

Visit Nbr: V01017400200L - AUSTRALIAN POWER PART

Date: 05/09/2011



ENTRY REPORT

WorkSafe Victoria is a division of the Victorian WorkCover Authority

Date: 05/09/2011 Visit Number: V01017400200L

Issued by Inspector: Kevin Shepard Hayes

Phone: 5173 8825

Fax: 5174 9086

Service Method: Left for a person

Entry Time: 05/09/2011 12:30 PM Departure Time: 05/09/2011 03:15 PM

PLACE ENTERED

ABN: AUSTRALIAN POWER PARTNERS B V & OTHERS
 40524759557
 Tenement No: M1N5004
 BRODERIBB ROAD
 HAZELWOOD 3840
 HAZELWOOD POWER

Phone No: 5135 5743 Fax No: 5135 5805

This report given to: Richard Polmear Position: Employer Representative

Copies to: Paul Drenen Position: Health and Safety Representative

Other people who attended as part of the inspection:

WorkSafe Staff:

Other Persons: Frank Merante, John Robinson, Bill Estrada and Jayantha Fernando.

Purpose for entry:

I entered this place to follow up on matters dealt with at a previous visit.

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

- OHS-113845-1 : Incident Assessment
 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

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LTD & NATIONAL POWER AUSTRALIA INVESTMENTS LIMITED under the ABN 49824759557.

2. OHS-0274 : Incident Assessment

I attended your workplace to follow up on a visit I conducted on the 1st of August 2011 (Entry Report V01017400192L).

A reported incident occurred at this workplace on the 1st of August 2011. The incident involved an employee receiving burns to his face and neck as a result of a 'flash' fire. The Victorian WorkCover Authority was notified of this incident.

At approximately 11:15AM an employee was in the process of repairing crawler no.2 torque arm on Travelling Stacker no.2 (TS 2) when it is believed that a 'hot' piece of metal had burnt through a pressurised grease line. It was 'assumed' at this point in time that the grease has ignited causing a 'flash' fire. The injured employee was transported to the site's first aid centre and then transported to the Latrobe Regional Hospital via ambulance.

Initial enquiries revealed that TS 2 had 'broken down' during a previous shift, an assessment on 'how to perform the repairs' was carried out earlier on the morning of the 1st of August (8:00AM) by Management, Supervision and Employees. The work area had undergone a preliminary 'clean down' and a 'generic' JSA was issued to the workparty. The task of repairing the torque arm is not considered a routine task and the JSA (obtained) lacked detail.

The JSA did not include the specific job steps necessary to carry out the task, and job step no.5 "Oxy Cutting, Gouging and welding" was not assessed. Furthermore the JSA was not reviewed by Supervision/Management to ensure that the workparty had identified all known hazards/risk control measures and specific job steps (as per JSA training). A JSA (system of work) was completed prior to the conclusion of this visit.

Management informed WorkSafe that the JSA system is under review (outcome from the 2011 Verification). Further training will be scheduled following this review.

IPRH have agreed to conduct a comprehensive investigation involving all parties and forward it onto WorkSafe upon completion.

3. OHS-113845-2 : Incident Assessment

Today, AUSTRALIAN POWER PARTNERS B V & OTHERS Management informed me that the investigation revealed the following findings:

- the hazard (heat and grease line) was not identified, as a result hot debris has made contact with a grease line.

Other factors included (but was not limited to):

- working conditions (grease line obscured by debris);
- cramped working area;
- poor access;
- task planning and preparation;
- plant knowledge (location of grease line); and
- non routine task.

WorkSafe commented that the "verbal agreements and work methodology (as stated) was NOT valid" as (a sample of reviewed) steps provided to the workparty did not allow.

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for the 'test and inspection' of the beam used to temporarily support the weight of the motor and gear box, nor did it allow for calculations/instructions for the lugs (to be welded) used to anchor the chain puller (pulling the torque arm together). Management agreed to revise the wording in the investigation. Further, management will review these specific provisions and include documentation within the JSA.

Management are also reminded that under section 39 of the Occupational Health and Safety Act 2004 - Duty to preserve incident sites -

(1) An employer or self-employed person who is required to notify the Authority of an incident that has occurred at a workplace must ensure that the site where it occurred is not disturbed until—

(a) an inspector arrives at the site; or

(b) such other time as an inspector directs when the Authority is notified of the incident.

