

**NSW
Resources
Regulator**

○ Monthly business activity report

NOVEMBER 2017



VISION

A safe and responsible mining extractive and petroleum industry

MISSION

To enable and support industry to understand and fulfil its obligations



Document control

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Amendment schedule		
Date	Version	Amendment

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (February 2018). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment or the user's independent advisor.

Key activities

The Resources Regulator undertook a number of major enforcement actions this month.

Prosecution proceedings commenced against Mudgee Stone Co Pty Ltd - a quarry near Oberon in western NSW - and one of its directors. The regulator will allege that unauthorised mining took place at the quarry, located about six kilometres south-east of Oberon. The regulator will also allege that inspectors were hindered in their investigations at the quarry in 2015 when they were prevented access to the site.

Prosecution proceedings also commenced against Ulan Coal Mines Limited and Ulan West Operations Pty Ltd in relation to an incident causing serious injuries at the Ulan West Operations which occurred on 26 November 2015. The regulator alleges that both companies contravened section 32 of the *Work Health and Safety Act 2011* by failing to comply with a duty under section 19 of the Act.

In the courts, the local court ordered two Wollongong Coal companies to pay nearly \$40,000 in fines and legal fees for failing to pay required rents and levies. The regulator prosecuted Wollongong Coal Limited and Wongawilli Coal Pty Ltd on three separate charges for failing to pay more than \$288,000 in fees and levies under the *Mining Act 1992*. The two companies have now paid the required rents and levies and have appealed the decision.

Two investigation reports were published this month. One report related to the serious injury of a mine worker at the Mannering Colliery, near Doyalson which occurred on 22 January 2016. The other investigation report related to the serious injury of a worker at the Sibelco Salt Ash Sand Plant, which occurred on 1 February 2016.

Inspectors of electrical engineering held their annual safety seminar on 8 - 9 November 2017 at Sofitel Sydney Wentworth, with 250 people attending, including two inspectors from Queensland attending by invitation. The theme for the seminar was 'Identify, evaluate and control the risks'.

A causal investigation report into the catastrophic failure of a diesel engine system at Wongawilli Colliery near Wollongong was published. The failure, which happened on 4 July 2017, occurred while operating in the underground mine, resulting in the internal engine components being ejected from a cylinder block and being exposed to the mine's atmosphere. Nobody was injured in the incident.



NSW Planning and Environment has taken all care to ensure the accuracy, completeness and reliability of the information provided in this report. Nothing in this report impacts any duties held by any person under legislation administered or enforced by the department. Compliance with the legislation is a legal requirement. Some persons may have a right of internal or external review of decisions made under the legislation administered or enforced by the department.

