



Mining webinar: New requirements for Ontario mines January 1, 2017

Welcome to the webinar: New regulations for Ontario mines in effect January 1, 2017

- Thank you for joining us!
- We will be getting started at **10:00 a.m. EST**
- To access the audio portion of this webinar, please phone:
 - **1-866-613-5223**
 - Access code: **3755200 #**
- We will have the phone lines on mute for the presentation.
- If you have any questions, please use the **Chat Box** in the top right corner of the screen.
- For assistance with the webinar, phone the WSN office at:
 - **1-888-730-7821 ext. 0**

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Housekeeping notes

- Please note the 'CHAT BOX' in the top right hand corner of your screen. At any time during the presentation, feel free to type in your questions. We will try to answer some questions as we go, but most will be answered right after the presentation.
- During the webinar, *the phone line is set up so that you're able to hear us, but we can't hear you.* Please use the chat box for questions or assistance with the webinar.
- For your reference, this presentation will be available for download at workplacesafetynorth.ca under the 'Resources' tab the day after the webinar.

Agenda

- Introduction and overview of new regulations for Ontario mines in effect January 1, 2017
- Ontario Ministry of Labour presentation
- Workplace Safety North information and resources
- Q & A

New Requirements January 1st, 2017

The Mining Regulation

***Workplace Safety North
Webinar
December 21, 2016***

IMPORTANT NOTE:

- ❑ For information purposes, this presentation references specific sections of Regulation 854 (Mines and Mining Plants) made under the Occupational Health and Safety Act (OHSA) to provide information on key requirements that will be part of Ministry of Labour (MOL) inspectors' future activities. It is the employer's responsibility to be aware of all relevant requirements that are set out under the OHSA and its regulations. Please see the notice on slide 24.
- ❑ MOL inspectors will also be checking for compliance with requirements under the OHSA and its regulations including the new requirements that come into force January 1, 2017.
- ❑ Inspectors will take enforcement action, as appropriate, if they find violations of the OHSA and any of its regulations.

Background Information

Over the past year, various amendments have been made to Regulation 854 (Mines and Mining Plants) under the Occupational Health and Safety Act. The amendments:

- Implement recommendations made by the Mining Legislative Review Committee;

- Implement recommendations from the Mining Health, Safety and Prevention Review (“the Review”) Final Report regarding risk assessments and requirements for certain high hazards, including water management, traffic management and recording of seismic events;

Background Information

Continued;

- Enhance and clarify requirements regarding conveyors, specifically requirements for guarding and emergency stopping devices/pull cords;
- Update training requirements for surface diamond drill operations to reflect changes to the modular training program made by the Ministry of Advanced Education and Skills Development (MAESD) (formerly the Ministry of Training, Colleges and Universities (MTCU));

Background Information

Select Recommendations from the Review

- ❑ 1.2. The Ministry of Labour to require employers in the mining sector to conduct risk assessments, which would include measures and procedures to control the risks identified in the assessment as likely to expose a worker to injury and illness.

- ❑ The joint health and safety committee, health and safety representative, union, if any, or workers, be consulted on the risk assessment. Employer risk reassessments to be done as often as necessary to ensure programs that result from the assessment continues to protect workers.

Select Recommendations from the Review, cont.

- ❑ 1.5. The Ministry of Labour to require that mining employers to address the priority hazards identified in the risk ranking exercise:
 - ❑ Enhance ground control protection by identifying key elements in the control of hazards, and requiring employers to maintain a record of significant seismic events in addition to incidents of ground instability
 - ❑ Require employers to prepare a formal plan to manage hazards that cause occupational illness, including requirements for worker and supervisor training and communication

Select Recommendations from the Review, cont.

- Require all underground mines employers to have in place a formal water management program

- Specify that precautions be taken by employers to guard against the accumulation of water in bins, ore and waste passes and chutes

- Require all underground mines to have in place a formal traffic management plan.

Regulation 854 Mines and Mining Plants

Note: On January 1, 2017, the Regulation is amended by adding the following sections:

5.1 (1) An employer shall conduct a risk assessment of the workplace for the purpose of identifying, assessing and managing hazards, and potential hazards, that may expose a worker to injury or illness.

(2) A risk assessment must take into consideration the nature of the workplace, the type of work, the conditions of work at that workplace and the conditions of work common at similar workplaces.

(3) The results of an assessment must be provided, in writing, to the joint health and safety committee or the health and safety representative, if any.

Regulation 854 Mines and Mining Plants

5.1 (4) If no joint health and safety committee or health and safety representative is required at the workplace, the results of an assessment must be communicated to workers at the workplace and provided, in writing, to any worker at the workplace who requests them.

(5) The requirement in subsection (1) to conduct a risk assessment is in addition to any specific assessments required by the Act or any Regulation made under it.

