), 11/13/2018.](#)
[OSHA Instruction CPL 02-00-164, Field Operations Manual \(FOM\), 04/14/2020, or successor guidance.](#)
[OSHA Instruction CPL 02-00-170, Enforcement Exemption and Limitations under the Appropriations Act, 07/18/2024, \(including annually updated Appendix A\).](#)
Title 29, Code of Federal Regulations, Part 1910

Cancellations: OSHA Regional Instruction CPL 04-00-024G, Local Emphasis Program for Noise in the Workplace, October 1, 2019

State Impact: No impact

Action Offices: All Boston Region Area and District Offices

Originating Office: Boston Regional Office

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By and Under Authority of:

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Acting Regional Administrator

Executive Summary

This notice renews the Local Emphasis Program for Noise in the Workplace for five years. This LEP has been in place since 2013 and provides guidance and direction to ensure effective targeting, enforcement and outreach for specific industries where workers are exposed to high noise levels. The goal of this LEP is to reach these workers who are at risk for developing occupational noise-induced hearing loss and ensure that employers are protecting them in accordance with OSHA Occupational Noise standard 29 CFR 1910.95.

Significant Changes

None

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I. Purpose.

This instruction renews a region-wide local emphasis program (LEP) for the purpose of scheduling and conducting inspections in workplaces with high noise levels.

This LEP consists primarily of two elements. The first element is the ongoing outreach to raise employer and employee awareness of the hazards associated with exposure to high levels of noise. Outreach will continue throughout the duration of this LEP. The second element is an inspection targeting initiative whose goal is to reduce employee exposure to noise through enforcement. Inspections conducted under this LEP will focus on evaluating noise hazards.

II. Scope.

This instruction applies to establishments engaged in activity under the applicable North American Industry Classification System (NAICS) codes located in Federal OSHA Boston Region jurisdiction

III. Action: The Area Director will ensure area office staff are familiar with the contents of this instruction and follow guidelines and procedures described.

IV. Effective Date. This instruction renewal becomes effective on October 1, 2024.

V. Expiration. This instruction will expire on September 30, 2029.

VI. Cancellations: OSHA Regional Instruction CPL 04-00-024G, Local Emphasis Program for Noise in the Workplace, October 1, 2019

VII. References.

A. [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, 01/04/1995.](#)

B. [OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs \(LEPs\), 11/11/2018.](#)

C. [OSHA Instruction CPL 02-00-164, Field Operations Manual \(FOM\), 04/14/2020.](#)

D. [OSHA Instruction CPL 02-00-170, Enforcement Exemptions and Limitations under the Appropriations Act, 07/18/2024, \(including annually updated Appendix A\).](#)

E. [U.S. Department of Labor Strategic Plan, FY 2022-2026.](#)

- F. OSHA Instruction TED 01-00-015 [OSHA Technical Manual \(OTM\)](#) | [Occupational Safety and Health Administration](#) Section III, Chapter 5 Noise, updated 4/28/2022, (retrieved September 2024)
- G. U.S. Department of Labor. Bureau of Labor Statistics. Industry Injury and Illness Data (<https://www.bls.gov/iif/>)
- H. U.S. Department of Labor. Bureau of Labor Statistics. [Can you hear me now? Occupational hearing loss, 2004-2010 : Monthly Labor Review: U.S. Bureau of Labor Statistics \(bls.gov\)](#) July 2012 (retrieved September 2024).
- I. OSHA Instruction CSP 02-00-005, Consultation Policies and Procedures Manual, 09/29/2023: [Consultation and Policies Procedures Manual \(osha.gov\)](#).
- J. OSHA Instruction ADM-04-00-003, OSHA Safety and Health Management System (SHMS) Manual, last updated 09/01/2024: <https://www.osha.gov/shms/>
- K. [Establishment Specific Injury and Illness Data \(Injury Tracking Application\) | Occupational Safety and Health Administration \(osha.gov\)](#), retrieved September 2024]

VIII. Background.

In accordance with the Department of Labor Strategic Plan 2022-2026, to “secure safe and healthful working conditions for America’s workers,” this LEP targets workplaces with excessive noise levels to prevent permanent hearing loss.

Approximately twenty-two million workers are exposed to potentially damaging noise each year, and thousands of workers every year suffer from preventable hearing loss due to high workplace noise levels [Source [CDC/NIOSH About Occupational Noise Loss](#)] In 2019, the Bureau of Labor Statistics (BLS) reported that there were 14,500 work-related hearing loss illness cases. They occurred at a rate of 1.4 cases per 10,000 full-time workers. These cases accounted for 11.4 percent of the 127,200 private industry illness cases (BLS, 2021). Nationwide OSHA Injury Tracking Application (ITA) data from 2023 from employers required to submit OSHA 300 log information indicated that there were 12,647 incidents entered into Column M “occupational hearing loss”[Source [OSHA ITA Data, 2023](#), retrieved September 2024].

