

Improving Health and Safety Requirements for Mines and Mining Plants

Comparison of Current Regulatory Requirements with Proposed Regulatory Changes

Summary of Proposal

The Ministry of Labour (MOL) is proposing various amendments to the Mines and Mining Plants Regulation (Reg. 854, the “Regulation”) under the Occupational Health and Safety Act (OHSA).

The proposed amendments will better protect the health and safety of workers in the mining sector, and implement recommendations made in the Mining Health, Safety and Prevention Review’s final report as well as recommendations from recent coroner’s juries during inquests into mining fatalities and from the Mining Legislative Review Committee (MLRC), the ministry’s stakeholder advisory committee for the mining sector.

Key proposals include:

- Implementing recommendations made by the Mining Legislative Review Committee;
- Implementing recommendations from the Mining Health, Safety and Prevention Review Final Report regarding risk assessments and requirements for certain high hazards, including water management, traffic management and recording of seismic events;
- Updating training requirement for surface diamond drill operations to reflect changes to the modular training program made by the Ministry of Training, Colleges and Universities (MTCU);
- Making corrections to and including explicit reference to appropriate workplace parties in the offences listed under Schedule 68 of Regulation 950 under the Provincial Offences Act; and
- Amending miscellaneous requirements to update terminology and certain industry standards and/or clarify certain requirements.

The ministry is accepting feedback on the proposed amendments by **January 15, 2016**. For more information on how to submit your comments please see the “How to Participate” section at the end of this document.

Background

The MOL regularly reviews the OHSA and its regulations to ensure accuracy and consistency with current industry practices and standards to increase clarity for stakeholders and to improve enforcement.

The majority of the ministry's proposed requirements contained in this document reflect recommendations made in the final report of the Mining Health, Safety and Prevention Review (the Review), which was released in April 2015. The Mining Review, led by the Ministry of Labour's Chief Prevention Officer, conducted a comprehensive review of health, safety and prevention topics to help ensure an even stronger and safer underground mining sector. In addition, the proposed amendments were developed with the assistance of and in consultation with the Mining Legislative Review Committee, which is comprised of labour and employer stakeholders in the mining sector. The proposed changes to the water management requirements also considered recent coroner's jury recommendations, while the proposed changes to the modular training for surface diamond drill operations reflect changes to the training program made by the Mining Tripartite Committee and the Ministry of Training, Colleges and Universities.

Important Information

To view this document in an accessible format, please see the official consultation paper "Mining Health and Safety Regulatory Amendment Proposal". Alternatively, you may request a copy by:

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Write to us:

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Current Requirements	Proposed Regulatory Changes	Comments
NEW	<ul style="list-style-type: none"> • Employers at a mine to assess and manage the risks of hazards that that may arise from the nature of the workplace, the type of work or the conditions of work. • The assessment would need to take into account circumstances that would be common to similar workplaces; and circumstances specific to the workplace. • An employer shall, in consultation with the joint health and safety committee or health and safety representative, if any, develop and maintain written measures to control/mitigate the risks of those hazards identified in the assessment as likely to expose a worker to injury or illness. • The measures shall include provision and use of: <ul style="list-style-type: none"> ○ Engineering controls; ○ Work practices; ○ Industrial hygiene practices; ○ Administration controls; ○ Substitution or reduction (i.e., using one tool or device instead of another) and ○ Personal Protective Equipment. • An employer shall reassess the risks as often as is necessary but at least annually to ensure that the measures continue to protect the health and safety of workers. • The results of the assessment or reassessment would need to be provided, in writing to the joint health and safety committee or health and safety representative, if any (if there is not, then workers would need to be advised of the results and a written copy provided on request) 	<ul style="list-style-type: none"> • The new requirements regarding a risk assessment are not intended to replace but would be in addition to any existing requirements relating to specific hazards set out in Regulation 854. • This proposal, if approved, would address a recommendation contained in the final report from the Mining Health, Safety and Prevention Review.
1 “non-combustible” means material or an assembly of materials that conforms to National Standard of	<ul style="list-style-type: none"> • Update definition of “non-combustible” to align with definition found in the Building Code. 	<ul style="list-style-type: none"> • Current definition refers to an out-of-date version of the