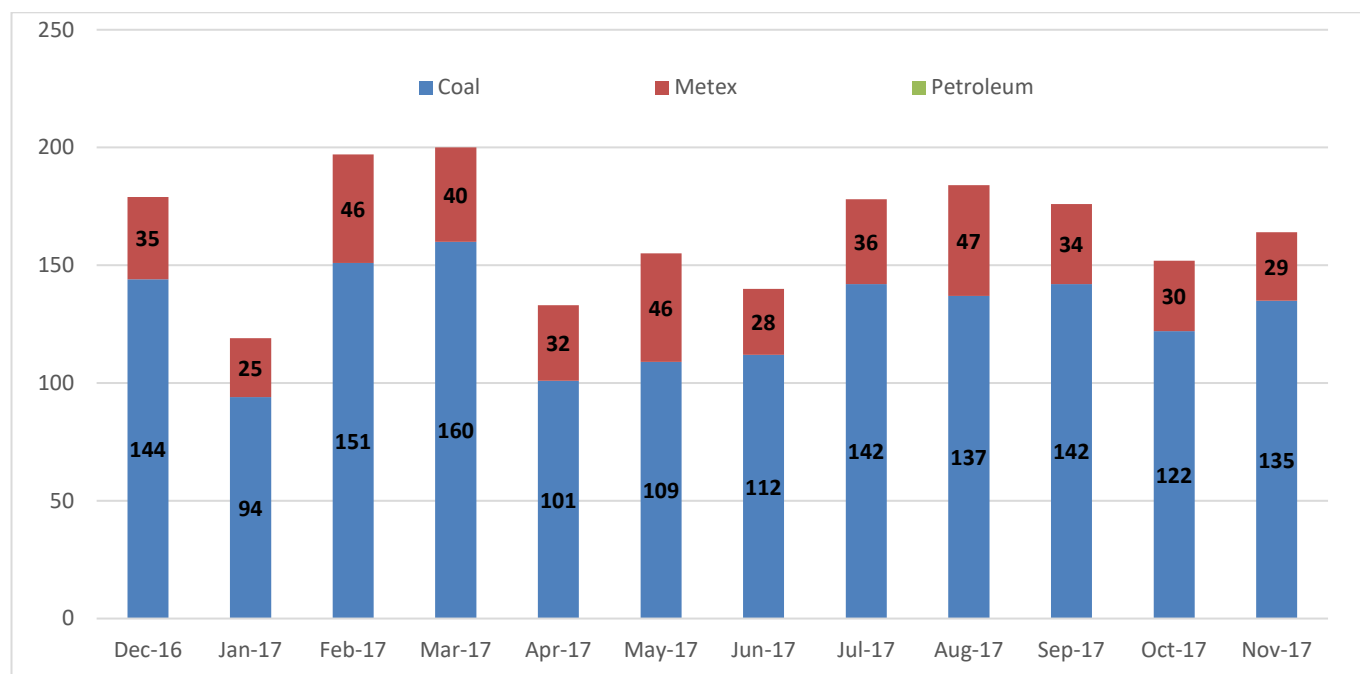
Activities

Below is a snapshot of the NSW Resources Regulator's activities for November 2017.



Incidents and complaints

Incidents and complaints notified to the regulator by sector. Incident classifications and weekly incident summaries are available on our [website](#).



