

## COAL INDUSTRY ACT 2001

## ORDER NO. 42

## Coal Services – Monitoring Airborne Dust

COAL SERVICES PTY LIMITED ACN 099 078 234 ('Coal Services'), pursuant to the powers conferred by the Coal Industry Act 2001 of New South Wales hereby ORDERS as follows:

1. An operator of a coal operation must allow persons appointed by Coal Services as Inspectors, pursuant to Section 25 of the Coal Industry Act 2001, to monitor airborne dust to:
  - (a) enter any coal operation for purposes related to monitoring airborne dust,
  - (b) to take dust samples, and
  - (c) to undertake all other functions and activities necessary to monitor airborne dust.

In this Order:

*Monitoring airborne dust generally* means, but it is not limited to, undertaking the activities and functions in Schedule 1.

## SCHEDULE 1

## Monitoring airborne dust

1. Monitoring airborne dust involves the regular collection and analysis of samples of airborne dust from the breathing zone of people whose health may be affected by the dust. The frequency of sampling, places and persons to be sampled in each part of a coal operation will be generally as specified in the Table below according to the operations in that part of the mine.

The Table gives minimum locations, frequencies and persons for sampling only. Where difficult, dusty or unusual circumstances occur, then rigorous sampling arrangements suitable to the circumstances will need to be undertaken

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Location</i>	<i>Frequency of sampling respirable dust</i>	<i>Frequency of sampling respirable quartz-containing dust</i>	<i>Frequency of sampling inhalable dust</i>	<i>Persons to be sampled</i>
(a) In each part of a coal operation where longwall mining is carried out.	Each producing shift at intervals not exceeding six months.	Each producing shift at intervals not exceeding six months.	Each producing shift at intervals not exceeding twelve months.	Samples to be collected from the breathing zone of at least five persons including, where possible: <ul style="list-style-type: none"> <li>• A Shearer operator.</li> <li>• Two powered support operators.</li> <li>• A deputy.</li> <li>• One other person selected by Coal Services Pty Limited.</li> </ul>
(b) In each part of a coal operation where a continuous mining machine operates.	Each producing shift at intervals not exceeding twelve months.	Each producing shift at intervals not exceeding twelve months.	At intervals not exceeding twelve months.	Samples to be collected from the breathing zone of at least five persons including, where possible: <ul style="list-style-type: none"> <li>• A continuous miner driver.</li> <li>• A sideman or cable handler.</li> <li>• A shuttle car driver.</li> <li>• A deputy.</li> <li>• A bootend attendant or other person selected by Coal Services Pty Limited.</li> </ul>

<i>Column 1</i>  <i>Location</i>	<i>Column 2</i>  <i>Frequency of sampling respirable dust</i>	<i>Column 3</i>  <i>Frequency of sampling respirable quartz-containing dust</i>	<i>Column 4</i>  <i>Frequency of sampling inhalable dust</i>	<i>Column 5</i>  <i>Persons to be sampled</i>
(c) In any part of an underground coal operation where cement products are being applied.			At intervals not exceeding twelve months.	Samples to be collected from the breathing zone of at least two persons including, where possible: <ul style="list-style-type: none"> <li>• Persons loading cement into a mixer.</li> <li>• Persons spraying or applying cement products</li> </ul>
(d) In any place in or about an underground coal operation other than those referred to in (a), (b) or (c) above, but including crusher stations.	At intervals not exceeding twelve months.	At intervals not exceeding twelve months.	At intervals not exceeding twelve months.	Samples to be collected from the breathing zone of at least one person.
(e) In any place in or about an open cut coal operation where dust may be present.	At intervals not exceeding twelve months.	At intervals not exceeding twelve months.	At intervals not exceeding twelve months.	Samples to be collected from the breathing zone of at least five persons including, where possible: <ul style="list-style-type: none"> <li>• Drill operators, shottfirms and stemmers.</li> <li>• Mobile equipment operators.</li> </ul>
(f) In any place in or about a coal preparation plant located within a coal operation where dust may be present.	At intervals not exceeding twelve months.	At intervals not exceeding twelve months.	At intervals not exceeding twelve months.	Samples to be collected from the breathing zone of at least five persons where available.

2. Any further samples required by this Order will be additional to these frequencies.
3. Persons sampled must, as far as possible, remain at the same job for the duration of the test.
4. In the case where Coal Services selects the person to be sampled, the selection must be based on those activities where persons are likely to be exposed to airborne dust.
5. Failed samples will be re-sampled.
6. Determination of respirable dust:  
Samples are to be collected and analysed in accordance with Australian Standard AS2985 (Workplace Atmospheres – Method for Sampling and Gravimetric Determination of Respirable Dust), except where varied by this Order.
7. Determination of respirable quartz:  
The preferred methods of determination of respirable quartz are one of either ‘The Potassium Bromide Disc Infra Red Method’ or ‘The X-ray Diffraction Method’ as described in “Guidelines for Determination of Respirable Quartz”, publication MDG 3006 MRT 6, published by the Department of Industry & Investment – Mineral Resources.
8. Determination of inhalable dust:  
Samples are to be collected and analysed in accordance with Australian Standard AS3640 (Workplace Atmospheres – Method for Sampling and Gravimetric Determination of Inhalable Dust), except where varied by this Order.
9. Sampling:  
Where practicable, sampling should commence at the start of the shift and cease at the end of the shift and be as close as practicable to the working place, for example, ‘crib room to crib room’. The minimum sampling period is five (5) hours.

**Definitions**

In this Order:

‘*airborne dust*’ includes both respirable and inhalable dust, it is also known as ‘airborne particulate matter’ or ‘airborne particulates’.

‘*breathing zone*’ has the same meaning as in Australian Standard AS2985 and AS3640.

‘*coal operation*’ has the same meaning as in Section 3 of the Coal Mine Health and Safety Act 2002.

‘*inhalable dust*’ has the same meaning as it has in Australian Standard AS3640 (Workplace Atmospheres – Method for Sampling and Gravimetric Determination of Inhalable Dust).

*operator* has the same meaning as in Section 3 of the Coal Mine Health and Safety Act 2002.

‘*quartz-containing dust*’ means respirable dust which contains five percent or more by mass of respirable quartz.

‘*respirable dust*’ has the same meaning as it has in Australian Standard AS2985 (Workplace Atmospheres – Method for Sampling and Gravimetric Determination of Respirable Dust).

‘*respirable quartz*’ means the quartz present in respirable dust.

**Notes:**

The data obtained from the dust sampling operations will be entered onto Coal Services’ Dust Database for the purpose of monitoring workers’ health as required by the Coal Industry Act 2001. Copies of the data will be distributed to the mine operator, Chief Inspector of Coal Mines and the Industry Check Inspector.

The Coal Industry Act 2001 provides that a person (an individual or a corporation) must not, without reasonable excuse, refuse or fail to comply with this Order:

Maximum penalty: 200 penalty units in the case of a corporation or 50 penalty units in the case of an individual.

Dated this 31st day of January 2011

Signed on behalf of COAL ) Ron Land  
 SERVICES PTY LIMITED ) Chairman  
 on the date abovementioned )  
 ) Mark Coyne  
 ) Managing Director/CEO

Approval granted to Coal Services Pty Limited to make this Order pursuant to Section 13 of the Coal Industry Act 2001:

Dated this 8th day of February 2011.

The Hon. STEVE WHAN, M.P.,  
 Minister for Primary Industries