Current Requirements	Proposed Regulatory Changes	Comments
<p>Canada, CAN4-S114-80, “Standard Method of Test for Determination of Non-combustibility in Building Materials”;</p>		<p>standard.</p> <ul style="list-style-type: none"> The definition of non-combustible found in section 1.4.1.2 of the Building Code currently refers to the latest version of the relevant standard (from 2005 and reaffirmed in 2014)
<p>11.1 (1) Employers engaged in the following types of mining operations shall establish and maintain the following training programs:</p> <ol style="list-style-type: none"> 1. Underground diamond drilling operations, <ol style="list-style-type: none"> i. Common Core for Underground Diamond Driller — Helper Level (Program #P770150), ii. Common Core for Underground Diamond Driller — Runner Level (Program #P770150). 2. Surface diamond drilling operations, <ol style="list-style-type: none"> i. Common Core for Surface Diamond Driller — Helper Level (Program #P770200), ii. Common Core for Surface Diamond Driller — Runner Level (Program #P770200). <p>(2) An employer shall train each worker who commences employment after March 31, 1996 in the programs described in subsection (1) appropriate for that worker, and the training shall be completed before the worker has completed a total of 12 months of employment as a helper or runner in diamond</p>	<ul style="list-style-type: none"> Amend current 11.1 so that it only applies to training programs for underground diamond drill operations Add a new provision requiring that employers at surface diamond drill operations establish and maintain a program (#P770200) comprised of a three part Common Core (Part 1 – Basic; Part 2 – Helper; and Part 3 – Runner) as well as Speciality Modules. These employers would need to ensure all workers who perform work as a diamond driller complete the appropriate modules in the program. Part 1 of the Common Core would need to be completed before the worker begins performing work covered by the modules. Part 2 of the Common Core would need to be completed within 12 months of the worker performing work covered by the modules. Part 3 of the Common Core would need to be completed within 12 months of the worker performing work covered by the modules. Each speciality module would need to be completed within 12 modules of performing work covered by that module. 	<ul style="list-style-type: none"> The proposed amendments are necessary to reflect and operationalize changes made to the modular training program for surface diamond drill operations. The proposed amendments are supported by the Mining Tripartite Committee.

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<p>drilling operations.</p> <p>(3) Subsection (2) does not apply if the worker successfully completed a program described in subsection (1) before being employed by the employer.</p> <p>(4) A document issued by the Ministry of Training, Colleges and Universities showing that a worker has successfully completed a module of a program referred to in subsection (1) is conclusive proof for the purposes of this section of the worker’s successful completion of the module.</p>	<ul style="list-style-type: none"> • A worker who completed a module prior to being employed by the employer and shows proof of completion, or who has been accredited under a predecessor section and shows proof of accreditation, would be exempt from training. • A document issued by MTCU would be conclusive proof of successful completion of the modules. 	
<p>24. A notice under subsection 57 (9) of the Act shall be in the following form:</p> <p style="text-align: center;"><i>Occupational Health and Safety Act</i> NOTICE</p> <div style="border: 1px solid black; padding: 5px;"> <p>Take Notice that this</p> <p>.....</p> <p>(specify the “place”, “matter” or “thing”, as the case may be)</p> <p>.....</p> <p>is a danger or hazard to the safety of workers employed in or having access to these premises and the use thereof shall be discontinued immediately until the inspector’s order of</p> <p>.....</p> <p>(date)</p> <p>.....</p> <p>to</p> <p>(name of employer or owner)</p> </div>	<ul style="list-style-type: none"> • Revoke 	<ul style="list-style-type: none"> • Subsection 57(9) of the OHSA (Posting of Notice) was amended in 2011 by striking out "a notice in the prescribed form" and substituting "a notice of the order, in a form obtained from the Ministry". • This form, which is used only by MOL inspectors, can, therefore, be removed from the regulations. • The MOL can continue to produce these “stop work tags” without this provision. • Revoking this section would make this regulation consistent

