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Ministry of Labour

ONTARIO'S New NOISE REQUIREMENTS

November 23, 2007

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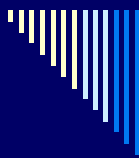
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About the Ministry

- Established in 1919 to develop and enforce labour legislation. MOL's mission is to advance safe, fair and harmonious workplace practices that are essential to the social and economic well-being of the people of Ontario.
- The ministry has 3 key areas, which include occupational health and safety, employment rights and responsibilities, labour relations, and the ministry sets, communicates and enforces workplace standards while encouraging workplace self-reliance. A range of specialized agencies, boards and commissions assist the ministry in its work.

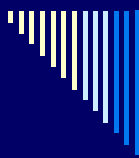
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Health & Safety Activity 2006 / 2007

Program	Field Visits	Orders
Construction	30,638	68,430
Industrial	51,083	99,421
Mining	3,267	3,499
PSS	5,741	3,984
Total	90,729	175,334

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What were the Previous Ontario Noise Requirements?

- In the Regulation for Industrial Establishment (Reg. 851/90) and Regulation for Oil and Gas-Offshore (Reg. 855/90), made under the OH&S Act the maximum exposure levels were **90 dBA** for 8 hours, using a **5 dB** exchange rate
- No specific requirements in Construction, Mining, or Health Care Regulations. Employers still have duty to ensure that workers' hearing is protected by taking all measures reasonable in the circumstances



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Why did Ontario change?



- ❑ MOL & WSIB recognizes hearing loss from occupational noise as a significant concern which not only affects workers, but their families
- ❑ Noise Induced Hearing Loss is one of the 10 leading workplace injuries in Canada (Stats Can 1993).
- ❑ 1991 to 1993, there were 7000 compensation claims for hearing loss in Canada costing between \$25 - 30 million per year.
- ❑ About 750 claims and 40% of the cost were for time lost from work

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Why did Ontario change?

- ❑ Exposure to noise can create physical and psychological stress, reduce productivity, interfere with communication, and contribute to incidences causing injuries
- ❑ Existing noise requirements have not been significantly amended for the last 30 years
- ❑ New limit consistent with most other jurisdictions, and current scientific evidence and joins joins ACGIH, EPA, NIOSH, EU, other Provinces, the world...

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Jurisdiction	Continuous Noise		Impulse / Impact Noise	
	Max. Permitted Exposure Level 8 Hrs: dB(A)	Exchange Rate dB(A) +	Max. Peak Pressure Level dB(peak)	Max. # of Impacts
Canada (Federal)	87	3	-	-
British Columbia	85	3	140	-
Alberta	85	3	-	-
Saskatchewan	85	3	-	-
Manitoba	85	3	-	-
Ontario	85	3	-	-
Quebec	90	5	140	100
New Brunswick	85	5	140	100
Nova Scotia	85	3	140	100
P.E.I	85	3	-	-
Newfoundland	85	3	-	-
NW Territories	85	5	140	100
Nunavit	85	5	140	100
Yukon Territories	85	3	140	90
<i>Source:</i>	<i>CCOHS</i>			7

How did we Proceed to Change?

- ❑ November 23, 2005 Ministry went out for a 3 month Public Consultation to both industry and labour on it's proposal to modernize it's noise limits and reduce NIHL
- ❑ May 10, 06 Working Group began drafting regulation
- ❑ Amending Regulations were filed Dec. 15, 2006
- ❑ Changes went into effect on July 1, 2007
- ❑ Noise Guideline posted on website on May 31, 2007

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What Changed?



- Noise requirements in Regulation for Industrial Establishments and Oil and Gas Offshore www.e-laws.gov.on.ca
- No changes to other Regs at this time
- Changes became effective July 1, 2007
- Guideline available on Ministry Website in English and french www.labour.gov.on.ca

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New Requirements

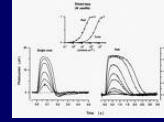
1. Exposure Limit set at a maximum 8-hour daily time-weighted average exposure limit ($L_{ex,8}$) of **85 dBA**, (based on a 3 dB exchange rate and includes impact and impulse noise)
2. Protective Measures to protect workers
3. Warning Signs in areas where sound level regularly exceeds 85 dBA

Note: No requirement for hearing conservation program

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1. What is an $L_{ex,8}$?



- An $L_{ex,8}$ is similar to an 8-hour daily time-weighted average (TWA) exposure limit for a chemical substance, where the full shift exposure is adjusted to an 8-hour equivalent and compared with the TWA exposure limit
- $L_{ex,8}$ is an equivalent sound pressure level. It is a steady sound level in dBA which, if present in a workplace for eight hours in a day, would give the same total energy as that generated by the actual and varying sound levels to which a worker is exposed in the work day

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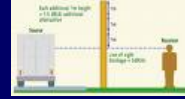


How is $L_{ex,8}$ determined?

- The L_{eq} measurement(s) used to determine an $L_{ex,8}$ exposure can be made using a noise dosimeter, an integrating sound level meter or, in some cases, a basic sound level meter
- Refer to CSA Standard Z107.56-2006, "Procedures for the Measurement of Occupational Noise Exposure"

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2. Protective Measures



- Employers are required to take all measures reasonable in the circumstances to protect workers from exposure to hazardous sound levels
- Protective Measures may include engineering controls, work practices, and, subject to certain conditions, personal protective equipment (i.e. hearing protection)
- The order of preference is engineering controls, followed by administrative controls, and finally HPDs

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Conditions for use of HPD's

- Employers may resort to HPD's only if controls are:
 - Not in existence or not obtainable
 - Not reasonable or practical to adopt because of the frequency of exposures or the nature of the work
 - Rendered ineffective because of temporary breakdown
 - Ineffective to prevent control or limit exposure because of an emergency
- When HPDs are used, employers must have an effective hearing protection device program, which includes selection, fitting and training
(CSA Standard Z94.2-02, "Hearing Protection Devices – Performance, Selection, Care and Use")



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3. Posting of Warning Signs

- Must post signs to an area where continuous or intermittent noise levels regularly exceed 85 dBA
- Discretion is allowed in regards to what information is put on the sign
- The sign should advise workers that there exists a potential for hearing loss in that area, if unprotected, and what measures are to be taken to control this exposure



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Enforcement

If there are grounds to believe that a worker may be exposed to potentially harmful noise levels, based on:

- Speech affected at normal communication distance (0.5 to 1m)
- Use of equipment known to produce sound levels above 80 dBA
- Worker complains about noise or noise symptoms
- Audiometric testing results indicate signs of noise induced hearing loss

Noise survey assessment would be expected



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THANK YOU



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