5.2 (1) An employer shall, in consultation with the joint health and safety committee or the health and safety representative, if any, develop and maintain measures to eliminate, where practicable, or to control, where the elimination is impracticable, the hazards, and potential hazards, identified in a risk assessment conducted under subsection

Regulation 854 Mines and Mining Plants

5.2 (2) The measures referred to in subsection (1) shall be put in writing and shall include each of the following, as applicable and reasonable in the circumstances:

1. Substitution or reduction of a material, thing or process.
2. Engineering controls.
3. Work practices.
4. Industrial hygiene practices.
5. Administrative controls.
6. Personal protective equipment.

Regulation 854 Mines and Mining Plants

(3) Personal protective equipment shall only be used as a measure if the measures referred to in paragraphs 1 to 5 of subsection (2) are not obtainable, are impracticable or do not eliminate or fully control hazards and potential hazards.

5.3 (1) The risk assessment required by section 5.1 must be reviewed as often as necessary and at least annually.

(2) When conducting the review, the employer shall ensure that,

Regulation 854 Mines and Mining Plants

- (2) When conducting the review, the employer shall ensure that,
- (a) new hazards or new potential hazards are assessed;
 - (b) existing hazards or potential hazards that have changed are re-assessed; and
 - (c) the measures required by section 5.2 continue to effectively protect the health and safety of workers.
- (3) Subsections 5.1 (3) and (4) and section 5.2 apply with necessary modifications in respect of any new hazards and potential hazards and any existing hazards or potential hazards that have changed.

Regulation 854 Mines and Mining Plants

Note: On January 1, 2017, section 72 of the Regulation is revoked and the following substituted:

72. (1) In the event of an occurrence listed in subsection (2) at an underground mine, a record of that occurrence shall be kept in writing and shall provide the following:

1. The time, location and extent of the occurrence.
2. A description of any injuries caused to workers.
3. Any other relevant information, including the records of any monitoring instruments or devices before the occurrence.

Regulation 854 Mines and Mining Plants

(2) For the purposes of subsection (1), the following are considered occurrences:

1. A rockburst.
2. An uncontrolled fall of ground.
3. A seismic event that is of a magnitude that is likely to cause significant rock mass damage or may compromise the effectiveness of the ground support system.
4. A seismic event that occurs in or near an active area of a mine that is of a magnitude that may cause ground instability.

Regulation 854 Mines and Mining Plants

Note: On January 1, 2017, section 87 of the Regulation is revoked and the following substituted:

87. (1) A workplace in an underground mine shall,

(a) be kept free from accumulations or flows of water which might endanger a worker in the area; and

(b) have a water removal and drainage system to remove excess or unwanted water from the mine to the surface through a pumping system or by other means.

(2) The water removal and drainage systems referred to in clause (1) (b) shall be maintained in good condition.

Regulation 854 Mines and Mining Plants

(3) A positive displacement water pump shall be equipped with a relief valve or system.

(4) Any drain hole in an underground mine shall be,

(a) clearly marked by signs that are visible, readable by workers and clearly distinguished from their surroundings; and

(b) identified on any drawings, plans and specifications relating to that area of the mine.

Regulation 854 Mines and Mining Plants

(5) An employer and supervisor shall take all reasonable precautions in the circumstances to do the following:

1. Prevent an accumulation or flow of water, either of which might endanger a worker.
2. Guard against an accumulation of water in a chute, raise or waste or ore pass where material in the chute, raise or waste or ore pass may block drainage.
3. Control an accumulation or flow of water in areas of a mine where an accumulation or flow of water is likely to be present.

Regulation 854 Mines and Mining Plants

(6) Where an accumulation of water is likely to be present, a borehole shall be drilled at least six metres ahead of the working face to protect against a sudden breakthrough of water.

(7) A drill or blast hole that is located in an area of the mine where an accumulation or flow of water is likely to be present shall be identified on any drawings, plans and specifications relating to that area of the mine.

(8) A drill or blast hole that could allow water to enter a chute, raise or waste or ore pass shall be filled or plugged to prevent water from entering the chute, raise or waste or ore pass.

Regulation 854 Mines and Mining Plants

- (9) If, despite the requirements in subsections (1), (5), (6), and (8), an accumulation or flow of water that may endanger a worker occurs in an area of an underground mine,
- (a) the employer shall ensure that the supervisor for that area is informed of the accumulation or flow of water;
 - (b) the employer shall ensure that all workers in that area are notified of the accumulation or flow of water;
 - (c) the employer shall ensure that the area is adequately barricaded to prevent access; and
 - (d) the employer and the supervisor shall not permit any worker to enter that area unless the purpose of the work directly relates to the management and removal of the water and all reasonable precautions in the circumstances have been taken for the protection of such workers.

Regulation 854 Mines and Mining Plants

87.1 (1) An owner of an underground mine shall, in consultation with the joint health and safety committee or health and safety representative, if any, develop and maintain a written water management program.