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<p>..... (address of employer or owner)</p> <p>has been complied with.</p> <p>No person, except an inspector appointed under the <i>Occupational Health and Safety Act</i>, shall remove this notice unless authorized by an inspector under that Act.</p> <p>Dated the day of , 20....</p> <p>..... (signature of inspector)</p>			<p>with O. Reg. 213/91 (Construction Projects), which already revoked a similar form.</p>
<p>71 (3) An overhead protective device required by subsection (1) shall comply with the falling-object protective structures requirements of International Standard ISO 3449;1992 (E) “Earth-Moving Machinery — Falling-Object Protective Structures — Laboratory Tests and Performance Requirements”.</p>		<ul style="list-style-type: none"> Update reference to the ISO Standard for FOPS to ISO 3449-05(R2014) 	<ul style="list-style-type: none"> Would help keep regulation modern by referencing latest version of the standard. Would reflect current industry practice, as the sector is already using the updated version of the standard.
<p>72. A record of the occurrence of a rockburst or of an uncontrolled fall of ground at an underground mine shall be kept in writing setting out,</p> <p>(a) the time, location and extent of the occurrence;</p> <p>(b) injury, if any, caused to a worker thereby; and</p> <p>(c) any other relevant information, including the records</p>		<ul style="list-style-type: none"> Add significant seismic event to types of events that could impact ground stability that need to be recorded This would include a seismic event that <ul style="list-style-type: none"> is of a magnitude that is likely to cause significant rock mass damage, or occurs in or near an active area of the mine. 	<ul style="list-style-type: none"> This proposal, if approved, would address a recommendation contained in the final report from the Mining Health, Safety and Prevention Review.

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<p>of any monitoring instruments or devices before the occurrence.</p>		
<p>87. (1) A workplace in an underground mine shall,</p> <p>(a) be kept free from accumulations or flow of water which might endanger a worker in the area; and</p> <p>(b) have a drainage system to conduct excess water to a pumping system capable of pumping the water to surface for disposal.</p> <p>(2) Where accumulations of water are likely to be present,</p> <p>(a) a borehole shall be drilled at least six metres ahead of the working face to protect against a sudden breakthrough of the water; and</p> <p>(b) precautions shall be taken to control the flow of water.</p> <p>(3) A positive displacement water pump shall be equipped with a relief valve or system.</p> <p>(4) Precautions shall be taken to guard against an accumulation of water in a chute or raise where the material in the chute or raise may block drainage.</p>	<ul style="list-style-type: none"> • Repeal and replace existing provision with the following: • Owners of underground mines would be required to have a written water management program that includes measures and procedures to <ul style="list-style-type: none"> ○ Identify areas of the mine where water is likely to accumulate; ○ Control the volume of water that may enter the mine (both naturally occurring and by mining process); ○ Prevent unwanted/uncontrolled flows of water in all areas of the mine; ○ Effectively and safely manage and remove water that poses a risk of injury to workers; and ○ Maintain pumping systems, sumps, drain holes, and other components of a drainage or pumping system. • The program would need to be developed in consultation with the JHSC or H&S rep (if any), and would need to be provided to them and kept readily available at the mine. The program would need to be reviewed after any significant alteration is made to the mine dewatering system, and at least annually. • An employer or supervisor in an underground mine would be required to take precautions to prevent accumulations and flows of water that may endanger a worker (see current 87(1)(a) and (2)(b)). • If there is an accumulation of water in any area of an 	<ul style="list-style-type: none"> • This proposal, if approved, would address a recommendation contained in the final report from the Mining Health, Safety and Prevention Review. • The proposal also addresses several recommendations made by recent Coroner's Juries into fatalities that have occurred in the mining sector. • The proposal maintains and builds upon the current requirements and would, if approved, enhance protections for workers who may be endangered by accumulations or flows of water.

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	<p>underground mine that poses a risk of injury to a worker, an employer shall ensure that</p> <ul style="list-style-type: none"> ○ the supervisor for the area is informed of the accumulation of water; ○ all workers in the area are notified of the accumulation of water; and ○ the area of the mine is adequately barricaded to prevent access. <ul style="list-style-type: none"> • Until the risk of injury to a worker has been adequately controlled, an employer or supervisor shall not allow any worker to do work in an area where there is an accumulation of water unless <ul style="list-style-type: none"> ○ the purpose of that work directly relates to managing and removing the accumulation of water, and ○ precautions have been taken to protection the health and safety of a worker performing this work. • An underground mine would be required to have and maintain a drainage system to conduct excess water to a pumping system capable of pumping the water to surface for disposal.. • Any drain hole in an underground mine would be required to be <ul style="list-style-type: none"> ○ Marked by signs that are i) visible to and readable by workers and ii) clearly distinguished from their surroundings ; and ○ Identified on any drawings, plans and specifications relating to that area of the mine. • In areas of an underground mine where water is likely to 	

