

**NSW
Resources
Regulator**

○ **Monthly business activity report**

DECEMBER 2017



VISION

A safe and responsible mining extractive and petroleum industry

MISSION

To enable and support industry to understand and fulfil its obligations



Document control

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Amendment schedule		
Date	Version	Amendment

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (February 2018). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment or the user's independent advisor.

Key activities

This month the Resources Regulator commenced investigations into two new cases of dust disease in the NSW coal industry. One case relates to a worker who was diagnosed with mixed dust pneumoconiosis. The worker spent much of his career in the NSW coal industry, mostly underground, but had not worked in a production-related role since 2004.

The other case relates to a worker diagnosed with a confirmed case of simple silicosis. The worker is employed at a NSW mine, however has also worked extensively in the mining and tunnelling industries both interstate and overseas.

The regulator's Major Investigation Unit is investigating each case to see if there were breaches of the work health and safety laws.

The NSW Court of Criminal Appeal dismissed an appeal by Hunter Quarries Pty Ltd and one of its directors in relation to a number of matters, including convictions recorded against them following the death of a worker at the Karuah Quarry in 2005. In October 2009, Hunter Quarries was convicted and fined \$214,000, while one of the company directors was convicted and fined \$21,450. The NSW Court of Criminal Appeal dismissed all grounds of appeal lodged by Hunter Quarries and the company director.



NSW Planning and Environment has taken all care to ensure the accuracy, completeness and reliability of the information provided in this report. Nothing in this report impacts any duties held by any person under legislation administered or enforced by the department. Compliance with the legislation is a legal requirement. Some persons may have a right of internal or external review of decisions made under the legislation administered or enforced by the department.