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.

BLS summarized occupational hearing loss data collected from 2004 – 2010 (*Can you hear me now? Occupational hearing loss, 2004 – 2010*), showed that the manufacturing and utilities industries have the highest hearing loss rate among private sector industries (excluding construction, agriculture, and oil and gas drilling and servicing industries). Other industries consistently had high rates such as the air transportation industry, food manufacturers, paper manufacturers, and fabricated metals manufacturers.

OSHA Fiscal Year 2024 inspection data from Boston Region showed that 81% of occupational noise exposure standard violations (29 CFR 1910.95), occurred in manufacturing establishments in NAICS sector (32). OSHA calendar year 2023 ITA data from employers required to submit OSHA 300 log information indicated that in Boston Region there were 580 instances of Column M “Hearing Loss” of which 440(75%) occurred in NAICS Sector codes 31 to 33, Manufacturing.

Based on the BLS and OSHA data, the following industries are included in the LEP:

NAICS	Description
3323	Architectural and Structural Metals Manufacturing
3321	Forging and Stamping
3328	Coating, Engraving, Heat Treating, and Allied Activities
3329	Other Fabricated Metal Product Manufacturing
3261	Miscellaneous Plastics Products
3211	Sawmills and Planing Mills
3212	Millwork, Veneer, Plywood, and Structural Wood
3219	Wood Containers
3219	Miscellaneous Wood Products
3273	Concrete, Gypsum, and Plaster Products
3279	Cut, Stone and Stone Products
3116	Meat Products
3115	Dairy Products
3118	Bakery Products

IX. Program Procedures.

A. On-site Consultation Visits and Enforcement: If an employer requests an on-site consultation visit from the 21(d) State Consultation Program (for either full or limited service) and that visit is in progress, OSHA will withdraw from the premises until the consultation visit has been completed. Consultation visits are considered “in progress” from the beginning of the opening conference to the end of the correction due dates (including extensions). See the Consultation Policy and Procedures Manual (osha.gov), Chapter 7, for further details on scheduling programmed inspections when a 21(d) Consultation visit is in progress.

B. Inspection Scheduling: The Directorate of Technical Support and Emergency Management (DTSEM), Office of Statistical Analysis (OSA) will generate a master list of establishments in the targeted NAICS codes within Boston Region and then assign a random number to each establishment. The area office can obtain the randomized master list from OSA through the ListGen application.

Sites that have had a comprehensive health inspection within the past 24 months will be removed from the list prior to making the selections for a given year, unless the Area Director, using his/her discretion, has a compelling reason to believe that another inspection is justified.

If, throughout the duration of this LEP, an establishment falling within the targeted NAICS codes becomes known, it will be numbered and added at the end of the primary establishment list and will be eligible to be inspected if randomly selected for inclusion in a subsequent inspection cycle.

Within a cycle, the establishments may be scheduled and inspected in any order that makes efficient use of available resources. When a cycle is completed, the Area Office may generate a new cycle. All of the establishments in a cycle must be inspected before any establishments in a new cycle may be inspected. Carryovers will be allowed, as provided in OSHA Instruction CPL 02-00-025.

A minimum of one inspection cycle per year will be conducted by each Area Office. All selected companies, regardless of size, will be inspected, including establishments which employ fewer than ten employees, as these employers are not currently exempt from health inspection activity under the Appropriations Act per CPL 02-00-051. Follow CPL 02-00-051 when addressing safety hazards in establishments with 10 or fewer employees in a NAICS code listed in Appendix A of that instruction.

C. Programmed Inspections: Some establishments may be selected for inspection under one or more other OSHA enforcement initiatives (National Emphasis Program (NEP) or LEP. This LEP shall be run concurrently with other NEPs and/or LEPs. CSHOs shall use all OIS codes applicable for the inspection.

- D. Unprogrammed Inspections: This LEP will not affect the selection of inspections of employers subject to this LEP under existing OSHA unprogrammed activities. Imminent danger, fatality/catastrophe, and formal complaints will be scheduled in accordance with current OSHA policy. Health inspections initiated as a result of a referral, complaint, accident, fatality, or a catastrophe in an establishment within the targeted NAICS codes will be expanded to include an evaluation of employee exposure to noise.
- E. Referrals: All guidelines in the current FOM regarding CSHO referrals shall be followed. Based upon information obtained during the health inspection, if a safety inspection is warranted, a referral will be made to the Area Director for appropriate action.

For any programmed or unprogrammed safety inspection, such as a complaint, referral, fatality or catastrophe, in an establishment within the targeted NAICS codes, the CSHO can make a health referral if information gathered during the inspection indicates the facility contains high noise levels.

