

Gouvernement du Québec

O.C. 1431-2021, 10 November 2021

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

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

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

WHEREAS, under subparagraphs 7, 9, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations, in particular,

—prescribing standards applicable to every establishment in view of ensuring the health, safety and physical well-being of workers;

—determining, by category of establishments or construction sites, the individual and common protective devices and equipment that the employer must put at the disposal of the workers, free of charge;

—prescribing standards respecting the safety of such equipment as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

—generally prescribing any other measure to facilitate the application of the Act;

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 sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 16 June 2021 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines at its sitting of 23 September 2021;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

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

YVES OUELLET
Clerk of the Conseil exécutif

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

Act respecting occupational health and safety
(chapter S-2.1, s. 223, 1st par., subpars. 7, 9, 19 and 42,
and 3rd par.)

1. The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended in section 4 by adding the following paragraph at the end:

“The first paragraph does not apply when using a tubular ladder emergency exit.”

2. The following is inserted after section 7:

“**7.1.** Despite sections 5, 6 and 7, the full body harness, the fastening point of the lanyard and the vertical lifeline in a tubular ladder emergency exit are determined in accordance with sections 75.13 and 75.14.”

3. Section 27 is amended by inserting “28.03,” after “sections”.

4. The following is inserted after section 28.02:

“**28.03.** In an underground mine, a register shall be available to allow the employer or worker to enter any abnormal ground control situation. The worker or employer enters the place concerned, the date and the work shift in the register and signs it.

The technical services or ground control representative designated by the employer signs the register for each day of the week, within 5 days. He conducts follow-up and, when the situation requires it, enters comments or recommendations in the register.

The employer checks the register between each work shift and signs it.”

5. Section 50 is revoked.

6. The following is inserted after section 75.1:

“**§5.1.** *Tubular ladder emergency exit in an underground mine*

75.2. A tubular ladder emergency exit shall be used exclusively for the evacuation of workers in an underground mine.

Subdivision 5 of Division III applies to a tubular ladder emergency exit, except paragraph 2 of section 72.

75.3. A tubular ladder emergency exit shall be designed, built, maintained and used so as not to endanger the safety of workers.

75.4. A tubular ladder emergency exit may not be installed in a shaft.

It shall comply with the plans and specifications of an engineer.

75.5. The excavation in which a tubular ladder emergency exit is installed shall be free from any cables, pipes or other services.

75.6. A tubular ladder emergency exit shall comply with the following standards:

(1) be built entirely of materials that, as of the date of manufacture, meet the requirements of the flame test for a vertical conduit of CAN/CSA Standard M427-M1991, Fire-Performance and Antistatic Requirements for Ventilation Materials;

(2) be inclined at least 65° and not more than 80°;

(3) be free from any cables, pipes or other services, with the exception of those required for the installation of a fall-protection system pursuant to section 75.13 or a climb assist system;

(4) provide inside clearance of at least 70 cm (27.6 in) in diameter at all points;

(5) where the height of the exit is greater than 75 m (246.1 ft), have a climb assist system installed in accordance with the plans and specifications of an engineer and used and maintained in accordance with the manufacturer’s recommendations.

75.7. The ladder of a tubular ladder emergency exit shall comply with the following standards:

(1) have a minimum width of 450 mm (17.7 in) between the rails;

(2) have a distance of at least 185 mm (7.3 in) from the front of the rung to the wall of the tubular ladder emergency exit located behind the rung, measured perpendicularly from the centre of the rung;

(3) have a space between the top of the rungs of the ladder that complies with the dimensions provided for in section 67.

75.8. The rungs of the ladder of a tubular ladder emergency exit shall be covered with non-slip materials or be constructed so as to prevent slipping.

75.9. The ladder of the tubular ladder emergency exit shall extend at least 1 m (3.3 ft) beyond its upper rest landing or failing which, fixed handles shall be installed at an equivalent height.

75.10. Handrails or rails that provide three fulcrum points shall be installed in the tubular ladder emergency exit for the use of the ladder.

