



Queensland

Mining Safety and Health Legislation Amendment Regulation (No. 1) 2005

Subordinate Legislation 2005 No. 61

made under the

Coal Mining Safety and Health Act 1999

Mining and Quarrying Safety and Health Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Mining Safety and Health Legislation Amendment Regulation (No. 1) 2005*.

Part 2 Amendment of Coal Mining Safety and Health Regulation 2001

2 Regulation amended in pt 2

This part amends the *Coal Mining Safety and Health Regulation 2001*.

3 Amendment of s 78 (Isolating and tagging procedures)

Section 78—

insert—

- ‘(4) For subsection (1)(a), the method for positively isolating the energy source for plant provided for in the standard operating procedure must—
- (a) for plant that is electrical equipment—be a manually initiated operation that—
 - (i) isolates all active power conductors of the plant being isolated from the electricity supply; and
 - (ii) prevents unintended re-energisation, including re-energisation through inadvertent operation of the plant or component failure; and
 - (b) for other plant—be the operation of a manually operated device that—

- (i) is installed in the energy supply for the plant and, when operated, isolates the plant from its energy source; and
- (ii) requires a manually initiated operation for the supply of energy to the plant to be resumed; and
- (c) require that the isolation device be clearly marked as being the positive means of isolating the plant.

‘(5) In this section—

isolation device means—

- (a) for plant that is electrical equipment—the device used manually to initiate the operation mentioned in subsection (4)(a); or
- (b) for other plant—the device mentioned in subsection (4)(b).’.

4 Amendment of s 88A (Asbestos material installed in buildings and plant)

Section 88A(2) and (3), ‘work instruction or’—

omit, insert—

‘operating’.

5 Amendment of s 157 (Testing airlocks and seals)

(1) Section 157, heading, ‘and seals’—

omit.

(2) Section 157(2)—

omit.

6 Amendment of s 181 (ERZO)

(1) Section 181, ‘, other than electrical cables,’—

omit.

(2) Section 181, ‘certified as’—

omit.

- (3) Section 181(b), ‘having’—

omit, insert—

‘certified as having’.

- (4) Section 181—

insert—

- ‘(2) Subsection (1)(b) does not apply to electrical cables that are part of an Ex ia, Ex s or Ex l circuit.’.

7 Amendment of s 182 (ERZ1)

- (1) Section 182(1), ‘, other than electrical cables,’—

omit.

- (2) Section 182(3), ‘or traction battery’—

omit, insert—

‘, traction battery or electrical cable’.

8 Amendment of s 183 (NERZ)

- (1) Section 183(1), ‘, other than electrical cables,’—

omit.

- (2) Section 183—

insert—

- ‘(2A) Subsection (1)(b) does not apply to electrical cables.’.

9 Amendment of s 195 (Earthing electrodes)

Section 195(3), ‘1 $\frac{3}{4}$ ’—

omit, insert—

‘1 ohm’.

10 Amendment of s 223 (Sampling mine atmosphere)

- (1) Section 223, heading, ‘Sampling’—

omit, insert—

‘Monitoring and sampling’.

- (2) Section 223(1), ‘sampling’—

omit, insert—

‘monitoring’.

11 Amendment of s 231 (Auxiliary, or booster, fan)

- (1) Section 231(1), ‘automatic’—

omit.

- (2) Section 231(2), ‘automatically trip’—

omit, insert—

‘be an automatic methane detector that trips’.

12 Amendment of s 238 (Other explosion protected plant powered by battery or internal combustion engine)

Section 238(4), definition *periodically*, from ‘shift’—

omit, insert—

‘shift at approximately evenly spaced intervals.’.

13 Amendment of s 239 (Other explosion protected electrical plant)

- (1) Section 239(4)(a)—

omit.

- (2) Section 239(5), definition *periodically*, from ‘shift’—

omit, insert—

‘shift at approximately evenly spaced intervals.’.

14 Amendment of s 240 (Non-explosion protected plant)

Section 240(1), after ‘plant’—

insert—

‘, other than portable plant.’

15 Amendment of s 250 (Action to be taken if methane detector activates or is non-operational)

(1) Section 250(3), ‘or vehicle’—

omit.

(2) Section 250(4)(a)—

omit, insert—

‘(a) if an event mentioned in subsection (1)(b) happens to a relevant machine or vehicle being used in a NERZ, the operator may continue to use the machine or vehicle only if—

(i) the general body concentration of methane around the machine or vehicle is less than 0.5%; and

(ii) the place where the machine or vehicle is located is continuously monitored by a person using a portable methane detector; or’.

(3) Section 250(4)(b)(ii), from ‘only if’—

omit, insert—

‘only if the conditions mentioned in subsection (5) are complied with.’

(4) Section 250—

insert—

‘(5) For subsection (4)(b)(ii), the conditions are—

(a) a person uses a portable methane detector to continuously monitor for methane—

(i) if the event involves 1 methane detector—at the location of the methane detector; or

- (ii) if the event involves more than 1 methane detector at an interface—by moving between the methane detectors at the interface that have failed or are being tested or relocated; and
 - (b) the electricity supply to the affected zones can be readily tripped when the general body concentration of methane at the location of a methane detector being monitored as required under paragraph (a) exceeds 0.5%.
- ‘(6) In this section—

relevant machine means a machine supplied with electricity by a trailing cable.

relevant vehicle means an explosion protected vehicle powered by a battery or internal combustion engine.’.

16 Amendment of s 263 (Unauthorised hot work)

Section 263, heading, ‘Unauthorised’—

omit, insert—

‘Authorisation required for’.

17 Amendment of s 346 (Safety and health management system)

Section 346(2)(b), after ‘is’—

insert—

‘, as a minimum,’.

18 Amendment of s 369 (Managing risk from heat)

Section 369(3)(e)(ii), after ‘and’—

insert—

‘underground’.

19 Amendment of sch 1 (Types of high potential incidents for section 198 of the Act)

Schedule 1, items 5 and 7, after ‘An’—

insert—

‘unplanned’.

20 Amendment of sch 9 (Dictionary)

Schedule 9, definition *portable*, after ‘equipment’—

insert—

‘or plant’.

Part 3 Amendment of Mining and Quarrying Safety and Health Regulation 2001

21 Regulation amended in pt 3

This part amends the *Mining and Quarrying Safety and Health Regulation 2001*.

22 Amendment of sch 5 (General exposure limits for hazards)

Schedule 5, entry for crystalline silica—

omit, insert—

‘crystalline silica (cristobalite, 0.1 mg/m³¹.
quartz, tridymite)

1 See the ‘Amendments to the Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment (Source C Updates) 2004’ published in the Commonwealth of Australia Gazette No. GN on 8 December 2004.

ENDNOTES

- 1 Made by the Governor in Council on 14 April 2005.
- 2 Notified in the gazette on 15 April 2005.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Natural Resources and Mines.