

WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) REGULATION 2022

Ancillary Reports – In-service Failure of Explosion-protected Diesel Engine Systems - 2022

I, Garvin Burns, Chief Inspector, with the delegated authority of the Secretary of the Department of Regional NSW, under section 127 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 (the Regulation), do, by this notice, specify that:

- (a) an ancillary report must be provided to the regulator in respect of any incident described in section 124(5)(i) of the regulation, but only in respect of such incidents that relate to diesel engine systems.
- (b) an ancillary report must include the information specified in Schedule 1 of this notice
- (c) an ancillary report must be provided to the regulator using the Regulator Portal online form.
- (d) the notice Ancillary Reports – In-service Failure of Explosion-protected Diesel Engine Systems published in the NSW Government Gazette No 8 of 30 January 2015 is revoked on the day this notice commences.

Schedule 1

Explanatory notes

As specified in this notice, an ancillary report must be provided to the regulator in respect to an incident described in section 124(5)(i) of the Regulation but only in respect of such incident that relate to diesel engine systems in underground coal mines.

Ancillary reports are a separate and additional requirement to the initial notification of the incident to the regulator. Ancillary reports must be completed and submitted to the regulator no later than 30 days after the incident was required to be notified to the regulator.

The failure of the explosion-protection characteristics of explosion-protected plant while that plant is in service in an underground coal mine is not limited to failure while the plant is operating (i.e., turned on and running). It includes any explosion-protection characteristic failures identified during routine maintenance or overhaul, as well as those identified during use. Such failures indicate that an explosion-protected plant has been (or is likely to have previously been) operating in a non explosion-protected condition.

For explosion-protected diesel engine systems this means that the plant may have been operating in a condition that has potential to ignite an explosion of dust or gas, such as coal dust on the surface of the engine, or methane in the surrounding atmosphere.

Examples of such failures include:

- the failure of an explosion-protected open joint or fixed joint.
- the failure of a diesel engine system to shut down when required by the control system. Such as the loss of water in the scrubber, excessive temperature, failure of engine cooling system, loss of engine oil.
- a catastrophic failure of the diesel engine system that protrudes external to the engine system.
- the failure to replace any explosion-protected component, such as a cap, plug, flame trap, gland or other like component, after carrying out maintenance activities.
- evidence of thermal degradation of an exhaust filter.
- evidence of surface temperatures exceeding 150°C.

The information that must be included in the ancillary report is set out below:

1. Information about the mine where the incident occurred.
2. Information about the particulars of the machine.
3. Information about the last inspection of the machine.
4. Information about the failure mode.
5. Information about the component(s) that have failed.
6. Recommendations for preventing the incident from reoccurring.
7. A statement by a competent person certifying that:
 - a. they have reviewed the content of the ancillary report; and
 - b. to the best of their knowledge the information supplied in the ancillary report is true and correct in every particular.
8. A sign-off from an authorised person declaring that:

- a. they have authority from the mine operator to complete and submit the ancillary report on their behalf, and
- b. to the best of their knowledge, the information provided in the ancillary report is true and correct in every particular.

Note 1. *In the case of a coal mine, the statement referred to in point 7 must be made by the person nominated to exercise the statutory function of the mechanical engineering manager or mechanical engineer at the mine. In all other cases, the statement must be made by a competent person.*

Note 2. *The person completing the sign-off may also be the person completing the statement under point 7 above.*