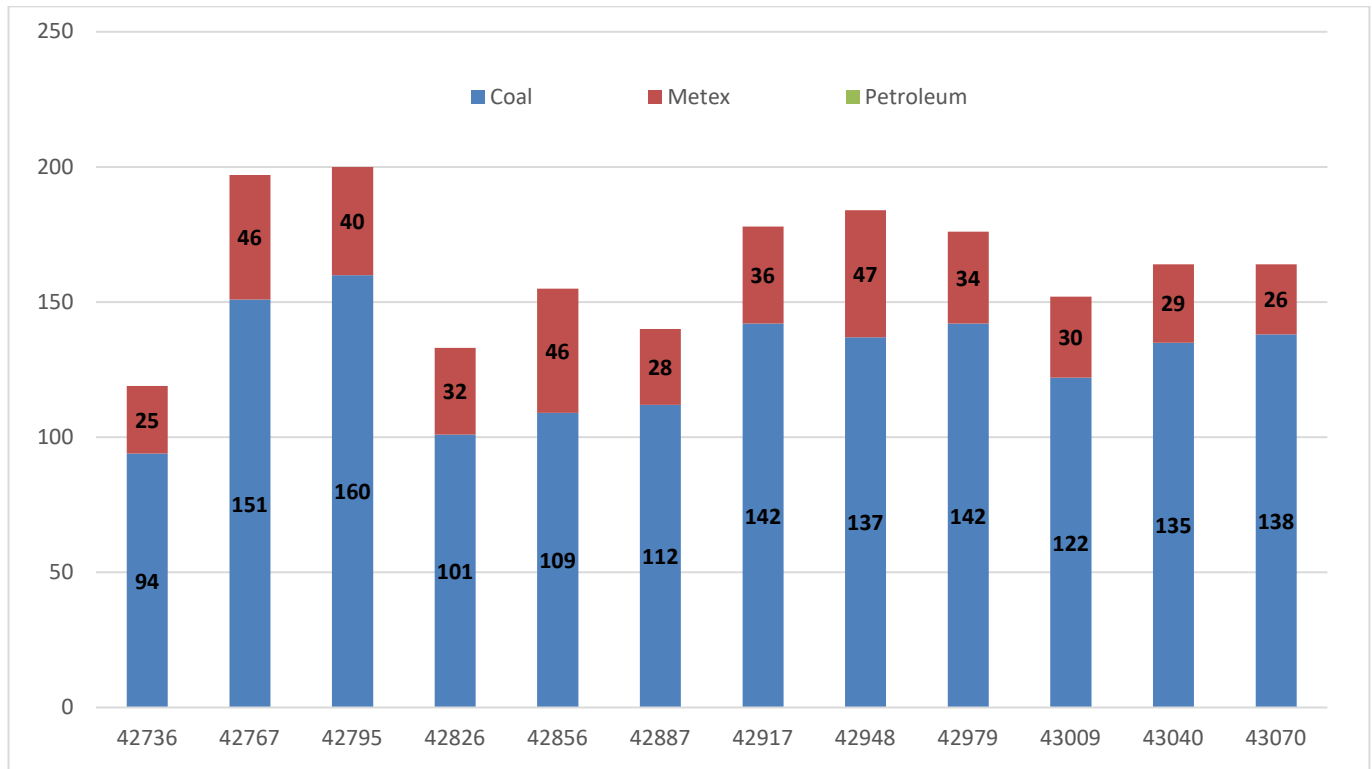
Activities

Below is a snapshot of the NSW Resources Regulator's activities for December 2017.



Incidents and complaints

Incidents and complaints notified to the regulator by sector. Incident