

02/13/2004 - Employees with occasional exposure to noise levels in excess of 85 dBA TWA must be included in the company's hearing conservation program.

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• Standard Number: [1910.95](#)

February 13, 2004

Mr. John O'Green
Director of Safety and Health
American Electric Power
1 Riverside Plaza
Columbus, OH 43215

Dear Mr. O'Green:

Thank you for your letter of October 24, 2003, by the Occupational Safety and Health Administration's (OSHA) Directorate of Enforcement Programs (DEP). Please be aware that this response may not be applicable to any question or scenario not delineated within your original correspondence. Your paraphrased statement, question, and our response are provided below.

Statement: American Electric Power has operations throughout eleven states. A hearing conservation program (HCP) is provided to employees at locations as required by 29 CFR 1910.95, OSHA's noise regulation. However, some employees are part-time employees and only occasionally perform work at these facilities.

Question: How often would an employee have to be exposed to an environment with noise levels in excess of the 85-decibel (dB) time weighted average (TWA) before he/she is required to be covered by the company HCP (i.e., one day, ten days, thirty days)?

Response: One day. The occupational noise exposure standard requires that **all** employees exposed to noise levels at or above 85-dB on an eight-hour time weighted average (TWA) must be included in a hearing conservation program. This includes employees who may have only occasional exposures at this level. Thus, for example, the HCP provisions would apply with respect to an engineer or other such employees who visit a facility several times a year and are exposed to TWA noise levels at or above 85 dBA, even though they may not experience any other such exposures during the year.

When enforcing the standard, OSHA reviews employer records and may perform monitoring to determine if all employees with exposures equaling or exceeding the TWA of 85 dB have been included in the HCP.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our

interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the Office of Health Enforcement Programs at (202) 693-2190.

Sincerely,

Richard E. Fairfax, Director
Directorate of Enforcement Programs

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