Management have agreed to reiterate this requirement to all relevant personnel and will include this action within the body of the investigation.

Management also informed WorkSafe that the JSA system is under review (outcome from the 2011 Verification). Further training will be scheduled following this review.

4. OHS-115425-1 : Incident Assessment
- Batter Slip -

In addition to this, I reviewed the site's incident register (Incident Management System - IMS). It was noted that on the 26th of August 2011, an incident occurred where by approximately 20 metres (length) - 150 cu metres of 'overburden' batter slipped. Management informed me that employees were approximately 120 metres away when this occurred. Management also informed me that the employees were installing a fire service pipe and would have eventually been within the immediate area of the slip. I reiterated (to Management) section 36 of the Occupational Health and Safety Act 2004 - Duty to notify of incidents - including the guidance material available on the WorkSafe web site.

Management informed me that they are in the process of conducting an investigation (and review of the site Safety Assessment). The investigation will include/cover (but will not be limited to):

- batter angles;
- surface water at the top of the batter;
- quality of material being excavated;
- quality of weekly Geotech inspections;
- quality of supervisory checks;
- dredge driver observations and training;
- JSA requirements for working near batters; and
- dig charts/plans.

I informed Management that WorkSafe will continue to monitor the progress of this investigation and review of the Safety Assessment.

5. OHS-115425-2 : Incident Assessment
- Fatigue -

Whilst on site, I enquired into the site's fatigue strategies including compliance with the site policy. Management informed me that doc ID 16758 (Fatigue Policy) has just

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undergone a review and will be 'tabled' at the next OHS Committee Meeting.
Discussions included (but was not limited to):

- maximum hours worked (144) over a two week period;
- maximum hours worked in a single day (13/ up to 16 if risk assessed);
- risk assessments (including tasks performed, job rotation, environment etc..); and
- maximum consecutive days worked (13 followed by compulsory 2 day break).

Management informed that this policy is enforced on site via:

- supervision monitoring specific tasks including overtime and outage work;
- management monitoring/reviewing conducted risk assessments; and
- auditing - via business observation reports, (gate passes).

Consultation occurs (and has occurred) via team tool box meetings and OHS Committee meetings.

No fatigue issues have been reported to WorkSafe (past or present) by Management, Employees or Contractors.

6. OHS-0523 : Incident Assessment

The Health and Safety Representative was not available at the time of my visit, as he was on leave, and was therefore unable to accompany me during my inspection. I confirmed that Health and Safety consultative arrangements were in place.

7. OHS-113845-3 : Incident Assessment

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.

8. OHS-0659 : Incident Assessment

You are hereby notified that under Section 99(a) of the Occupational Health and Safety Act 2004, during an inspection at BRODBRIBB ROAD HAZELWOOD 3840, I inspected, examined and made enquiries

9. OHS-0660 : Incident Assessment

You are hereby notified that under Section 99(b) of the Occupational Health and Safety Act 2004, during an inspection at this workplace I examined and inspected those documents referenced in the body of this Entry Report or as follows:

- Incident Investigation Report - 'Draft' Burn Incident, dated 1st August;
- weekly Geotech inspections dated 19th and 25th August 2011; and
- daily supervisor check sheets.

Inspectors proposed follow up action:

Other actions taken:

Status of Notices that were monitored during this entry:

Additional Details:

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I gave you these documents:

Additional Details:

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. The Authority must conduct the internal review within legislated time frame of either 7 or 14 days depending on the category of reviewable decision. If the Authority does not notify you of the internal review decision within the required time, the Authority 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 136989 or they can be downloaded from the website www.worksafe.vic.gov.au.

All applications are to be in approved form and must be received by the Authority'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 Victoria 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 at the top of 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 Victoria activities or the legislation we administer, contact our Executive Director, Health and Safety, WorkSafe Victoria, GPO Box 4306 Melbourne Victoria 3001, by fax 9641 1711 or e-mail to executivedirector@worksafe.vic.gov.au

PRIVACY COLLECTION STATEMENT

The Victorian WorkCover Authority (VWA) collects, uses, discloses and stores information in accordance with the Occupational Health and Safety Act 2004, other legislation administered by the VWA and all

