

## Great Western Painting

Mining/Surface – Metal/Non-Metal – Noise Exposure

### Hearing Conservation

30 CFR 62.110

30 CFR 62.120

30 CFR 62.130

30 CFR 62.150

30 CFR 62.160

30 CFR 62.180

30 CFR 62.170

30 CFR 62.175

Reference Interagency Agreement between the Mine Safety and Health Administration U.S. Department of Labor and the Occupational Safety and Health Administration U.S. Department of Labor. Many MSHA and OSHA standards and requirements are identical in nature and there may be some overlap in enforcement of standards.

When working as an operator in the capacity of an independent contractor performing services or construction at a facility that falls under MSHA standards, the provisions of our safety program apply except as modified below:

**Note: The most, but not all, below additional requirements are extracted verbatim from the MSHA standards referenced above and incorporated into our safety program. Most of the below requirements mimic the requirements of our Hearing Conservation found in Section III of our safety program.**

As a mine operator, we will assure that no miner is exposed during any work shift to noise that exceeds the permissible exposure level. If during any work shift a miner's noise exposure exceeds the permissible exposure level, we will use all feasible engineering and administrative controls to reduce the miner's noise exposure to the permissible exposure level, and enroll the miner in a hearing conservation program that complies with 29 CFR 62.150.

When we use administrative controls to reduce a miner's exposure, we will post the procedures for such controls on the mine bulletin board and provide a copy to the affected miner.

If a miner's noise exposure continues to exceed the permissible exposure level despite the use of all feasible engineering and administrative controls, we will continue to use the engineering and administrative controls to reduce the miner's noise exposure to as low a level as is feasible.

We will assure that no miner is exposed at any time to sound levels exceeding 115 dBA, as determined without adjustment for the use of any hearing protector.

## Hearing conservation program

Our hearing conservation program, established under 30 CFR 62.150, includes:

- a. a system of monitoring under 30 CFR 62.110;
- b. the provision and use of hearing protectors under 30 CFR 62.160;
- c. audiometric testing under 30 CFR 62.170 through 30 CFR 62.175;
- d. training under 30 CFR 62.180; and
- e. recordkeeping under 30 CFR 62.190.

## Noise exposure assessment

We will establish a system of monitoring that evaluates each miner's noise exposure sufficiently to determine continuing compliance.

We will determine a miner's noise dose (D, in percent) by using a noise dosimeter or by computing the formula:  $D = 100(C_1/T_1 + C_2/T_2 + \dots + C_n/T_n)$ , where  $C_n$  is the total time the miner is exposed at a specified sound level, and  $T_n$  is the reference duration of exposure at that sound level shown in Table 62-1. [Click Here to access Table 62-1.](#)

We will use Table 62-2 when converting from dose readings to equivalent TWA 8 readings. [Click Here to access Table 62-2.](#)

A miner's noise dose determination must:

- a. be made without adjustment for the use of any hearing protector;
- b. integrate all sound levels over the appropriate range;
- c. reflect the miner's full work shift;
- d. use a 90-dB criterion level and a 5-dB exchange rate; and
- e. use the A-weighting and slow response instrument settings.

Observation of monitoring.

We will provide affected miners and their representatives with an opportunity to observe noise exposure monitoring required by this section and must give prior notice of the date and time of intended exposure monitoring to affected miners and their representatives

Miner notification.

We will notify a miner of his or her exposure when the miner's exposure is determined to equal or exceed the action level, exceed the permissible exposure level, or exceed the dual hearing protection level, provided we have not notified the miner of an exposure at such level within the prior 12 months. We will base the notification on an exposure evaluation conducted

either ourselves or by an authorized representative of the Secretary of Labor. We will notify the miner in writing within 15 calendar days of:

- a. the exposure determination; and
- b. the corrective action being taken.

We will maintain a copy of any such miner notification, or a list on which the relevant information about that miner's notice is recorded, for the duration of the affected miner's exposure at or above the action level and for at least 6 months thereafter.

