

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210

Reply to the attention of:

MAY 10 2006



**COPY FOR YOUR
INFORMATION**

Ms. Linda Ballas & Associates
4413 Copper Creek Lane
Toledo, Ohio 43615

Dear Ms. Ballas:

This is in response to your letter dated January 6, 2006. In your letter, you presented the scenario listed below and requested clarification of how it should be recorded on the OSHA Form 300.

Question: An employer has high noise levels and an employee has an STS, and the retest also indicates recordability. The employer has the readings evaluated by a consultant who says: Change in hearing is not bilateral (affecting both ears) and/or is not bilaterally symmetrical (equal in both ears). Even though the recordkeeping rule requires hearing loss case in either ear, would the type of documentation provided by the consultant be appropriate to not record the case?

Answer: Assuming the employee's total hearing level is 25 dB or more above audiometric zero, this case must be recorded on the OSHA Form 300. 1904.10(a) clearly states that a work-related STS *in one or both ears* (coupled with a total hearing level of 25 dB or more above audiometric zero) must be recorded on the Log. Documentation stating that the hearing loss is not bilateral does not refute the fact that an STS occurred in one ear.

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. In addition, 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>.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith L. Goddard".

Keith L. Goddard, Director
Directorate of Evaluation and Analysis