

Draft Regulations

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), 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, in accordance with section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), 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 draft Regulation amends the definition of mine to extend its scope to certain establishments situated outside the extraction site. It proposes to update provisions relating to equipment and breathing apparatus used by hoistmen, by rescuers and in refuge stations. It also makes amendments concerning refuge stations, signal and communication systems, hoisting ropes, hoisting apparatus and the storage, transportation and loading of explosives.

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, extension 2029; fax: 418 266-4698.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Guylaine Rioux, Vice-President, Partnership and Expert Consulting, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14^e étage, Montréal (Québec) H3B 3J1.

LUC MEUNIER,
*Chair of the Board 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. 7, 8, 9, 10, 19, 42 and 2nd par.)

1. The Regulation respecting occupational health and safety in mines is amended in section 1 by inserting the following after the second paragraph in the definition of “mine”:

“Plants, treatment plants, pellet plants and land structures, such as conveyors, pipelines, roads, railway lines belonging to a mining enterprise and used for its operation, that are situated outside the exploration or extraction site, are also part of a mine.”.

2. Section 13 is amended by replacing “and recharge hose” in subparagraph 2 of the first paragraph by “hose with a regulator and a recharge hose”.

3. Section 17 is amended

(1) by replacing “self-contained breathing apparatus with full face pieces” in paragraph 1 by “self-contained pressurized oxygen breathing apparatus” and “90” by “60”;

(2) by replacing paragraph 2 by the following:

“(2) a direct reading apparatus for evaluation of gases including at least carbon monoxide, nitrogen dioxide, oxygen and combustible gas sensors; in addition, that apparatus or another apparatus must be equipped with sensors of other gases according to the risks inherent in the underground mine;”;

(3) by replacing “6 litres (0,2 cu. ft.)” in paragraph 3 by “10 litres (0.35 cu. ft.)”;

(4) by striking out paragraph 4;

* 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 221-2009 dated 12 March 2009 (2009, *G.O.* 2, 572). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2009, updated to 1 March 2009.

(5) by replacing paragraph 5 by the following:

“(5) a basket-shaped stretcher whose content complies with the latest edition of the *Manuel de formation en sauvetage minier* of the Commission de la santé et de la sécurité du travail;”;

(6) by replacing paragraph 6 by the following:

“(6) an appropriate rope system allowing a victim to be evacuated from an excavation opening at an angle exceeding 45 degrees from the horizontal.”.

4. Section 20 is amended

(1) by replacing subparagraph 1 of the first paragraph by the following:

“(1) self-contained breathing apparatus having a minimum utilization time of 60 minutes;”;

(2) by striking out subparagraph 2 of the first paragraph.

5. Section 27 is amended by inserting “127,” after “108.2,”.

6. Section 71 is amended by replacing “90” in subparagraph 4 of the third paragraph by “60”.

7. Section 126 is replaced by the following:

“**126.** A refuge station must be installed on any working underground level from which it is not possible, after the alarm system has been activated, to reach another refuge station or the surface within 30 minutes for a mine whose operation began before 1 April 1993, or 20 minutes for a mine whose operation began as of that date.

For any new development or for any underground mine whose operation begins as of (*insert the date of coming into force of this Regulation*), a refuge station must be installed at the shortest distance from a work station, between 1,000 metres (3,280 feet) and a 15-minute walk.”.

8. Section 127 is amended

(1) by inserting the following after paragraph 6:

“(6.1) have at least 1 portable toilet;”;

(2) by replacing paragraph 7 by the following:

“(7) have a compressed air line complying with division 8 of the latest edition of the *Manuel de formation en sauvetage minier* of the Commission de la santé et de la sécurité du travail or, if it is impossible because of permafrost conditions, have an oxygen supply system with regulated flow able to remove carbon dioxide from the ambient air according to the number of workers that the station can contain;”;

(3) by inserting “fire retardant” in paragraph 8 before “sealant”;

(4) by adding the following after paragraph 9:

“(10) be equipped with an airlock in compliance with division 8 of the latest edition of the *Manuel de formation en sauvetage minier* of the Commission de la santé et de la sécurité du travail, as of (*insert the date of coming into force of this Regulation*).

The system referred to in subparagraph 7 of the first paragraph shall

(1) have a minimum range of 70 hours for the number of workers who may be present in the station;

(2) be the subject of a monthly preventive maintenance program whose results are entered in a register.

In addition, underground workers must receive training on the use of that system.”.

9. Section 269 is amended by adding “, except when the movement of the conveyance is controlled in automatic or semi-automatic mode” at the end.

10. The following is inserted after section 283:

“**283.1.** A telephone connecting the surface, equipped with a telephone connection jack for mine rescue, must be installed on the outside wall of the airlock of every refuge station built as of (*insert the date of coming into force of this Regulation*).”.

11. Section 288.1 is amended

(1) by replacing the part preceding subparagraph 1 of the second paragraph by the following:

“In such a case, the following standards and conditions must be met:”;

(2) by adding the following after subparagraph 2 of the second paragraph:

“(3) the drum hoist must be equipped with a device continuously monitoring the condition of the rope, which must be able to detect a sudden loss of the rope section and stop the drum hoist if the loss exceeds 10%.”;

(3) by striking out the third paragraph.

12. Section 305 is amended by adding the following at the end:

“Despite the foregoing, an electromagnetic monitoring system of the rope may replace the examination referred to in subparagraph 1 of the first paragraph and an electromagnetic examination may replace the examination referred to in subparagraph 3 of the first paragraph.”.

13. Section 358 is amended by replacing “or X-ray examination” by “examination and fluorescent magnetic particle testing”.

14. Section 415.1 is amended by striking out “, unless the site has an automatic fire extinguishing system” in the second paragraph.

15. Section 423 is amended by replacing “loading area” in paragraphs 4 and 5 by “place of loading”.

16. Section 433 is amended by adding the following at the end:

“The conveyance itself is considered to be a container for the purpose of transporting explosives if the inside surfaces are made of non-sparking material.”.

17. Section 460 is amended by adding the following after paragraph 5:

“(6) be checked to ensure its conductivity and for that purpose, the use of an electric detonator is prohibited.”.

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

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Draft Regulation

An Act respecting reserved designations and added-value claims
(R.S.Q., c. A-20.03)

Reserved designations

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 respecting reserved designations, appearing below, may be made by the Minister of Agriculture, Fisheries and Food on the expiry of 45 days following this publication.

The draft Regulation replaces the Regulation respecting reserved designations, made by Minister's Order dated 10 September 1997 (1997, *G.O.* 2, 5043) under the Act respecting reserved designations (R.S.Q., c. A-20.02). That Act was replaced by the Act respecting reserved designations and added-value claims (R.S.Q., c. A-20.03), assented to on 19 April 2006, which gradually came into force.

The purpose of the draft Regulation is to update the regulatory provisions respecting the recognition of a reserved designation to take into account the new legislation. The draft Regulation also makes changes and adds details which will foster the development and recognition of reserved designations.

To date, study of the matter has shown no negative financial impact, particularly on small and medium-sized businesses, since the proposed changes do not entail new formalities or additional costs.

Further information may be obtained by contacting Jean-Paul Lussiaà-Berdou, Assistant Director, Direction de l'amélioration de la compétitivité, Transformation Alimentaire Québec (TRANSAQ), 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

Any person wishing to comment on the matter is requested to submit written comments before the expiry of the 45-day period to the Minister of Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

CLAUDE BÉCHARD,
Minister of Agriculture, Fisheries and Food