75.11. In places where the tubular ladder emergency exits are off-centre or where there is a difference of inclination of more than 10° between them, landings shall be installed.

75.12. The material required for mine rescue, such as a hoist and rope, shall be accessible on the site of a mine that has a tubular ladder emergency exit and be adapted to the height of the emergency exit.

75.13. Full body harnesses that comply with CAN/CSA Standard Z259.10-M90, Full Body Harnesses, shall be connected to a fall-protection system installed and designed in accordance with CSA Standard Z259.16-15, Design of Active Fall-Protection Systems, based on the number of persons who can use the tubular ladder emergency exit at the same time, as determined by an engineer.

Every worker who uses a tubular ladder emergency exit is required to wear a full body harness.

75.14. The full body harnesses used for a tubular ladder emergency exit shall have at least rings on the sternum, back and shoulders to allow for mine rescue.

75.15. The full body harnesses and the fall-protection system equipment determined in accordance with section 75.13 shall be accessible at the ends of a tubular ladder emergency exit in sufficient number for all users.

75.16. A worker may not enter a tubular ladder emergency exit unless the tools he is carrying are well secured to his waist by a belt or placed in a bag carried across his shoulder.

75.17. Bollards or other objects of the same kind shall be installed near the ends of a tubular ladder emergency exit to protect its integrity.

75.18. The ventilation in a tubular ladder emergency exit shall comply with the plans and specifications of an engineer.

The ventilation flow shall supply at least 5 changes of air per hour.

75.19. In addition to the safety measures provided for in section 117, a rescue procedure and an evacuation procedure specific to the use of the tubular ladder emergency exit shall be developed and tested.

The employer shall demonstrate, in particular by carrying out an evacuation drill, the effectiveness, reliability and safety of the tubular ladder emergency exit and its equipment before it is used for the first time and thereafter at least once a year.”

7. The following are inserted after section 151.1:

“**151.2.** The installation of an internal combustion engine, the parking of internal combustion motorized equipment or the storage of combustible materials or wastes between a shaft station and a fire door may not exceed 12 hours and shall be monitored by a worker.

Despite the first paragraph, internal combustion motorized equipment equipped with an extinguishing system that is activated when exposed to heat may be parked between a shaft station and a fire door until the completion of the work carried out at the shaft station.

151.3. Internal combustion motorized equipment equipped with an extinguishing system that is activated when exposed to heat may be parked at a shaft station or in the drift until the fire door is installed in the drift.”

8. Section 415 is amended by replacing “Subject to section 416.1, the second paragraph of section 418 and section 423, explosives located underground or on

the surface shall be under the supervision of a worker designated for that purpose and stored in magazines that” in the portion before subparagraph 1 of the first paragraph by “Explosives located underground or on the surface shall be under the supervision of a worker designated for that purpose or stored, subject to section 416.1, the second paragraph of section 418 and section 423, in magazines that”.

9. Section 423 is amended

(1) by inserting “during a work shift or” after “interruption” in the portion before paragraph 1;

(2) by replacing “the quantity that can be loaded for the shifts planned on the workday schedule” in paragraph 1 by “the quantity required for the loading or the quantity that can be loaded for a 24-hours period”.

10. Section 497 is amended by replacing “armoured; the armour shall be of steel wire or the cable shall be covered with interlocked metal armour” in paragraph 1 by “armoured with steel wire, or the cable shall be covered with interlocked or fixed armour made of metal or another material providing at least equal electrical protection”.

11. This Regulation comes into force on 9 December 2021.

105368

Gouvernement du Québec

O.C. 1440-2021, 17 November 2021

Act respecting the Régie de l'énergie
(chapter R-6.01)

300-megawatt block of wind energy

Regulation respecting a 300-megawatt block of wind energy

WHEREAS, under subparagraph 2.1 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie (chapter R-6.01), the Government may make regulations determining for a particular source of electric power supply, the corresponding energy block and maximum price established for the purpose of fixing the cost of electric power referred to in section 52.2 or for the purposes of the supply plan provided for in section 72, or for the purposes of a tender solicitation by the electric power distributor under section 74.1 of the Act;