

- 1.10 In a hazardous zone where the flammable gas concentration is not greater than 0.5% by volume in the general body of air, the following type of portable non-explosion protected plant may be used:
- 1.10.1 portable apparatus:
    - 1.10.1. which is only powered by internal batteries
    - 2.10.1. with batteries which are securely fastened within the apparatus and can not inadvertently detach from the apparatus
    - 3.10.1. with circuits which do not produce incendive arcs in normal operation
    - 4.10.1. which does not have any components or parts exposed to coal dust, that can exceed a surface temperature of 150°C in normal operation. (Where coal dust is prevented from entering the internal parts by an appropriate Ingress Protection (IP) rating, maximum surface temperature of any component must not exceed 450°C)
    - 5.10.1. which is suitable for its duty
    - 6.10.1. which is suitable for the work environment
    - 7.10.1. in relation to which any accumulation of static charge has insufficient discharge energy to ignite methane, and
    - 8.10.1. and in relation to which any radiated energy has insufficient energy to ignite methane and/or explosives.

## 2. Valid certificate of conformity

The certificate of conformity:

- 2.1 for Group I (mines susceptible to firedamp) as defined in section 4 of AS/NZS 60079.0:2005 Electrical apparatus for explosive gas atmospheres, Part 0: General requirements, or, for plant that is intrinsically safe, Group II associated apparatus, as defined in AS/NZS 60079.0:2005 Electrical apparatus for explosive gas atmospheres, Part 0: General requirements, and
- 2.2 must be an AUS Ex certificate of conformity, or, an ANZ Ex certificate of conformity, or, an IEC Ex certificate of conformity, and
- 2.3 in the case of restrained plugs and receptacles, must also attest to compliance with AS1299 "Electrical equipment for coal mines – Flameproof restrained plugs and receptacles"

## 3. Information

- 3.1 The following information supplied by the manufacturer or supplier of the plant:
  - 3.1.1 where the plant is certified, a copy of the certificate of conformity
  - 3.1.2 where the plant only has an approval, a copy of the approval
  - 3.1.3 where the plant is certified and approved, a copy of the certificate of conformity and a copy of the approval
  - 3.1.4 information in accordance with section 30 of AS/NZS 60079.0 Electrical apparatus for explosive gas atmospheres, Part 0: General Requirements

- 3.1.5 information in accordance with the requirements of Chapter 5 of the Occupational Health and safety Regulation 2001, and
- 3.1.6 plant drawings that:
  - 1.1.6. identify all features of the plant that form part of the explosion protected properties,
  - 2.1.6. give sufficient detail so that the plant can be verified as complying to the drawing,
  - 3.1.6. Give sufficient detail so that the plant can be verified as complying with the certificate of conformity,
  - 4.1.6 are traceable to the drawings used in testing and assessment for certification purposes, and
  - 5.1.6 meet the requirements of any relevant code of practice or notice by the Chief Inspector published in the Government Gazette.
- 3.2 Information supplied as referred to in clause 3.1 must be maintained at the coal operation, or, where the owner of the plant is not the operator of the coal operation, at a location, determined as acceptable by the manager of electrical engineering for the coal operation, to enable the plant to be verified as conforming to the certificate of conformity, installed, used, maintained, overhauled, and repaired. This information must also comply with the requirements of AS2290.1 "Electrical equipment for coal mines – Introduction and maintenance. Part 1 For hazardous areas".

### Definitions:

ANZ Ex certificate of conformity	A certificate of conformity issued under the Australian/New Zealand Certification Scheme for explosion-protected electrical equipment
AUS Ex certificate of conformity	A certificate of conformity issued under the Australian Certification Scheme for explosion - protected electrical equipment
IEC	International Electrotechnical Commission
IEC Ex certificate of conformity	A certificate of conformity issued under the International Electrotechnical Commission Certification Scheme for explosion-protected electrical equipment

Dated this 23rd day of January 2008

ROBERT REGAN,  
Chief Inspector

## COAL MINE HEALTH AND SAFETY ACT 2002

Notice under clause 37(a)(ii) of Coal Mine Health and Safety Regulation 2006

### Types of Explosives for use in an Underground Mine

I, ROBERT REGAN, Chief Inspector under the Coal Mines Health and Safety Act 2002, pursuant to clause 37(a)(ii) of the Coal Mine Health and Safety Regulation 2006 ("the Regulation"), by this notice restrict the use of explosives in underground parts of the mine to explosives of a type conforming to the requirements specified in the Schedule below.