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	<p>accumulate, an employer and supervisor shall ensure that,</p> <ul style="list-style-type: none"> ○ a bore hole is drilled at least six metres ahead of the working face to protect against a sudden breakthrough of the water. (see current 87(1)(b) and (2)(a)), and ○ any hole drilled into a raise, chute or ore pass is capped or grouted. <ul style="list-style-type: none"> • The current requirement that a positive replacement water pump must be equipped with a relief valve or system would remain unchanged. 	
NEW	<ul style="list-style-type: none"> • Require an employer at a mine to develop and maintain a written traffic management program. • The traffic management program shall include measures and procedures to: <ul style="list-style-type: none"> ○ Prevent collisions of motor vehicle by addressing hazards related to reduced or impeded visibility of motor vehicle operators; and ○ Protect the health and safety of workers and pedestrians who may be endangered by the movement of a motor vehicle. • The program would need to be developed in consultation with the joint health and safety committee or health and safety representative, if any, and would need to be provided to them. A copy of the program would need to be kept readily available at the mine and would also need to be reviewed at least annually. 	<ul style="list-style-type: none"> • This proposal, if approved, would address a recommendation contained in the final report from the Mining Health, Safety and Prevention Review. • The new requirement is not intended to replace but would be in addition to any existing requirements relating to motor vehicle hazards set out in Regulation 854.
<p>167. Clause 36-204 of CSA Standard C22.1-1982 is modified to the extent that a single pole disconnecting fuse of adequate interrupting capacity may be used to protect a transformer</p>	<ul style="list-style-type: none"> • Revoke 	<ul style="list-style-type: none"> • This provision is of no effect because the CSA standard that is referred to is no longer incorporated into the regulation.

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whose capacity is 100 kilovoltamperes per phase or less when operating at a voltage less than 7,500 volts.		Therefore, this provision should be revoked.
<p>188. (1) Devices commonly known as “manlifts” shall meet the standards set out in the Code for Manlifts dated the 25th day of September, 1979 and issued by the Ministry.</p> <p>(2) A manlift shall not be used before drawings showing its arrangements are completed and readily available.</p> <p>(2.1) After the manlift’s initial use, the drawings shall be kept readily available at the mine site.</p> <p>(3) Each component which may affect the safe operation of a manlift shall be examined and tested by a competent person,</p> <p>(a) before initial use; and</p> <p>(b) at intervals not exceeding one month.</p>	<ul style="list-style-type: none"> • Revoke 	<ul style="list-style-type: none"> • This provision is outdated as manlifts are no longer used in mines. • As these devices are no longer used in mines in Ontario, it is proposed that this section be revoked.
<p>248 (10) A record of a failure and accident involving a mechanical part of a mine hoisting plant shall be made in the Hoisting Machinery Record Book by the supervisor in charge of the mechanical hoisting equipment.</p>	<ul style="list-style-type: none"> • Change from “failure and accident” to “failure or accident” 	<ul style="list-style-type: none"> • Proposed amendments would make this provision consistent with s. 247(5) and would reflect current practice and intent
<p>281.1 (3) A first aid room shall be in the charge of a person,</p> <p>(a) who is certified in Advanced St. John Ambulance First Aid and in cardio-pulmonary resuscitation or who holds an equivalent qualification;</p> <p>(b) who is readily available; and</p> <p>(c) who does not perform other work of a nature that is likely to adversely affect the person’s availability to</p>	<ul style="list-style-type: none"> • Update clause 281.1(3)(a) to read “ who is certified in Standard St John Ambulance First Aid – Mine Rescue and in oxygen administration or who holds an equivalent qualification;” 	<ul style="list-style-type: none"> • The Advanced course currently referenced is no longer offered by St. John Ambulance. • The Standard Mine Rescue program, which includes cardio-pulmonary resuscitation, is considered appropriate for persons in charge of first aid rooms in underground mines.

