OSHA’S PROPOSED REINTERPRETATION OF THE NOISE STANDARD WOULD HAVE SIGNIFICANT IMPACT

On October 19, 2010, the Occupational Safety and Health Administration (“OSHA”), published in the Federal Register a proposal to reinterpret OSHA’s Noise Exposure Standard. Since 1983, OSHA has adopted and implemented an interpretation that allows employers to use PPE and a hearing conservation program rather than requiring employers to implement source noise reduction (engineering controls) and administrative controls to decrease noise, when the cost of hearing protectors and the hearing conservation program are less costly than administrative or engineering controls.

However, on October 19, 2010, OSHA proposed to revise its current interpretation of the Noise Standard to require employers to use administrative and engineering controls to reduce noise exposure. If the reinterpretation is accepted, most, if not all, of those employers currently required to comply with the Noise Standard will be required to decrease noise at its source (use engineering controls) and/or implement administrative controls (such as shift rotation, shielding and positioning employees at a greater distance from the noise source) in addition to providing PPE and implementing a hearing conservation program.

Employers have until December 20, 2010, to submit comments concerning this proposed reinterpretation of the Noise Standard.

NOTE: This general summary of the law should not be used to solve individual problems since slight changes in the fact situation may require a material variance in the applicable legal advice.
SCSC Members,

As this is my last article for the Chairman's Corner, I wanted to take this opportunity to thank each of you for your attendance and support of the Stark County Safety Council. I also wanted to take the time to thank each member of the SCSC Steering Committee for their support and dedication.

These Steering Committee members donate their time and talents to many programs that the SCSC supports to promote a safe environment for you and your employees.

Lorenzo Bagley - Canton City Fire Department
Jackie Bollas Caldwell - Krugliak, Wilkins, Griffiths and Dougherty Company
Gust Callas - Black, McCuskey, Souers and Arbaugh
David Demeo - Design Restoration
Dave Dennison - Beiry Cheese
Barb Friedman - Union Metal Corporation
Stephen Gronow - Stark County Engineer
Kristina Harless - Day Ketterer LTD
Dennis Heckathorn - Honeywell Analytics
Norm Hostetler - Beaver Excavating
Steve Katz - Canton Regional Chamber of Commerce
Colleen Maurer - Paarlo Plastics
Stephanie Mueller - AultWorks
Hans Nilges - Morrow and Meyer LLC
Mark Rossiter - Anheuser Busch
Cameron Speck - Safety Resource Company of Ohio
Curtis Werren - American Red Cross, Stark County
Steve Hanna - Bureau of Workers Compensation
Robin Watson - Bureau of Workers’ Compensation

A special thank you to Connie Cerny for her hard work doing all of the administrative duties on behalf of the Stark County Safety Council.

Best Wishes for a safe and Happy Holiday Season!

Regards,

Susan

Important items to make note of:

1. **Semi-Annual Reports** are required to maintain your membership with the SCSC. Reports are due July 15th and January 15th each year.
2. **Don’t forget to sign-in.** If you do not sign the “sign-in sheet” your company will not receive credit for attending. This could hurt your company’s chances of receiving the BWC’s discount.
3. **July 1, 2010 began a new 12 month period** for the BWC’s rebate program. If your company is eligible, you must attend a minimum of 10 events, with your company’s CEO or a senior level manager attending one of these 10, and submit two semi-annual reports. See BWC website for complete rebate details.
4. **Please complete a Program Evaluation Form** following each luncheon meeting. Your input is important.

This newsletter is distributed monthly to keep you advised of developments in the area of OSHA law. Note: This should not be substituted for legal advice and should not be relied upon in a specific case.