

Draft Regulations

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1)

Forestry fund

— **Contribution of holders of certain contracts and agreements**

— **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to fix, for the 2003-2004 fiscal year, the rate per cubic metre of timber used to establish the contribution to the forestry fund of holders of a timber supply and forest management agreement, of a forest management agreement, of a forest management contract or of an auxiliary timber supply guarantee agreement.

Further information on the draft Regulation may be obtained by contacting Pierre-Yves Poulin, Acting Director, Coordination sectorielle, ministère des Ressources naturelles, Forêt Québec, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4; tel. (418) 627-8658; fax: (418) 528-1278.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Natural Resources, 5700, 4^e Avenue Ouest, bureau A 308, Charlesbourg (Québec) G1H 6R1.

FRANÇOIS GENDRON,
Minister of Natural Resources

Regulation to amend the Regulation respecting the contribution of holders of certain contracts and agreements to the Forestry fund*

Forest Act
(R.S.Q., c. F-4.1, ss. 73.4, 95.2.1, 104.5 and 172, 1st par., subpar. 18.2)

1. The following is substituted for section 2 of the Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund:

“**2.** The rate per cubic metre of timber on which the holder’s contribution is based shall be \$2.09 for the 2003-2004 fiscal year, that is, \$0.5225 quarterly.”.

2. This Regulation comes into force on 1 April 2003.

5522

Draft Regulation

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

Mines

— **Occupational health and safety**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that the Regulation to amend the Regulation respecting occupational health and safety in mines, the text of which appears below, may be adopted by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval upon the expiry of 60 days following this publication.

The purpose of the draft Regulation is to ensure the health and safety of workers in the mining sector and to prescribe standards better adapted to that sector.

* The Regulation respecting the contribution of holders of certain contracts and agreements to the forestry fund was made by Order in Council 328-2002 dated 20 March 2002 (2002, G.O. 2, 1673).

To that end, the draft Regulation proposes the addition of new definitions with regard to ventilation and explosives as well as the amendment of certain provisions relating to air quality, to certain equipment such as motorized vehicles, and to mine evacuation drills. It provides for increased safety features on equipment such as hoisting material and hoisting ropes installed on a hoisting plant.

The draft Regulation also gives further details on combustible and inflammable materials, signal and communication systems, and the handling, use, storage, and transportation of explosives.

To date, study of the matter has revealed little impact on small and medium-sized businesses.

Further information may be obtained by contacting Gilles Gagnon, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2; telephone: (418) 266-4699; or fax: (418) 266-4698.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 60-day period, to Alain Albert, Vice-Chair, Programmation et expertise-conseil, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14^e étage, Montréal (Québec) H3B 3J1.

JACQUES LAMONDE,
Chair of the Board of Directors and
Chief Executive Officer
Commission de la santé et de la sécurité du travail

Regulation to amend the Regulation respecting occupational health and safety in mines*

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 1, 7, 8, 10, 19, 41, 42, 2nd and 3rd pars.)

1. Section 1 of the Regulation respecting occupational health and safety in mines is amended

(1) by inserting the following definition after the definition of “main fan”:

* The Regulation respecting occupational health and safety in mines, made by Order in Council 213-93 dated 17 February 1993 (1993, G.O. 2, 1757), was last amended by the Regulation approved by Order in Council 885-2001 dated 4 July 2001 (2001, G.O. 2, 3888). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

““main ventilation circuit”: all the underground openings used to distribute fresh air from the atmosphere and to discharge foul air to the surface; (*circuit principal de ventilation*)”; and

by inserting the following definition after the definition of “ASTM”:

““auxiliary circuit”: the path travelled by a volume of air that takes its source from an auxiliary fan supplying air to all the workers and motorized equipment on a site or an underground working, from the main ventilation circuit to its discharge from the auxiliary circuit; (*circuit secondaire*)”;

(2) by inserting the following definition after the definition of “surface pillar”:

““working face”: the wall of an underground working where blasting work is carried out, including a horizontal surface; (*front de taille*)”;

(3) by inserting the following definition after the definition of “blasting agent”:

““blasting site”: any location where explosives are present in a drill hole in preparation for blasting; (*lieu de sautage*)”;

(4) by inserting the following definition before the definition of “ANSI”:

““air recirculation”: reintroduction of exhaust air from a main ventilation circuit or an auxiliary circuit in the main circuit; (*recirculation de l’air*)”; and

(5) by inserting the following definition after the definition of “raise”:

““reuse of air”: the reuse of exhaust air from a main ventilation circuit or an auxiliary circuit to ventilate another ventilation circuit or an underground work station; (*réutilisation de l’air*)”.

2. Section 27 is amended

(1) by inserting “89,” after “87,”; and

(2) by substituting “, 412 and 437” for “and 412”.

3. The following is substituted for section 89:

“**89.** Main fans and auxiliary fans shall not recirculate air to ventilate an underground work station.

