

Change highlights: Mining – Part 36 in the OHS Code

OHS information for work site parties

This bulletin gives an overview of some of the changes in Part 36 of the [Occupational Health and Safety Code](#) (OHS Code).

IMPORTANT

This is an overview of updates effective March 31, 2023. Consult the law directly to make sure you comply with all applicable requirements.

KEY INFORMATION

- Part 36 identifies industry-specific requirements for mines and mine sites.
- Mining explosive requirements previously in Part 36 have been moved to Part 33. Most have been consolidated and updated with the general requirements in Part 33, although some requirements remain mining-specific.
- Other changes include:
 - Updates to technical standards and terminology to reflect current technologies.
 - Streamlined wording and consolidated requirements to improve clarity and remove duplication.
 - Clarified work site party responsibilities and updated terminology to align with the OHS Act.
 - New definitions for technical terminology used in the Part.

Repealed, changed and new requirements

Most changes in Part 36 involve removing duplication, streamlining or revising wording to improve clarity and intent, or updates to technical standards to reflect current technology and best practices for health and safety. In some cases, work site party responsibilities have been clarified to align with the *Occupational Health and Safety Act* (OHS Act). Several changes are new or amended requirements that strengthen health and safety protections and better reflect current technologies and best practices.

The requirements previously in Division 2 of Part 36 for use of explosives in mining have been moved and consolidated into the general requirements of Part 33, with some requirements remaining as mine-specific.

Some requirements that were previously specific to underground coal mines have been expanded to apply to all underground mining operations. Some mining approvals

have been removed from the OHS Code. Requirements for blasting certificates have been streamlined to remove some prescriptive requirements.

Some of the changes to this Part involved giving sand and gravel pits more flexibility relating to emergency response teams, mine walls and some mine equipment requirements. These changes were made to reflect the differences between pit mining and other types of mining.

Excavation – Section 535

The requirements for excavations have been revised and made applicable to all mines. Previously, the requirements were only applicable to surface mines.

Mine walls – Section 541

A competent person must develop and implement specifications and procedures to ensure the stability of mine walls in sand and gravel pits. The competent person does not have to be a professional engineer.

Emergency response – Section 546

The requirements for emergency response have been revised to:

- remove duplication with Part 7 – Emergency Preparedness and Response, and
- apply to all mine and mine sites.

Note that the requirements in this section do not apply to sand and gravel pits.

Fire-fighting training – Section 547

The requirements for fire-fighting training have been simplified and made applicable to all mine and mine sites. Previously, the requirements only applied to underground coal mines.

Autonomous equipment – Section 574.1

New requirements have been added that require employers to meet ISO standards for autonomous and semi-autonomous earth-moving machinery.

Emergency Energy – Section 577

The requirements for emergency energy for rubber-tired self-propelled equipment have been revised to clarify that they do not apply to sand and gravel pits. This change was made to reflect the differences in equipment used in these operations.

Hydraulic brakes – Section 578

The requirements for hydraulic brakes for rubber-tired, self-propelled equipment have been revised to clarify they do not apply to sand and gravel pits. This change was made to reflect the differences in equipment used in these operations.

Dual-brake systems – Section 579

The requirements for dual-brake systems for rubber-tired, self-propelled equipment have been revised to clarify they do not apply to a sand and gravel pit. This change was made to reflect the differences in equipment used in these operations.

Inspecting conveyor – Section 604

The requirement for inspecting conveyors has been amended so that inspections are now required at reasonably practicable intervals instead of the previous prescriptive intervals. This will give employers flexibility in making sure equipment is inspected when required.

The inspection requirement has also been made applicable to all mine and mine sites. Previously, the requirements were only applicable to underground coal mines.

Underground mine requirements

Application – Section 680

The requirements of Division 3 have been made mostly applicable to all underground mines. Previously, the requirements were only applicable to underground coal mines.

Monitoring of flammability hazards – Section 693.2

The requirements for gas monitoring and requirements to prevent explosive environments from Sections 543 and 737 have been consolidated and revised to clarify that the equipment must be intrinsically safe.

Protection around conveyors – Section 693.5

The requirements for conveyor clearances from Section 550 have been consolidated and revised to clarify that, when

conveyors are mounted on pillars to obtain required clearance, the pillars must be made of non-combustible materials or otherwise made fire-resistant.

Fire detection and suppression systems – Section 693.6

The requirements for fire detection systems from Section 551 have been revised to clarify that the employer must ensure fire detection and suppression systems are installed in strategic locations in the underground mine. This section's requirements previously applied only to underground coal mines.

Fire-fighting equipment – Section 693.7

The requirements for fire-fighting equipment and fire extinguishers from Sections 554 and 555 have been consolidated and simplified. Also, the employer must ensure equipment is inspected and tested at reasonably practicable intervals rather than the previous prescriptive intervals.

