(6) the rules governing the operation of the overhead travelling crane, and the establishment's directives regarding the work environment.

Practical training within the context of the second paragraph must be given in the workplace under conditions that do not expose the operator and other workers to hazards arising from the overhead travelling crane operation training. The training must also be of sufficient duration to enable the overhead travelling crane and hoisting accessories to be operated safely.

When the operation of the overhead travelling crane and hoisting accessories requires the presence of a signaller or slinger, those persons must also be given theoretical and practical training on the duties they are to perform.".

4. Section 349 is amended

(1) by replacing paragraph 6 by the following:

"(6) be free of knots, splices, except the terminations, and defects.";

(2) by adding the following paragraph at the end:

"For the purposes of subparagraph 6 of the first paragraph, "splice" means rope strands that are interwoven to make a loop at the termination of the rope.".

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

8325

Draft Regulation

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

Occupational health and safety in mines — Amendments

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, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to ensure the health and safety of mine workers and to prescribe more appropriate standards for the mining sector.

To that end, the provisions respecting remote controls are updated. New provisions recognize the training of workers in Ontario as equivalent to the modular training of Québec mine workers, except for modular training dealing with knowledge of Québec regulations. Increased safety measures are proposed for hoisting facilities and the handling, use, transport, drilling and storage of explosives, as are various amendments regarding the storage of combustible and flammable materials such as combustible liquids and grease. Lastly, amendments are made to certain provisions to standardize terminology.

Study of the matter has shown little impact on enterprises, including 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; 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 45-day period, to Guylaine Rioux, Vice-chair, Partner Relations and Consultancy, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14e étage, Montréal (Québec) H3B 3J1.

RICHARD VERREAULT,
Interim Chair of the Board of Directors and Chief Executive Officer of the 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, 14, 19, 41 and 42, 2nd and 3rd pars.)

1. The Regulation respecting occupational health and safety in mines is amended in section 1

* The Regulation respecting occupational health and safety in mines, approved 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 119-2006 dated 28 February 2006 (2006, *G.O.* 2, 1066). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

(1) by inserting the following definition in alphabetical order:

""remote controlled equipment": any equipment operated by a remote control system; (*équipement télécommandé*)";

(2) by inserting the following definition in alphabetical order:

""remote control system: any system having a remote control and the components required to control the equipment remotely; the system consists of a transmitter, a receiver and, where applicable, an interface; (*système de télécommande*)";

(3) by inserting the following definition in alphabetical order:

""remote control": a device consisting of a transmitter, a link and a receiver that controls the movement of equipment at a distance; a remote control is termed "wired" when the link is through cables, hosing or flexible piping, and "wireless" when the link is a hertzian, optical or ultrasonic transmission; (*télécommande*)".

2. Section 27 is amended by replacing ", 437 and 476.1 "by", 437, 453.2 and 476.1".

3. Section 27.1 is amended

(1) by replacing "following 16 May 2002" in the first paragraph by "after (*insert the date of coming into force of this Regulation*)";

(2) by adding the following paragraph at the end:

"A person who has undergone training in accordance with Modules U0000 to U0010 of the Ontario Training and Adjustment Board is exempt from the conditions prescribed in the first and second paragraphs, except training in accordance with Module I.".

4. Section 27.2 is amended by adding the following paragraph at the end:

"A person who has undergone training in accordance with Modules U0000 to U0010 of the Ontario Training and Adjustment Board is exempt from the conditions prescribed in the first and second paragraphs, except the training in accordance with Module I referred to in section 27.1.".

5. Section 133 is amended by replacing subparagraph 5 of the first paragraph by the following:

"(5) on every motorized vehicle powered by a diesel engine used in the supply of magazines or the loading of explosives underground;".

6. Section 142.2 is amended by replacing the first paragraph by the following:

"Every gas-fired heating system shall be inspected at least once a week while in service and shall be check tested before the heating season by a person holding the appropriate certificate of qualification issued under the Act respecting manpower vocational training and qualification (R.S.Q., c. F-5).".