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administer first aid.		<ul style="list-style-type: none"> In addition, these persons should complete the oxygen administration lesson which is not part of the new program.
<p>287. In sections 288 to 293,</p> <p>“radon daughters” means polonium-218 (RaA), lead-214 (RaB), bismuth-214 (RaC) and polonium-214 (RaC’); (“produits de filiation du radon”)</p> <p>“WL” means working level of radon daughters as determined in accordance with subsection 288 (1); (“unité alpha”)</p> <p>“WLM” means working level month of radon daughters as determined in accordance with subsection 288 (2). (“unité alpha-mois”)</p> <p>288. (1) One working level of radon daughters is the amount of any combination of radon daughters in one litre of air that will release 1.3×10^5 mega electron volts of alpha particle energy during their radioactive decay to lead-210 (RaD).</p> <p>(2) One working level month of radon daughters is the amount of a person’s exposure to radon daughters resulting from breathing air that contains one WL for a period of 170 hours.</p> <p>289. (1) Samples of air to which workers may be exposed in an underground mine shall be tested for the presence of radon daughters by a competent person.</p> <p>(2) The air to which workers may be exposed in an underground mine shall be tested,</p> <p>(a) before work begins in a mine that is being</p>	<ul style="list-style-type: none"> Change “radon daughters” to “radon progeny” 	<ul style="list-style-type: none"> The requirements would not substantively change. Rather, this would be simple change in terminology to reflect current nomenclature.

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<p>reopened; and</p> <p>(b) within six months after the commencement of excavation of a new mine.</p> <p>(3) The air to which workers may be exposed in an underground mine shall be retested,</p> <p>(a) at least monthly, if the concentration of radon daughters in a sample exceeds 0.1 WL; and</p> <p>(b) at least quarterly, if the concentration of radon daughters in a sample is greater than 0.06 WL up to and including 0.1 WL.</p> <p>(4) If the concentration of radon daughters in a sample is less than or equal to 0.06 WL, a competent person shall assess once a year whether to retest the air in the work area in the underground mine and in making the assessment shall consider previous test results and changes in the mine or its operations.</p> <p>(5) An employer shall keep a record of the results of all tests of samples of air in an underground mine and shall give a copy of all results to the joint health and safety committee or the health and safety representative, if any.</p> <p>(6) An employer shall post the results of all testing in a place where they are likely to come to the attention of workers as soon as the results become available and shall keep them posted for at least fourteen days.</p> <p>(7) Samples of air in an underground mine shall be tested for the presence of radon daughters by a competent person within one year after the date that this section comes into</p>		

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<p>force.</p> <p>(8) Subsection (7) does not apply with respect to an underground mine if in a previous test the concentration of radon daughters was less than or equal to 0.06 WL, if a competent person considers that a test is not necessary in the circumstances, having assessed previous test results and changes in the mine or its operations.</p> <p>290. (1) Every employer shall ensure that the airborne concentration of radon daughters to which workers may be exposed in an underground mine is reduced to the lowest practical level in accordance with good industrial hygiene practice.</p> <p>(2) An employer shall ensure that no worker who is continuously employed by the employer during a year inhales air which exposes the worker to more than one WLM.</p> <p>291. If the concentration of radon daughters to which a worker may be exposed in an underground mine exceeds 0.33 WL, the employer,</p> <ul style="list-style-type: none"> (a) shall immediately remove all workers from the affected area of the mine; (b) shall give written notice of the occurrence to the joint health and safety committee or health and safety representative, if any; (c) shall implement the measures and procedures required by subsection 255 (1); (d) shall provide the written instructions required by subsection 255 (3) to all workers assigned to do 		

