

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

1500

Gouvernement du Québec

O.C. 778-97, 11 June 1977

An Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6)

Video lottery machines — Amendments

Rules to amend the Rules concerning video lottery machines

WHEREAS under section 20.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), the Régie des alcools, des courses et des jeux may make rules to determine, in particular, the types, components and mode of operation of video lottery machines;

WHEREAS by Order in Council 1254-93 dated 1 September 1993, the Government approved the Rules concerning video lottery machines;

WHEREAS the Régie des alcools, des courses et des jeux made the Rules to amend the Rules concerning video lottery machines, attached to this Order in Council;

WHEREAS under the third paragraph of section 20.1 of the Act, every rule made by the board under subparagraph *d* of the first paragraph of that section to determine the type, components, specifications and mode of operation of video lottery machines shall be submitted to the Government for approval, on the joint recommendation of the Minister of Public Security and the Minister of Finance;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Rules attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 2 April 1997 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Rules, without amendments, as attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security and of the Minister of Finance:

THAT the Rules to amend the Rules concerning video lottery machines, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Rules to amend the Rules concerning video lottery machines

An Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6, s. 20.1, 1st par., subpar. *d*)

1. The Rules concerning video lottery machines, made by Order in Council 1254-93 dated 1 September 1993 and amended by Order in Council 480-95 dated 5 April 1995, are further amended in section 2 by substituting the following for subparagraph 6 of the first paragraph.

“(6) money insertion mechanisms;”.

2. The following is substituted for section 16:

“**16.** The mechanisms for inserting money into the video lottery machine must function in such a manner that it accepts only Canadian money.”.

3. Section 20 is amended by striking out the words “sums of” in the second to last line.

4. These Rules come into force on the fifteenth day following their publication in the *Gazette officielle du Québec*.

1493

Gouvernement du Québec

O.C. 782-97, 11 June 1997

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Occupational health and safety in mines — Amendments

Regulation to amend the Regulation respecting occupational health and safety in mines and amending regulatory provisions

WHEREAS under subparagraphs 1, 7, 10, 17, 19, 41 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters mentioned therein;

WHEREAS under the second paragraph of section 223 of that Act, the content of the regulations may vary according to the categories of persons, workers, employees, workplaces, establishments or construction sites to which they apply. The regulations may also provide times within which they are to be applied, and those times may vary according to the object and scope of each regulation;

WHEREAS under the third paragraph of section 223 of the Act, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS in accordance with section 224 of the Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions was published in Part 2 of the *Gazette officielle du Québec* of 23 October 1996 with a notice that, upon the expiry of 60 days following that publication, it would be made by the Commission with or without amendment and submitted to the Government for approval;

WHEREAS at its meeting of 27 March 1997, the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions, with amendments;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 1, 7, 10, 17, 19, 41 and 42, 2nd and 3rd pars.)

1. The Regulation respecting occupational health and safety in mines and amending various regulatory provisions,

approved by Order in Council 213-93 dated 17 February 1993 and amended by the Regulation approved by Order in Council 1326-95 dated 4 October 1995 and 374-97 dated 19 March 1997, is further amended, in section 1,

(1) by inserting the following before the definition of “armoured cable”:

““ANSI”: the American National Standards Institute; (ANSI)”;

(2) by inserting the following after the definition of “new development”:

““NIST”: the National Institute for Standards and Technology; (NIST)”.

2. Section 27 is amended

(1) by inserting the numeral “87,” after the word “sections”; and

(2) by inserting the numerals “103.1, 108.2, 142.1, 142.2,” after the numeral “103.”.

3. The following paragraph is added at the end of section 36:

“While drilling work is being carried out, no person may use, near the drilling zone, any noisy machine or tool that prevents the worker from hearing the sound of his scaling bar.”.

4. Section 37 is amended, in the first sentence, by inserting the words and figures “not exceeding 3.6 metres (12 ft.)” after the words “Scaling bars”.