7. Section 155 is amended

(1) by replacing the part preceding paragraph 1 by the following:

"Combustible liquids and grease stored underground shall be kept in a depot";

(2) by replacing paragraph 1 by the following:

"(1) identified by a sign bearing the words "LIQUIDES COMBUSTIBLE ET GRAISSES" in reflective paint in letters at least 150 millimetres (5.9 inches) high on a contrasting background, affixed to the wall of the depot;";

(3) by replacing "oil or grease" at the end of paragraph 6 by "combustible liquids and grease";

(4) by replacing paragraphs 7 and 8 by the following:

"(7) located at least 60 metres (196.9 feet) from a shaft, shaft station, explosives magazine, emergency exit, transformer room or enclosure, lunchroom or refuge station, except if the depot was laid out before 1 April 1993;

(8) with a self-closing fire door having a fire resistance rating of at least one and a half hours or a device having a similar resistance;

(9) laid out so that any combustible liquid leak from a tank is contained in a basin having a capacity at least equal to that of the largest tank in the depot;

(10) provided with pans to be used during a transfer to catch any combustible liquid that may be accidentally spilled;

(11) provided, where applicable, with a level control device preventing the transfer of diesel fuel from the surface when the tank is full;

(12) having a smooth, easy-to-clean floor without depressions in which combustible liquid could accumulate;

(13) ventilated in accordance with subsection 4.4.2 of NFPA 30-1996, Flammable and Combustible Liquids Code; and

(14) provided with a minimum quantity of 25 kilograms (55.1 pounds) of absorbent.";

(5) by adding the following paragraphs:

"Subparagraph 6 of the first paragraph does not apply to a diesel fuel depot existing on (*insert the date of coming into force of this Regulation*).

This section applies to depots storing 101 litres (22.2 gallons) or more of combustible liquids and grease, except subparagraph 8 of the first paragraph which applies only to depots storing 501 litres (110 gallons) or more.".

8. Section 165 is revoked.

9. Section 192 is amended by replacing the second paragraph by the following:

"Such systems must be designed so that any failure of the system that could lead to loss of control of the moving vehicle causes the vehicle to stop immediately.".

10. The following is inserted after the heading of subdivision 5 of Division VI:

"**209.1.** The provisions of this subdivision apply, subject to the following exceptions:

(1) a wired remote control is not subject to subparagraphs 2 and 3 of the first paragraph of section 211 or sections 212 to 214;

(2) a remote controlled door is not subject to sections 210 and 210.1 or subparagraphs 1 and 3 to 5 of the first paragraph of section 211;

(3) a travelling crane is not subject to paragraphs 2 and 3 of section 210, section 210.1, subparagraphs 1 and 3 of the first paragraph of section 211 or subparagraph 2 of the second paragraph of section 214;

(4) rail-bound equipment is not subject to subparagraph 3 of the first paragraph of section 211, in which case the equipment operator must stay clear of the track.".

11. Section 210 is amended

(1) by replacing the part preceding paragraph 1 by the following:

"Equipment controlled by a wired or wireless remote control used in a mine or at a work site shall be";

(2) by replacing paragraphs 2 and 3 by the following:

"(2) used within the operator's sight, except

(a) where a camera system is used; or

(b) where a robot system is used, in which case access to the work site where the system is used must be barricaded and under surveillance, in particular by a camera system or a motion detector; and

(3) identifiable by means of a sign at the surface or a flashing light and a sign underground, placed at the entrance to the work site; in addition, any other access to the remote controlled equipment must be under surveillance or barricaded.".