X. Inspection Procedures.

- A. Scope: The scope of the inspections conducted under this LEP shall generally be health inspections focusing on evaluating noise hazards. In accordance with the FOM, other health and safety hazards may be addressed based on information gathered during the inspection and walk-around. OSHA Instruction CPL 02-00-170 addresses handling safety hazards in establishments with 10 or fewer employees in a NAICS code listed in Appendix A of that directive.
- B. Procedures:
 - 1. Upon entering, the CSHO shall verify the NAICS code of the establishment. If the NAICS code is not one of those targeted in this LEP, the CSHO shall exit the facility and code the OIS form “No Inspection.”

2. During the opening conference, the CSHO shall determine the presence of noise hazards in the facility by reviewing the OSHA 300 injury and illness logs for any standard threshold shifts in hearing; if one has been established, the employer's hearing conservation program, including the use of hearing protectors, training, and audiometric testing; and noise monitoring conducted by the employer. If the review of information indicates the presence of high noise levels in the facility, the CSHO shall continue with the inspection. If the review of information indicates that high noise levels do not exist, the CSHO shall conduct a brief walk-around of the facility and obtain sound level meter readings to verify that noise levels are below OSHA's exposure limits. If the sound level meter readings are below OSHA's permissible exposure limits, the CSHO may terminate the inspection.
3. CSHOs shall conduct noise monitoring, which include sound level meter readings and full shift noise dosimetry. Noise measurements will be conducted in accordance with Section III, Chapter 5 of the OSHA Technical Manual TED 01-00-015 (TED 1-0.15A). The case file will contain documentation of noise surveys, screening, and sampling results.
4. When made available, CSHOs are encouraged to use the *Occupational Noise Exposure Reduction: Engineering Controls* guidance document, which is currently under review. The guidance document summarizes engineering control options to reduce worker exposure to noise exposure from various equipment used in general industry and construction.
5. 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.

XI. Recording in OIS

- A. Current instructions for completing OIS forms shall be applied when recording inspections under this LEP. The OIS inspection form, investigation form, unprogrammed activities form shall be marked "R1NOISE" under the Local Emphasis Program dropdown menu under the Emphasis Program section as appropriate.
- B. The OSHA-1 for any programmed inspection under this LEP shall be marked as "Programmed Planned" under Inspections Type, as appropriate and "R1Noise" from Emphasis Program drop-down menu.
- C. The OSHA-1 for any unprogrammed inspection conducted under this LEP shall be appropriately marked "Unprogrammed" under Inspection Type, and "R1NOISE" in the Emphasis Programs section. Complaints and referrals from outside federal OSHA are to be recorded as unprogrammed inspections.

XII. Safety and Health Considerations for CSHOs

- A. Safety and Health Considerations for CSHOs: Inspections under this LEP are to be conducted by CSHOs who have received the OSHA Safety and Health Management System (SHMS) Manual training on noise, training on the LEP, and training and/or experience with recognizing and evaluating noise hazards in the workplace. The Area Director will ensure that appropriate training is provided to the Area Office staff. CSHOs shall be provided with and use hearing protectors when conducting inspections under this LEP. Other personal protective equipment such as respirators, gloves, eye-protection, safety-toed shoes, etc., will be selected based on the hazards known in the targeted industries and will be worn during the course of the inspection.

CSHO self-monitoring for noise is encouraged. Real time self-monitoring (a sound level meter) is necessary to determine when hearing protection is not adequate and the situation requires a change in location or different hearing protection for the CSHO. CSHOs are also encouraged to perform self-monitoring with a noise dosimeter when noise levels are expected to exceed the action level or permissible exposure limit. In situations other than noise inspections, CSHOs may self-monitor for noise exposure any time they believe it is necessary [Source OSHA SHMS Manual, Chapter 27 Exposure Monitoring]

XIII. Outreach

- A. Initial Outreach: This LEP was first issued in 2013, a period of initial outreach for the 2024 renewal is unnecessary.
- B. Ongoing Outreach: Each area office will develop annual goals for outreach on noise and if the office has a compliance assistance specialist will include these goals in their compliance assistance plan. Area offices will consider the Agency's Management Plan when determining target audiences for this outreach. Each area office will conduct one or more outreach sessions on noise per year.
- C. The 21(d) Consultations programs in affected states have been participating in outreach initiatives associated with this LEP since the effective date and will do so going forward if appropriate.
- D. Boston Region Whistleblower Protection Program will conduct at least one outreach activity with a primary focus of Section 11(c) of the OSH Act rights annually

XIV. Program Evaluation.

The Regional Office will complete a program report at the midpoint and completion of the LEP. The midpoint assessment will take place no later than September 30, 2027. The midpoint and final program report will include quantitative and qualitative measures, including recommendations regarding the continuation of this LEP. In addition to activity and impact measures, the report will include the following:

- Number of employees and/or establishments impacted by outreach activities;
- Number of employees removed from exposure.
- Number of noise violations cited;
- Percent of noise violations cited;
- List of other types of health hazards cited;
- Number of noise dosimetry measurements conducted;
- Number of overexposures documented; and
- Number of employers who implemented a hearing conservation program (i.e., number of violations of 1910.95(c)).