5. The following is substituted for subparagraph *b* of paragraph 3 of section 40:

“(b) by more than 3 metres (9.8 ft.) the top of the boom or bucket of mechanical equipment when raised to its highest operating position, except for a sandpit operation where the slope of the working face is at all points less than 45° from the horizontal;”.

6. The following is substituted for section 60:

“**60.** In an underground travelway inclined at 50° or more from the horizontal, rest landings covering the compartment served by ladders shall be installed at vertical distances not exceeding 7 metres (23 ft.), except for the openings allowing the passage of persons, which shall be 1 square metre (10.8 sq. ft.) or more in area and, for every landing built from 10 July 1997, at least 70 centimetres (27.6 in.) in width.”.

7. The following paragraph is added at the end of section 71:

“Notwithstanding the foregoing, a stope may be operated with only one passage to the surface where the following conditions are satisfied:

- (1) the stope is operated for sampling purposes only;
- (2) no other hoisting, exploration, development or new development work is carried out simultaneously with the operation of the stope;
- (3) a refuge station complying with the standards in sections 127 and 128 is installed less than 10 minutes from the work station;
- (4) the refuge station is equipped with one self-contained breathing apparatus with full face piece and a minimum utilization time of 90 minutes for each worker assigned to the site and to any related haulage;
- (5) the quantity of rock broken is absolutely necessary to render the sample representative of the deposit to be exploited;
- (6) the timbering of the shaft and collar frame is kept wet.”.

8. The following is added after section 75:

“**75.1** Where a tunnel is used under a reserve of non-consolidated materials for the purpose of recovering those materials, the tunnel shall have at least 2 separate passages through which the workers may evacuate the work stations.

This section applies to tunnels built from 10 July 1997 and to tunnels on which extension work begins from 10 July 1997.”.

9. Section 87 is amended by substituting the following for the second paragraph:

“Notwithstanding the foregoing, where the fresh air introduced underground is heated directly by a flame, the following conditions shall be satisfied:

- (1) the heating system shall comply with Standard CGA/CANI 3.7-1977 Direct Gas-Fired Non-Recirculating Make-up Air Heaters;
- (2) the entire installation shall comply with the Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r.4) as it reads at the time it is applied, as well as with CAN/CGA-B149.1-M91 Natural Gas Installation

Code, where natural gas is used as fuel, or CAN/CGA-B149.2-M91 Propane Installation Code, where propane is used as fuel;

(3) a combustible gas detector shall be installed to ensure the cut-off of combustible gas to the burner where the gas used as fuel could make its way into the mine;

(4) an environmental monitor shall be installed to ensure that the carbon monoxide concentration in the air exhausted by the main burners in working condition does not at any time exceed the concentration indicated in Table II of Schedule A to Standard CGA/CANI 3.7-1977 Direct Gas-Fired Non-Recirculating Make-up Air Heaters;

(5) a carbon monoxide concentration reading shall be taken at least once weekly and shall be recorded in a register, except where it is recorded on a graph or in a computer system.”.

10. The following is inserted after section 100:

“**100.1** The minimum rate of ventilation of a diesel engine used in an underground mine shall be that appearing on the certificate of homologation issued by the Canadian Centre for Mineral and Energy Technology, CANMET, in accordance with Standard CAN/CSA-M424.2-M90 Non-railbound Diesel-powered Machines for Use in Non-gassy Underground Mines, or that provided for in the United States federal certification index, according to Parts 31 and 32, Title 30, Code of Federal Regulations, Mine Safety and Health Administration or, failing the above, shall be 5.5 cubic metres per minute per kilowatt (144.8 cu. ft. per minute per H.P.) at the engine shaft.”.

11. The following is substituted for paragraph 2 of section 101:

“(2) where equipment operated by a diesel engine is used, the rate of ventilation required to meet the requirements of section 100.1 and paragraphs 1 and 2 of section 102.”.

