



Safe, Fair and Healthy Workplaces Division
OHS Program Delivery Branch
Specialized Professional Services
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March 3, 2022

Re: Open Approval for Section 573 of Alberta Occupational Health and Safety (OHS) Code.

WHEREAS a Director may, in accordance with the regulations or the OHS Code, issue an approval to any person provided the person meets any terms or conditions that the Director considers necessary to maintain the health or safety of a person;

AND WHEREAS section 573(1) of the OHS Code provides that an employer must not use a rubber-tired, self-propelled machine with a GVW of more than 32,000 kilograms ("specified machine") at a mine site, other than a machine approved under the *Traffic Safety Act*, unless it, or a representative unit, is approved by the Director for use in Alberta;

AND WHEREAS Occupational Health and Safety has determined that there are no health and safety concerns related to the specified machines themselves as per the specified machines intended design and manufacturing, provided that the specified machines comply with the terms and conditions of this approval.

AND WHEREAS Occupational Health and Safety has determined that no persons' occupational health or safety would be materially affected by allowing employers to use specified machines at mine sites in Alberta, provided that an employer meets the terms and conditions specified in this approval, and that, pursuant to section 573(1) of the OHS Code, it is therefore appropriate to issue an approval permitting the use of specified machines at mine sites by employers in Alberta;

NOW THEREFORE, I, Matthew Rogerson, a Director under the *Occupational Health and Safety Act*, hereby:

1. Approve the use of all rubber tired self propelled machines with a GVW of more than 32 000 kilograms at a mine site;
2. Impose the following terms and conditions on the Approval under (1):
 - a. The employer must ensure that all accumulators used in braking and steering systems have a Canadian Registration Number for a pressure vessel as defined by CSA Standard B51:19 Boiler, pressure vessel, and pressure piping code,
 - b. Any employer relying on this approval must post the approval in a conspicuous place on or in the specified machine;
3. rescind all previous approvals issued under section 573(1) of the OHS Code.

effective on signing.

This approval is issued to all employers in Alberta that are subject to section 573(1) of the OHS Code.

This approval expires on January 6, 2026.

Please be advised that Section 22 of the OHS Act requires a person who is issued an approval to comply with the approval, including all terms and conditions, or comply with the original legislative requirement. The employer must ensure that any modifications made to equipment complies with section 12 of the OHS Code and must continue to meet all relevant requirements of the OHS Legislation.

DATED at Edmonton, Alberta this 3 day of March, 2022.



Matthew Rogerson
Director under the *Occupational Health and Safety Act*

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