classifications and weekly incident summaries are available on our [website](#).



Metex includes all metalliferous and extractive mines other than coal

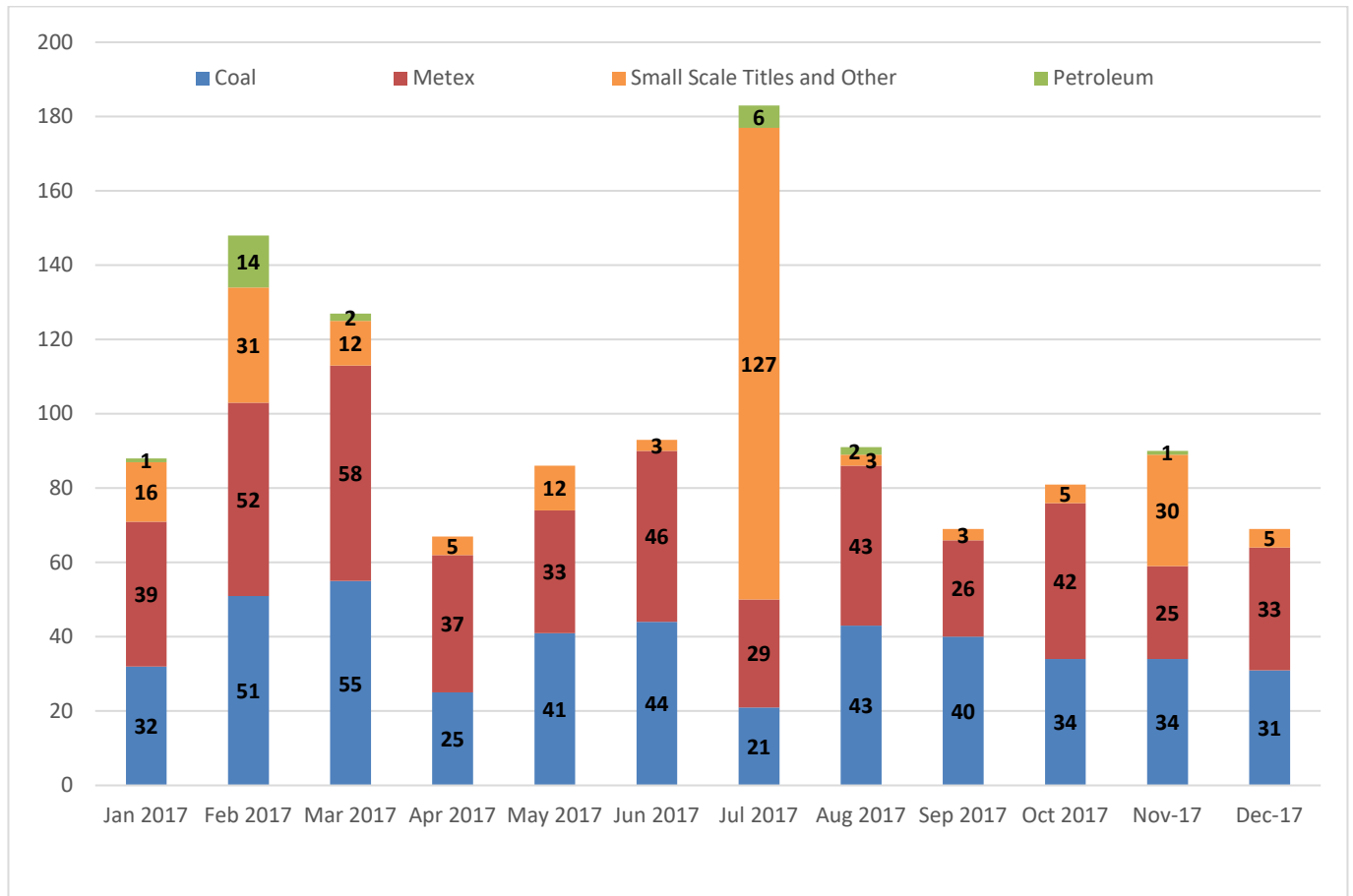
Inspections, audits and targeted assessments