12. Section 211 is amended

(1) by replacing "The remote control of a piece of" in the part preceding subparagraph 1 of the first paragraph by "The remote control system for";

(2) by replacing "munie" and "lorsqu'elle" in the French text of subparagraph 1 of the first paragraph by "muni" and "lorsqu'il" respectively;

(3) by adding the following at the end of subparagraph 2 of the first paragraph after "equipment":

"; however, in the case of fixed equipment such as a door, a gate or a chimney cover, the same frequency may be used to operate more than one piece of equipment of that type if

(a) the range of the transmitter is adjusted so that it cannot operate more than one receiver at a time;

(b) the remote controlled equipment is within the view of the operator; and

(c) a sign is affixed to or posted near the remote controlled equipment indicating that the equipment may be remotely activated;";

(4) by replacing subparagraph 3 of the first paragraph by the following:

"(3) be equipped with a device able to stop the equipment when it approaches to within 3 metres (9.8 ft.) of the remote control in the case of a drill, or to within 10 metres (32.8 ft.) in the case of all other equipment;";

(5) by replacing "munie" in the French text of subparagraph 4 of the first paragraph by "muni";

(6) by replacing subparagraph 5 of the first paragraph by the following:

"(5) be disconnected and locked by a safety device when not in use;

(6) be designed so that it is impossible to remotely control if a command is pressed upon activation;

(7) be inspected for proper functioning by the operator prior to use; and

(8) have analogue controls on the manual controls in terms of function, arrangement and operating direction;";

(7) by replacing the second and third paragraphs by the following:

"Subparagraph 3 of the first paragraph does not apply if the operator and nearby workers are in a wall recess or on a raised platform, in which case a switch must render the remote control other than the emergency stop control inoperative, for a predetermined period of time, to allow the operator to move between the remote control station and the remote controlled equipment.".

13. The following is inserted after section 211:

"**211.1.** The remote control must stop or put in neutral the remote controlled equipment when at least one of the following malfunctions occurs on the remote control:

(1) loss of the nominal voltage recommended by the manufacturer;

(2) discrepancy between the status of the output relay and the input signal at the receiver;

(3) reception of two conflicting signals, in particular as regards the forward/reverse command;

(4) reception of parasitic or altered signals; and

(5) loss of transmitter signal for the period of time recommended by the manufacturer.".

14. Section 212 is replaced by the following:

"**212.** No wireless remote control shall be capable of inadvertently firing a detonator.".

15. The following is inserted after section 213:

"**213.1.** A remote control system must be supplied with the following instructions and information:

(1) the name of the manufacturer, the information required under section 214 pertaining to the remote control model, the configuration diagram and specifications such as nominal voltage, output power and transmitter range, operating temperature range and mass of the remote control station;

(2) precautions pertaining to the installation and connections of the system's components;

(3) indications regarding the function and location of control knobs;

(4) instructions regarding the safe operation of the system; and

(5) the manufacturer's recommendations and warnings for system adjustments, maintenance, alterations and repairs.

The instructions and information required by the first paragraph shall be kept on the mine site and be available to users in the French language.".

16. Section 214 is replaced by the following:

"**214.** All information regarding a remote control system such as brand, model, serial number, frequency used, seal numbers, name of the person in charge of the adjustments, maintenance, alterations or repairs and results of the adjustments, maintenance, alterations or repairs must be entered in the work station register for remote control system equipment.

In addition, the adjustments, maintenance, alterations or repairs to a remote control system must

(1) comply with the requirements of the manufacturer and be carried out by a qualified person;

(2) be tested first on a test bed and then on the equipment on which the system is installed in compliance, in the latter case, with subparagraph 3 of the first paragraph of section 211;

(3) be carried out after ensuring that the remote controlled equipment cannot be inadvertently activated; and

(4) be such that the elements permitting adjustment, maintenance or alteration of the safety parameters including frequency are sealed.".

17. The following is inserted after section 216:

"**216.1.** Where at least one programmable control system is used to implement protection on the hoist safety circuit, the requirements in the RF-412 data sheet entitled "Safety of Mine Hoists Controlled by Programmable Systems", published by the Institut de recherche Robert-Sauvé en santé et sécurité du travail, must be complied with.".

