Legal Requirements

The Control of Noise at Work Regulations 2005 came into force for all industry sectors in Great Britain on 6 April 2006, replacing the Noise at Work Regulations 1989.

The level at which employers must ensure hearing protection is worn and where necessary hearing protection zones are signposted is now 85 decibels daily or weekly average exposure, and the level at which employers must assess the risk to workers’ health and provide them with information and training and access to hearing protection should they wish to use it is now 80 decibels (daily or weekly average exposure). There is also an exposure limit value of 87 decibels, taking account of any reduction in exposure provided by hearing protection, above which workers must not be exposed.

These levels are summarised as follows:

- **Lower exposure action values**, daily or weekly exposure of 80dB(A) and or peak sound pressure level of 135dB
- **Upper exposure action values**, daily or weekly exposure of 85dB(A) and or peak sound pressure level of 137dB
- **Exposure limit values (must not be exceeded)**, daily or weekly of 87dB(A) and or peak sound pressure of 140dB

These Exposure Limit Values take account of any reduction in exposure provided by hearing protection.

**Why should you read this guidance?**

Activities undertaken in the quarrying industry can lead to workers being exposed to levels well above 80dB(A), therefore these regulations are applicable.

Industry will need to comply fully with ‘The Control of Noise at Work Regulations 2005’.
This includes:

• Assessing the risk to workers from noise at work, this will require Occupational Hygiene monitoring and static monitoring for noise.
• Taking action to reduce the noise exposure that creates the risk
• Provision of hearing protection if it is not possible to reduce the noise exposure by other means
• Making sure that the legal limits on noise exposure are not exceeded
• Providing workers with information and training including demarcation of hearing protection zones
• Carrying out health surveillance where there is a risk to health

There is a potential for noise induced hearing loss personal injury claims being made against the employer.

There is a general increase in focus on Health by the HSE.

Certain specific process activities, such as crushing, screening, and drying will be affected by the lower exposure action values, as will the use of certain small tools including pneumatic air tools during maintenance or road laying activities. Some categories of mobile plant may also be captured by the lower exposure action values.

Consideration should be given to employees and contractors

NOTE: As a rule of thumb if you have to raise your voice to have a conversation when standing 2m apart you have a noise exposure risk.

Paybacks/Benefits to the business

• Effective risk management of the workforce regarding risks to their health
• Improved performance from the workforce
• Less fatigue experienced by the workforce
• No noise induced hearing loss for the worker
• Reduces the risk of injury claims and prosecution
• Potential reduction to employer’s liability insurance premiums

What guidance is currently available?

The HSE website offers a considerable amount of guidance including:

• Employees guidance http://www.hse.gov.uk/noise/regulations.htm

USEFUL CONTACTS

HSE website http://www.hse.gov.uk/
Contact details for HSE books 01787 881165
Safequarry website http://www.Safequarry.com
QPA website http://www.qpa.org/
Employment Medical Advisory Service office location https://www.hse.gov.uk/forms/health/emasoffices.htm

Good practice currently available

Best practice is to reduce the noise level at source and if possible remove the employee/contractor away from the source of noise to ensure that exposure remains below the lower exposure action level of 80dB and peak sound pressure of 135dB.

• This can be achieved by the use of remote plant control cabins and closed circuit television (CCTV)
• Scheduling work to reduce the need for employees to enter noisy areas while equipment is operating
• Installing air-conditioning on mobile plant to ensure that windows and doors can be kept closed during operation of the equipment
• Lining chutes and hoppers with impact rubber
• Utilising modular polypropylene screen decks instead of woven wire or punched plate
• Provision of hearing protection as a last resort or for maintenance activities with a short-term high exposure level

NOTE:
Ensure that workers using hearing protection in noisy environments can hear warning alarms or ensure that alternative warnings are used i.e. flashing lights.

Ensure compatibility of hearing protection with other protection required.

Training/Toolbox talks
Employees and contractors will need to be:
• Informed of the results of any occupational hygiene monitoring carried out for them
• Informed of the tasks and activities that present a risk of noise exposure and the precautions to be taken to avoid the exposure
• Provided with the correct level of hearing protection if the noise exposure cannot be controlled by other methods
• Provided with training for the correct use, storage and maintenance of hearing protection provided
• Provide with information on the routine health surveillance to be undertaken
• Informed as to their legal rights and obligations under these regulations

Key Performance indicators to consider
• Number of workers with Noise Induced Hearing Loss as a % of the total workforce exposed to noise above 80dB(A)
• Number of Noise Induced Hearing Loss claims made
• Number of Noise Induced Hearing Loss claims successfully defended