Metex includes all metalliferous and extractive mines other than coal and petroleum

Inspections, audits and targeted assessments

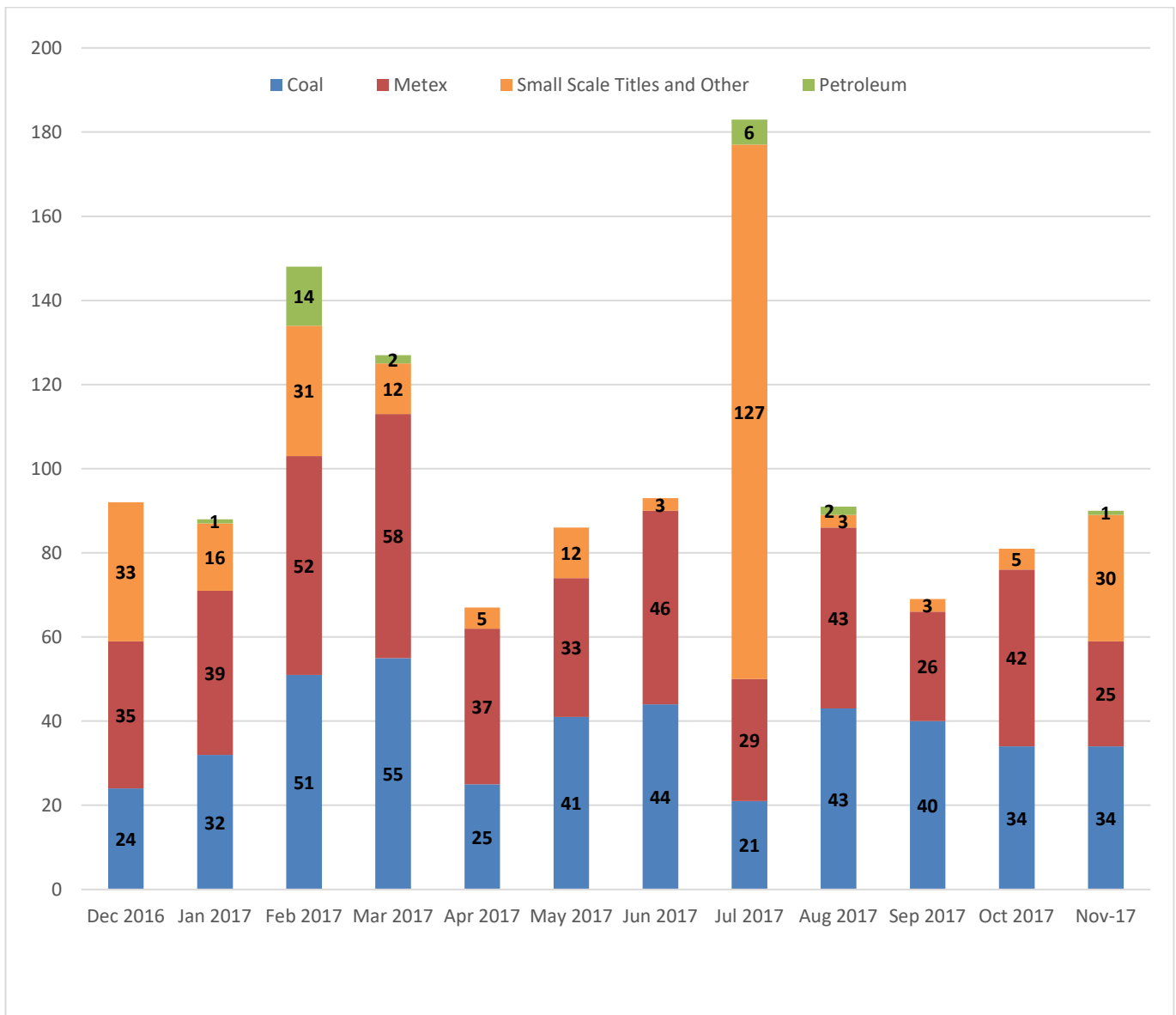
Reports on our compliance activities are available on our [website](#).