## SCHEDULE

Note - Explosives which conform to the requirements of this notice may be referred to as 'PERMITTED EXPLOSIVE'.

### 1. Test requirements

- (i) Explosive is to be tested in the manner described in Appendix '1' of HSE Testing Memorandum No.2 (TM2) 'Test and approval of explosives for use in coal mines and other mines in which flammable gas may be a hazard' and must pass all the test criteria for its permitted type.
- (ii) Compliance testing shall be carried out by the Health and Safety Laboratory, U.K. or an equivalent organization with a test gallery and systems acceptable to the Chief Inspector.
- (iii) Explosive will not normally be accepted for testing if it is more than two months old on receipt at the Testing Station.
- (iv) Tests may be varied in detail or other tests may be added at the discretion of the Chief Inspector to afford additional information or to meet particular conditions in the use of the explosive. The Chief Inspector also reserves the right to revise any of the test standards.
- (v) If an explosive fails to pass the tests, no second trial will be allowed without the special sanction of the Chief Inspector.
- (vi) The composition and characteristics of the explosive and cartridge diameter must at all times conform, within the limits allowed, to those of the sample officially tested.
- (vii) If at any time after an explosive has been tested for 'permitted explosive' status the manufacturer wishes:
  - to make it at a different factory;
  - to mix it in a different type of machine;
  - to use materials from a different source or prepared in a different way;
  - to cartridge it in a different wrapping;
 the Chief Inspector must be so informed and before altered product is supplied to mines, the manufacturer must undertake tests and give written assurance to the Chief Inspector that on the basis of the tests, the product appears to be as safe as the product originally tested for permitted status.

### 2. Marking

Each cartridge of permitted explosive supplied to a mine shall be clearly and indelibly marked to indicate:

- The name of the explosive and include the word 'Permitted';
- The group number (such as P1, P3 or P5);
- Maximum charge limit in any one shot hole.

All containers are to be labeled appropriately and in accordance with the relevant National code. The batch number and the date and place of manufacture shall appear in a conspicuous place and in a legible manner on each box of explosive supplied to a mine.

### 3. Charge limit

Group P1, P3

The maximum charge limit in any one shot hole to be not more than 800gm. Subject to site specific assessment of risks the charge-limit may be increased:

- for a single shot hole to a maximum of 1,200gm where the shot hole is at least of length 1.8m, has a minimum burden 0.5m and has at least 0.6m of suitable stemming;
- for multiple shotfiring to not more than 1,600gms.

#### Group P5

No more than 1000 grams of explosive shall be loaded into any one shot hole.

### 4. General requirements

Before the product is supplied for use in a mine, the Chief Inspector shall be provided with:

- a copy of the official test report demonstrating compliance with TM2, together with all supporting documentation specified in test report(s) used for product identification and performance evaluation.
- a statement of any special or limiting conditions of use specified by the manufacturer.

Prior to using explosive in a mine, there shall be completed a full risk assessment in accordance with MDG 1010, an evaluation of the processes involved, and safe blast practice identified and documented relevant to that use.

Permitted explosive shall only be used in the hazard scenario or circumstances simulated in the relevant TM2 test, such as Group P1 (single, simultaneous or delay firing in shafts and drifts) and P5 (primarily for delay firing in solid coal), except as follows.

Alternate uses are acceptable provided:

- (i) A risk assessment in accordance with MDG 1010, or equivalent, demonstrates at least an equivalent level of safety, and
- (ii) The risk assessment and additional control measures, if any, are reviewed by an independent party experienced in underground coal blasting who attests to their adequacy, and
- (iii) At least two weeks notice is provided to the Chief Inspector or his delegate, and
- (iv) A safety file is to be made up containing risk assessment and review documents, description of proposed shotfiring activities, and location/district ventilation plan. The safety file is to be maintained at the mine and provided to an inspector on request.

Dated this 23rd day of January 2008.

ROBERT REGAN,  
Chief Inspector

## FISHERIES MANAGEMENT ACT 1994 FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

Notification under s.163 (7) of the Fisheries Management Act 1994, and Cl.33 of the Fisheries Management (Aquaculture) Regulation 2007

Notice of Receipt of Application for Aquaculture Lease

NSW Department of Primary Industries (NSW DPI) advises an application has been received for a new aquaculture lease