

Mining Health and Safety Regulatory Amendment Proposal

Introduction

The Ministry of Labour, Training and Skills Development (MLTSD) is proposing to amend various requirements that apply to mines and mining plants under the [Occupational Health and Safety Act](#). The proposed changes would increase flexibility, better reflect current technology and reduce regulatory burden, while maintaining or improving worker health and safety.

Background

[Regulation 854](#) (Mines and Mining Plants) under the OHS Act generally applies to all mines and mining plants and to mining development in Ontario. Due to the serious and in some cases unique hazards faced by workers in the mining sector, the regulation sets out sector-specific requirements that protect the health and safety of workers at Ontario mines and mining plants.

Most of these proposals are the result of consensus-based recommendations made by the Mining Legislative Review Committee (MLRC). The MLRC is established under Section 21 of the OHS Act to advise the Minister about occupational health and safety issues related to the mining sector. The MLRC is comprised of both labour and management representatives from the mining industry. As part of its mandate, the MLRC reviews Regulation 854 and recommends potential amendments on an on-going, as-needed basis.

In a few instances, the MLRC has not yet reached consensus on some of the contents of the proposals outlined in this paper. The ministry continues to work on developing these proposals further in consultation with the MLRC. These instances are noted in this consultation document. The feedback received during this consultation will be used to help the ministry facilitate continued discussions with the MLRC and finalize recommendations about these proposals.

Summary of Proposal

The Ministry of Labour, Training and Skills Development is proposing various amendments to Regulation 854 (Mines and Mining Plants) under the *Occupational Health and Safety Act* (OHS Act). If approved, the proposed amendments would:

- Amend ventilation requirements, including those that apply where diesel-powered equipment is operating, to increase flexibility, reflect current technology and reduce regulatory burden while maintaining or strengthening worker health and safety protections from related hazards.
- Implement several recommendations from the final report of the Mining Health, Safety and Prevention Review, including those relating to management of change, airborne hazard management, as well as ground control and seismic monitoring.

Ministry of Labour, Training and Skills Development

- Add specific requirements for independently powered conveyances and allow for more flexible and less burdensome testing requirements where that equipment is used for emergencies only.
- Implement several recent recommendations from Coroner's Juries, including proposed provisions requiring the recording of unremedied dangers by supervisors, visual switch indicators on rail tracks, and dissipating stored energy before work is done on machines.
- Amend provisions dealing with certain equipment related to mine hoists to increase flexibility and reflect current technology, including safety catches and devices that measure the drive motor load on hoists.
- Allow for the use of electronic devices to conduct examinations in a raise where drilling and blasting is taking place.
- Strengthen, clarify and update explosives security and storage requirements.
- Clarify existing requirements for ladderways on surface.
- Clarify requirements for eye wash facilities and emergency showers and harmonize them with similar requirements in Regulation 851 (Industrial Establishments).
- Revoke several provisions that are redundant or duplicative with other requirements, thereby reducing regulatory burden.
- Update various references to industry standards to keep them up-to-date.
- Amend various provisions to update terminology and/or clarify requirements.

Details of Proposed Regulatory Amendments

1. Ventilation and Diesel-Powered Equipment

These potential amendments to requirements for ventilation systems and concerning diesel-powered equipment are currently in development. The ministry continues to work on these proposals with the MLRC to try to achieve consensus-based recommendations. Your views on the following issues and topics will be considered as part of these discussions and the regulatory development process.

A. Diesel-Powered Equipment Provisions (Current Sections 182, 183 and 183.2)

- Update references to the CSA Standard M424.2 “Non-Rail-Bound Diesel-Powered Machines for use in Non-Gassy Underground Mines” to the 2016 version and remove the existing exemptions from certain sections (currently in section 182) so that the entire standard would apply to non-railbound diesel-powered equipment first used underground after June 1, 1995.
- Replace the current requirement in subsection 182(1) to complete a prescribed form from the ministry and instead require that records of diesel-powered equipment be kept by the mine detailing information such as:
 - the make, model and serial number of the equipment and of any emission control devices used with the equipment;
 - the rated power, rated RPM, maximum fuel injection rate and certified ventilation rate; and
 - the capacity of the fuel tank(s) and hydraulic fluid tank(s).

