



ENTRY REPORT



Date of Report: ♦ 08/10/2012 Visit Number: V01017400282L
 Entry Date and Time : 08/10/2012 01:15 PM Departure Date and Time: 08/10/2012 04:30 PM

PLACE ENTERED

Legal Name: AUSTRALIAN POWER PARTNERS B V & OTHERS

ABN: 40924759557

Tenement No: MIN5004

Legal Address: BRODRIBB ROAD
MORWELL 3840

Trading Name (if different from above): HAZELWOOD POWER

Phone No: 5135 5700 Facsimile No: 5135 5758

OTHER PERSONS ATTENDING WITH INSPECTOR

WorkSafe Inspector: Other Persons: John Robinson and Peter Brimblecombe.
 WorkSafe Staff:

THIS REPORT GIVEN TO♦

Name: Luc Dietvorst Persons Position: ♦ Employer Representative

Service Method: ♦ Left for a person
 Name of person copy given to: ♦ Marc Callow Persons Position: ♦ Health and Safety Representative

Purpose for entry:

I entered this place to follow up on previously issued inspector notice(s).

POWERS OF ENTRY:♦

Under section 98(1) of the Occupational Health and Safety Act 2004, I entered your workplace during working hours.

OBSERVATIONS AND ACTIONS OF THE INSPECTOR

1. OHS-112618-1 : Follow up on previous visit

AUSTRALIAN POWER PARTNERS B V & OTHERS is a partnership that is listed as AUSTRALIAN POWER PARTNERS B V & CISL (HAZELWOOD) PTY LIMITED & HAZELWOOD INVESTMENT COMPANY PTY LIMITED & HAZELWOOD PACIFIC PTY LTD & NATIONAL POWER AUSTRALIA INVESTMENTS LIMITED under the ABN 40924759557, also trading as IPR-GDF SUEZ HAZELWOOD.

2. OHS-0238 : Follow up on previous visit
Improvement Notice Follow up - V01017400252L/111-01

I attended your workplace to follow up on an Improvement Notice V01017400252L/111-01 in relation to the Mine site's Safety Assessment for the identified Major Mining Hazard "Mine Fires" issued on the 21st of June 2012.

On the 21st of June 2012, I formed a belief that AUSTRALIAN POWER PARTNERS B V & OTHERS had not conducted a Safety Assessment for the identified Major Mining Hazard "Mine Fires" as per Occupational Health and Safety Regulations 2007 r5.3.23.

During my visit, I observed a document titled "International Power Hazelwood - Report for Major Mining Hazards Assessment, Interim Submission" dated December 2009 that states on page 19 (under the heading) "Further Work" - "Risk assessments are to be carried out for each of the scenarios for the MMHs illustrating that risk has been reduced to as low as reasonably practicable". AUSTRALIAN POWER PARTNERS B V & OTHERS Management informed me that the assessments as stated in the above mentioned document have not been finished.

In addition, a large Mine Fire occurred at this site in 2006 and in January 2012 Dredger 11 sustained major damage due to a fire, both fires had the potential to cause an incident that would cause, or pose a significant risk of causing, more than one death.

I also observed documentation (System Control Descriptions) that contains information relating to control measures as documented in the Safety Assessment 'Bow-Tie' diagram "Mine Fires". I observed that this documentation is incomplete and unfinished.

Today, I met with Management and was informed that the following actions have been taken:

The Bow - Tie diagram for the Safety Assessment for Major Mining Hazard 9 - Mine Fire (Major Fire) has now been reviewed, risk assessments for each scenario were conducted (during the review on the 4th and 5th of October 2012 - minutes obtained).

It is Management's belief that the risk associated with each scenario as documented within the Bow - Tie diagram for the Safety Assessment for Major Mining Hazard 9 - Mine Fire (Major Fire) is as low as reasonably practicable. This is documented within the minutes of the above mentioned review.

Furthermore, Management have identified "new causes" that have now also been added to the assessment and the "System Control Descriptions" that contains information relating to control measures as documented in the Safety Assessment 'Bow-Tie' diagram "Mine Fires" appears to have been completed. I observed a random selection and found them to be updated and finished.

It is my belief that Improvement Notice V01017400252L/111-01 is complied with.

3. OHS-0616 : Follow up on previous visit
I met with the employer representative, and was advised there are formal representative

arrangements and consultative mechanisms in place - these are known to WorkSafe via previous site visits. I confirmed that HSR training has also been provided. Marc Callow was unable to attend today's meeting, Management have agreed to pass on this Entry Report and all other relevant information discussed today.

4. OHS-112618-3 : Follow up on previous visit

The above mentioned enquiries, discussions and observations does not indicate that AUSTRALIAN POWER PARTNERS B V & OTHERS complies with all health and safety requirements, nor does it affect the continuing obligation to ensure workplace health and safety.