18. Section 219 is amended by inserting "and thereafter at intervals not exceeding 5 years," after "time".

19. The following is inserted after section 228:

"**228.1.** When manually operating a hoist, the operator shall not simultaneously perform other tasks.".

20. Section 232 is amended by adding the following paragraph at the end:

"(10) a slack rope device or a device providing equivalent safety.".

21. Section 250 is amended by inserting the following after the second paragraph:

"Where a hoist has more than 2 braking systems for a single drum or for a friction hoist, the braking capacity must be such that the drum or friction hoist can be stopped even if one of the braking systems fails.".

22. Section 253 is amended by striking out the second and third paragraphs.

23. Section 260 is amended by replacing "sound" by "be activated".

24. Section 288 is amended

(1) by adding "subject to paragraph 4," at the beginning of paragraph 3;

(2) by adding the following paragraph at the end:

"(4) at least 5.0 at the headsheave when an overload protection device is used continuously, the service load consisting of the mass of the counterweight or conveyance added to the mass loaded in the conveyance and the mass of the part of the rope located between the headsheave and the conveyance.".

25. Section 329 is replaced by the following:

"**329.** The data relating to the quick release test, including data relating to the total distance of the conveyance's fall and the distance travelled by the conveyance after the safety catches engage shall be collected in accordance with a recognized computation method.

The data and the reference source for the computation method shall be entered in the work station register referred to in section 344 for hoisting equipment.".

26. Section 336 is amended by inserting "or persons and materials" after "equipment".

27. Section 404 is amended by replacing the part preceding paragraph 1 by the following:

"No explosive shall be used if its original wrapping or container does not bear, legibly printed or marked, the following information:".

28. Section 415 is amended

(1) by adding "respecter les conditions suivantes" in the French text of the part preceding paragraph 1 after "doivent";

(2) by adding the following after paragraph 5:

"(6) permit, where applicable, the use of forklifts and ES type transpallet trucks as defined in the Standard for Electric-Battery-Powered Industrial Truck, UL 583-1991, for the handling of explosives in the magazine.

The motorized vehicles referred to in subparagraph 6 of the first paragraph

(1) must not be left unattended; and

(2) must be parked outside the magazine when they are not in use.".

29. The following is inserted after section 415.1:

"**415.2.** Despite the second paragraph of section 415.1 and section 418, a storage site must be provided with an automatic extinguishing system when motorized vehicles or pumping equipment that could not be completely emptied of their explosives content are parked on the site.

415.3. An explosives magazine may be used to store water-based bulk explosive tanks.

However, if the tanks are made of sparking components, they shall be stored only in magazines used to store portable tanks of water-based bulk explosives.".

30. The following is inserted after section 416:

"**416.1.** If emulsion-type bulk explosives are stored in a tank or portable tank on the surface, away from explosives manufacturing sites, the following conditions must be complied with

(1) the storage area must

(a) be fenced in accordance with section 47 and its access locked;

(b) be clearly identified by red signs posted on the fence on which the word "EXPLOSIFS" is to be printed in white letters at least 102 millimetres high (4 inches);

(c) comply with paragraphs 1, 2 and 5 of section 416; and

(d) be inspected on a weekly basis and a written report on the inspection must be made immediately and kept on the mine site;

(2) a container made of non-sparking material and having a rigid cover must

(a) be available in the storage area;

(b) be used exclusively to store explosives that were accidentally spilled and contaminated wastes such as gloves and paper; and

(c) be clearly identified by the word "EXPLOSIFS" written on a contrasting background in letters at least 102 millimetres (4 inches) high; and

(3) the explosives accidentally spilled and the contaminated waste must

(a) be collected with non-sparking tools; and

(b) be destroyed using the method indicated by the manufacturer.".

31. Section 418 is amended by adding the following paragraph at the end:

"Explosives used underground may also be stored in a box made of non-sparking material placed in a recess. In such a case, subparagraphs 2 and 3 of the second paragraph do not apply to the recess.".