While it would no longer be required in the regulation, the existing diesel equipment form would still be able to be used as a resource to satisfy this requirement if a mine wanted.

- Replace the existing requirement in section 183 to complete a chart of procedures, with a requirement that employers at underground mines keep and maintain the following information relating to diesel-powered equipment used:
 - the volume of air flowing in the underground haulageways and workings where the equipment is operating; and
 - the total ventilation requirements for the equipment when it is operating in a single continuous course of air.

The information would need to be provided directly to the operators of the diesel-powered equipment or otherwise made available in a readily accessible format.

- Replace the current requirement under subsection 182(4) that diesel fuel meet Canadian General Standards Board National Standard of Canada CAN/CGSB

3.517-2013 “Diesel Fuel” with a performance-based requirement that diesel fuel used in equipment underground must have a flash point of 52°C or higher and a fuel density of 820 to 840 kg/m³.

- Clarify existing testing requirement for diesel-powered equipment, and add a requirement that an employer test the undiluted exhaust discharging from diesel-powered equipment into the atmosphere to ensure that it contains less than either 50 or 60 parts per million by volume of nitrogen dioxide in addition to the existing requirement that it contain less than 600 parts per million by volume of carbon monoxide.

Question

There is currently no consensus about whether the threshold for the tail pipe test should be 50 parts per million by volume or 60 parts per million by volume. In your view, what should the threshold for this equipment test be and what would be the implications for your operation in either case?

B. Air Flow Requirements for Diesel-Powered Equipment (Current Section 183.1)

- Replace the current air flow requirements in section 183.1 with a new approach that would require that employers ensure a mechanical ventilation system produces a flow of air in accordance with the following rules:
 - For equipment certified in accordance with CSA Standard M424.2-16, the flow of air would need to at least equal to the recommended ventilation rate as appears on the certificate of homologation provided by CanmetMINING, Natural Resources Canada.
 - For equipment that is not certified in accordance with the CSA Standard, the flow of air would need to be at least 0.06 cubic metres per second for each kilowatt of power of the equipment, as is currently required.
 - For equipment that has been subsequently modified with a diesel particulate filter or similar after-treatment device, but has not been certified or recertified in accordance with the CSA Standard, the employer shall determine a suitable flow of air, in consultation with the joint health and safety committee or health and safety representative, if any, based on:
 - the applicable rates for the equipment prior to modification;
 - good engineering practice; and
 - the results of testing performed on the equipment, including emission levels produced by the equipment after the installation of a diesel particulate filter or similar after-treatment device. The information, testing results and calculations used to determine flow of air under this rule would need to be kept readily available at the mine site.

- Where more than one piece of diesel-powered equipment is operating in a single continuous course of air in an underground mine, the flow of air must be at least equal to the cumulative ventilation rates as determined under the proposed new rules for each piece of equipment.

A diesel particulate filter or after-treatment device referred to under the new provision would need to be maintained in accordance with the manufacturer's recommendations. The employer would also need to ensure that each piece of diesel-powered equipment has the flow of air posted in a location on the equipment that is visible to and readable by the operator.

C. Occupational Exposure Limit for Elemental Carbon (Current Section 183.1)

- Replace the current exposure limit set out in subsection 183.1(5), which is based on not exceeding 0.4 milligrams per cubic metre of air for total carbon, with a requirement that, where diesel-powered equipment is operating, the time-weighted average exposure of a worker to elemental carbon shall not be more than 0.12 milligrams per cubic metre of air. This proposed limit is based on a 2018 consultation regarding adopting a general occupational exposure limit for total carbon of 0.16 milligrams per cubic metres of air in Regulation 833 (Control of Exposure to Biological and Chemical Agents).

Question

Please let us know your views about a proposed limit for elemental carbon of 0.12 milligrams per cubic metres of air. Do you agree with the limit? Should it be lowered – either now or in the future? What would be the implications to your operation in either case?

