

Auzenne, Viktor

From: Barry Lewis [REDACTED]
Sent: Wednesday, March 11, 2015 10:32 AM
To: Guernsey, Greg; Auzenne, Viktor
Cc: Harden, Joi; Julie Fitch; Kathy Marcus; Clif Steed; Jeanette Auerbach; Bonita White
Subject: Revision of COA 9-2-21
Attachments: OSHA_SoundStandards.pdf

Mr. Guernsey and Mr. Auzenne,

First, thank you for your time and patience last evening and your work on this contentious issue.

Attached is a scan of an informative piece from the OSHA website: <https://www.osha.gov/SLTC/noisehearingconservation/#loud>.

The fourth paragraph on page two states the OSHA standard as a time weighted average noise level of 85 dBA. Also on page two is a tabulation of sound levels for different conditions and occupancies. Please note that per OSHA the acceptable level for an Urban Residence is 50. Therefore, I respectfully suggest that the revised ordinance provide for 85 dBA, or the lesser equivalent on the dBC scale, until 10PM, with all activities after that time limited to not more than 50 dBA, or the lesser equivalent on the dBC scale.

Respectfully,

Barry C. Lewis

DANA Board member

UNITED STATES
DEPARTMENT OF LABOR

Occupational Safety & Health Administration We Can Help

SAFETY AND HEALTH TOPICS

Occupational Noise Exposure

Every year, approximately 30 million people in the United States are occupationally exposed to hazardous noise. Noise-related hearing loss has been listed as one of the most prevalent occupational health concerns in the United States for more than 25 years. Thousands of workers every year suffer from preventable hearing loss due to high workplace noise levels. Since 2004, the Bureau of Labor Statistics has reported that nearly 125,000 workers have suffered significant, permanent hearing loss. In 2009 alone, BLS reported more than 21,000 hearing loss cases.

Exposure to high levels of noise can cause permanent hearing loss. Neither surgery nor a hearing aid can help correct this type of hearing loss. Short term exposure to loud noise can also cause a temporary change in hearing (your ears may feel stuffed up) or a ringing in your ears (tinnitus). These short-term problems may go away within a few minutes or hours after leaving the noisy area. However, repeated exposures to loud noise can lead to permanent tinnitus and/or hearing loss.

Loud noise can also create physical and psychological stress, reduce productivity, interfere with communication and concentration, and contribute to workplace accidents and injuries by making it difficult to hear warning signals. Noise-induced hearing loss limits your ability to hear high frequency sounds, understand speech, and seriously impairs your ability to communicate. The effects of hearing loss can be profound, as hearing loss can interfere with your ability to enjoy socializing with friends, playing with your children or grandchildren, or participating in other social activities you enjoy, and can lead to psychological and social isolation.

- How does the ear work?
- What are the warning signs that your workplace may be too noisy?
- How loud is too loud?
- What can be done to reduce the hazard from noise?
- How can OSHA help?

How does the ear work?

When sound waves enter the outer ear, the vibrations impact the ear drum and are transmitted to the middle and inner ear. In the middle ear three small bones called the malleus (or hammer), the incus (or anvil), and the stapes (or stirrup) amplify and transmit the vibrations generated by the sound to the inner ear. The inner ear contains a snail-like structure called the cochlea which is filled with fluid and lined with cells with very fine hairs. These microscopic hairs move with the vibrations and convert the sound waves into nerve impulses—the result is the sound we hear.

Exposure to loud noise can destroy these hair cells and cause hearing loss!

What are the warning signs that your workplace may be too noisy?

Noise may be a problem in your workplace if:

- You hear ringing or humming in your ears when you leave work.
- You have to shout to be heard by a coworker an arm's length away.
- You experience temporary hearing loss when leaving work.

How loud is too loud?

Noise is measured in units of sound pressure levels called decibels, named after Alexander Graham Bell, using A-weighted sound levels (dBA). The A-weighted sound levels closely match the perception of loudness by the human ear. Decibels are measured on a logarithmic scale which means that a small change in the number of decibels results in a huge change in the amount of noise and the potential damage to a person's hearing.

OSHA sets legal limits on noise exposure in the workplace. These limits are based on a worker's

Highlights

- **Protecting Yourself from Noise in Construction - Pocket Guide (PDF*)**. OSHA Publication 3498, (2011).
- **Stakeholder Meeting on Preventing Occupational Hearing Loss: Summary Report**. OSHA, (2011, November 3).
- **NEW OSHA Technical Manual (OTM) Chapter - Noise**. OSHA Directive TED 01-00-015, (2013, August 15).

What is noise?

Noise and vibration are both fluctuations in the pressure of air (or other media) which affect the human body. Vibrations that are detected by the human ear are classified as sound. We use the term 'noise' to indicate unwanted sound.