However, reuse of air in a main ventilation circuit or an auxiliary circuit is permitted under the following conditions:

(1) the concentration of carbon monoxide in the ambient air must be measured at the inlet of each circuit where air is reused;

(2) these measurements must be taken at least once a week during mucking operations carried out with diesel equipment and each time the ventilation equipment is altered; and

(3) when the concentration of carbon monoxide exceeds 11.4 milligrams per cubic metre (10 ppm), a response plan must be implemented to reduce and maintain the concentration below that level.

The results of those measurements must be recorded in a register.”.

4. Section 100.1 is amended by substituting “Mining and Mineral Sciences Laboratories” for “Canadian Centre for Mineral and Energy Technology” in the first paragraph.

5. Section 102 is amended

(1) by substituting “0.6 milligram” for “1,5 milligrams” in subparagraph *a* of paragraph 1; and

(2) by substituting “Mining and Mineral Sciences Laboratories” for “Canadian Centre for Mineral and Energy Technology” in paragraph 1.1.

6. Section 124 is amended by adding the following paragraph at the end:

“The report must be forwarded to the mine’s health and safety committee, the Commission de la santé et de la sécurité du travail, and the mine rescue department.”.

7. The following is inserted after section 124:

“**124.1.** When a worker has not been reached following the evacuation drill provided for in section 123, corrective measures must be taken to remedy the situation, and they must be followed up to prevent a recurrence of the situation.”.

8. Section 130 is amended by adding the following after paragraph 14:

“(15) the combustible material warehouse;

(16) the raise climber.”.

9. Section 133 is amended

(1) by substituting “on any motorized vehicle powered by a diesel or electric engine on tires or tracks,” for “on any diesel or electric vehicle on tires or tracks, manufactured after 1 April 1993” in paragraph 1; and

(2) by adding the following after paragraph 2:

“(3) on any raise climber powered by a diesel or electric engine; in the case of a diesel engine, the hydraulic fluid used for the climber must comply with the standard referred to in paragraph 1.”.

10. The following is substituted for section 160:

“**160.** Every fuel supply system must be

(1) equipped with an anti-siphon device and a flow controller in order to prevent tank overflow; and

(2) designed so that the fuel is never supplied by gravity feed.”.

11. The following is inserted after section 174.01:

“**174.02.** Any motorized vehicle powered by a diesel or electric engine must be maintained to prevent accumulation of oil, grease, or other combustible materials.”.

12. The following is substituted for section 185:

“**185.** For any underground mine and for any new development and its subsequent operation, motorized vehicles manufactured from 1 April 1993 must be protected against falling objects by a protective structure in accordance with ISO Standard 3449:1992 (en) Earth-moving machinery – Falling-object protective structures – Laboratory tests and performance requirements (FOPS).

The first paragraph does not apply to motorized vehicles manufactured from 1 April 1993 if those vehicles comply, as of (*insert here the date of the coming into force of this Regulation*), with SAE Standard J231-JAN81 Minimum Performance Criteria for Falling Object Protective Structure (FOPS).

The design, manufacturing, or installation of a protective structure is deemed carried out in accordance with the standard referred to in the first paragraph if an engineer has issued a signed and sealed certificate certifying that the design, manufacturing, or installation of the structure complies with the standards referred to in the first and second paragraphs.”.

13. Section 188 is amended by adding the following paragraph after subparagraph 2:

“Any alteration to the structure, chassis, cab, or protective structure is deemed carried out in accordance with the standards referred to in the first paragraph if an engineer has issued a signed and sealed certificate certifying that the alteration of the structure, chassis, cab, or structure complies with the standards.”.

14. The following section is inserted after section 267:

“267.1. A voice communication system must be established in shaft sinking operations in accordance with a specific procedure for the use of auxiliary hoists to move heavy equipment used at the bottom of the shaft, such as a work platform, a clamshell, or a boom drill. This procedure must also require that the hoistman repeat the instructions.

This communication system must be separate from the system referred to in the second paragraph of section 263.”.

15. Section 269 is amended by inserting “for moving a conveyance” after “used”.

16. The following is substituted for section 288.1:

“288.1. Notwithstanding section 288, the minimum safety factor of a new hoisting rope installed on a drum hoist used in a vertical shaft is determined according to the following formula:

$$\text{minimum safety factor} = 25\,000/4\,000 + L$$

(L being the maximum length of rope in metres suspended below the headsheave where the conveyance is at the lower limit of travel).

