



ENTRY REPORT

WorkSafe Victoria is a division of
the Victorian WorkCover Authority

Date: **14/02/2012** Visit Number: **V01017400225L**
 Issued by Inspector: **Kevin Shepard Hayes**
 Phone: **5173 8925**
 Fax: **5174 9086**
 Service Method: **Left for a person**
 Entry Time : **09:15 AM** Departure Time: **03:30 PM**

PLACE ENTERED

AUSTRALIAN POWER PARTNERS B V & OTHERS
 ABN: **40924759557**
 Tenement No: **MIN5004**
BRODBRIBB ROAD
HAZELWOOD 3840
 Phone Number: **5135 5700**
 Facsimile Number: **5135 5758**

This report given to: **Luc Dietvorst** Position: **Employer Representative**
 Copies to: **Marc Callow** Position: **Health and Safety Representative**

Other people who attended as part of the inspection:

WorkSafe Staff: **Greg Slezlak**
 Other Persons: **John Robinson, Stan Kemsley.**

Purpose for entry:

I entered this place as part of WorkSafe Victoria's proactive intervention program to provide guidance and assess and enforce compliance with specific health and safety laws. This visit is undertaken as part of the Earth Resources Oversight project.

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. 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. - Reported Incident Follow-up -

I attended your workplace in the company of WorkSafe Senior Mining Engineer Greg

Sleziak to follow up on an initial response visit Inspector Marnie Ross conducted on the 21st of January 2012 (ER No. V00039402232L) and to continue enquiries into a reported incident that occurred at this workplace on the 21st of January 2012. WorkSafe was notified of this incident.

INCIDENT:

At approximately 06.15 am smoke was seen to be coming from the D11 Dredger. It appeared to be located in the central chute area (transfer point between the bucket wheel boom and the discharge chute to the conveyor). The fire continued to escalate and burnt the ropes holding the 'A' frame which resulted in the discharge conveyor boom collapsing to the ground.

The fire engulfed this area and burnt upwards toward the walkway located between the last bay of the tower and the electrical switch room.

The fire was initially extinguished with assistance from the CFA. Small spot fires were managed by onsite personnel. The cable conduit located above the fire area continued to smoulder for some time post the incident.

The cause of the fire was unknown at the time.

The employer arranged for a Structural Engineer to assist with assessing the condition of the Dredger. He was given permission to ascend to the upper walkway to assess the condition of the walkway between the last bay of the tower and the electrical switch room. This walkway was 'structurally sound' at the time to allow for an electrician to access the electrical switch room to render this and the D11 Dredger electrically safe.

Inspector Marnie Ross issued a prohibition notice, prohibiting access onto the D11 Dredger by any person, other than for rendering the D11 Dredger safe - such as attending to electrical work, conducting firefighting and inspection of the structural integrity of the D11 Dredger, until an initial report indicating the structural integrity of the fire affected areas of the D11 Dredger has been obtained. The report is to be provided by an independent Structural Engineer and must include information on the condition of all of the structures affected by the fire and actions that will need to be taken to dismantle the D11 Dredger.

A copy of the initial report and associated action plan is to be provided to WorkSafe Victoria for review, in order to achieve remedy of the immediate risk.

3. - Reported Incident Follow-up cont... -

Today, Senior Mining Engineer Sleziak and I, met with Management to discuss the progress of the structural inspection report, initial fire investigation report and to obtain information surrounding the events leading up to, during and post fire incident. The initial outcomes and findings of the incident will provide input into the 'Oversight' visit.

Summary of enquiries, observations and discussions follows:

- * Visit to the incident scene;
- * Independent Structural Engineer's report;
- * Established timelines of the incident as per 'Draft' investigation;
- * Process and procedure for 'hosing-up' as per the stated timelines;
- * Maintenance activities inc idlers, pulleys, impact curtains and spill rubbers;
- * Different type of idlers (impact/return), impact curtains and spill rubbers including the material used (neoprene, steel, rubber etc...) as detailed within D11 Fire technical

details;

- * Thermal imaging/Condition Monitoring re 'Draft' recommendations;
- * Operator/Supervision inspections and cleaning/housekeeping (fuel reduction) regimes and operator 'inspections';
- * Auditing;
- * Training;
- * Fire protection; and
- * Emergency Response.