Reports on our compliance activities are available on our [website](#).

Targeted assessments undertaken

Mine	Type	Topic
Tahmoor Colliery	Emergency Management	Site assessment conducted
Ulan West Operations	Diesel Explosion Emissions	Site assessment conducted

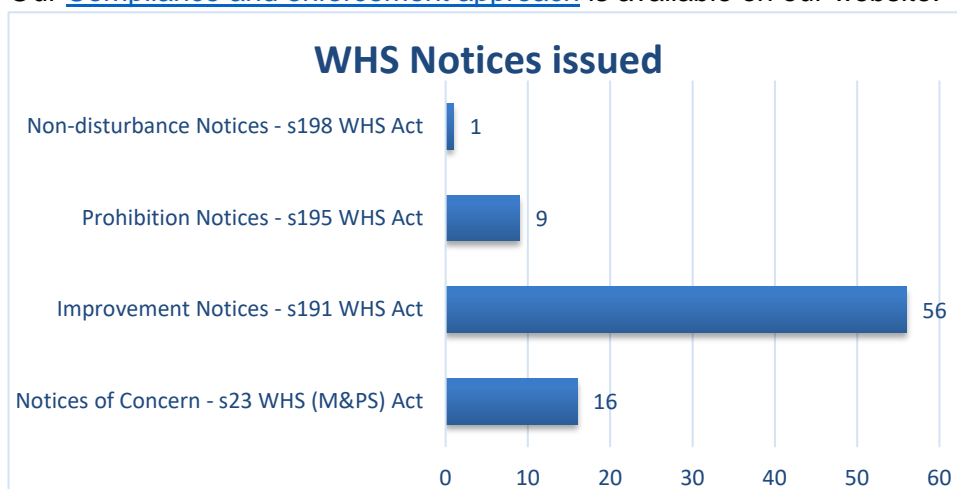
Safety inspections



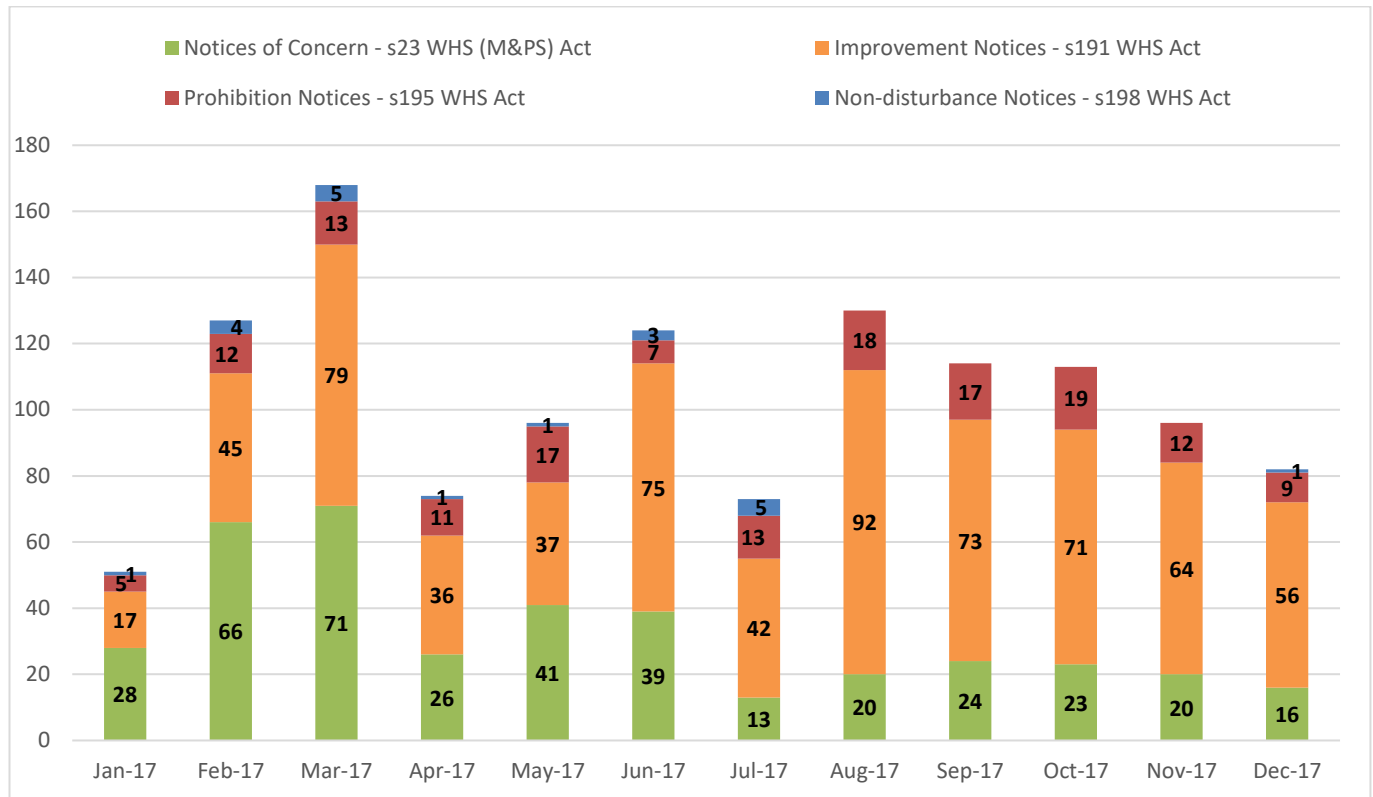
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Enforcement actions

Our [Compliance and enforcement approach](#) is available on our website.



WHS notices issued

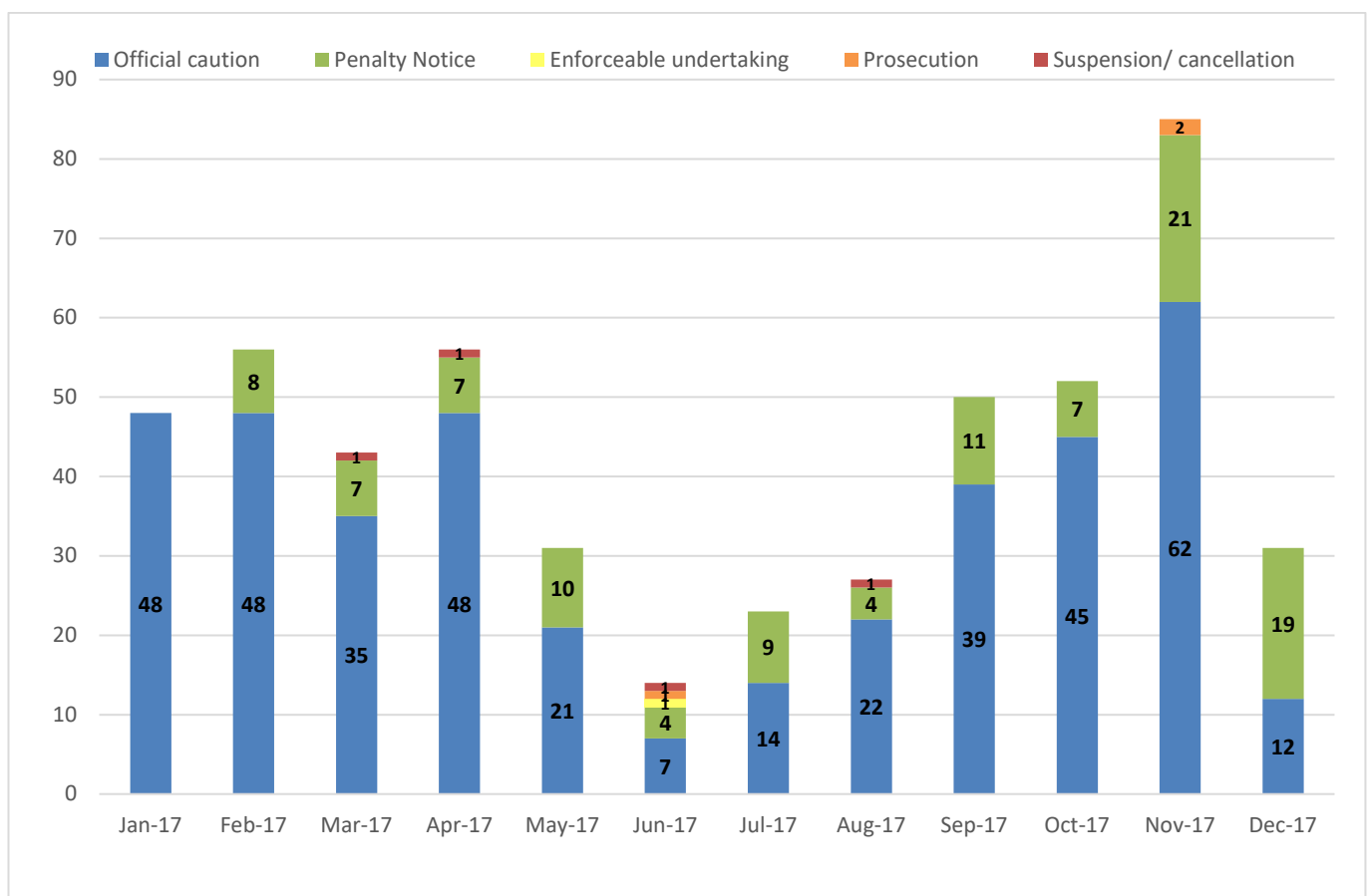
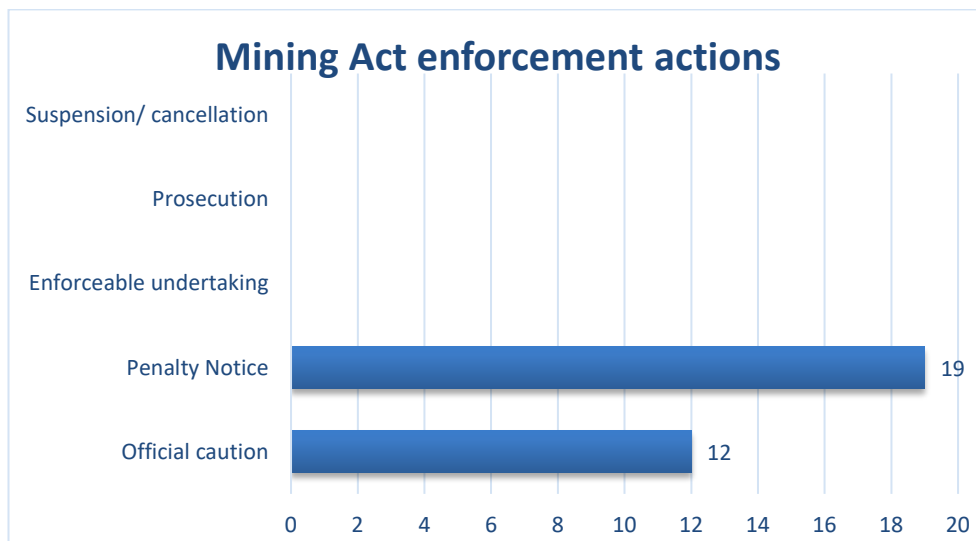


Prohibition notices issued (WHS leg)

PCBU	Mine	Details	Prohibited activity
Narrabri Coal Operations Pty Ltd	Narrabri Colliery	Following a roof fall in Longwall 7 it was identified that the operator had not provided at least two exits to the surface.	No work is to be carried out inbye of Longwall 7 Main Gate 15 c/t (with exceptions).
Bengalla Mining Company Pty Limited	Bengalla DCP	A worker was injured using blasting equipment in the CHPP while an observer operated the deadman on the blasting equipment.	Performing abrasive blasting without a deadman control under the direct control of the operator or a system of work which provides an equivalent level of safety.

PCBU	Mine	Details	Prohibited activity
Whitehaven Coal Mining Limited	Werris Creek No 2 Coal Mine	An incident occurred where the retarder, service and emergency brake on a water cart failed on deployment whilst operating on a slope.	The return to service (use) of CAT 773D water cart on which the retarder, service and emergency brake was reported to have failed until the cause(s) has been identified and addressed to the satisfaction of the statutory mechanical engineer.
Ulan Surface Operations Pty Ltd	Ulan Surface Operations	An incident occurred where a contract electrician was performing work on a 415V 1.5W pump starter panel when an arc flash occurred.	The opening of any enclosure on the motor control centre RO2-MCC (OSMOFLO MCC) whilst the MCC 415V bus is energised.
Paragalli Sands	Paragalli Sands Bloomfield	A site assessment at the quarries identified that a park brake on a loader was not operational.	Any activity on the loader unless operated to take off site.
Helensburgh Coal Pty Ltd	Metropolitan Colliery	During an inspection, it was noted that a diesel machine was operating in a roadway where there was insufficient ventilation.	Operation of diesel equipment in underground roadways where the ventilation quantity is less than that required for diesel equipment to operate as per the WHSMPS Regulation.
Helensburgh Coal Pty Ltd	Metropolitan Colliery	During an inspection, it was noted that diesel fuel pods at track-end had excess levels of diesel fuel ponding in the bunded areas.	The two fuel pods located at track-end are to be removed from service and inspected by the Manager of Mechanical Engineering or his nominee to identify why diesel fuel is ponding in the bunded area of the fuel pods.
Narrabri Coal Operations Pty Ltd	Narrabri Colliery	A fire on main trunk belt CVS005 occurred due to a collapsed conveyor roller.	Use and operation of the main truck conveyor CVS005 for the purposes of coal transport.
Narrabri Coal Operations Pty Ltd	Narrabri Colliery	A gearbox failure on the longwall face resulted in an underground fire.	The longwall cannot resume production until the hazards associated with AFC gearbox failures on the longwall have been assessed and controls introduced to reduce the chance of a fire.

Enforcement actions under the Mining Act



Penalty notices issued (Mining Act)

Date	Entity	Actions	Details
8/12/17	Abterra Australia Pty Ltd, ML1616	Penalty Notice, \$5,000	Fail to pay rent and levy fees
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12/12/17	Titleholder, MC18389	Penalty Notice, \$1,250	Fail to pay rent and levy fees
15/12/17	The Austral Brick Co.Pty Ltd, M(MO)LA 27	Penalty Notice, \$5,000	Fail to pay rent and levy fees
18/12/17	Prodrill WA, EL8283	Penalty Notice, \$5,000	Provide false and misleading information
18/12/17	Gold & Copper Resources, EL6588	Penalty Notice, \$1,000	Fail to lodge Annual Exploration Report
18/12/17	East Coast Tin, EL8131	Penalty Notice, \$1,000	Fail to pay rent and levy fees
18/12/17	Titleholder, MC55851	Penalty Notice, \$1,250	Fail to lodge Annual Exploration Report
19/12/17	Abterra Australia Pty Limited, ML1616	Penalty Notice, \$1,000	Fail to lodge Annual Exploration Report
20/12/17	Titleholder, MC17164	Penalty Notice, \$1,250	Fail to lodge Annual Exploration Report
21/1/2/17	Phoenix Vision Coal Pty Ltd, EL7115	Penalty Notice, \$5,000	Fail to pay rent and levy fees
21/1/2/17	Phoenix Vision Coal Pty Ltd, EL7115	Penalty Notice, \$5,000	Fail to pay rent and levy fees
22/12/17	Titleholder, ML292	Penalty Notice, \$1,250	Fail to lodge Annual Exploration Report
22/12/17	Diversified Mining Pty Ltd, EL6168	Penalty Notice, \$5,000	Fail to pay rent and levy fees
22/12/17	Hillgrove Mines Pty Ltd, EL6419	Penalty Notice, \$1,000	Fail to pay rent and levy fees
22/12/17	Hillgrove Mines Pty Ltd, ML205	Penalty Notice, \$1,000	Fail to pay rent and levy fees
22/12/17	Hillgrove Mines Pty Ltd, ML592	Penalty Notice, \$1,000	Fail to lodge Annual Exploration Report
22/12/17	Australian Native Landscapes Pty Ltd, ML1454	Penalty Notice, \$1,000	Fail to lodge Annual Exploration Report