Targeted assessments undertaken

Mine	Type	Topic
Ulan West Operations	Explosion Suppression	Site assessment conducted
Endeavour Mine	Emergency Management	Site assessment conducted
Peak Gold Mine	Airborne Contaminants	Site assessment conducted
Rasp Mine	Airborne Contaminants	Site assessment conducted
Perilya Broken Hill Northern Operations	Airborne Contaminants	Site assessment conducted
Mangoola Coal Mine	Fatigue Surface Coal	Site assessment conducted
Myuna Colliery	Diesel Exhaust Emissions	Site assessment conducted

Mine	Type	Topic
Wilpinjong Coal Mine	Airborne Contaminants	Site assessment conducted
Austar Coal	Fire and Explosion	Site assessment conducted
Tritton Coal Mine	Airborne Contaminants	Site assessment conducted
Mt Owen	Fatigue Surface Coal	Site assessment conducted
Wongawilli Colliery	Explosion Suppression	Site assessment conducted

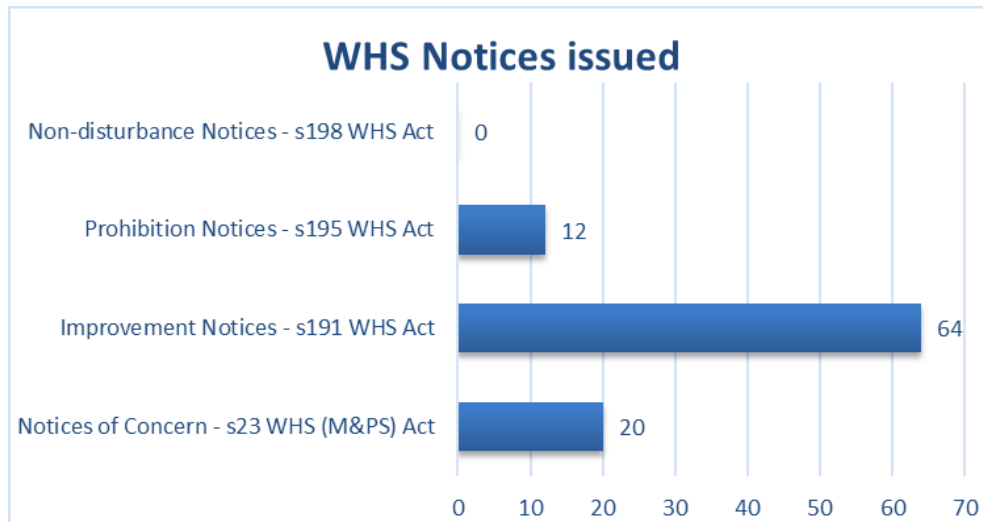
Safety inspections



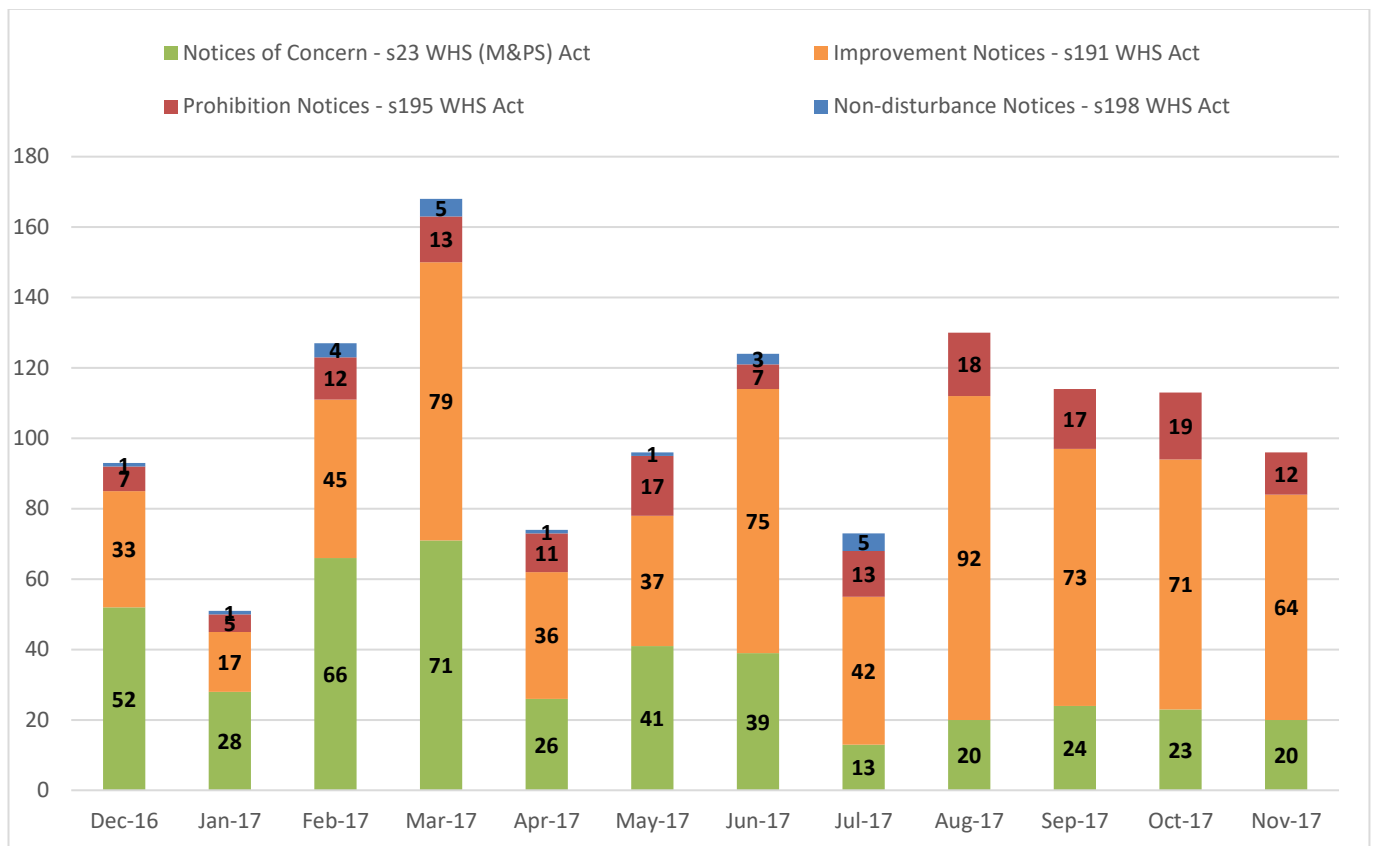
Metex includes all metalliferous and extractive mines other than coal

Enforcement actions

Our [Compliance and enforcement approach](#) is available on our website.