**If during any work shift a miner's noise exposure equals or exceeds the action level, as a mine operator, we will enroll the miner in a hearing conservation program.**

### **Hearing Protectors**

We will provide a hearing protector to a miner whose noise exposure equals or exceeds the action level under 30 CFR 62.120. In addition, we will:

- a. train the miner in accordance with 30 CFR 62.180;
- b. allow the miner to choose a hearing protector from at least two muff types and two plug types, and in the event dual hearing protectors are required, to choose one of each type;
- c. ensure that the hearing protector is in good condition and is fitted and maintained in accordance with the manufacturer's instructions;
- d. provide the hearing protector and necessary replacements at no cost to the miner; and
- e. allow the miner to choose a different hearing protector(s), if wearing the selected hearing protector(s) is subsequently precluded due to medical pathology of the ear.

We will ensure that a miner wears a hearing protector whenever the miner's noise exposure exceeds the permissible exposure level before the implementation of engineering and administrative controls, or if the miner's noise exposure continues to exceed the permissible exposure level despite the use of all feasible engineering and administrative controls.

We will ensure that a miner wears a hearing protector when the miner's noise exposure is at or above the action level, if:

- a. the miner has incurred a standard threshold shift; or
- b. more than 6 months will pass before the miner can take a baseline audiogram.

### **Training**

As a mine operator, we will within 30 days of a miner's enrollment into a hearing conservation program, provide the miner with training. We will also give training every 12 months thereafter if the miner's noise exposure continues to equal or exceed the action level. Training will include:

- a. the effects of noise on hearing;
- b. the purpose and value of wearing hearing protectors;
- c. the advantages and disadvantages of the hearing protectors to be offered;
- d. the various types of hearing protectors offered by our company and the care, fitting, and use of each type;
- e. the general requirements of this part;
- f. the company and miner's respective tasks in maintaining mine noise controls; and
- g. the purpose and value of audiometric testing and a summary of the procedures.

We will certify the date and type of training given each miner, and maintain the miner's most recent certification for as long as the miner is enrolled in the hearing conservation program and for at least 6 months thereafter.

### **Audiometric testing**

As a mine operator, we will provide audiometric tests at no cost to the miner. A physician or an audiologist, or a qualified technician under the direction or supervision of a physician or an audiologist must conduct the tests.

Baseline audiogram.

As a mine operator, we will offer miners the opportunity for audiometric testing of the miner's hearing sensitivity for the purpose of establishing a valid baseline audiogram to compare with subsequent annual audiograms. We may use an existing audiogram of the miner's hearing sensitivity as the baseline audiogram if it meets the audiometric testing requirements of 30 CFR 62.171.

- a. We will offer and provide within 6 months of enrolling the miner in a hearing conservation program, audiometric testing which results in a valid baseline audiogram, or offer and provide the testing within 12 months where the operator uses mobile test vans to do the testing.
- b. We will notify the miner to avoid high levels of noise for at least 14 hours immediately preceding the baseline audiogram. As a mine operator, we must not expose the miner to workplace noise for the 14-hour quiet period before conducting the audiometric testing to

determine a baseline audiogram. We may substitute the use of hearing protectors for this quiet period.

- c. We will not establish a new baseline audiogram or a new revised baseline audiogram, where one has been established, due to changes in enrollment status in the hearing conservation program. We may establish a new baseline or revised baseline audiogram for a miner who is away from the mine for more than 6 consecutive months.

Annual audiogram.

After the baseline audiogram is established, we will continue to offer subsequent audiometric tests at intervals not exceeding 12 months for as long as the miner remains in the hearing conservation program.

Revised baseline audiogram.

An annual audiogram must be deemed to be a revised baseline audiogram when, in the judgment of the physician or audiologist:

- a. a standard threshold shift revealed by the audiogram is permanent;  
or
- b. the hearing threshold shown in the annual audiogram indicates significant improvement over the baseline audiogram.

### **Notification of Results; reporting requirements**

As a mine operator, we will, within 10 working days of receiving the results of an audiogram, or receiving the results of a follow-up evaluation required under 30 CFR 62.173, notify the miner in writing of:

- a. the results and interpretation of the audiometric test, including any finding of a standard threshold shift or reportable hearing loss; and
- b. the need and reasons for any further testing or evaluation, if applicable.

When evaluation of the audiogram shows that a miner has incurred a reportable hearing loss as defined in this part, as a mine operator, we must report such loss to MSHA as a noise-induced hearing loss in accordance with part 50 of this title, unless a physician or audiologist has determined that the loss is neither work-related nor aggravated by occupational noise exposure.