5. OHS-1144 : Follow up on previous visit

In accordance with Section 99 (a) and (b) of the Occupational Health and Safety Act 2004, I inspected, examined and made enquiries. This includes documents detailed in this Entry Report or as follows:

- IPR-GDF Suez Major Mining Hazard 9 - Mine Fire (Major Fire) dated 19th Sept 2012;
- Hazelwood Mine 3 Year Review of Major Mining Hazards MMH No.7 - Mine Fire review minutes dated 4th and 5th Oct 2012.

During my visit at the above workplace AUSTRALIAN POWER PARTNERS B V & OTHERS voluntarily provided to me the following:

- Hazelwood Mine 3 Year Review of Major Mining Hazards MMH No.7 - Mine Fire review minutes dated 4th and 5th Oct 2012, which I have taken away from site.

INSPECTION OUTCOMES SUMMARY

Notices Issued By Inspector

Notice Number(s):

Description(s):

STATUS OF NOTICES THAT WERE MONITORED DURING THIS ENTRY

Update Notice Status

Notice Direction	Action
V01017400252L/111-01	Complied with

Additional Details:

I GAVE YOU THESE DOCUMENTS

Title:

Description:

INSPECTOR INFORMATION

Name of Inspector: Kevin Shepard Hayes

Telephone Number of Inspector: 5173 8925

Facsimile Number of Inspector: 5174 9086

Email Address of Inspector: kevin_hayes@worksafe.vic.gov.au

Inspectors Signature

Original Report Hand Written Yes

INTERNAL REVIEW OF CERTAIN INSPECTOR DECISIONS

If you want to apply for internal review of a decision made by an inspector during this visit, you must lodge the approved application form with the Internal Review Unit within 14 days of the date the decision came to your notice. WorkSafe Victoria (WorkSafe) must conduct the internal review within legislated time frame of either 7 or 14 days depending on the category of reviewable decision. If WorkSafe does not notify you of the internal review decision within the required time, WorkSafe is taken to have made a decision to affirm the reviewable decision. Not all decisions can be internally reviewed and in order to seek internal review of a decision you must be an eligible person.

Application forms for internal review, a list of reviewable decisions and a list of eligible persons are available upon request from a WorkSafe Inspector, WorkSafe Advisory Service on 1800 136089 or they can be downloaded from the website worksafe.vic.gov.au

All applications are to be in approved form and must be received by WorkSafe's Internal Review Unit, Ground Floor, 222 Exhibition Street, Melbourne 3000 in order to be considered.

If you lodge an application for internal review and you do not receive a decision within the required time frame or you receive an Internal Review decision that you are not happy with, you can then apply to Victorian Civil and Administrative Tribunal for external review within 14 days of the date the Internal Review decision or non-decision first came to your attention. Applicants seeking external review must be an eligible person.

You can contact the Internal Review Unit on telephone (03) 8663 5450, fax (03) 8663 5451 or by email at internalreviewunit@worksafe.vic.gov.au

OFFENCE

The following Acts, including any regulations made under them carry varying offences such as failure to meet duties and obligations, non compliance with a notice or direction issued or made by an inspector and hindering or obstructing an inspector in the exercise of their powers:

- * Occupational Health and Safety Act 2004
- * Dangerous Goods Act 1985
- * Equipment (Public Safety) Act 1994

For specific details about offences and subsequent penalties refer to the specific Act or regulation.

FEEDBACK

If you want to contact WorkSafe in relation to this entry by our Inspector other than for Internal Review purposes (see above), please use the following guide:

- * to clarify any matter that is covered by the Entry Report and any associated Notices or Directions contact the issuing Inspector, whose name and contact details appear above in the Inspector Information section in this Entry Report
- * to make comment about any aspect of how this inspection was conducted, contact the inspector's senior management on telephone 9641 1759, fax 9641 1201 or by writing to GPO Box 4306, Melbourne 3001
- * to provide feedback in relation to WorkSafe activities or the legislation we administer, contact our General Manager, Operations, Health and Safety, WorkSafe Victoria, GPO Box 4306 Melbourne Victoria 3001, by fax 9641 1711 or e-mail to generalmanageroperations@worksafe.vic.gov.au

PRIVACY COLLECTION STATEMENT

WorkSafe collects, uses, discloses and stores information in accordance with the Occupational Health and Safety Act 2004, other legislation administered by WorkSafe and all applicable privacy laws. This includes information collected by WorkSafe inspectors or authorised officers. Note that non-compliance with privacy laws is permissible to the extent that those laws conflict with other legislative provisions allowing or requiring the collection of information. Note also that privacy laws do not apply to the collection of information by WorkSafe to the extent that it is exercising its law enforcement functions and