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<p>remedial work; and</p> <p>(e) shall provide to workers doing remedial work and require the use of respiratory equipment appropriate to prevent or limit the workers' exposure to radon daughters.</p> <p>292. (1) An employer shall develop and implement in consultation with the joint health and safety committee or the health and safety representative, if any, a written description of work practices for a workplace at which the airborne concentration of radon daughters exceeds 0.1 WL.</p> <p>(2) The written description of work practices shall include procedures for investigating the cause of and reducing the level of the airborne concentration of radon daughters to the lowest practical level in accordance with good industrial hygiene practice.</p> <p>(3) An employer shall post the written description of work practices in a place where it is likely to come to the attention of all workers who may be affected by exposure to radon daughters.</p> <p>293. (1) This section applies with respect to a workplace where a written description of work practices referred to in section 292 has been implemented.</p> <p>(2) An employer shall train workers in radiation hazards and protection practices.</p> <p>(3) An employer shall calculate in WLMs the annual cumulative level of exposure of a worker who is exposed to an average concentration of radon daughters greater than 0.1 WL</p>		

Current Requirements	Proposed Regulatory Changes	Comments
<p>over a period of eight hours.</p> <p>(4) An employer shall keep a record of the information calculated under subsection (3) and shall give a copy of the record,</p> <p class="list-item">(a) to the worker or the next of kin or personal representative of a deceased worker, on receipt of a written request; and</p> <p class="list-item">(b) to the joint health and safety committee or the health and safety representative, if any.</p> <p>(5) An employer shall forward a copy of a record kept under subsection (4) to the National Dose Register established under the <i>Atomic Energy Control Act</i> (Canada).</p> <p>Note: On January 1, 2016, subsection 293 (5) of the Regulation is amended by striking out “National Dose Register established under the <i>Atomic Energy Control Act</i> (Canada)” and substituting “National Dose Registry administered by Health Canada’s Radiation Protection Bureau”.</p>		