WHS notices issued

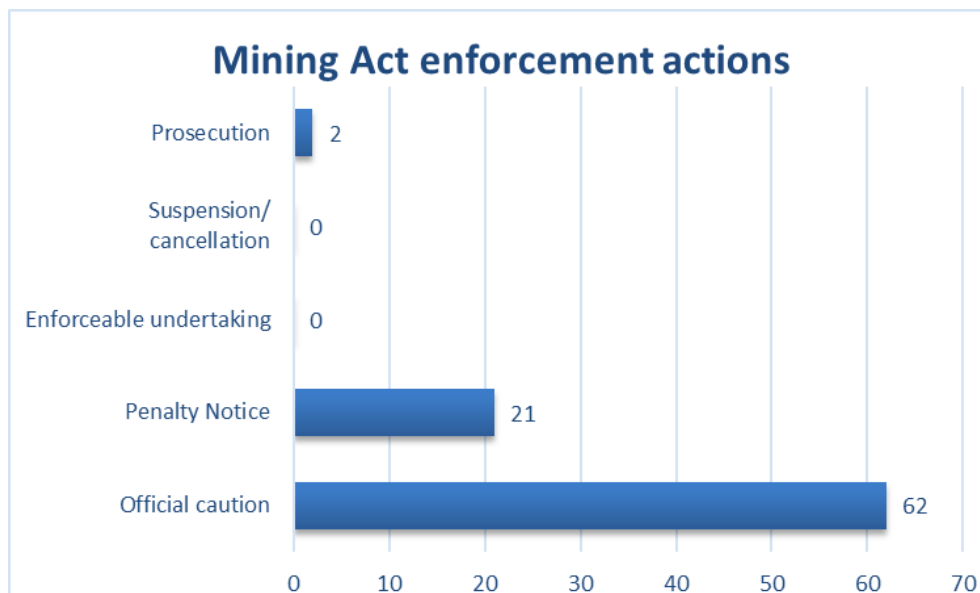


Prohibition notices issued (WHS leg)