12. Section 102 is amended

(1) by substituting the following for paragraph 1:

(1) the ventilation in places where such engines are used shall be sufficient to dilute the contaminants present in the exhaust gases to exposure values measured in the worker’s respiratory zone; those exposure values shall be:

(a) below 1.5 milligrams of respirable combustible dust per cubic metre of air;

(b) below the exposure values provided for in Schedule A to the Regulation respecting the quality of the work environment;”;

(2) by inserting the following after paragraph 1:

“(1.1) the sampling and analysis protocol for respirable combustible dust shall be that of the Canadian Centre for Mineral and Energy Technology, CANMET, described in Schedule VI;”;

(3) by substituting the following for paragraph 2:

“(2) notwithstanding paragraph 2 of section 101, when several pieces of equipment operated by diesel engines are used simultaneously in the same ventilation circuit, the volume of fresh air to be supplied shall be 100 % of the flow given for the most demanding unit in terms of ventilation, 75 % of the flow given for the second unit and 50 % of the flow given for any additional unit, up to 2.7 cubic metres per minute per kilowatt (71 cu. ft. per minute per H.P.) at the engine shaft;”;

(4) by striking out paragraph 3; and

(5) by substituting the following for paragraph 6:

“(6) every diesel engine shall be fitted with a device for purifying or diluting exhaust gases;”.

13. The following is substituted for section 103:

“**103.** At least once each week, the flow of air in cubic metres per minute supplying a zone affected by the operation of an underground diesel engine shall be measured and entered in the register of the work station concerning diesel engines.”.

14. The following is inserted after section 103:

“**103.1** The measurements evaluating the respirable combustible dust exposure values provided for in section 102 shall be taken:

(1) at least once every 6 months;

(2) following any alteration likely to affect the quality of the air.

The results of those measurements shall be entered in the register of the work station concerning diesel engines.”.

15. The following is inserted after section 104:

“**104.1** In a raise:

(1) notwithstanding section 104, the ventilation flow in the work station shall supply at least 5 changes of air per hour;

(2) ventilation shall be supplied by means of a compressed air pipe that is:

(a) less than 6.1 metres (20 ft.) from the heading;

(b) equipped with a muffler;

(c) directed towards the heading;

(d) independent of any compressed air pipe supplying a drill or other pneumatic tool.”.

16. The following is substituted for section 107:

“**107.** The air flow control devices for ventilating a raise shall be:

(1) designed so that a minimum ventilation of 5 changes of air per hour is maintained in the work station at all times;

(2) placed outside and less than 10 metres (32.8 ft.) from the raise.”.

17. The following is substituted for the second paragraph of section 108:

“However, the wearing of such lamp is not required in the locations set forth in section 109, provided that the lamp is within the person’s reach.”.

18. The following is inserted after section 108:

“**108.1** A miner’s lamp used underground shall yield a level of illumination of at least 1500 lux at 1.2 metres (4 ft.) from the light source.

Notwithstanding the foregoing, if the ground to be evaluated is more than 3.6 metres (12 ft.) from the miner’s lamp, auxiliary lighting shall also be installed.

108.2 In an underground mine, measures shall be developed to evaluate and maintain miners’ lamps.

The results of tests on such lamps shall be entered in the register concerning miners’ lamps.”.

19. Section 142 is amended by adding the following after paragraph 3:

“(4) the heating systems provided for in sections 87 and 142.1.”.

20. The following is inserted after section 142:

“**142.1** A stationary natural gas or propane heating system may not be used to heat a building covering an opening to the surface of an underground mine, except where the following conditions are satisfied:

(1) the heating unit is certified by a recognized body such as the Canadian Standards Association (CSA), the Canadian Gas Association (CGA), the Canadian Underwriters' Association (CUA) or a similar body;

(2) the entire installation complies with the Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r.4) as it reads at the time it is applied, as well as with CAN/CGA-B149.1-M91 Natural Gas Installation Code, where natural gas is used as fuel, or CAN/CGA-B149.2-M91 Propane Installation Code, where propane is used as fuel;

(3) where the fuel is propane, a combustible gas detector is installed to ensure the cut-off of fuel to the heating apparatus if propane gas should accumulate inside the building;

(4) the heating apparatus is installed in such a manner that the distance between it and any explosive is never less than 4 metres (13.1 ft.).

