Mackay District Office

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| Mine Name | File No. | Operator | Activity Type | Region | Activity Date |
| North Goonyella | 8,550 | Peabody (Bowen) Pty Ltd | Inspection | Central | 09/09/2013 |

Vision: Our Industries Free of Safety and Health Incidents

# Mine Record Entry

This report forms part of the Mine Record under s68 of the Coal Mining Safety and

Health Act 1999. It must be placed in the Mine Record and displayed on Safety Notice Boards.

Note that inspection or audit activities conducted by the Mines Inspectorate are based upon sample techniques. It remains the primary responsibility of Mine Personnel to identify hazards, and risks associated with Operations and ensure those risks are at an acceptable level.

Site Safety & Health Reps Consulted: Mr Chris Watson

Today the 9th September 2013 Inspectors of Mines Cres Bulger and Keith Brennan carried out an announced inspection at North Goonyella Underground Mine.

Opening Meeting:

An opening meeting was held with SSE Marek Romanski; Safety Manager Steve Smith; Shift Coordinator Vic Brown and Acting SSHR Chris Watson. We discussed the progress of the election of SSHRs Coal Mining Safety and Health Act 1999 sections 93 - 107. We were advised that the process for the election of North Goonyella SSHRs will commence the week ending 13th September 2013.

We enquired as to the progress of directives issued on the 4th March 2013 regarding Airlock construction and Hazard Management (Stone Dust Barriers) issued on the 29th October 2012 due for compliance on the 27th September 2013. We were advised of the progress of the installation of the stone dust barriers commenced but is in doubt if compliance can be met by the agreed compliance date. As almost twelve months have elapsed since the issuing of the Directive my expectations that compliance with the directive be expedited for compliance.

Emergency Airlock construction, we were advised that North Goonyella progress made towards achieving the requirement listed in MRE is as follows:

* Actual current VCD rating at both mine portals (1: 7 M&M drift and 1:4 Conveyor drift) have been evaluated and quotes sought to upgrade to min. 70kPa rating (type E seal)  Upgrading secondary mine entry airlock — quotes sought for upgrading to min. 70kPa rating for both open and closed
* Inspections of several Mines which have already installed the required airlocks have been completed.
* Quotes and intention to complete the required work are expected to be confirmed before the end of October
* Other entrances (shaft sealing), similarly related to MRE #1645 dated 1 I th March, 2013
* A site risk assessment completed re: Explosion relief at main upcast shaft
* CFD (computational fluid dynamics) has been conducted to evaluate the effect of an explosion
* All shaft (3) entrances (namely: H9, Northern Bleeder & H40) will be further investigated

to enable appropriate emergency sealing to the required standard.

* We discussed the progress of the documentation requested by the inspectorate following a complaint about the introduction of void fillers training and competencies of the applicators of the products. The examination of the documents that have been provided are extensive and are part of a complaint and will be expanded in another mine Record
* A copy of the SSEs Management structure was provided as required under The Coal

Mining Safety and Health Act 1999 section 55. I noted the following: The appointment of LTCC Manager by former SSE Steve Dick, the Project Manager reported to the SSE who did not have the competencies of the current SSE and in my opinion should be reporting through the electrical; mechanical streams to the underground mine manager who currently is the SSE. Section 60 (2) of The Coal Mining Safety and Health Act 1999 (2) The site senior executive must appoint a person to be underground mine manager to control and manage the mine.

* There are a number of positions within the SSEs Management Structure that have not identified the competencies required to hold the positions other than RllRlS301A (previously QMSI) RilOHS301A (previously QMS2) and RilCOM301A (previously QMS3) the positions identified in the management structure Technical Services Manager; LTCC Project Manager. I suggest the qualifications relevant to those positions should be documented within the management structure. I am issuing a Directive to review the Management Structure as required under sections 55 and 56 of the CMSHA.

Other matters discussed were concreting of roadways in preparation for the installation of LT CC; the status of 7 North Longwall; gas drainage from 8 North to gain compliance for mining in the dips and 8 North rib trimming and support. Contractors on site include:- Vulcan; VLD; Blackrock and WDS. I was also advised that the Eimco involved in a recent HPI had been sent from site to have the brakes replaced, at the time of the incident the brakes were identified to be compliant but replacement was due.

Underground Inspection:

In the company of SSE Marek Romanski; Coordinator Vic Brown and Acting SSHR Chris Watson the inspectorate travelled to 8 North stopping at 12ct to inspect the in-seam gas drainage drilling. At 12ct VLD were drilling P4 to a distance of 220m. General body CH4 concentrations in the gas stub were recorded at 0.28%. the stub was well ventilated and housekeeping was at an acceptable level.