In such a case, the following standards must also be met:

(1) the drum hoist must comply with SABS Standard 0294:2000 Performance, Operation, Testing and Maintenance of Drum Winders relating to Rope Safety, subject to the adaptation guide of the South African Standard SABS0294:2000 in accordance with the Mine Occupational Health and Safety Regulation published by the Mining and Mineral Sciences Laboratories, CANMET; and

(2) the hoisting rope must be used, maintained, and checked in accordance with SABS Standard 0293:1996 Condition Assessment of Steel Wire Ropes on Mine Winders, subject to the adaptation guide of the South African standard SABS0293:1996 in accordance with the Mine Occupational Health and Safety Regulation published by the Mining and Mineral Sciences Laboratories, CANMET.

However, it is prohibited to reduce the minimum safety factor of a new hoisting rope to less than 4.0 at the headsheave during the two years following (*insert here the date of coming into force of this Regulation*).”.

17. Section 402 is revoked.

18. Section 418 is amended by striking out the third paragraph.

19. The following is inserted after section 418.1:

“418.2. Notwithstanding subparagraph 4 of the second paragraph of section 418, when crushing work is carried out with a stationary crusher, the explosives required for the work may be stored in a recess if the quantity of explosives does not exceed 25 kilograms (55.1 lb.); the provisions of subparagraph 6 of the second paragraph of section 418 shall not apply to those explosives.

418.3. Notwithstanding section 415 and the second paragraph of section 418, explosives used for a raise carried out by a raise climber may be temporarily stored in a container secured to the basket of the climber under the following conditions:

(1) the raise exceeds 100 metres (328.1 ft.) from its opening;

(2) the quantity of explosives never exceeds the quantity required for one shift; however, this quantity must never exceed 100 kilograms (220.5 lb.);

(3) the explosives used do not contain nitroglycerine;

(4) the container used is designed and constructed according to the plans and specifications of an engineer and it must be designed for a fire resistance rating of at least 30 minutes; and

(5) the electric squibs or detonators are placed in a separate closed container lined with an electric insulation material.”.

20. Section 424 is amended by adding the following after subparagraph *f* of paragraph 1 :

“(g) an oil or grease depot set up from (*insert here the date of the coming into force of this Regulation*) containing over 1,000 litres (220 gal.) of oil or grease; the minimum distance must be 30 metres (98.4 ft.) for a depot containing between 101 and 1,000 litres (between 22.2 and 220 gal.) of oil or grease;”.

21. Section 426 is amended by adding “Subject to section 418.3,” at the beginning of the section.

22. The following is substituted for section 432 :

“**432.** Only workers assigned to the handling of explosives in a shaft conveyance may ride in a shaft conveyance with explosives; the explosives load must be secured so that it will not hit the workers or fall on them.”.

23. Section 433 is amended by substituting “explosives and blasting accessories” for “blasting accessories, ignition fuses and other types of explosives”.

24. Section 434 is amended by substituting “3,000 kilograms (6,614 lb.)” for “2 500 kilograms (5 511,5 lbs)” in paragraph 3.

25. Section 437 is amended by substituting the following for paragraph 2 :

“(2) examined to detect misfires, cut-off holes and remnants of drill holes; for a working face with a horizontal surface, the report of this examination must be recorded in a register; and

(3) for a working face with a horizontal surface, either washed in accordance with paragraph 1, or fully cleaned with compressed air.”.

26. Section 443 is amended

(1) by inserting “, cleaned” after “washed”; and

(2) by substituting the following for the second paragraph :

“If the provisions of paragraph 2 of section 437 cannot apply and if the working towards which the working face is moving is inaccessible, drilling must be carried out by means of a remote control device under supervision and the drilling zone must be evacuated.”.

27. Section 447 is amended by substituting “in the loading zone” for “onto a blasting site”.

28. Section 460 is amended by adding the following after paragraph 4 :

“(5) be disconnected from the main circuit when it enters a location such as a tunnel, a sub-level or an abandoned sector of the mine.”.

29. Section 463 is amended by substituting the following for paragraph 3 :

“(3) where a worker must remain in the blasting zone, the worker must be provided with a shelter that protects against fly-rocks; the location, design, or construction of the shelter must be certified by a certificate signed and sealed by an engineer.”.

30. The following is substituted for section 465 :

“**465.** Before firing underground

(1) a warning must be given in the vicinity of the blast by an audible, visual or vocal signal and workers not assigned to the firing must be evacuated from the blasting zone; and

(2) when a worker must remain in the blasting zone, the worker must be provided with a shelter that protects against fly-rocks; the location, design, or construction of the shelter must be certified by a certificate signed and sealed by an engineer.”.

31. Schedule II is amended by adding the following at the end :

“Shaft sinking/bucket

3 bells – pause – 1 bell	Hoist	Executive, between the bottom of the shaft and the lower chair
-----------------------------	-------	--

3 bells – pause – 2 bells	Lower	Executive, between the lower chair and the bottom of the shaft.”.
------------------------------	-------	---

32. Schedule III is amended by adding the following at the end of the first paragraph : “In addition, the signals must also serve as destination signals for the lower chair level towards which the workers are descending during the sinking of a shaft :”.

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