Additionally, this section's requirements now apply to all mines, not just underground coal mines as previously.

Water supply system for extinguishing fires – Section 693.8

The requirements for water supply and water control valves from Sections 557 and 558 have been consolidated and a new requirement has been added for the system to be certified by a professional engineer. This change was made to ensure the system's design is suitable for the specific work site conditions.

Carbon monoxide monitors – Section 693.9

The requirements for carbon monoxide monitors in conveyor belt systems from Section 605 have been moved and made applicable to all underground mines, rather than only underground coal mines.

Portal – Section 700

The requirements for portals have been revised to clarify that portals must be designed and constructed to specifications certified by a professional engineer. Previously, the professional engineer only had to prepare and certify the portal construction plan.

Escape ways – Section 702

Prescriptive requirements for escape ways have been simplified. Escape way systems must now meet the specifications certified by a professional engineer.

Refuge stations – Section 702.1

Prescriptive requirements for refuge stations have been moved here and revised to ensure refuge stations are designed and installed to specifications certified by a professional engineer.

Underground fuel stations – Section 704

Prescriptive requirements for underground fuel stations have been revised to clarify that required fuel stations must be designed and constructed to specifications certified by a professional engineer.

Control of equipment – Section 706

The requirements for continuous mining equipment have been revised to require them to be equipped with proximity detection systems which include:

- equipment-mounted components; and
- components worn by workers (including the worker operating the equipment).

Extractions – Section 708

The requirements for extraction of solid mineral pillars or blocks have been revised to clarify that the procedures for systematic extractions must meet specifications certified by a professional engineer.

Seals – Section 716

The requirements for sealing off mine areas have been revised to focus on the health and safety outcome of ensuring the worked out or inaccessible area is sealed off as soon as reasonably practicable. Also, the employer must ensure that all seal systems are designed, constructed, and installed to specifications certified by a professional engineer.

Splits – Section 718

The requirement for splits has been made applicable to all underground mines, rather than only underground coal mines.

Reverse flows – Section 720

The requirements for reverse flow in a ventilation system have been revised to clarify that it is the employer's responsibility to ensure the safe operating procedures are developed to specifications certified by a professional engineer.

Explosion barriers – Section 745

The requirements for explosion barrier plans in underground mines have been revised to remove the need for director approval of a plan. Also, the employer must ensure the position and condition of explosion barriers are inspected by a competent person at reasonably practicable intervals.

Shaft access and hoisting equipment – Section 749.1

The requirements for shaft access and hoisting equipment plans have been revised to remove the need for director approval of the plan.

New and updated definitions

The following new definitions have been added:

- “Conveyor” means horizontal, inclined, or vertical equipment for moving or transporting bulk material, packages, or any other thing in a path or direction predetermined by the design of the equipment.
- “Pit” in Parts 32 and 36 means an operation on or excavation from the surface of land, including by stripping off the overburden, for the purposes of removing, opening up, or proving sand, gravel, clay, or marl, and includes any associated infrastructure.
- “Surveyor” means a person who holds a certificate of registration and an annual certificate to engage in the practice of surveying under the *Land Surveyors Act*.
- “Underground mine foreman” means a person who holds:
 - an underground mine foreman's certificate issued under Section 749.4; or
 - an underground coal mine foreman's certificate issued under this code or deemed to have been issued under the OHS Act by virtue of Section 69(2) of the act.
- “Underground mine manager” means a person who holds:
 - an underground mine manager's certificate issued under Section 749.4; or
 - an underground coal mine manager's certificate issued under this code or deemed to have been issued under the OHS Act by virtue of Section 69(2) of the act.

The following definitions have been updated:

- “Mine material” means material that may be taken into or out of a mine, including naturally occurring materials.
- “Mine plan” means a map, including a profile or section, of a mine or part of a mine, that has been certified as correct by a surveyor.

- “Quarry” means any opening in, excavation in, or working of the surface of land or subsurface for the purposes of working, recovering, opening up, or proving:
 - any mineral other than coal, a coal-bearing substance, oil sands, or an oil sands bearing substance; or
 - ammonite shell,and includes any associated infrastructure.
- “Surface mine” means a mine worked by strip mining, pit mining, or other surface method, including auger mining.

For more information

OHS Code review

alberta.ca/ohs-code-review.aspx

Contact us

OHS Contact Centre

Anywhere in Alberta

- 1-866-415-8690

Edmonton and surrounding area

- 780-415-8690

Deaf or hard of hearing (TTY)

- 1-800-232-7215 (Alberta)

- 780-427-9999 (Edmonton)

Notify OHS of health and safety concerns

alberta.ca/file-complaint-online.aspx

Call the OHS Contact Centre if you have concerns that involve immediate danger to a person on a work site.

Report a workplace incident to OHS

alberta.ca/ohs-complaints-incidents.aspx

Website

alberta.ca/ohs

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OHS

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