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<p>SCHEDULE 68</p> <p>Regulation 854 of the Revised Regulations of Ontario, 1990 under the <i>Occupational Health and Safety Act</i></p> <table><tr><td>Item</td><td>Column 1</td><td>Column 2</td></tr><tr><td>1.</td><td>Fail to use fall arrest system</td><td>subsection 14 (1)</td></tr><tr><td>2.</td><td>Unprotected hazardous opening in floor or other surface</td><td>subsection 54 (2)</td></tr><tr><td>3.</td><td>Fail to use fall arrest system while in container of bulk material</td><td>clause 54 (2) (a)</td></tr><tr><td>4.</td><td>Fail to make workplace safe by scaling or other measures</td><td>subsection 67 (1)</td></tr><tr><td>5.</td><td>Unguarded opening in an underground mine</td><td>section 74</td></tr><tr><td>6.</td><td>Vertical height of working face more than 1.5 metres above equipment</td><td>clause 88 (1) (b)</td></tr><tr><td>7.</td><td>Fail to slope working face at angle of repose</td><td>clause 88 (2) (a)</td></tr><tr><td>8.</td><td>Vertical height of working face greater than 3 metres</td><td>clause 88 (2) (b)</td></tr><tr><td>9.</td><td>Undercut the working face</td><td>subsection 88 (3)</td></tr><tr><td>10.</td><td>Fail to remove loose material from rim of surface mine</td><td>subsection 91 (1)</td></tr><tr><td>11.</td><td>Fail to remove trees or vegetation from rim of surface mine</td><td>subsection 91 (1)</td></tr><tr><td>12.</td><td>Fail to sound warning of motor vehicle running on rails</td><td>clause 103 (d)</td></tr><tr><td>13.</td><td>Fail to wash face</td><td>subsection 136 (1)</td></tr><tr><td>14.</td><td>Fail to examine face for misfires and holes</td><td>subsection 136 (1)</td></tr><tr><td>15.</td><td>Drill within 160 mm of blasted holes</td><td>subsection 136 (4)</td></tr><tr><td>16.</td><td>Sample within 160 mm of blasted holes</td><td>subsection 136 (4)</td></tr><tr><td>17.</td><td>Electrical switches not locked and tagged</td><td>subsection 160 (1)</td></tr><tr><td>18.</td><td>Fail to provide flow of air to diesel unit by mechanical ventilation</td><td>subsection 183 (2)</td></tr><tr><td>19.</td><td>Unguarded moving part of machinery</td><td>subsection 185 (1)</td></tr><tr><td>20.</td><td>Fail to have automatic protective device on machinery</td><td>subsection 185 (2)</td></tr><tr><td>21.</td><td>Fail to guard conveyor pulley</td><td>clause 196 (2) (d)</td></tr></table>			Item	Column 1	Column 2	1.	Fail to use fall arrest system	subsection 14 (1)	2.	Unprotected hazardous opening in floor or other surface	subsection 54 (2)	3.	Fail to use fall arrest system while in container of bulk material	clause 54 (2) (a)	4.	Fail to make workplace safe by scaling or other measures	subsection 67 (1)	5.	Unguarded opening in an underground mine	section 74	6.	Vertical height of working face more than 1.5 metres above equipment	clause 88 (1) (b)	7.	Fail to slope working face at angle of repose	clause 88 (2) (a)	8.	Vertical height of working face greater than 3 metres	clause 88 (2) (b)	9.	Undercut the working face	subsection 88 (3)	10.	Fail to remove loose material from rim of surface mine	subsection 91 (1)	11.	Fail to remove trees or vegetation from rim of surface mine	subsection 91 (1)	12.	Fail to sound warning of motor vehicle running on rails	clause 103 (d)	13.	Fail to wash face	subsection 136 (1)	14.	Fail to examine face for misfires and holes	subsection 136 (1)	15.	Drill within 160 mm of blasted holes	subsection 136 (4)	16.	Sample within 160 mm of blasted holes	subsection 136 (4)	17.	Electrical switches not locked and tagged	subsection 160 (1)	18.	Fail to provide flow of air to diesel unit by mechanical ventilation	subsection 183 (2)	19.	Unguarded moving part of machinery	subsection 185 (1)	20.	Fail to have automatic protective device on machinery	subsection 185 (2)	21.	Fail to guard conveyor pulley	clause 196 (2) (d)	<ul style="list-style-type: none">The existing offences listed need to be amended to include reference to specific workplace parties, like the other schedules relating to OHSA set out in Regulation 950 under the POAThere are a number of typographical errors that need to be corrected as well.	<ul style="list-style-type: none">The intent is to make Schedule 68 consistent with other schedules relating to OHSA set out in the regulation and to correct any typographical errors.The proposal, if approved, would not create new offences that are not related to those currently listed or covered under the schedule.
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11.	Fail to remove trees or vegetation from rim of surface mine	subsection 91 (1)																																																																				
12.	Fail to sound warning of motor vehicle running on rails	clause 103 (d)																																																																				
13.	Fail to wash face	subsection 136 (1)																																																																				
14.	Fail to examine face for misfires and holes	subsection 136 (1)																																																																				
15.	Drill within 160 mm of blasted holes	subsection 136 (4)																																																																				
16.	Sample within 160 mm of blasted holes	subsection 136 (4)																																																																				
17.	Electrical switches not locked and tagged	subsection 160 (1)																																																																				
18.	Fail to provide flow of air to diesel unit by mechanical ventilation	subsection 183 (2)																																																																				
19.	Unguarded moving part of machinery	subsection 185 (1)																																																																				
20.	Fail to have automatic protective device on machinery	subsection 185 (2)																																																																				
21.	Fail to guard conveyor pulley	clause 196 (2) (d)																																																																				

How to Participate

The consultation period ends on **January 15, 2016**.

Send us your comments:

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Fax: 416-326-7650

Write to us:

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Health and Safety Policy Branch
Mining Health and Safety Regulatory Amendment Project
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Notice to Consultation Participants

Submissions provided to the Ministry of Labour ("ministry") in the context of this consultation are intended to facilitate the ministry's development of proposed amendments to the Mines and Mining Plants Regulation. This process may involve the ministry publishing your submissions or summaries of submissions (in hard copy and on the internet). In addition, the ministry may disclose your submissions to third parties as part of the consultation process or where required by law.

If you identify yourself or other individuals in the body of the submission, this identifying information may be published or otherwise disclosed to the public. Any name and contact information provided outside of the body of the submission will not be disclosed by the ministry unless required by law. Any individual who provides a submission and indicates an affiliation with an organization will be considered a representative of that organization and his or her name and other identifying information may be published or otherwise disclosed.

Personal information collected during this consultation is under the authority of Section 70 of the Occupational Health and Safety Act and is in compliance with Section 38 (2) of the Freedom of Information and Protection of Privacy Act.

If you have any questions regarding privacy matters, you may contact the ministry's Freedom of Information and Privacy Office at 416-326-7786.