142.2 Every gas-fired heating system shall be inspected at least once each week while in service and shall be checked at least once each year, prior to the period when heating is required, by a person holding a certificate referred to in section 17 or 32, as applicable, of the Regulation respecting gas and public safety.

The results of those inspections and checks shall be entered in a register.”.

21. The following is inserted after the heading of Subdivision I of Division VI:

“**174.01** Any non-railbound motorized vehicle powered by a diesel engine, manufactured from 10 July 1997 and used in an underground mine shall comply with Standard CAN/CSA-M424.2-M90 Non-railbound Diesel-powered Machines for Use in Non-gassy Underground Mines.”.

22. Section 181 is amended by inserting the word “railbound” before the word “motorized”.

23. The following is inserted after section 181:

“**181.1** A non-railbound motorized vehicle shall:

(1) have service brakes capable of stopping the vehicle and keeping it stationary when it carries the maximum load for which it was designed on the steepest slope on which it may be required to travel;

(2) have a parking brake that:

(a) is mechanically operated;

(b) is capable of keeping the vehicle stationary when loaded:

i. on a slope of 15 % in the case of a vehicle used on the surface;

ii. in a slope of 20 % in the case of a vehicle used underground;

(c) when applied, is capable of maintaining its power despite contraction of the brake parts, depletion of the power source, or any leakage.

For the purposes of this section, “service brakes” means any type of main system used to stop a vehicle and keep it stationary without the assistance of any deceleration device or dynamic braking.”.

24. The words “or in a mine operated in a permafrost zone” are inserted after the words “salt mine” in the second paragraph of section 374.

25. Section 393 is amended by adding the following sentence at the end: “In the case of a sinking crosshead, the roof shall be supported by the crosshead and not by the hoisting rope.”.

26. Section 394 is amended

(1) by substituting the words “of the top of the conveyance” for the words “of the roof” at the end of the first paragraph; and

(2) by inserting the following after the first paragraph:

“Notwithstanding the foregoing, where the conveyance is a sinking crosshead, the lanyard shall be attached to an element that is part of the crosshead and not to the hoisting rope.”.

27. Section 398 is amended

(1) by substituting “10 metres (32.8 ft.)” for “15 metres (49.2 ft.)”; and

(2) by substituting “5 metres (16.4 ft.)” for “8 metres (26.2 ft.)”.

28. Section 538 is amended by deleting the words “Except for the provisions of the Regulation respecting the handling and use of explosives (R.R.Q., 1981, c. S-2.1, r.11),”.

29. Schedule VI attached hereto is added at the end of the Regulation.

30. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE VI

(s. 102)

SAMPLING AND ANALYSIS PROTOCOL FOR RESPIRABLE COMBUSTIBLE DUST (RCD)

1. Principle underlying the protocol

A sample of respirable dust is taken on a silver membrane filter (0.8-micrometre pores, 25 millimetres in diameter). Once the sampling is completed, the filter is weighed and then placed in a furnace at 400 degrees Celsius for at least 1.5 hours. That temperature and the catalytic action of the silver membrane filter combine to eliminate carbon-based substances. That loss in mass is therefore equivalent to the quantity of respirable combustible dust.

2. Precision and accuracy

CONCENTRATION RANGE (RCD): 0.04 to 3.0 milligrams per cubic metre (1000-litre sample).

ACCURACY: < 10 % (pure diesel dust samples).

PRECISION: ± 0.04 milligrams (on gravimetric analysis only).

3. Interference

Carbon-based mineral dust (coal, graphite).

Some sulphide mineral dusts.

4. Equipment

Personal sampler: 10-millimetre Dorr-Oliver nylon cyclone. Silver membrane filter 25 millimetres in diameter with 0.8-micrometre pores. Three-piece plastic cassette with backup pad.