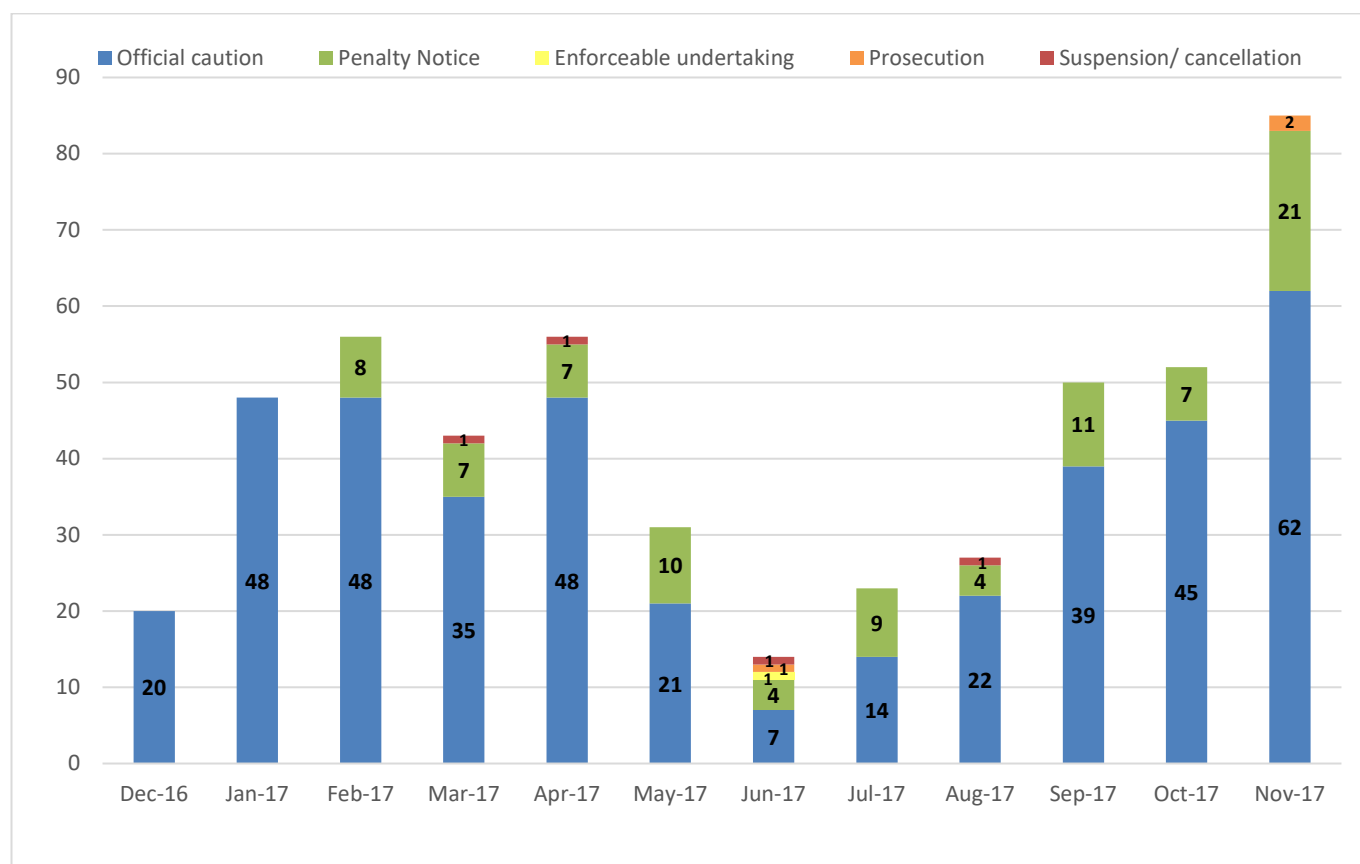
PCBU	Mine	Details	Prohibited activity
Springvale Coal Pty Ltd	Springvale Mine Underground Operation	During an underground inspection, the ventilation quantity was found to be less than required for diesel equipment.	Operation of diesel equipment in underground roadways, where the ventilation quantity is less than that required for the diesel equipment to operate as per the WHS regulation.
Springvale Coal Pty Ltd	Springvale Mine Underground Operation	Review of a high risk activity notification found the control of risks inadequate.	The use of plant and cables within a hazardous zone (other than a hazardous zone associated with longwall mining) at voltages in excess of 1200V pursuant to the HRA notification.
Cobar Management Pty Ltd	CSA Mine	The man and materials winder accelerated in an uncontrolled manner triggering an over-speed protection trip.	The No.2 winder at the mine must not be used for transporting mine personnel into or out of the mine.
Yancoal Mining Services Pty Ltd	Austar Coal Mine – Underground Operation	During an underground inspection the ventilation quantity was found to be less than required for diesel equipment.	Operation of diesel equipment in underground roadways where the ventilation quantity is less than that required for the diesel equipment to operate as per the WHS regulation.
Yancoal Mining Services Pty Ltd	Austar Coal Mine – Underground Operation	An underground inspection found build-up of dust and fines on the conveyors.	Operation of underground conveyor belts.
Yancoal Mining Services Pty Ltd	Austar Coal Mine – Underground Operation	The presence of the geological structure known as the 'swamp fault' has increased the coal burst potential.	Roadway development mining with a continuous miner through the swamp fault zones in MG B6.
John Warren Payne	Sloanes Quarry	An unannounced site inspection found safety issues with screening plant.	The use of the orange ranger screen, Finlay stacker and the white Nordberg Screenmaster screen for screening sand is prohibited.
PJ & K Walliss Pty Ltd	Hargraves Sand Pit	An unannounced site inspection found safety issues with screening plant.	The use of the blue Precision sand screen and stacker for screening sand is prohibited.

PCBU	Mine	Details	Prohibited activity
Cobar Management Pty Ltd	CSA Mine	An investigation took place following two incidents of ignitions of flammable gas.	Exploration drilling in the 8610 Level exploration area.
Narrabri Coal Operations Pty Ltd	Narrabri Colliery	Two exits to the surface not provided due to roof fall.	No work is to be carried out inbye of Longwall 7 Main Gate 15c/t with the exception of fall recovery work on the outbye side of the fall and inbye strata monitoring.
LakeCoal Pty Ltd	Mannering Colliery	An inspection of the drift conveyor revealed it to be in an unsafe condition.	Normal operation of Mannering drift conveyor.
MACH Energy Australia Pty Ltd	Mount Pleasant Operation	The trailer of an articulated water cart rolled over whilst driving along a windrow.	Use of articulated water cart on the windrows as part of the civil construction activity.

Enforcement actions under the Mining Act



Mining Act enforcement actions



Penalty notices issued under the Mining Act

Date	Status	Actions	Details
6/11/2017	Boral Bricks Pty Ltd – ML1196	Penalty Notice, \$1,000	Fail to pay rent and levy fees
6/11/2017	Oxley Resources Limited – EL8427	Penalty Notice, \$1,000	Fail to pay rent and levy fees
6/11/2017	Namoi Mining Pty Ltd Whitehaven Coal – CCL701	Penalty Notice, \$1,000	Fail to pay rent and levy fees
6/11/2017	Titleholder – PLL3859	Penalty Notice, \$500	Fail to pay rent and levy fees
6/11/2017	Alkane Resources Ltd – EL8442	Penalty Notice, \$1,000	Fail to pay rent and levy fees
07/11/2017	Lionsville Gold Pty Ltd – EL6074	Penalty Notice, \$2,500	Provide false or misleading information
8/11/2017	Abterra Australia Pty Ltd – ML1616	Penalty Notice, \$2,500	Fail to lodge Annual Exploration Report

8/11/2017	Phoenix Vision Coal Pty Ltd – EL7115	Penalty Notice, \$1,000	Fail to pay rent and levy fees
8/11/2017	Titleholder – ML613	Penalty Notice, \$2,500	Fail to lodge Annual Exploration Report
9/11/2017	LakeCoal Pty Ltd – ML1308	Penalty Notice, \$5,000	Fail to lodge Annual Exploration Report
10/11/2017	Marble Craft and Granite Supplies Pty Ltd – EL8371	Penalty Notice, \$5,000	Fail to lodge Annual Exploration Report
22/11/2017	Charbon Coal Pty Ltd – ML1663	Penalty Notice, \$1,000	Fail to pay rent and levy fees
22/11/2017	Moolarben Coal Mines Pty Ltd – EL7074	Penalty Notice, \$1,000	Fail to pay rent and levy fees
22/11/2017	Cristal Mining Australia Limited – ML 1621	Penalty Notice, \$5,000	Fail to lodge Annual Exploration Report
22/11/2017	Cristal Mining Australia Limited – ML 1735	Penalty Notice, \$1,000	Fail to pay rent and levy fees
22/11/2017	Cristal Mining Australia Limited – EL 6744	Penalty Notice, \$1,000	Fail to pay rent and levy fees
23/11/2017	Pinnacle Mines Pty Ltd - ML870, ML4436 ML5627, ML5835, ML5836 & ML5849	Penalty Notice, \$2,500	Breach of condition – operate without an approved Mining Operations Plan
23/11/2017	Pinnacle Mines Pty Ltd - ML870, ML4436, ML5627, ML5835, ML5836 & ML5849	Penalty Notice, \$5,000	Fail to lodge Annual Exploration Report
23/11/2017	Pinnacle Mines Pty Ltd - ML870, ML4436, ML5627, ML5835, ML5836 & ML5849	Penalty Notice, \$5,000	Fail to lodge Annual Exploration Report
30/11/2017	Harb Quarries Pty Ltd – ML 1224	Penalty Notice, \$5,000	Fail to lodge Annual Exploration Report
30/11/2017	Bond Resources Pty Ltd – EL 8259	Penalty Notice, \$1,000	Fail to pay rent and levy fees

Statutory notifications and exemptions

Information about WHS statutory [notifications](#) and [exemptions](#) is available on our website.