(2) The program shall include measures and procedures to,

- (a) identify areas of the mine where water is likely to accumulate;
- (b) control the volume of water that may enter the mine, either naturally or as a result of the mining process;
- (c) prevent unwanted or uncontrolled flows of water in all areas of the mine;
- (d) effectively and safely manage and remove water that poses a risk of injury to a worker; and
- (e) maintain water removal and drainage systems and all of the components of such systems.

Regulation 854 Mines and Mining Plants

(3) A copy of the program shall be provided to the joint health and safety committee or health and safety representative, if any, and shall be kept readily available at the mine site.

(4) Subject to subsection (5), the program shall be reviewed at least annually.

(5) The program shall be reviewed as soon as possible following any significant alteration to the water removal or drainage system and if such a review is required, the next annual review required by subsection (4) shall be within one year of the date of the review under this subsection.

Regulation 854 Mines and Mining Plants

Note: On January 1, 2017, the Regulation is amended by adding the following section:

105.1 (1) An employer at a mine shall, in consultation with the joint health and safety committee or health and safety representative, if any, develop and maintain a written traffic management program.

(2) The program shall include measures and procedures to,

(a) prevent collisions, of motor vehicles, that may endanger the health and safety of workers by addressing hazards relating to reduced or impeded visibility of motor vehicle operators; and

Regulation 854 Mines and Mining Plants

(b) protect the health and safety of workers and pedestrians who may be endangered by the movement of a motor vehicle.

(3) A copy of the program shall be provided to the joint health and safety committee or health and safety representative, if any, and shall be kept readily available at the mine site.

(4) The program shall be reviewed at least annually.

Disclaimer

LEGAL DISCLAIMER: *This document has been prepared to assist workplace parties in understanding some of their obligations under the [Occupational Health and Safety Act](#) (OHSA) and the regulations. It is not intended to replace the OHSA or the regulations and reference should always be made to the official version of the legislation.*

It is the responsibility of the workplace parties to ensure compliance with the legislation. This document does not constitute legal advice. If you require assistance with respect to the interpretation of the legislation and its potential application in specific circumstances, please contact your legal counsel.

Ministry of Labour inspectors will apply and enforce the OHSA and its regulations based on the facts as they may find them in the workplace. This document does not affect their enforcement discretion in any way.

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Upcoming Risk Assessment courses



[Think Safe: Operational level risk assessment in mining](#)
January 24-25 in Sudbury

[Think Safe: Operational level risk assessment in mining](#)
February 1-2 in Timmins

Upcoming events

- [Jan 11: webinar to prepare for MOL inspection blitz – Mine Plants – Safe Work Practices for Processing](#)
- Jan 12: MOL annual consultation with mining industry – event and webinar
- [Apr 1: End of two-year transition period for employers to ensure certain workers receive Working at Heights Safety Training as per Construction Projects Regulation.](#)
- [Apr 18-20: Mining Health and Safety Conference in Sudbury - Register](#)

Helpful information

The screenshot shows the Workplace Safety North website. At the top, there is a navigation bar with links for Home, Accessibility, Links, Contact, Careers, Services en français, and A DISPLAY OPTIONS. A search bar is located on the right. Below the navigation bar is the Workplace Safety North logo and the tagline 'YOUR PREVENTION PARTNER'. A shopping cart icon shows 'No items'. A login section includes fields for USERNAME and PASSWORD, a 'Remember me' checkbox, and a 'Forgot your password?' link. A main menu contains links for ABOUT, NEWS, EVENTS, PUBLICATIONS, TRAINING, CONSULTING, PRODUCTS, and RESOURCES. The 'Free Resources' page is active, showing a sidebar with resource categories: RESOURCES, FORESTRY STATISTICS, MINING STATISTICS, PAPER, PRINTING AND CONVERTING STATISTICS, PRIORITY HAZARDS, and LAKEHEAD REGIONAL SAFETY COUNCIL. The main content area features a 'FREE RESOURCES' heading, a 'Disclaimer' section, and a paragraph explaining that resources are collected from WSN legacy organizations (MASHA, OFSWA, PPHSA) and are provided as free tools. A link for 'Forestry health and safety statistics in Ontario' is provided at the bottom.

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PAPER, PRINTING AND CONVERTING STATISTICS

PRIORITY HAZARDS

LAKEHEAD REGIONAL SAFETY COUNCIL

FREE RESOURCES

Disclaimer

These resources have been collected from WSN legacy organizations--Mines and Aggregates Safety and Health Association (MASHA), Ontario Forestry Safe Workplace Association (OFSWA), and the Pulp and Paper Health and Safety Association (PPHSA)--conferences, symposiums, webinars, as well as health and safety material referenced over the years.

While much of the information is still valuable, users should recognize that examples, contact information and data such as legislative references may be out of date. The resources are offered as free tools for companies to use to continuously improve their health and safety systems, but users need to confirm most recent legislation, equipment and processes, as well as current practices.

Resources include downloadable safety talks, posters, checklists, guidelines, brochures, and more. Please feel free to share and help make Ontario workplaces safer.

[Forestry health and safety statistics in Ontario](#)

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Thanks for your time. Questions? Comments?