Personal sampling pump. Flexible plastic tube to connect the pump to the cassette.

Flowmeter.

Furnace equipped with automatic temperature control system. Fire-proof glass or stainless steel plates for filters.

Electrobalance (0.01-milligram readability).

5. Sampling

The flow of the sampling pump shall be calibrated at 1.7 litres per minute using the flowmeter. When using a cyclone, the flow must be fixed at 1.7 litres per minute under the actual temperature and pressure conditions of the sampling site. Calibration of the flow is done with the entire sampling device (pump, tube, cyclone, filter cassette).

The sampling flow shall be measured at the end of sampling and the difference compared to the initial flow shall be less than 5 %.

The sampling volume shall range from 400 to 1 000 litres.

Once the sampling is completed, the cassette shall be plugged and sent to the laboratory for analysis.

6. Analysis

Using tweezers, the filter shall be withdrawn from the cassette case making sure not to touch the dust deposit. The filters to be analyzed shall be placed in the same clean room as the balance for an acclimatization period of at least 2 hours.

After that period, each filter shall be weighed at least twice. If the difference between the two readings is 0.03 milligrams or more, a third reading is required. The mass of the filter is the average of the masses that differ by 0.02 milligrams or less.

The filters shall be placed on heating plates, which shall then be inserted into the furnace. The position of the filters shall be carefully recorded using a diagram on which each filter is identified and its position in relation to the others indicated (identification marks on filters may burn off during the heating process).

The furnace shall be heated to 400 degrees Celsius. A timer equipped with an audible alarm may be used to indicate the end of the heating period, which shall be at least 1.5 hours at a temperature of 400 degrees Celsius.

At the end of the heating process, samples shall be removed from the furnace. They may be removed from the plates if it can be done safely. Otherwise, it is recommended to wait until the plates have cooled. Filters may sometimes tend to adhere to the plate. A scalpel blade inserted between the filter and the surface while holding the filter with tweezers usually frees the filter without damaging it.

Filters shall then be placed in the same place as the balance for 2 hours. Filters shall be re-weighed as described in the second paragraph.

The mass of respirable combustible dust is the difference between the final mass obtained pursuant to the sixth paragraph and the initial mass obtained pursuant to the second paragraph.

7. Quality control

The accuracy of the furnace temperature reading shall be periodically verified by using an independent electronic thermometer.

The balance shall be calibrated at the beginning of each weighing session using the manufacturer's directions for internal calibration. Thereafter, every 3 months or more if needed, the accuracy of the balance shall be checked using NIST Class S weights. Every year, the balance shall be cleaned and its accuracy checked again using ANSI/ASTM Class 1 weights.

The calibration of flowmeters shall be done by a laboratory which shall file certificates demonstrating that the calibration procedures comply with NIST Standards.

Analytical and sampling blanks shall be analyzed at the same time as the other samples. The loss in mass of analytical blanks should never exceed 0.04 milligrams and that loss in mass shall be applied as a correction factor.

1501

Gouvernement du Québec

O.C. 783-97, 11 June 1997

Public Buildings Safety Act
(R.S.Q., c. S-3)

Safety in public buildings — Amendments

Regulation to amend the Regulation respecting safety in public buildings

WHEREAS under section 39 of the Public Buildings Safety Act (R.S.Q., c. S-3), the Government may make regulations with respect to the public buildings mentioned in section 2 of the Act;

WHEREAS under section 3 of the Act, the Government may make, in the regulations which it may enact in virtue of section 39 of the Act, the restrictions it deems fit regarding the public buildings mentioned in section 2 of the Act;

WHEREAS the Government made the Regulation respecting safety in public buildings (R.R.Q., 1981, c. S-3, r. 4);

WHEREAS it is expedient to amend the Regulation so that certain family-type hotels will no longer be considered public buildings;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation to amend the Regulation respecting safety in public buildings was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments were received;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting safety in public buildings, attached to this Order in Council, without amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting safety in public buildings, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif