

Visit Nbr: V01017400252L - AUSTRALIAN POWER PART

Date: 21/06/2012



ENTRY REPORT

WorkSafe Victoria is a division of
the Victorian WorkCover Authority

Date: ♦ 21/06/2012 Visit Number: V01017400252L

Issued by Inspector: Kevin Shepard Hayes

Phone: 5173 8925

Fax: 5174 9086

Service Method: ♦ Left for a person

Entry Time: 21/06/2012 08:45 AM Departure Time: 21/06/2012 05:30 PM

PLACE ENTERED

ABN: AUSTRALIAN POWER PARTNERS B V & OTHERS
40924759557
Tenement No: MIN5004
BRODBRIBB ROAD
HAZELWOOD 3840
HAZELWOOD POWER

Phone No: 5135 5700 Fax No: 5135 5758

This report given to: ♦ Luc Dietvorst Position: ♦ Employer Representative

Copies to: ♦ Mark Callow Position: ♦ Health and Safety Representative

Other people who attended as part of the inspection:

WorkSafe Staff: Marnie Ross, Wally Morrison

Other Persons: Rob Dugan, Stan Kemsley, Des Brown, Peter Brimblecombe, John Robinson, Tony Vuillermin, Luke Morris, Stuart INSERT NAME and Reno Marino.

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. OHS-74958-1 : 139 Earth Resources Oversight

Visit Nbr: V01017400252L AUSTRALIAN POWER PART

Date: 21/06/2012

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-74958-2 : 139 Earth Resources Oversight
I attended your workplace in the company of WorkSafe Senior Mining Engineer (SME) Wally Morrison and WorkSafe Inspector Marnie Ross to conduct day 2 of a 2 day annual Verification.

The Verification is in relation the following Control Measures (CM) and Safety Management System (SMS) elements as documented by AUSTRALIAN POWER PARTNERS B V & OTHERS (IPRH):

- CM 1: Fire Suppression in cubicles - 0294 (Electrical Fires);
- CM 2: Shift Fault Inspections - 0151 (Friction Fires);
- CM 3: Temperature Monitoring/Trips of Critical Components - 0309 (Friction Fires);
- CM 4: Maintenance - Daily Cleaning or on Request - Hose down/Shovel clean (Poor Housekeeping);
- CM 5: Inspection Safety Walks - 0061 (Poor Housekeeping);
- CM 6: Annual Fire Safety Audits - 0288 (Escalation Scenario); and
- CM 7: Fire Hydrants/Sprays located near all plant - 0284 (Mine Fire Hazard) - also including fire equipment on Dredgers.

Safety Management System Elements :

- SMS 1 - Hazard Identification;
- SMS 2 - Safety Assessment - Mine Fires; and
- SMS 3 - Incident Management and Reporting.

Interviews were conducted with the above mentioned site Management and personnel and observations included those documents detailed below. A close-out meeting was held summarising our enquiries and observations. An analysis of the information and documentation received (as listed below) will take place off site and the findings will be documented in a report to be issued at a later date.

3. OHS-75604-1 : 139 Earth Resources Oversight
- Major Mining Hazard - Mine Fires -

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 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.

Visit Nbr: V01017400252L - AUSTRALIAN POWER PART

Date: 21/06/2012

As a result of the above mentioned enquiries and observations, I reasonably believe that the Safety Assessment for the identified Major Mining Hazard "Mine Fires" has not been conducted as per Occupational Health and Safety Regulations 2007 5.3.23.

If a mine fire was to occur whilst employees are performing duties within the mine, the fire has the potential to cause an incident that would pose a significant risk of causing, more than one death due asphyxiation or burns.

A failure to assess the risks associated with the Major Mining Hazard "Mine Fires" and to conduct a comprehensive and systematic Safety Assessment in accordance with regulation 5.3.23, may lead to hazards and failure scenarios not being identified and risk control measures not being implemented, thus exposing employees to a mine fire. A mine fire has the potential to result in multiple fatalities.