D. General Ventilation Requirements (Current Sections 252, 253, 254, and 286)

- Replace existing sections 252, 253, and 254 which set out general ventilation requirements with a streamlined provision that would apply to ventilation systems in mining plant buildings and underground mines. In addition to the current requirement to provide an oxygen content in the atmosphere of at least 19.5 per cent, the proposed section would clarify functional aspects of the ventilation system, including that it must clear workplaces of contaminants after a blast, that it not recirculate contaminated air, that it be independent of air supplied to a drill or machine, and that it be initiated prior to workers entering a workplace. The existing requirements for plans and records, currently set out in sections 252 and 253 would be retained, although they would be slightly revised for clarity.
- Revoke existing requirements in section 286, which would now be addressed under the new general ventilation requirements.

- Remove the cross-references to Regulation 833 (Control of Exposure to Chemical and Biological Agents) from several provisions. The requirements of that regulation, including occupational exposure limits and the hierarchy of controls for biological and chemical agents, would continue to apply in mines and mining plants.

E. New Procedure to Manage Heat and Miscellaneous Amendments

- Add a new provision requiring that mine or mining plants, in consultation with the joint health and safety committee or health and safety representative, if any, develop and maintain a procedure for managing the heat/temperature in the workplace to protect the health and safety of workers.
- Clarify the wording in section 184 (exhaust from internal combustion engines), section 255 (unventilated areas) and section 261 (battery charging stations) to make them easier to understand without changing the substantive requirements.

2. Airborne Hazard Management Program

The following proposal is a consensus-based recommendation by the MLRC. The proposal, if approved, would implement one of the recommendations from the Mining Health, Safety and Prevention Review's final report.

- Add a requirement for employers at mines and mining plants to develop and maintain an airborne hazard management program in consultation with the joint health and safety committee or health and safety representative, if any, similar to existing program requirements for water management (section 87.1) and traffic management (section 105.1).
- The airborne hazard management program would need to:
 - set out the airborne hazards and potential airborne hazards that have been identified and assessed as part of the workplace risk assessment required under section 5.1;
 - list the measures that have been developed to eliminate and control the airborne hazards or potential airborne hazards as required under section 5.2;
 - set out the number, frequency and locations of testing, monitoring or sampling;
 - identify the persons responsible for implementing the program, including any testing, monitoring or sampling required and set out training and instruction that must be completed by them; and
 - include measures and procedures to be used to,

- monitor the effectiveness of and measure the performance of those controls; and
 - maintain control systems and all of the components of such systems.
- The airborne hazard management program would need to be reviewed at least annually, or as soon as possible after changes have been made to:
 - mining processes, work methods or to the ventilation system that result in new airborne hazards or changes to existing airborne hazards; or
 - the biological or chemical substances in the workplace that affect airborne hazards.
 - A copy of the airborne hazard management program would need to be provided to the joint health and safety committee or health and safety representative, if any.
 - A worker would need to be provided with information and instruction on the contents of the airborne hazard management program that is appropriate for the worker.

3. Management of Change

The following proposal is the result of a consensus-based recommendation by the MLRC. The proposal, if approved, would implement one of the recommendations from the Mining Health, Safety and Prevention Review's final report.

- Replace the current subsections 5 (1), (2) and (2.1) with a requirement that the owner of a mine or mining plant ensure that a written management of change procedure has been developed before proceeding with:
 - the construction or design of a mine or mining plant, or of a major structure or system at the mine or mining plant;
 - the introduction or use of a new mining technique, method, technology, process or equipment; or
 - a major addition or alteration to any item mentioned above.
- The management of change procedure would need to set out how,
 - the hazards or potential hazards associated with the changes will be evaluated and reviewed to ensure the protection of worker health and safety;
 - the joint health and safety committee or health and safety representative, if any, will be notified of the proposed changes, and
 - the changes will be authorized, and how that authorization will be communicated to workers, prior to implementation.