Noise and vibration can harm workers when they occur at high levels, or continue for a long time.



time weighted average over an 8 hour day. With noise, OSHA's permissible exposure limit (PEL) is 90 dBA for all workers for an 8 hour day. The OSHA standard uses a 5 dBA exchange rate. This means that when the noise level is increased by 5 dBA, the amount of time a person can be exposed to a certain noise level to receive the same dose is cut in half.

The National Institute for Occupational Safety and Health (NIOSH) has recommended that all worker exposures to noise should be controlled below a level equivalent to 85 dBA for eight hours to minimize occupational noise induced hearing loss. NIOSH has found that significant noise-induced hearing loss occurs at the exposure levels equivalent to the OSHA PEL based on updated information obtained from literature reviews. NIOSH also recommends a 3 dBA exchange rate so that every increase by 3 dBA doubles the amount of the noise and halves the recommended amount of exposure time.

Here's an example: OSHA allows 8 hours of exposure to 90 dBA but only 2 hours of exposure to 100 dBA sound levels. NIOSH would recommend limiting the 8 hour exposure to less than 85 dBA. At 100 dBA, NIOSH recommends less than 15 minutes of exposure per day.

In 1981, OSHA implemented new requirements to protect all workers in general industry (e.g. the manufacturing and the service sectors) for employers to implement a Hearing Conservation Program where **workers are exposed to a time weighted average noise level of 85 dBA** or higher over an 8 hour work shift. Hearing Conservation Programs require employers to measure noise levels, provide free annual hearing exams and free hearing protection, provide training, and conduct evaluations of the adequacy of the hearing protectors in use unless changes to tools, equipment and schedules are made so that they are less noisy and worker exposure to noise is less than the 85 dBA.

What can be done to reduce the hazard from noise?

Noise controls are the first line of defense against excessive noise exposure. The use of these controls should aim to reduce the hazardous exposure to the point where the risk to hearing is eliminated or minimized. With the reduction of even a few decibels, the hazard to hearing is reduced, communication is improved, and noise-related annoyance is reduced. There are several ways to control and reduce worker exposure to noise in a workplace.

Engineering controls that reduce sound exposure levels are available and technologically feasible for most noise sources. Engineering controls involve modifying or replacing equipment, or making related physical changes at the noise source or along the transmission path to reduce the noise level at the worker's ear. In some instances the application of a relatively simple engineering noise control solution reduces the noise hazard to the extent that further requirements of the OSHA Noise standard (e.g., audiometric testing (hearing tests), hearing conservation program, provision of hearing protectors, etc...) are not necessary. Examples of inexpensive, effective engineering controls include some of the following:

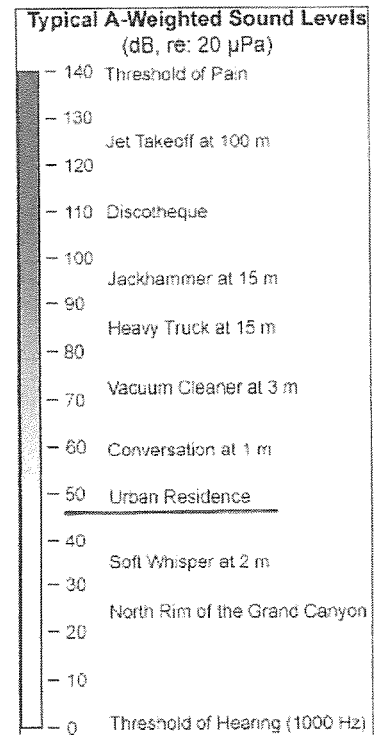
- Choose low-noise tools and machinery (e.g., Buy Quiet Roadmap (NASA)).
- Maintain and lubricate machinery and equipment (e.g., oil bearings).
- Place a barrier between the noise source and employee (e.g., sound walls or curtains).
- Enclose or isolate the noise source.

Administrative controls are changes in the workplace that reduce or eliminate the worker exposure to noise. Examples include:

- Operating noisy machines during shifts when fewer people are exposed.
 - Limiting the amount of time a person spends at a noise source.
 - Providing quiet areas where workers can gain relief from hazardous noise sources (e.g., construct a sound proof room where workers' hearing can recover – depending upon their individual noise level and duration of exposure, and time spent in the quiet area).
 - Restricting worker presence to a suitable distance away from noisy equipment.
- Controlling noise exposure through distance is often an effective, yet simple and inexpensive administrative control. This control may be applicable when workers are present but are not actually working with a noise source or equipment. Increasing the distance between the noise source and the worker, reduces their exposure. In open space, for every doubling of the distance between the source of noise and the worker, the noise is decreased by 6 dBA.

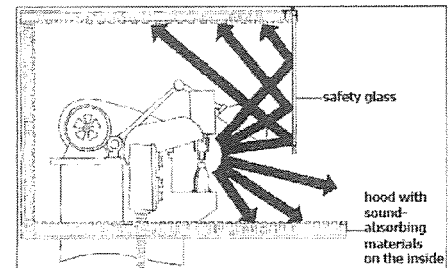
Hearing protection devices (HPDs), such as earmuffs and plugs, are considered an acceptable but less desirable option to control exposures to noise and are generally used during the time necessary to implement engineering or administrative controls, when such controls are not feasible, or when worker's hearing tests indicate significant hearing damage.