32. Section 440 of the French text is amended by replacing "télécommande" by "commande à distance".

33. The following is inserted after section 453:

"**453.1.** In the presence of sulphurous rock that may react with explosives placed in the drill hole, the following conditions shall be complied with to prevent predetonation:

(1) a rock characterization certified by an engineer must first be carried out to ascertain the reaction potential in the presence of the explosives used; and

(2) if the results indicate a reaction potential, the following measures must be taken:

(a) hole temperature measurements must be taken before loading the explosives;

(b) drill holes whose temperature may provoke a reaction of the explosives must not be loaded, unless the temperature is controlled; and

(c) a written procedure for loading and blasting must be developed and applied; the procedure must include

i. the loading sequence;

ii. the maximum delay between the beginning of the loading and the blasting;

iii. the measures to be taken in case of smoke release from a drill hole that is already loaded or being loaded; and

iv. the use of inhibitor explosives or other explosives compatible with existing conditions.

453.2. In the presence of sulphurous rock or sulphurous rock dust, the following events must be entered in a register:

(1) any reaction observed of an explosive in a drill hole;

(2) any predetonation; and

(3) any explosion or dust fire resulting from blasting.".

34. The following is inserted after section 456:

"**456.1.** If a pumping unit is used to load water-based explosives, it must

(1) be used in compliance with the safety rules set out in the Guidelines for the Pumping of Water-Based Explosives, published by the Department of Natural Resources of Canada, Explosives Regulatory Division, 30 November 1998 Edition;

(2) be clearly identified by red signs posted on all four sides of the unit with the word "EXPLOSIFS" written in white letters at least 102 millimetres high (4.0 inches); and

(3) be brought to the loading site at the required time for the loading operation and returned to the storage site or magazine in compliance with the provisions of sections 415.1 and 415.2 as soon as the loading is completed.".

35. Section 457 is amended by replacing subparagraph *c* of paragraph 8 by the following:

"*(c)* radio transmitters and cellular telephones shall be turned off within 20 metres (65.6 feet) of the blasting site; at least one sign in letters at least 102 millimetres (4.0 inches) high must be posted near the site directing that radio transmitters and cellular telephones be turned off.".

36. Section 463 is amended by adding the following after paragraph 3:

"(4) when blasting is carried out near a building, a railway line, a road or an electric power line, the blasting charge shall be controlled and a blasting mat placed on the blasting site; the mat must

(a) be constructed and maintained so that no metallic part comes into contact with the explosives;

(b) be deposited but not slid into place; and

(c) when made of tailings, contain no single or aggregate particles having a diameter larger than 5 millimetres (0.2 inches).".

37. The following is inserted after section 466:

"**466.1.** If a blasting remote initiator is operated by wireless remote control, the control must

(1) meet the requirements in subparagraphs 5 to 7 of the first paragraph of section 211 and in sections 213 to 214;

(2) be rendered inoperative if at least one of the malfunctions described in section 211.1 occurs; and

(3) answer to the frequency assigned to it, except for a digital remote control with a single encoding.".

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

8324

Draft regulation

Professional Code
(R.S.Q., c. C-26)

Notaries
— Terms and conditions for the issuance of permits
— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) that the draft Regulation entitled Regulation to amend the Regulation respecting terms and conditions for the issuance of permits by the Chambre des notaires du Québec, made by the Bureau of the Chambre des notaires du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the Regulation is to modify, pursuant to paragraph *c*.1 of section 93 of the Professionnal Code, the procedure for recognizing an equivalence so that a decision may be the subject of a review by persons other than those who made it.

The Order advises that the Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting M[e] Pauline Paiement, notary, at Direction des services juridiques, Chambre des notaires du Québec, 600-1801, McGill College Avenue, Montréal, (Québec) H3A 0A7; telephone: 514 879-1793, extension 5216 or 1 800 263-1793; fax: 514 879-1923.