At 23ct cribb room I inspected the current Deputy's report and North Goonyella Install Monitoring and Condition Monitoring Book, the book had been completed and identified roof movement on the face road at 167 chainage the area of movement had been infilled with 1 1 m x 1m spaced fully encapsulated bolts.

An inspection of 'A' heading belt road widening was carried out, the road was being re-supported during widening as per T.A.R.P. support requirements. We walked up the install face road to 167ch to inspect the area of roof movement that had additional roof support installed. As we left the district for 7 North longwall we commented that the district roadways required grading and general maintenance.

7 North Longwall:

We had been previously advised that the M.E.D. was in use for pulling supports 1 and 2 due to damaged relay bars. SSE Romanski and SSHR Watson provided an overview of the process for advancing the shields using the M.E.D. when the face retreats to 7ct the shields will have the relay bars replaced.

The shearer was at the tailgate preparing to cut to the maingate, there were a significant number of poor roof conditions at 22# and 136# but were well managed by the face crew; excessive fines build up at the maingate shields 1 - 13 compounded the problems with shields 1 and 2.

Close Out Meetinq:

A close out meeting was held with SSE Marek Romanski; Safety Manager Steve Smith; Shift Coordinator Vic Brown and Acting SSHR Chris Watson. We discussed the inspection and were provided with documentation requested, Management Structure and information relative to the complaint currently under investigation about the use of polymeric chemicals.

Number Directive Due Date

Pursuant to section 168 of the Coal Mining Safety and Health Act 1999

I Review the Management Structure 27/09/2013 To Review the the Management Structure and Competencies required for the positions.

Please provide a written status report on each Directive together with the actions taken to address each item by their due dates



Keith Brennan Creswick Bulger

Inspector of Mines Inspector of Mines (Coal)

Central Region Central Region

## Queensland Government

Vision: Our Industries Free of Safety and Health Incidents

Mackay District Office

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| Title: Review the Management Structure  Directive Given:  To Review the the Management Structure and Competencies required for the positions.  References:  Management structure for safe operations at coal mines   1. The site senior executive for a coal mine must— (a) develop and maintain a management structure for the coal mine in a way that allows development and implementation of the safety and health management system 2. The document must state— 3. the responsibilities of the site senior executive; and 4. the responsibilities and competencies required for senior positions in the structure; and 5. the names of the persons holding the senior positions and their competencies; and 6. the competencies required, and the responsibilities, for each other supervisory position at the mine.   (3) For subsection (2)(b), an inspector may by notice given to the site senior executive declare a position to be a senior position. (4) For each supervisory position mentioned in subsection (2)(d), the site senior executive must also keep a record of the names and competencies of each person authorised to carry out the responsibilities of the position. 56 Competencies of supervisors  A site senior executive must not assign the tasks of a supervisor to a person unless the person—   1. is competent to perform the task assigned; and 2. if there is a safety and health competency for |

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| Subject:  Mine Name: Activity:  Record Date: | Management Structure  North Goonyella  Inspection  16/09/2013 | File Number:  Operator:  Activity Date:  MRE Item No.: | 81550  Peabody (Bowen) Pty Ltd  09/09/2013  1 |

## Directive

I Keith Brennan, an Inspector appointed under Section 125, of the Coal Mining Safety and

Health Act 1999 issue a Directive to review safety and health management system and principal hazard management plans, pursuant to Section 168 of the Coal Mining Safety and Health Act

1999.

supervisors recognised by the committee, has the relevant competency.

A person to whom a directive is given must comply with the directive as soon as reasonably practicable. Risk to a person resulting from a hazard at the mine must be within acceptable limits at all times.

Reasonable Time for Compliance - Due Date: 27/09/2013

Completed: Not Completed

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| In giving this directive I believe the safety and health management system for the mine is ineffective.  The reason for my belief or suspicion is based upon the following -  After reviewing the Management Structutre for North Goonyella I was aware of a number of positions within the SSEs Management Structure that have not identified the competencies required to hold the positions other than RllRlS301A (previously QMSI) RllOHS301A (previously QMS2) and RllCOM301A (previously QMS3) the positions identified in the management structure Technical Services Manager; LTCC Project Manager.  Keith Brennan:  Date Issued: ..Z.K. I ..3.... 143....  Warning - Failure to compl with this directive is an offence. If you disagree with this directive, you may apply for a review of the directive. A summary of the review provisions is provided below. |

