



ENTRY REPORT



Visit Number: **V00048403902L**
 Entry Date and Time : **29/06/2015 12:30 PM** Departure Date and Time: **29/06/2015 04:45 PM**

PLACE ENTERED

ALCOA OF AUSTRALIA LIMITED
 ABN: **93004879298** ACN: **004879298**
 Tenement No: **ALCOA AGREEMENT NO 6829**

ALCOA POWER STATION
205 COALMINE ROAD
ANGLESEA 3230

Trading Name: **ALCOA WORLD ALUMINA AUSTRALIA**

Service Method: **Left for a person**

OTHER PERSONS ATTENDING WITH INSPECTOR

WorkSafe Inspector: **Sean Anthony Byrne** Other Persons: **Warren Sharp**
 WorkSafe Staff: **Tony Ferrazza**

THIS REPORT GIVEN TO

Name: **Chris Rolland** Persons Position: **Employer Representative**

Name of person copy given to: **Paul MacMahon** Persons Position: **Health and Safety Representative**
Mick McDonald **Health and Safety Representative**

Purpose for entry:

Sean Anthony Byrne and 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, Sean Anthony Byrne and I entered your workplace during working hours.

OBSERVATIONS AND ACTIONS OF THE INSPECTOR

1. Mine Oversight

We have visited the workplace to review ongoing workplace safety as result of the imminent mine closure and proposed rehabilitation processes. We had discussions and reviewed documentation.

These include-

Updates from the April 2015 Employer Action plan response from 2014 verification. Advised by Chris Rolland that an updated response to previous recommendations and their continued relevance will be forwarded to WorkSafe next week. But most likely only be relating Pre incident plan last dated 2011 and Emergency plan(hazard ID/Risk assessment that triggers post CFA feedback) and that will be reviewed by me in August given the mine closure events.

Proposed Rehabilitation plan

I also discussed future employee/contractor involvement with Batter stability, mobile plant safety and traffic control and associated clay covering time frames.

I observed a number of actions indicated on the Alcoa July 2015 Gant Chart. I also understand that Mining One have been employed to assist in a technical review of proposed coal capping and other impacts.

It was agreed by Warren Sharp that this will be forwarded in next 7 days to WorkSafe to allow critique by its Mining engineers.

I observed during drive-by inspection of coal pit and batters that overburden capping has commenced. We noted at least 10 hectares has occurred since May 2015 and a total of 32 hectares to be capped in next few months.

I observed various capping at unknown depths. We discussed how 1 metre depth specification is measured. I was advised currently it is by comparing other clay and coal levels.

The Employer agreed to establish measurement criteria and systems and provide feedback next visit.

I also observed that mobile plant was operating for tasks relating to overburden placement and coal extraction.

In the Overburden stripping and placement for coal capping that a CAT D9 Bulldozer was on site and noted it did not have any on board fire suppression. Other plant had on site had suppression systems on board. I was advised it was hired plant and was not operating today. It was located on a clay pad in the coal pit areas.

I discussed Hazard ID for plant fires and noted that a risk assessment was performed but not documented. I discussed what hazards were identified by the Employer as the SWI-005 did clearly stipulate only overburden use.

A updated Hazard ID needs to be undertaken particularly the hazards of fire and ignition sources.

Notice issued.

I will further review for the 12/8/15 visit and at least monthly thereafter-

Hazard Identification of risks and progress of the closure/action plan by the Employer. and further updates on a detailed understanding of Alcoa's closure plan/process and the scope of work.

This is not includes but not limited to-

- Fires and Emergency Planning
- Controls relating to fire i.e. clay capping/fire service equipment & emergency planning
- Traffic management and
- Contractor management (if applicable)
- Ground Control
- Stability
- Water Management.

Sept '15

Progress of closure and review of actions against Alcoa's plan.

- Isolation of power plan and decommissioning as well as the involvement of the Geelong WorkSafe office inspectors in any demolition or planned power plant actions for safety.

I will also review-

- Fires and Emergency Planning
- Controls relating to fire i.e. clay capping/fire service equipment
- Traffic management and
- Contractor management (if applicable)
- Ground Control
- Stability
- Water Management

Under Section 111(1) of the Occupational Health and Safety Act 2004, I issued Improvement Notice V00048403902L/111-01.

2. Inspect, examine and make enquires (including documents)

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

SWIs 510-005 and 510-002
Anglesea Closure plan July 2015 Gant Chart
Capping Charts May -August 2015.

During my visit at the above workplace Chris Rolland voluntarily provided to me the following

SWIs 510-005 and 510-002
Anglesea Closure plan July 2015 Gant Chart
Capping Charts May -August 2015.

which I have taken away from this workplace.

3. Taking of Photographs,

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 8c 333 Gillies street, Wendouree by appointment on 0353384444.