Statutory notifications and exemptions

Information about WHS statutory [notifications](#) and [exemptions](#) is available on our website.

High risk activity notifications received

Mine	WHS (M&PS) Regs provision	Activity
Airly Mine	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
Appin Colliery	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
Ashton Underground	Schedule 3, Clause 10	Sealing
Austar Coal Mine – Underground Operations	Schedule 3, Clause 12	Driving underground roadway that is wider than 5.5 metres (x 2)
Austar Coal Mine – Underground Operations	Schedule 3, Clause 7(2)(b)	Working in inrush control zone
Chain Valley Colliery	Schedule 3, Clause 8	Roadway or drift without intersection for 250 metres
Chain Valley Colliery	Schedule 3, Clause 15	Formation of non-conforming pillars (x 2)
Charbon Colliery	Schedule 3, Clause 10	Sealing
Integra Underground	Schedule 3, Clause 15	Formation of non-conforming pillars
Mandalong Mine	Schedule 3, Clause 15	Formation of non-conforming pillars (x 2)
Mandalong Mine	Schedule 3, Clause 16(1)(a)	Secondary extraction by long/short/miniwall mining
Metropolitan Colliery	Schedule 3, Clause 18	Mining in outburst control zones

Moolarben Coal Operations – Underground	Schedule 3, Clause 12	Driving underground roadway that is wider than 5.5 metres
Mount Pleasant Operation	Schedule 3, Clause 27	Emplacement areas
Narrabri Colliery	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
Tahmoor Colliery	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
Woodlawn Mine S (C&P) L 20	Schedule 3, Clause 4	Development of new mine entry

Exemptions granted

Mine / PCBU	Status	Details
Perilya Broken Hill Ltd	Granted	Extension of exemption for Southern Cross powered winding system
Perilya Broken Hill Ltd	Granted	Further extension of exemption for Southern Cross powered winding system

Workshops and education activities

Details of upcoming events are available on our [website](#).

Date	What	Where	Details
13 December	Workshop	Tocal	Certificate of competence examiner training
14 December	Exercise planning	Orange	Regulator staff worked with emergency services and Cadia Mine staff in developing and designing an exercise for the Orange/Cabonne LEMC in 2018
15 December	NSW Health engagement with mining sector	Cadia Mine	NSW Health disaster management staff meet with Cadia mine staff to review risks and site facilities in conjunction with Regulator staff
19 December	Presentation to Division of Resources and Geoscience	Maitland	Presentation of royalty data analysis and trends

Publications and alerts

Our [public comment policy](#) is available on our website.

Date	Type	Summary
5 December	Mine safety update	Mine Safety News <ul style="list-style-type: none"> • Panel members sought for 2018 examination panel • Practising certificate applications open • Fact sheet published on heat stress
7 December	Mine safety update	Weekly incident summary
20 December	Media release	Regulator welcomes court verdict on Hunter Quarries and director
21 December	Media release	Regulator investigating dust diseases in NSW coal industry
21 December	Mine safety update	Weekly incident summary