



Report of
the Royal
Commission on
the Health and
Safety of Workers
in Mines

REPORT OF THE ROYAL COMMISSION ON THE
HEALTH AND SAFETY OF WORKERS IN MINES

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The Royal Commission
on the
Health and Safety of
Workers in Mines

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To Her Honour,
The Lieutenant Governor of
The Province of Ontario

May It Please Your Honour:

On the 10th day of September, 1974, I was appointed Commissioner to investigate matters related to the health and safety of workers in mines. Having performed the duties as set out in the Order-In-Council, I submit herewith my report.

30 June 1976.

James M. Ham
James M. Ham,
Commissioner.

oc-2340/74

Copy of an Order-in-Council approved by Her Honour the Lieutenant Governor, dated the 10th day of September 1974

The Committee of Council have had under consideration the report of the Honourable the Attorney General, dated September 6, 1974, wherein he states that,

WHEREAS this Government has concern in relation to the health of workers in the mines of this Province, and

WHEREAS some reasonable doubt has been cast on the effectiveness of present safety programs, and

WHEREAS it is thought fit to refer these matters to an Inquiry instituted pursuant to the provisions of The Public Inquiries Act, 1971, S.O. 1971, Chapter 49.

The Honourable the Attorney General therefore recommends that pursuant to the provisions of The Public Inquiries Act, 1971, S.O. 1971, Chapter 49, a Commission be issued to appoint Dr James Milton Ham, Sc., Dr.: –

1. To investigate all matters related to health and safety involved in the working conditions and working environment in mines in Ontario;
2. To identify the relevant data related to silicosis, lung cancer and other occupational health hazards of miners in Ontario;
3. To review the present basis for Workmen's Compensation Board awards as they relate to environmental health matters affecting miners; and
4. To make such recommendations in relation to 1, 2 and 3 above as are by him deemed to be appropriate.

The Honourable the Attorney General further recommends that all Government Ministries, Boards, Agencies and Commissions shall assist Dr James Milton Ham to the fullest extent in order that he may carry out his duties and functions and that he shall have authority to engage counsel, expert technical advisers, investigators and other staff as he deems proper at rates of remuneration and reimbursement to be approved by the Management Board of Cabinet.

And the Honourable the Attorney General further recommends that Part III of the said Act be declared to apply to the aforementioned Inquiry.

The Committee of Council concur in the recommendations of the Honourable the Attorney General and advise that the same be acted on.

Certified,

J.J. Young

Clerk, Executive Council

Contents

PREFACE ix

1

The issues in health and safety in the mining industry 3

2

Silicosis and dust 18

3

Lung cancer and ionizing radiation in the uranium mines 66

4

Accidents and injuries 118

5

Other environmental hazards at the workplace 182

6

Policy for occupational health and safety in the mining industry 249

APPENDICES

A: Recommendations 261

B: Briefs and presentations before the Commission 278

C: Radiogenic lung cancer in Ontario uranium miners 1955–64 319

D: Statistical tables 330

E: Studies conducted for the Commission 349

Preface

The report has the following structure. The first chapter identifies the agencies of government, industry, and labour concerned with the health and safety of workers in mines, illustrates the kinds of injuries and disease that produce loss of well-being, and points towards the issues of policy that underlie the report. The subsequent chapters on 'Silicosis and dust,' 'Lung cancer and ionizing radiation,' 'Accidents and injuries,' and 'Other environmental hazards at the workplace' represent case investigations of particular problems. The pattern of my recommendations arises out of the concrete context of these analyses. The concluding chapter explains the implications of these recommendations for provincial policy on occupational health and safety and recommends a change in legal and administrative arrangements for the mining industry.

The Commission established quarters, acquired staff, and began active work in mid-October 1974. Following an initial period of exploratory investigations in mines and plants and with agencies of government, industry and labour, the first period of hearings was initiated in Elliot Lake on 14 January 1975. These hearings were held in the northern communities of Elliot Lake, Red Lake, Thunder Bay, Sault Ste Marie, Sudbury, Timmins, and Kirkland Lake, and in Toronto and Ottawa.