- The intent is to maintain the current role of the professional engineer in preparing necessary documentation, as appropriate, but would also recognize potential involvement of other experts or workplace parties (hygienists, equipment specialists, management system specialists, assigned operations and maintenance personnel and/or Joint Health and Safety Committee members or Health and Safety Representatives) depending on the nature of the change.
- Any relevant drawings, plans and specifications, including those prepared or checked by a professional engineer, would need to be kept readily available at the mine site.
- The proposal would not substantively change the existing notification requirements currently set out in subsection 5(3).

4. Ground Control Amendments and Seismic Risk Management Program

The following proposals are consensus-based recommendations by the MLRC. The proposal, if approved, would implement one of the recommendations from the Mining Health, Safety and Prevention Review's final report.

- Amend subsection 6 (2) to clarify that the mine design must be prepared by a professional engineer as opposed to a competent person. Clause 6 (2.1) (a) would also be amended to clarify that the mine design must describe the geotechnical aspects of the mine, in addition to the geology of the mine.
- Amend section 72, which requires the recording of rockbursts, uncontrolled falls of ground and certain seismic events so that it applies to surface mines that produce metallic ore, in addition to underground mines. This proposal would align section 72 and section 6 by having both sections apply to same mine types.
- Add a requirement for owners at underground mines to develop and maintain an seismic risk management program in consultation with the joint health and safety committee or health and safety representative, if any, similar to existing program requirements for water management (section 87.1) and traffic management (section 105.1).
- The seismic risk management program would need to:
 - set out how areas of the mine that have the highest levels of seismic risk and activity are to be identified;
 - describe or list those areas of the mine and set out mitigation plans for them;

- set out how microseismic activity will be monitored and how frequently the data will be analysed;
- identify the persons responsible for implementing the program, including the persons responsible for responding to seismic events and rockbursts;
- set out how seismic events and rockbursts are to be documented and where the resulting documentation will be kept; and
- establish a re-entry protocol following seismic events or rockbursts, and clearly set out how and when the re-entry protocol applies.

If a microseismic monitoring system is to be used, the program also needs to include the measures and procedures that will be used to assess the effectiveness of and measure the performance of the system, and those used to maintain the system and its components.

- The seismic risk management program would need to be reviewed at least annually, or as soon as possible after:
 - the identification of any new seismic risks by the risk assessment required under section 5.1;
 - the failure of any measure or control for seismic risks required under section 5.2; or
 - the identification of new zones or areas of the mine that are expected to be seismically active under subsection 6(1).
- A copy of the seismic risk management program would need to be provided to the joint health and safety committee or health and safety representative, if any.
- A worker would need to be provided with information and instruction on the contents of the seismic risk management program that is appropriate for the worker.

5. Independently Powered Conveyances (IPCs) and other Hoisting Provisions

The following proposal is the result of consensus-based recommendations by the MLRC. The proposal, if approved, would clarify existing requirements regarding IPCs, and would reduce burden and provide flexibility when an IPC is used only for emergency purposes.

- Add requirements that all independently powered conveyances must:
 - have a source of power that is independent of the main source of power;
 - be capable of safely transferring persons up and down in a shaft to a location from which they can safely exit the shaft; and
 - be readily available for use.

- In addition, the new provision would clarify that an independently powered conveyance that is used for emergency purposes only and is part of a mine hoisting plant would not have to meet the requirements in section 203-250 but would rather have to be:
 - certified by a professional engineer before its first use;
 - designed and manufactured in accordance with appropriate engineering standards; and
 - examined, maintained, operated and tested regularly in accordance with good industry practices and with the manufacturer's recommendations. Records of the examinations and tests would need to be made and maintained.
- It is proposed that independently powered conveyances that are used for emergency purposes would need to meet certain performance-based requirements, rather than the more prescriptive requirements that apply generally to mine hoisting plants. This would accommodate differences in testing and maintenance frequencies when an IPC is not regularly used or permanently installed.
- Amend subsection 226 (10), which currently requires ammeters on electrically powered hoists, with a requirement that these hoists be equipped with a device that measures the load on the hoist drive motor at all times and that the measurement shall always be within plain view of the hoist operator.
- Amend sections 232 and 248 to replace the phrase "safety dogs" with "safety catches and mechanisms" to reflect current technology and improve harmonization with other Canadian jurisdictions. The underlying testing and examination requirements for these hoist components would not change.

