

## Draft Regulations

### Draft Regulation

An Act respecting occupational health and safety  
(chapter S-2.1)

#### Occupational health and safety in mines — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter 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 (chapter S-2.1), on the expiry of 45 days following this publication.

The draft Regulation pertains to high-visibility safety apparel in open-pit mines, respirable combustible dust and fire doors in underground mines.

Study of the matter has shown no significant impact for enterprises.

Further information may be obtained by contacting France Gauthier, expert counselor – mines sector, 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 matter is requested to submit written comments within the 45-day period to Claude Sicard, vice-president for partnership and expert counseling, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14<sup>e</sup> étage, Montréal (Québec) H3B 3J1.

MICHEL DESPRÉS,  
*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  
(chapter S-2.1, s. 223, 1st par., subpars. 7 to 9 and 19,  
and 3rd par.)

**1.** The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended

(1) by replacing “CSA” means the Canadian Standards Association; (ACNOR)” by “CSA or ACNOR” means the Canadian Standards Association; (ACNOR ou CSA)”;

(2) by inserting the following after the definition of “hoisting apparatus”:

“IEC” means the International Electrotechnical Commission; (CEI)”;

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

“ISO” means the International Organization for Standardization; (ISO)”.

**2.** The following is inserted after section 11:

“11.1. As of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), a person who is in an open-pit mine must wear apparel complying with the Guideline on Selection, Use, and Care of High-Visibility Safety Apparel, CSA Z96.1-08, and with the High-Visibility Safety Apparel standard, CSA Z96-09. Class 2 high-visibility safety apparel is required as a minimum.

Despite the foregoing, wearing high-visibility safety apparel is not required in a lunchroom, a cab or an office, or to get from the parking lot of the site entrance to a building.”.

**3.** Section 102 is amended

(1) by inserting “weighted average” in subparagraph 1 of the first paragraph after “gases to”;

(2) by replacing “0.6 mg of respirable combustible dust” in subparagraph *a* of subparagraph 1 of the first paragraph by “0.4 mg of total carbon”;

(3) by replacing subparagraph 1.1 of the first paragraph by the following:

“(1.1) the sampling and analysis method for diesel particulate matter in terms of total carbon is the method NIOSH 5040 : DIESEL PARTICULATE MATTER as it reads in version 3 dated 15 March 2003 published by the National Institute for Occupational Safety and Health (NIOSH), in NIOSH Manual of Analytical Methods (NMAM), Fourth Edition.

The laboratory analysing the total carbon must be certified under a recognized standard such as the international standard ISO/CEI 17025:2005 – General requirements for the competence of testing and calibration laboratories published by ISO. It must be certified by a recognized certifying body, such as the Standards Council of Canada.”.

**4.** Section 103.1 is amended by replacing “respirable combustible dust” in the introductory paragraph by “total carbon”.

**5.** Section 138 is amended by replacing subparagraph 1 of the second paragraph by the following:

“(1) be built of fireproof materials and be fire resistant for at least 1 hour;”.

**6.** Schedule VI is struck out.

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