High risk activity notifications received

Mine	WHS (M&PS) Regs provision	Activity
Airly Mine	Schedule 3, Clause 13	Widening underground roadway to more than 5.5m
Appin Colliery	Schedule 3, Clause 16(1)(a)	Secondary extraction by long/short/miniwall mining.
Dendrobium Colliery	Schedule 3, Clause 13	Widening underground roadway to more than 5.5m (x 3)
Integra Underground	Schedule 3, Clause 12	Driving underground roadway wider than 5.5m
Integra Underground	Schedule 3, Clause 15	Formation of non-conforming pillars
Metropolitan Colliery	Schedule 3, Clause 15	Formation of non-conforming pillars
Moolarben Coal Operations – Underground	Schedule 3, Clause 04	Development of a new mine entry
PEL0238 – Coonarah 4	Schedule 3, Clause 33	Suspending a well
PPL0003 – Coonarah 6L	Schedule 3, Clause 33	Suspending a well
PPL0003 – Coonarah 8	Schedule 3, Clause 33	Suspending a well
PPL0004 – Menangle Park 23	Schedule 3, Clause 31	Well workover
Springvale Mine Underground Operations	Schedule 3, Clause 14	Use of high voltage plant and cables in a hazardous zone

Exemptions granted

Mine / PCBU	Status	Details
Endeavour Coal Pty Ltd	Granted	No. 1 Shaft bulk coal winder

Workshops and education activities

Details of upcoming events are available on our [website](#).

Date	What	Where	Details
1/11/2017	Emergency Exercise	Illawarra RFS (Albion Park Rail)	Discussion exercise "Burning Embers" based on a fire impacting the Illawarra area, including smoke impacting on mine sites.
8-9/11/2017	Electrical Engineering Safety Seminar	Sofitel Wentworth Sydney	Annual Electrical Engineering Safety Seminar
10/11/2017	Komatsu Workshop	Sydney	Electrical Inspectors workshop with Komatsu and the coal mines affected by the non-certified batteries.
14-15/11/2017	Workshops	Tocal College and Newcastle	Health Control Plan implementation/evaluation workshops.
15/11/2017	Feedback session	Maitland	Electrical Engineering Manager and Electrical Engineer oral candidates and their mentors feedback sessions
16/11/2017	Training	Lithgow CFMEU office	Participatory Ergonomics training day
22/11/2017	Training	Tocal College	MSHR Refresher Training
27/11/2017	Conference	Penrith	Compliance Priority Project – Plant used in hazardous zone, original equipment manufacturers and repair and overhaul workshops conference.
27-28/11/2017	Training	Lightning Ridge	Safety Awareness Course – Opal Miners
30/11/2017	Emergency desktop exercise	Dubbo Rural Fire Service EOC	NSW Health discussion exercise based on pandemic event impacting regional NSW, involving effect on mining industry built into scenario. Attended by multiple emergency services and other agencies.

Publications and alerts

Our [public comment policy](#) is available on our website.

Date	Details
2 November	Media release: NSW Resources Regulator announces prosecution proceedings against Mudgee Stone Co. Pty Ltd and a company director
2 November	Weekly incident summary
3 November	Mine Safety News: Survey on workplace exposure standards
9 November	Weekly incident summary
10 November	Media release: Court convicts Wollongong Coal companies in NSW Resources Regulator prosecution
13 November	Investigation report: Mannerling Colliery investigation report published
16 November	Weekly incident summary
23 November	Weekly incident summary
27 November	Mine Safety News <ul style="list-style-type: none"> • Regulator publishes causal investigation report • Investigators look at serious injury of worker • Insufficient ventilation in underground mines • Consolidated report into coal handling and preparation plants • More incident data now available
27 November	Investigation report: Sibelco Salt Ash investigation report published