6. Eye Wash Facilities and Emergency Showers

The following proposal is the result of a consensus-based recommendation by the MLRC. The proposal, if approved, would increase harmonization with similar requirements in Regulation 851 (Industrial Establishments).

- Amend section 282 to require that, where a worker is required to work with, or is likely to be exposed to, a hazardous biological or chemical agent that could cause injury to a worker, an employer shall provide as many of the following as are needed for adequate emergency treatment:
 - Eye wash facilities.
 - Emergency showers.
 - Antidotes, flushing fluids or washes.
- The emergency equipment or treatments listed above would need to be:
 - Be clearly marked with a sign or label;

- Be located or installed in a conspicuous place near where the hazardous biological or chemical agent is kept or used;
 - Be readily accessible to workers; and
 - Have instructions for its use displayed on the equipment or treatment or as near to it as is practical.
- Unlike the current requirements, which only apply to mining plants, the proposed requirements would apply to all mines as well as mining plants.

7. Ladderways on Surface

The following proposal is the result of a consensus-based recommendation by the MLRC. The proposal, if approved, would clarify requirements for ladderways at surface mines, mining plants and surface areas of underground operations.

- Amend section 48 to clarify that the following rules apply to ladderways that are not in underground mines:
 - where a worker is exposed to the hazard of falling more than three metres, the ladderway shall be fixed in place and be provided with either a safety cage or a protective device which will prevent a worker from falling.
 - where a ladderway is 7 metres or longer and at an angle steeper than seventy degrees to the horizontal, the ladderway would need to be provided with platforms at intervals not greater than seven metres.
 - wherever platforms are used in conjunction with a ladderway,
 - the ladders shall be offset;
 - a platform shall be provided at each place where ladders are offset; and
 - the platform shall be not less than 600 millimetres in width by 1.2 metres in length.

8. Security and Storage of Explosives

These potential amendments to explosives security and store requirements are currently in development. The ministry continues to work on these proposals with the MLRC to try to achieve consensus-based recommendations. Your views on the following issues and topics will be considered as part of these discussions and the regulatory development process.

- Update the references in sections 123 and 129 to the federal requirements under the *Explosives Act (Canada)* and its regulations, and the related standards for storage and quantity distances, which were updated in 2015. Rather than include

references to the latest version of the federal standards, it is proposed that a general or “rolling” reference to the standards would be included so that mines would need to meet the current federal standards going forward. This would also keep the regulation up-to-date without needing future amendments.

- Update the reference to the Ontario Electrical Safety Code in section 129 to the most recent version, and specifically the 27th edition (2018).
- The ministry and the MLRC are currently exploring options that would building on the current requirement to have a procedure in section 125, and would require underground mines to address issues such as
 - what security measures are in place for explosives
 - how access to explosives will be controlled; and
 - how the inventory of explosives will be controlled.

One option would be to require written procedures be in place. Another would be to require a program, similar what is required for water management or traffic management, that covers these topics. The joint health and safety committee or health and safety representative would need to be consulted in either case, and a copy of the final product would need to be provided to the joint health and safety committee or health and safety representative, if any. A worker would need to be provided with information and instruction that is appropriate for the worker.

Question

Do you have any comments or preferences regarding either of these options?

- Amend section 121 to reflect the fact that Natural Resources Canada no longer assigns fume classes when explosives are authorized. Explosives used underground would still need to be suitable for use in that environment and workers would still need to be protected from blasting contaminants that endanger their health and safety.
- Clarify and streamline the notifications requirements in section 123 and the storage requirements in section 125 while retaining their substantive elements.

9. Use of Technology to Conduct Workplace Examinations

These potential amendments would allow for the use of technology to examine certain raises where drilling and blasting are taking place. The ministry continues to work on this proposal with the MLRC to try to achieve consensus-based recommendations. Your views on the following issues and topics will be considered as part of these discussions and the regulatory development process.