An **effective hearing conservation program** must be implemented by employers in general

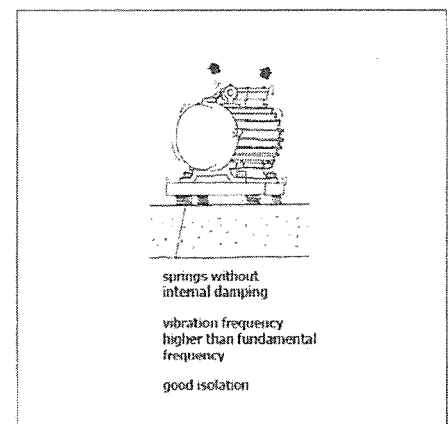


A wide variety of noise sources may exist in the workplace. The NIOSH Noise Meter provides examples of some common sources and their expected noise levels.

A more detailed explanation of common terms, good program elements, and implementation steps can be found in NIOSH Document: Preventing Occupational Hearing Loss - A Practical Guide, Publication No. 96-110, (1996, October).

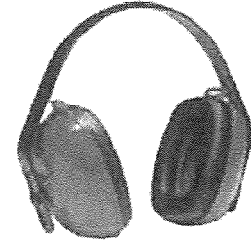
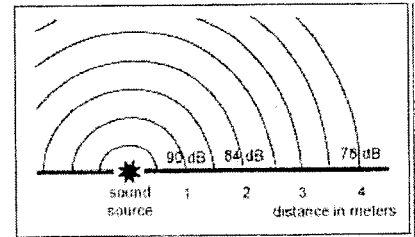


Example of Engineering Controls



Example of Engineering Controls

industry whenever worker noise exposure is equal to or greater than 85 dBA for an 8 hour exposure or in the construction industry when exposures exceed 90 dBA for an 8 hour exposure. This program strives to prevent initial occupational hearing loss, preserve and protect remaining hearing, and equip workers with the knowledge and hearing protection devices necessary to protect them. Key elements of an effective hearing conservation program include:



- Workplace noise sampling including personal noise monitoring which identifies which employees are at risk from hazardous levels of noise.
- Informing workers at risk from hazardous levels of noise exposure of the results of their noise monitoring.
- Providing affected workers or their authorized representatives with an opportunity to observe any noise measurements conducted.
- Maintaining a worker audiometric testing program (hearing tests) which is a professional evaluation of the health effects of noise upon individual worker's hearing.
- Implementing comprehensive hearing protection follow-up procedures for workers who show a loss of hearing (standard threshold shift) after completing baseline (first) and yearly audiometric testing.
- Proper selection of hearing protection based upon individual fit and manufacturer's quality testing indicating the likely protection that they will provide to a properly trained wearer.
- Evaluate the hearing protectors attenuation and effectiveness for the specific workplace noise.
- Training and information that ensures the workers are aware of the hazard from excessive noise exposures and how to properly use the protective equipment that has been provided.
- Data management of and worker access to records regarding monitoring and noise sampling.

Each of these elements is critical to ensure that workers are being protected where noise levels are unable to be reduced below the OSHA required levels.

How do I find out about employer responsibilities and worker rights?

Workers have a right to a safe workplace. The law requires employers to provide their employees with working conditions that are free of known dangers. The OSHA law also prohibits employers from retaliating against employees for exercising their rights under the law (including the right to raise a health and safety concern or report an injury). For more information see www.whistleblowers.gov or worker rights.

OSHA has a great deal of information to assist employers in complying with their responsibilities under the OSHA law.

OSHA can help answer questions or concerns from employers and workers. To reach your regional or area OSHA office, go to OSHA's [Regional & Area Offices](#) webpage or call 1-800-321-OSHA (6742).

Small business employers may contact OSHA's free and confidential on-site consultation service to help determine whether there are hazards at their worksites and work with OSHA on correcting any identified hazards. On-site consultation services are separate from enforcement activities and do not result in penalties or citations. To contact OSHA's free consultation service, go to OSHA's [On-site Consultation](#) webpage or call 1-800-321-OSHA (6742) and press number 4.

Workers may file a complaint to have OSHA inspect their workplace if they believe that their employer is not following OSHA standards or that there are serious hazards. Employees can file a complaint with OSHA by calling 1-800-321-OSHA (6742), online via [eCompliant Form](#), or by printing the complaint form and mailing or faxing it to your local OSHA area office. Complaints that are signed by an employee are more likely to result in an inspection.

If you think your job is unsafe or you have questions, contact OSHA at 1-800-321-OSHA (6742). It's confidential. We can help. For other valuable worker protection information, such as [Workers' Rights](#), [Employer Responsibilities](#), and other services OSHA offers, visit OSHA's [Workers' page](#).

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