

WorkSafe Services

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Services de travail sécuritaire

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April 2, 2007

"The Employer"

Re: NBMA Article 96-105, subsection 50(1) & 50(2) of 96-105, Use of Diesel Engines Underground and Deviation request from - subsection 220(3) of Reg. 91-191, Requirements for Rollover Protective Structures

The Chief Compliance Officer is writing to acknowledge receipt of the employer's letter dated March 19, 2007, notifying the WHSCC that the employer will be using the following diesel equipment underground:

Mine Equipment No: VG001
Name of Manufacturer:
Model: Champion
Vehicle Type: 720A Grader
Year: 1990
Serial No.: 720A1879612041390
Diesel Engine: P.C. D.I. Turbo X
Manufacturer: Cummins
Model No.: 6 BT 8.3 litre
Serial No.: 49303690
HP: 175 HP
Cooling: Liquid
Scrubber Type: ECS Purifier
Engine Certification No.: -
Fuel Tank Capacity: 281.8 Litres
Hydraulic Fluid Capacity: 45.5
Fire Suppression System: Ansul 101A

The employer is requesting a deviation to subsection 220(3) of regulations 91-191, *Occupational Health and Safety Act* for the above-mentioned vehicle. The employer indicates that the clearance between the top of the ROPS and the back of the haulage drift will not allow enough room to ensure the safety of the operator. The employer also states in the employer's letter that this grader will be used exclusively underground and that no place with excessive inclination has been identified in the underground mine, which would allow the grader to upset. The grader will not be used on surface, but will have to travel between level 1 portal to the mechanical shop.

The employer has included, with the employer's request, a letter signed by the joint co-chairs which indicates that the JHSC agrees with the request and acknowledges the operating conditions and limitations in which this vehicle will be applied.

Based on the information the employer has provided, a deviation from 220(3) is granted.

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By copy of this letter, the Chief Compliance Officer has advised WHSCC staff and the JHSC Co-chair of the decision.

Yours truly,

Chief Compliance Officer