WorkSafe recommended that AUSTRALIAN POWER PARTNERS B V & OTHERS Management liaise with the other brown coal mine sites within the Latrobe Valley to determine if similar issues/incidents have been identified/occurred to review recommendations and corrective actions.

In addition to this AUSTRALIAN POWER PARTNERS B V & OTHERS Management agreed to provide regular updates on the fire investigation and provide a copy of the investigation and corrective actions/action plan upon completion.

4. - Oversight - Fires on LME including Dredgers, Stackers and associated plant -

In addition to the above mentioned enquiries, discussion with AUSTRALIAN POWER PARTNERS B V & OTHERS Management included:

- * Safety Assessment of MMH - Mine Fire (no.7);
- * Idler fault/repair log (Maximo);
- * Hot Works Permit system; and
- * Past incidents including recommendations arising from the 2006 mine fire.

Management informed me that a review of the above mentioned Safety Assessment will be conducted as part of the D11 Fire investigation. Management also informed me that the development of the 'control descriptor sheets' associated with the listed controls as documented in the above mentioned Safety Assessment is continuing. A copy of the 'Bow-tie' diagram and sample control descriptor sheets was voluntarily provided.

A copy of the October 2006 Mine Fire incident report and status of recommendations was also voluntarily provided.

5. - Representative arrangements -

Representative arrangements have been discussed and verified during previous visits including the latest visit conducted on the 19th of Dec 2011 (ER V01017400222L). On the 19th of Dec 2011 I was advised by Management and Employees that there are formal representative arrangements in place. Consultative mechanisms include, but are not limited to: daily pre-start meetings, tool box meetings and Health and Safety Committee meetings.

6. 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.
7. 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.
8. 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:

- Status of recommendations from the Oct 2006 Mine Fire report, dated 21/01/2012 (14 pages);
- Bow-tie diagram of Safety Assessment of Mine Fire (no.7) and associated control descriptor sheets (friction causation), dated Mar 2010, (41 pages);
- International Power Hazelwood, 2006 Mine Fire Investigation report (GHD), dated Jan 2007, (66 pages);
- Letter - Belle Banne to Dave Baxter re tech details, dated 25th Jan 2012, (1 page);
- extract of Fire person duties manual pages 31-34 dated 27/07/2011, (4 pages);
- List of idler defects D10 and D11; and
- Drawing of D11 centre chute area.

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

- Status of recommendations from the Oct 2006 Mine Fire report, dated 21/01/2012 (14 pages);
- Bow-tie diagram of Safety Assessment of Mine Fire (no.7) and associated control descriptor sheets (friction causation), dated Mar 2010, (41 pages);
- International Power Hazelwood, 2006 Mine Fire Investigation report (GHD), dated Jan 2007, (66 pages);
- Letter - Belle Banne to Dave Baxter re tech details, dated 25th Jan 2012, (1 page);
- extract of Fire person duties manual pages 31-34 dated 27/07/2011, (4 pages);
- List of idler defects D10 and D11; and
- Drawing of D11 centre chute area, which I have taken away from site.

9. You are hereby notified that under Section 99(f) of the Occupational Health and Safety Act 2004, during an inspection at the above address, photographs were taken. The photographs will be available for inspection at the WorkSafe office located at 222 Exhibition St, Melbourne by appointment on 0409 932 352.

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 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 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 non-compliance with privacy legislation is deemed necessary to fulfil those functions.

WorkSafe's Privacy Policy is on our website at worksafe.vic.gov.au

FURTHER INFORMATION

WorkSafe has a range of publications to explain your legal responsibilities and help you make your premises/site safer. To inquire about these publications, telephone (03) 9641 1333 or 1800 136089, or visit worksafe.vic.gov.au

WORKHEALTH CHECKS

WorkHealth is a WorkSafe initiative that provides free health checks in the workplace. Health professionals conduct the convenient, easy and confidential checks. Each check takes around 15 minutes and participants receive immediate feedback and advice based on their results. Applications can be lodged on line by going to the WorkHealth website workhealth.vic.gov.au or by calling the WorkHealth hotline on (03) 9641 1444 or 1800 136 089 (toll free).