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| Directive -  If an inspector believes the safety and health management system or a principal hazard management plan for a coal mine is ineffective, the inspector may give a directive to review the safety and health management system or the principal hazard management plan and make it effective.  Method of Giving Directive -  This directive was given in writing on 16/09/2013 at 03:30 PM.  Directive Given To -  This directive is given to the operator of the mine.  Method of Identification Used -  In issuing this directive I identified myself as a person appointed under Section 125 of the Coal Mining Safety and Health Act 1999.  I will produce my identity card for the other person's inspection at the first reasonable opportunity (it not being practicable to produce or display the identity card at the time of exercising the power)  Part of mine affected by directive Whole of Mine.  A copy of the directive was given to -  A copy of this directive or notice was given to Site Senior Executive on 16/09/2013 at 03:30 PM. |

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| Provisions of the Coal Mining Safety and Health Act 1999 in Relation to Directives  174. Directives   1. If an inspector, inspection officer, or industry safety and health representative has given a directive, the inspector, officer or representative -    1. must enter it in the mine record as soon as reasonably practicable after giving it; and (b) must state the reason for the directive in the mine record. 2. A person to whom a directive is given must comply with the directive as soon as reasonably practicable. Maximum penalty - 800 penalty units or 2 years imprisonment. 3. The site senior executive must enter in the mine record the action taken to comply with the directive as soon as practicable after the action is taken. Maximum penalty - 40 penalty units. 4. The site senior executive must make copies of directives available for inspection by coal mine workers. Maximum penalty - 40 penalty units. 5. A directive remains effective until -    1. for a directive by an industry safety and health representative - it is withdrawn in writing by the representative or an inspector; or    2. for a directive by the chief inspector - it is withdrawn in writing by the chief inspector; or    3. for a directive by an inspector other than the chief inspector - it is withdrawn in writing by the inspector or another inspector; or    4. for a directive of an inspection officer - it is withdrawn in writing by the inspection officer or an inspector; or (e) for a directive by an industry safety and health representative, an inspection officer or an inspector and not otherwise withdrawn - the chief inspector varies or sets aside the directive after reviewing it under subdivision 4; or   (f) the Industrial Court stays, varies or sets aside the directive.  Subdivision 4 • Review of directives  175. Application for review  A person who is given a directive from an inspector (other than the chief inspector), inspection officer or industry safety and health representative may apply under this division for the directive to be reviewed.  176. Procedure for review   1. The application must -    1. be made in writing to the chief inspector; and    2. be supported by enough information to allow the chief inspector to decide the application. 2. The application must be made to the chief inspector within -    1. 7 days after the day on which the person received the directive; or    2. the longer period, within 2 months after the day, the chief inspector in special circumstances allows. 3. The chief inspector must consider the application within 7 days after receiving it and immediately advise the applicant in writing whether the chief inspector considers the applicant has complied with subsection (1). 4. If the chief inspector does not consider the application is supported by enough information to allow the chief inspector to decide the application, the chief inspector must advise the applicant what further information the chief inspector requires. 5. When the chief inspector is satisfied the applicant has complied with subsection (1), the chief inspector must immediately advise the applicant in writing of that fact.   177. Review of directive   1. The chief inspector must, within 14 days after giving the advice mentioned in section 176(5). review the directive and make a decision (the "review decision") -    1. to confirm the directive appealed against; or    2. to vary or set aside the directive appealed against. 2. The chief inspector may give a directive in substitution for a directive the chief inspector decides to set aside. 3. Within 7 days after making the review decision, the chief inspector must give notice of the decision to the applicant. 4. The notice must -    1. include the reasons for the review decision; and    2. if the notice does not set aside the directive, tell the applicant of the applicant's right of appeal against the |

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| decision.  (5) If the chief inspector does not -   1. review the directive within the time allowed under subsection (1); or 2. having reviewed the directive, advise the applicant of the review decision within the time allowed under subsection (3); the applicant may appeal against the directive under part 14.   178. Stay of operation of directive   1. If a person applies under this division for a directive to be reviewed, the person may immediately apply to the Industrial Court for a stay of the directive. 2. The court may stay the directive to secure the effectiveness of the review and any later appeal to the court. 3. A stay -   (a) may be given on conditions the court considers appropriate; and (b) operates for the period fixed by the court; and (c) may be revoked or amended by the court.   1. The period of a stay must not extend past the time when the chief inspector reviews the directive and any later period the court allows the person to enable the person to appeal against the decision. 2. An application made for a review of a directive affects the directive, or the carrying out of the directive, only if the directive is stayed. 3. However, a directive under section 167 must not be stayed. |