- Amend section 63 to clarify that the examinations currently required under both subsections (1) and (2) require that the supervisor be present at the workplaces when the examinations are conducted. In a raise where drilling and blasting take place, further amendments would permit certain electronic devices that allow the supervisor to adequately assess the place where drilling and blasting is being carried out and create a record that is retained and is available for inspection at the request of an inspector to be used for the daily examination currently required in subsection (1). In such cases, the supervisor would still need to be present and conduct an examination of that workplace at least once each work week.

10. Various Amendments to Implement Coroner's Jury Recommendations

The following proposals are the result of consensus-based recommendations by the MLRC. The proposals, if approved, would implement recommendations made by juries in several Coroner's Inquests following the deaths of workers in the mining sector.

- Amend section 64, which currently requires supervisors at underground mines to make a record of any potential or actual danger that has not been remedied or removed at the end of a work shift, to clarify and streamline requirements and make the provision apply to all mines and mining plants, not just underground mines.
- Add new requirements for general written safety procedures and the installation of visual switch indicators where multiple vehicles on rails are operated on the same track in an underground mine.
- Amend subsection 185(7), which currently only references hydraulic, pneumatic, or gravity stored energy, to require that, before any work is done on a machine, any stored energy that could be a hazard to workers shall be dissipated or contained.

Question

A broader review of section 185 is also underway – do you have comments or suggestions for opportunities to clarify machine guarding requirements in this section?

- In addition to the proposed amendments to section 63 outlined in section 9 of this consultation paper, the ministry is exploring whether supervisors should be required to examine surface mines and diamond drill operations at least once each work week, similar as to what is required for most workplaces underground in subsection 63(2).

Question

Do you think that supervisors at other types of mines or mining plants should be required to examine those workplaces weekly, as is currently the case for underground mines?

11. Various Amendments to Update Industry Standards and other References

The following proposals are either the result of consensus-based recommendations by the MLRC or are currently being reviewed by the ministry, in consultation with the MLRC. The proposals, if approved, would replace several references to out of date industry standards or other references in various sections of the regulation to keep requirements current.

- Update the definitions of “production crane” and “service crane” in section 1 to include reference to the 2016 version of the B167 CSA Standard “Overhead cranes, gantry cranes, monorails, hoists and jib cranes”, and update corresponding references to the classes of cranes described in the standard. Corresponding references to this standard in subsections 195(1) and (6) would also be updated.
- Amend sections 11.2.3 and 11.3 to replace references to the former “Ministry of Training, Colleges and Universities” with the Ministry of Labour, Training and Skills Development, which is now responsible for administering modular training programs.
- Update subsection 30(2) to ensure that containers and receptacles used to transport or store oil, grease and certain flammable liquids underground meet appropriate standards. The Ministry is considering updating the current reference to CSA Standard B376-M1980 “Portable Containers for Gasoline and Other Petroleum Fuels”. This may include either referencing the most recent version, which was reaffirmed in 2019, or including a “rolling reference” to the standard. If you have comments on either option, please let us know.
- Update the reference in subsection 71(3) to ISO 3449-05 “Earth-Moving Machinery – Falling Object Protective Structures – Laboratory Tests and Performance Requirements” to reflect that the standard was reaffirmed in 2017.
- Update the reference in subsection 119.1 (1) to CSA Standard M424.3-M-90 “Braking Performance — Rubber-Tired, Self-Propelled Underground Mining Machines” to reflect that the standard was reaffirmed in 2016.
- Amend subsection 119.1 (2) to update the current reference to CSA Standard M3450-03 “Braking systems of rubber-tired machines — Performance

requirements and test procedures”, which was reaffirmed in 2012 but was subsequently withdrawn. The Ministry is considering replacing the CSA Standard with a reference to International Standard ISO 3450:2011 (4th edition) “Earth-moving machinery — Wheeled or high-speed rubber-tracked machines — Performance requirements and test procedures for brake systems”.