Following the first period of hearings, which was substantially completed in mid-February 1975, the Commission extended its investigations and initiated research on industrial disease and injuries. The second and final period of hearings was held in Toronto from 26 May to 6 June 1975. Thomas Conlin acted as court reporter. A list of all briefs presented to the Commission together with cross references to the transcript of the hearings is given in appendix B. This material has been filed for public reference in the Provincial Archives of Ontario.

x Preface

The Commission is indebted to a host of persons in the mining companies, the unions, and ministries of government and to individuals who contributed information and understanding in the course of the hearings and associated investigations. Not least important has been the rewarding personal experience of meeting miners at work. In the Province the Mines Accident Prevention Association, the Mines Engineering Branch in the Ministry of Natural Resources, the Ministry of Health, the United Steelworkers of America, and the Workmen's Compensation Board assisted the Commission continuously. The work of the Commission benefited from consultations with the staff of the Atomic Energy Control Board and of Atomic Energy of Canada Ltd.

In November 1975 the Commission visited mines, labour unions, and government agencies responsible for occupational health and safety in Sweden and the United Kingdom, and consulted the International Labour Office and the World Health Organization. Dr Cameron C. Gray, medical consultant, made visits to specialists in occupational medicine in Germany, the United Kingdom, and the USA.

During the fall of 1975 and the spring of 1976 the research projects were completed. Studies conducted for the Commission are listed in appendix E. Appendix C interprets the evidence obtained for risk of lung cancer in relation to radiation exposure among uranium miners on the Uranium Nominal Roll. The related mortality experience of these miners is discussed in chapter 3. This project was supervised for the Commission by Professor David Hewitt, Department of Preventive Medicine and Biostatistics, University of Toronto, with the personal co-operation and assistance of John Silins, chief, Vital Statistics Section, Health Branch, Statistics Canada; the Registrars General of all the provinces; W.C. Wheeler, supervisor, Statistical Analysis Section, Workmen's Compensation Board; Dr Jan Muller, chief, Environmental Health service, Ministry of Health; Dr Charles Stewart, chest disease consultant, Workmen's Compensation Board; and Peter McCrodan, Director, Mines Engineering Branch, Ministry of Natural Resources. I am deeply grateful for the spirit of co-operation that made this study possible in the short time available to the Commission. It is imperative that this study be extended to gain the full benefits of Ontario data.

Finally, I owe a personal debt of gratitude to each of the persons associated directly with me in the work of the Commission. Each has contributed unstintingly to the objectives and to my understanding. Frederick R. Hume QC, the counsel, is a principal in the firm of Hume, Martin, and Timmins. Dr Cameron C. Gray, the medical consultant, is executive vice-

x1 Preface

president of the Ontario Lung Disease Association and associate professor in the Department of Medicine, University of Toronto. Jean Beaudry, the labour adviser, is a member of the staff of the United Steelworkers of America. Edmund A. Perry, the engineering adviser, is a representative for the mining branch on the Council of the Association of Professional Engineers of Ontario. R. Peter Riggin, the industrial adviser, is vice-president corporate relations, Noranda Mines Ltd. The executive secretary, Arthur L. Gladstone, managed the operations of the Commission in an exemplary manner and provided stimulating criticism of the formulations of the issues. Michael Evans and Daniel Pearlman ably served for a time on the staff of the Commission. Marilyn Lefolii and Marilyn Flynn meticulously prepared the report from handwritten manuscript. I am grateful to Larry MacDonald of the University of Toronto Press for carefully editing the report.

Frederic LePlay, a distinguished French sociologist and inspector general of the mines of France in the late nineteenth century, said that the most important thing to come out of mines is the miner. I share his conviction today.

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