Under Section 111(1) of the Occupational Health and Safety Act 2004, I issued Improvement Notice V01017400252L/111-01.

4. OHS-0058 : 139 Earth Resources Oversight

I observed at this workplace, risks to employee health and safety from a failure to provide a system for ensuring that the fire fighting equipment (hose reels and tank) located on Dredger 10 is available and serviceable in the event of a fire emergency.

During my visit to Dredger 10 a management representative tested two hose reels located near and adjacent to the electrical switchroom. The representative turned on the valves and hose reels, no water was present. Management later informed me that the water tank located on Dredger 10 had been emptied sometime earlier and no water was available for fighting fires.

Management also informed me that tank levels are checked on a monthly basis, a 'wet test' - hose operation is carried out every six months. It appears that the current method of ensuring that water is available and hoses are operational is not sufficient to ensure that the fire fighting equipment (hose reels and tank) located on Dredger 10 is available and in a serviceable condition in the event of a fire emergency.

If a fire was to occur on Dredger 10 whilst employees are performing duties and the fire fighting equipment was not serviceable, the fire has the potential to cause an incident that would pose a significant risk of causing serious burn injuries or fatality.

A failure to provide a system that ensures that the fire fighting equipment on Dredger 10 remains in a serviceable condition and is available for use when required, may lead an escalation of a fire, thus exposing employees to a risk of serious burn injuries or fatality.

Under Section 111(1) of the Occupational Health and Safety Act 2004, I issued Improvement Notice V01017400252L/111-02.

5. OHS-0616 : 139 Earth Resources Oversight

I met with Management and was advised there are formal representative arrangements in place,

- Designated Work Groups (DWGs) have been formed;
- Health and Safety Representatives (HSRs) and Deputy HSRs have been duly elected;
- I observed a list of elected HSRs is displayed at the workplace;
- HSRs/Deputy HSRs have been trained.

I advised Management that further assistance and guidance on the roles and functions

Visit Nbr: V01017400252L - AUSTRALIAN POWER PART

Date: 21/06/2012

of HSRs and Health and Safety Committees is available on the WorkSafe website and in the publication "Employee Representation".

6. **OHS-74958-3 : 139 Earth Resources Oversight**
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. **OHS-0659 : 139 Earth Resources Oversight**
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. **OHS-0660-02 : 139 Earth Resources Oversight**
During my visit at the above workplace AUSTRALIAN POWER PARTNERS B V & OTHERS voluntarily provided to me the following:
 - V22 IPR-GDF SUEZ Hazelwood, Occupational Health and Safety Training for Mine 2012 Schedule, 1 page;
 - V23 IPR-GDF SUEZ Hazelwood, Mine Job Safety Analysis Proforma, dated 12/12/2011, 4 pages;
 - V24 IPR-GDF SUEZ Hazelwood, Job Safety Analysis Assessment Chris Code: MHJ001 x 4, dated 16/11/2011, 12/1/2012, 12/12/2011 and 18/11/2011;
 - V25 International Power Hazelwood, Safety Walk and Compliance Audit Procedure x 4, dated 10/2/2012, 31/5/2012, 3/5/2012 (6 pages) and 8/6/2012, 4 pages per document;
 - V26 IPR-GDF SUEZ Hazelwood, Stop & Take 5 - six examples, not dated, 2 pages;
 - V27 IPR-GDF SUEZ Hazelwood, Weekday 06:20hrs Shift Change over Meeting, dated 20/06/2012, 2 pages;
 - V28 IPR-GDF SUEZ Hazelwood, Safety Walk Procedure, dated 6/3/2012, 15 pages;
 - V29 International Power, Job Safety Analysis (JSA) Training Presentation, dated November 2011, 9 pages;
 - V30 IPR-GDF SUEZ Hazelwood, Fresh Eyes Observation Form, not dated, 7 pages;
 - V31 International Power Hazelwood, Job Safety Analysis Proforma, dated 2/6/2012, 4 pages;
 - V32 IPR-GDF SUEZ Hazelwood, Fresh Eyes Procedure, dated 16/5/2008, 8 pages;
 - V33 IPR-GDF SUEZ Hazelwood, Hazard Identification Risk Assessment and Control, dated 7/5/2012, 11 pages;
 - V34 IPR-GDF SUEZ Hazelwood, Incident Investigation Report, not dated, 4 pages;
 - V35 IPR-GDF SUEZ Hazelwood, Incident Management & Reporting Procedure, dated 18/6/2012, 13 pages;
 - V36 IPR-GDF SUEZ Hazelwood, 11 Dredger Centre Chute Fire Incident - Final Incident Investigation Report, dated 20/6/2012, 67 pages;
 - V37 IPR-GDF SUEZ Hazelwood, Fire Instructions - Mine, 27/7/2011, 18 pages;
 - V38 IPR-GDF SUEZ Hazelwood, Dredger D10 10 Daily - Lubrication Schedule, dated 2/12/2010, 3 pages;
 - V39 IPR-GDF SUEZ Hazelwood, Weekday 06:20hrs Shift Change over Meeting - including remedial and follow up actions, dated 21/6/2012, 8 pages;
 - V40 IPR-GDF SUEZ Hazelwood, Pyrogen Fire Detection & Suppression System for Mine Electrical Cubicles, dated 9/2/2005, 4 pages;
 - V41 WorkSafe Victoria, Incident Notification Form - Dredger 11 Fire, dated 2/1/2012, 1 page;
 - V42 IPR-GDF SUEZ Hazelwood, Bow Tie Diagram Revised Performance Measures, not dated, 75 pages;
 - V43 Hazelwood Power Corporation, Procedure Manual: SDT Manual for Open Cut Large Machines, Title: Fire Fighting Equipment, dated 11/11/1996, 3 pages

