



MAY 27 2009

Mr. Lindsay E. Booher, CIH, CSP  
President  
American Industrial Hygiene Association  
2700 Prosperity Ave, Suite 250  
Fairfax, VA 22031

Dear Mr. Booher:

Thank you for your letter dated April 28, 2009, urging the Occupational Safety and Health Administration (OSHA) to take immediate action in lowering the Permissible Exposure Limit (PEL) for occupational exposure to noise to 85 dBA from the current 90dBA level and to lower the exchange rate from 5 to 3.

OSHA shares your concerns regarding occupational hearing loss and continues to work on this issue. Specifically, the Directorate of Standards and Guidance (DSG) continues to collect and evaluate the information which may form the basis of a future rulemaking. For example, DSG has met with stakeholders for the purpose of reviewing their noise-sampling data; has researched effective methods of hearing conservation programs, and has compiled a bibliography of existing regulatory frameworks.

OSHA, like many other federal agencies, is currently in transition, and we expect the nomination of the new Assistant Secretary soon. The new Assistant Secretary will be faced with many difficult decisions, including the decisions about which standards to pursue with the resources available. These are, of course, very challenging decisions as American workers are being killed, injured, and made ill on the job every day by a wide variety of hazards. I believe that the decision to commit OSHA to this important, resource intensive and potentially contentious rulemaking should be made by the new Assistant Secretary as he or she sets OSHA's regulatory priorities for the coming years. When those priorities are determined, I will contact you and let you know how we will proceed with the occupational noise issue.

We appreciate the concerns and guidance provided in your letter. We are confident that OSHA will be able to find solutions to occupational noise exposure with the input of organizations and individuals such as yourself and the American Industrial Hygiene Association. Again, thank you for your input and your interest in worker safety and health.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jordan Barab", with a stylized flourish at the end.

Jordan Barab  
Acting Assistant Secretary