4. Elected HSR and consultation arrangements

I was advised by Chris Rolland that designated work groups (DWG) are still in place and HSRs

- health and safety representatives (HSR) are still current

I observed a written list detailing the DWGs and HSRs that was displayed to all employees at the main upstairs power plant offices

INSPECTION OUTCOMES SUMMARY

NOTICES ISSUED BY INSPECTOR

Notice Number(s): V00048403902L/111-01 **Description(s):** Improvement Notice

INSPECTOR INFORMATION

Name of Inspector: **Christopher Harry Walschots**

Telephone Number of Inspector: **5338 4444**

Facsimile Number of Inspector: **5338 4499**

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, GPO Box 4306, Melbourne 3001 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, write to WorkSafe Victoria, Advisory Service GPO Box 4306 Melbourne Victoria 3001,

For general enquiries contact our Advisory Service on (03) 9641 1444 or 1800 136 089 (toll free).
Otherwise email info@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



Occupational Health and Safety Act 2004
IMPROVEMENT NOTICE



This notice is issued under section 111 of the Occupational Health and Safety Act 2004. This notice requires the person (which can mean a body corporate) to whom it is issued to remedy a contravention of the Act or its Regulations. Section 115(2) places obligations on the person to whom an improvement notice is issued. If that person is an employee, he or she must give a copy of the notice to the employer. Otherwise, and for an employer given a copy of a notice issued to an employee, the person must:

- * bring the notice to the attention of all persons whose work is affected by the notice,
- * give a copy to each health and safety representative who represents employees whose work is affected by the notice; and
- * display a copy of the notice in a prominent place at or near the workplace or part of the workplace where the affected work is being performed.

Issued by: *Christopher Harry Walschots*, an Inspector appointed under the Occupational Health and Safety Act 2004.

Signature: _____

Date of Issue: 29/06/2015

Notice issued to: *ALCOA OF AUSTRALIA LIMITED*

Tenement No: *ALCOA AGREEMENT NO 6829*

*ALCOA POWER STATION
 205 COALMINE ROAD
 ANGLESEA 3230*

ABN: 93004879298

ACN: 004879298

Notice given to: *Chris Rolland*

Service method: *Left for a person*

Provision of this Act and / or the Regulations that is being contravened: I reasonably believe that ALCOA OF AUSTRALIA LIMITED is in contravention of Regulation 3.5.23(1) of the Occupational Health and Safety Regulations 2007

Basis for this belief: I observed at this location known as tenement(Alcoa agreement 6829) Coalmine road, Anglesea that bulldozer plant is likely to be operated in a coal field
 I also observed that mobile plant a CAT D9 Bulldozer has been used for tasks relating to overburden placement for coal capping and noted in did not have any on board fire suppression systems. I noted other plant on site had. The Plant was advised as hired plant and was not operating today. It was located on a clay pad in the coal pit areas. I discussed Hazard ID for plant fires and noted that a risk assessment was performed but not documented. I discussed what hazards were currently identified by the Employer as the current SWI-005 did only indicated coal and overburden use with any reference to fire hazards and current controls.

An employer must, so far as is reasonably practicable, identify all hazards to health and safety (Hazard ID) associated with the use of plant and the systems of work associated with the CAT D9 Bulldozer plant in relation to fire impacts.

Directions as to the measures to be taken to remedy the contravention: ALCOA OF AUSTRALIA LIMITED must as employer must, so far as is reasonably practicable, identify all hazards to health and safety associated with the use of plant and the systems of work associated with that plant in association with overburden use in the coal field at Anglesea.
This Hazard ID review must relate to exposure to fire and the sources of ignition and how any emergency response to fire on such plant would impact on safety for employees. This can enhance the current SWIs document for this plant.

Guidance may be obtained from WorkSafe Alert on Mobile Plant fires 2012 and Plant Hazard checklist

This contravention must be remedied by 09:30 AM on 12/08/2015.

See Review and Offence provisions below

Internal Review

As the person to whom this improvement notice has been issued, you or another eligible person can apply to WorkSafe Victoria (WorkSafe) for internal review of the reviewable decision to issue an improvement notice. Your application must be in the approved form and must be received by WorkSafe's Internal Review Unit within 14 days after the day on which the decision first came to your notice or came to the eligible person's notice. WorkSafe may however allow a longer period of time within which the application has to be lodged in appropriate cases. The applicant may also request a stay of the operation of the reviewable decision pending the outcome of the internal review. The request for a stay must accompany the application for internal review. WorkSafe must make a decision to grant a stay with or without conditions or not to grant a stay and communicate that decision within 24 hours of receipt of the request for a stay. If no decision is made WorkSafe is considered to have granted a stay. If no request for a stay is made the operation of this improvement notice remains in force. The application for internal review must be made to the Internal Review Unit, WorkSafe Victoria, GPO Box 4306, Melbourne 3001. An inspector must not give written certification that the activity or matters to which the notice relates have been remedied whilst there is an internal review pending.

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

If you have lodged an application for internal review and you do not receive a decision within the required time frame (which is taken to be a decision to affirm the reviewable decision) or you receive a decision that you are not happy with you can apply to Victorian Civil and Administrative Tribunal for external review within 14 days of the date the decision or non-decision came to the attention of the applicant. Applicants seeking external review must be an eligible person.

Offence

A person to whom an improvement notice is issued and who does not comply with the improvement notice shall be guilty of an indictable offence against the Act. In the case of a natural person, the indictable offence carries a penalty of not more than \$72,180. In the case of a body corporate, the indictable offence carries a penalty of not more than \$360,900.

The issue, variation or cancellation of this notice does not affect any proceedings for an offence against this Act or the regulations in connection with any matter in respect of which the notice was issued.

COMPLIANCE WITH THIS NOTICE DOES NOT indicate that the person to whom it is issued complies with all health and safety requirements, NOR does it affect the continuing obligation to ensure workplace health and safety.