Visit Nbr: V01017400252L - AUSTRALIAN POWER PART

Date: 21/06/2012

- V44 IPR-GDF SUEZ Hazelwood, Shift Production Report - Night Shift 12 June 2012 & Mine Shift Managers Report, 12/6/2012, 5 pages;
- V45 IPR-GDF SUEZ Hazelwood, Mine Fire Service Policy & Code of Practice, 27/2/2012, 87 pages;
- V46 IPR-GDF SUEZ Hazelwood, Fire Protection Systems Presentation, not dated, 10 pages;
- V47 Pina McCafferty, Fire Season Declaration - E-mail, dated 17/11/2011, 1 page;
- V48 IPR-GDF SUEZ Hazelwood, Check List for Fire Fighting Equipment Annual Audit & Inspection including supporting work orders/follow up action, varying dates, 14 pages;
- V49 IPR-GDF SUEZ Hazelwood, List of Critical Components - Temperature Monitoring/Trips of Critical Controls, not dated, 2 pages; and
- V50 IPR-GDF SUEZ Hazelwood, Fire Person Duties Training Manual, 19/6/2012, 43 pages; and
- V51 List of Warning Alarms for "critical components" re Temperature Monitoring (CITECK), dated 20/06/12, 1 page, which I have taken away from site.

9. OHS-0660 : 139 Earth Resources Oversight

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:

- V22 IPR-GDF SUEZ Hazelwood, Occupational Health and Safety Training for Mine 2012 Schedule, 1 page;
- V23 IPR-GDF SUEZ Hazelwood, Mine Job Safety Analysis Proforma, dated 12/12/2011, 4 pages;
- V24 IPR-GDF SUEZ Hazelwood, Job Safety Analysis Assessment Chris Code: MHJ001 x 4, dated 16/11/2011, 12/1/2012, 12/12/2011 and 18/11/2011;
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Visit Nbr: V01017400252L - AUSTRALIAN POWER PART

Date: 21/06/2012

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Inspectors proposed follow up action:

Other actions taken:

Status of Notices that were monitored during this entry:

Additional Details:

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. 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.

Visit Nbr: V01017400252L - AUSTRALIAN POWER PART

Date: 21/06/2012

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).