- Update the reference in subsection 119.1 (3) to ISO 10265: 1998 “Earth-moving machinery — Crawler Machines — Performance requirements and test procedures for braking systems” to reflect that the standard was reaffirmed in 2019.
- Update the reference to CSA Standard G4-15 “Steel Wire Rope for General Purpose and for Mine Hoisting and Hoisting Plants” in subsections 228(1) and (2.1) as the standard was reaffirmed in 2020. It is proposed that the regulation including a “rolling reference” to the standard so that the regulatory requirements for destructive testing would need to meet the latest version of the standard going forward.

12. Various Amendments to Revoke and/or Replace Certain Requirements

The following proposals are consensus-based recommendations by the MLRC and, would, if approved, revoke and/or streamline certain provisions that are better addressed elsewhere in this or other OHS regulations, thereby avoiding potentially duplicative requirements.

- Revoke section 265, which sets out requirements for respirators that provide compressed air, as Regulation 833 sets out more comprehensive requirements for respirators that apply to all workplaces, including mines and mining plants.
- Revoke and replace current sections 267 through 270, which sets out prescriptive requirements relating to surveys of potentially hazardous minor elements in feed streams to and concentrates from mining plants and surveys of potentially hazardous chemical reagents in mining plants. The existing requirements would be replaced by provisions that would clarify that the potentially hazardous minor elements should be addressed as part of the risk assessment required under sections 5.1, 5.2 and 5.3., and a more streamlined requirement to keep records of potentially hazardous chemical reagents used at mining plants.

Anticipated Impact on Business

All ministries are subject to requirements set out in the *Reducing Regulatory Costs for Business Act, 2017* (RRCBA), which came into force January 1, 2018. As part of its obligations under the RRCBA, the Ministry of Labour, Training and Skills Development is conducting a Regulatory Impact Analysis (RIA) of these proposed amendments. A RIA is a process of identifying and assessing the potential benefits and costs of proposed regulations.

It is anticipated that most of the proposed amendments outlined above would not result in any additional costs to workplaces.

Proposed changes to ventilation requirements are anticipated to result in potentially significant cost savings for underground mines.

There are not expected to be any increased costs to the public, not-for-profit sector or government as a result of these proposed amendments.

As part of this consultation, the Ministry is seeking your comments and feedback pertaining to the anticipated costs and benefits of implementing these proposed amendments. We would be particularly interested in receiving information about whether or not you agree with our assessment, as set out above, or how you think the proposed amendments would impact costs associated with: capital for equipment; training and education; maintenance of new or previously owned equipment; labour; record keeping and reporting; other operating costs; and, other administrative costs. The Ministry will consider the information provided as we develop the proposal and the associated RIA.

Notice to Consultation Participants

Submissions and comments provided to the Ministry of Labour, Training and Skills Development (the Ministry) are part of a public consultation process to solicit views on proposed amendments to requirements in the Mines and Mining Plants Regulation. This process may involve the Ministry publishing or posting to the internet your submissions, comments, or summaries of them. In addition, the Ministry may also disclose your submissions, comments, or summaries of them, to other parties during and after the consultation period.

Therefore, you should not include the names of other parties (such as the names of employers or other employees) or any other information by which other parties could be identified in your submission.

Further, if you, as an individual, do not want your identity to be made public, you should not include your name or any other information by which you could be identified in the

main body of the submission. If you do provide any information which could disclose your identity in the body of the submission, this information may be released with published material or made available to the public. However, your name and contact information provided outside of the body of the submission (such as that which may be found in a cover letter, on the outside of an envelope, or in the header or signature of an email) will not be disclosed by the Ministry unless required by law. An individual who provides a submission or comments and indicates a professional affiliation with an organization will be considered a representative of that organization and his or her identity in their professional capacity as the organization's representative may be 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 subsection 38(2) of the *Freedom of Information and Protection of Privacy Act*.

If you have any questions regarding the collection of personal information as a result of this consultation, you may contact the Ministry's Freedom of Information Office, 400 University Avenue, 10th Floor, Toronto, Ontario, M7A 1T7, or by calling 416-326-7786.

Comments Due Date

September 15, 2021

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