

Qld Black Lung Inquiry Submission  
13/11/2016

This was submitted and prepared by Jason Mathewson and without any other help.

16 pages may be a bit long, but I honestly believe it is all very important to be submitted.

If you do think this is too long, then please read it first, so you then understand that nothing should be left out, when reading this out to the Inquiry Panel.

The 4<sup>th</sup> Paragraph, on this page, explains my family's personal experience with Black Lung Deaths.

Page 8 to 16, inclusive, are my suggestions of improvements to the current Qld Coal Mining Legislation, this being in regard to Black Lung and dust monitoring.

I have previously also made a similar submission to the Senate Black Lung Inquiry, earlier this year.

I am Jason Mathewson, a 45 year old, third generation Queensland underground coal miner.

I have 18 & ½ years of underground coal mining experience.

This started in 1988, but my early years weren't continuously spent working underground.

As I also worked in other parts of coal mines as part of my training and due to jobs that I worked.

But from 2002 to 2015, I have continuously worked underground and the majority of this time was spent at the face, in development panels.

During this time I was a continuous miner operator, an elected site safety & health rep (SSHR) and I have been pursuing my Deputy's Ticket - ERZ Controller's qualifications.

I have gained some understanding of the Qld Coal Mining Legislation.

I am greatly concerned about the reports of the Qld coal miners that have been diagnosed with Black Lung,

Also the reports that mines have had failures with their dust monitoring and the deaths we have had in Queensland with Black Lung.

I have had some personal experience with Black Lung in my family -

I had one grandfather die from black lung, from working in an underground coal mine. He died before my father finished school, so I never got to meet and know him.

I also had the other grandfather die from lung cancer, from working in a coke works, where they partially burnt the coking coal before it was transported to the smelters.

I also had another relative die from lung cancer, which was later thought to actually be black lung, from working in an underground coal mine.

I am now regularly hearing reports of more coal miners being diagnosed with Black Lung,

So I just want to do my bit and have some input into preventing this spreading through the Qld coal mining industry.

I also don't want to be attending any more funerals in the future for my family, friends or fellow workers that have passed away due to Black Lung.

That is why I am submitting this to The Black Lung Inquiry.

"What I think is most important is, that we need to reducing dust levels at mines to the legislative levels, then try to improve this further, then look at the chest x-ray problems".

The object of the Qld Coal Mining Legislation is –

to protect the safety and health of persons at coal mines and persons who may be affected by coal mining operations; and, to require that the risk of injury or illness to any person resulting from coal mining operations be at an acceptable level;

and, to provide a way of monitoring the effectiveness and administration of provisions relating to safety and health under this Act and other mining legislation;

operations must be carried out so that the level of risk from the operations is at an acceptable level of risk, within acceptable limits;  
and as low as reasonably achievable;  
and to decide whether risk is within acceptable limits and as low as reasonably achievable regard must be had to – the likelihood of injury or illness to a person arising out of the risk; and  
the severity of the injury or illness.

I am very passionate about seeing immediate changes made to the Qld Coal Mining Legislation, so we end up seeing a stop to the number of Qld coal miners being diagnosed with Black Lung. As at present we have countless miners who are still going to work and don't know if they already have the deadly disease.  
More importantly, they haven't had a chest x-ray, that has been reviewed by a radiologist who is trained, experienced and assessed, to review and grade these to the ILO B-Reader standards.  
So they haven't been told, that they don't have any signs of having Black Lung.  
I believe these coal miners aren't going to be in any hurry to get this done either.  
Because if they do get this done and they find out they have signs of Black Lung, They will be deemed unfit to work in a coal mine and they will be thrown on the scrap heap, just like the other ones have been.  
So I think we have only seen the tip of the iceberg, with the number of Qld coal miners that have signs of Black Lung. We need to make changes today, not tomorrow or some time later.  
If we act now, we may stop the newer coal miners from ending up with Black Lung.  
We may then have a point of time in the future where we actually end up with having no more Qld coal miners diagnosed with Black Lung.  
But at present I believe the rest of the iceberg will show itself, but only once all coal miners in Queensland have had a chest x-ray and have also had it reviewed and graded to the ILO B-Reader standards.

At present we have legislative limits for the maximum amount of coal and silica dust the Qld coal mines are allowed to expose underground coal miners to.  
But there are coal mines that are knowingly exceeding these limits and it seems like everyone has been sitting back and allowing this to continue.  
I know that the coal mines that have exceeded these limits, have been issued with directives to reduce their dust levels. Even if these mines show that they have reduced their dust levels to a level that complies to legislation. You need to ask yourself, do you think they have actually reduced their dust levels ?  
Then you need to check to see if they honestly did reduced their dust levels to a level that complies to legislation. Or if their production levels actually reduced during the time that these dust monitoring were taken place.  
The reason I say this is because it is possible for these mines to get false results for this.  
I have personal seen this happen before.  
At some mines, I regularly saw the dust sampling done on shifts where we weren't producing.  
We told the people supplying the dust sampling monitors, that they should come back when we are actually producing. They told us that the mines actual make the arrangements for when they come and do the monitoring.  
At another mine this monitoring was scheduled for the shift where we were always on maintenance.  
At other mines I have worked at, this has also occurred, but this was not done regularly, at these mines.  
I have even seen it once, at one mine, where senior management forced one person to wear a dust monitor, even though that person told them, that he would be on the surface for most of the shift, as he was participating in a complex risk assessment.  
These senior management personnel knew what this person would be doing during this shift.  
So in my opinion these dust monitoring results are not realistic.

If they were all done during full production shifts, they would show the actual amount of dust that the coal mine workers are exposed to.

That's why I believe we need to draw a line in the sand, saying everything done before now was the past and everything done from now on, is the future.

We also need to make changes now, to ensure that we are honestly looking after the health and safety of their coal miners and

not just leaving it up to the mines to be in control of their own dust monitoring.

Realistically this may not happen overnight, but we do need to ensure that we are moving forward and improving their health and safety.

What we can do today is put controls in place to reduce the levels of coal dust that all of the coal miners are exposed to. Don't talk and argue about this, just act now please, you can make a difference by acting now.

Remember you have accepted the role you are doing, whether this is on the Black Lung Inquiry panel, or as a member of the Qld parliament, or as a mines inspector, or as a safety and health rep.

So in regard to you for filling your role, you must ensure you fully discharge your health and safety obligations, to ensure you have done your job properly and legally.

If you fail to fully discharge your health and safety obligations, then you will have blood on your hands, from the coal miners who are continuing to be exposed to the future risks of being diagnosed with Black Lung.

I believe most people look forward to retiring and being able to fully enjoy their retirement.

Having Black Lung would greatly restrict you from enjoying your retirement.

Ask yourself would you want to have Black Lung or have a close family member have this and watch them struggle to breathe, let alone being able to enjoy their retirement.

A lot of Australians thinking about spending time in their retirement travelling around Australia and exploring parts of this country.

Imagine trying to do that when you have Black Lung and your biggest challenge every day is to breathe.

You would find this hard to do while at rest, let alone when you take a short walk.

So you wouldn't be able to really enjoy your retirement as you had planned, like travelling and exploring Australia.

If your working life was cut short due to being laid off, because you were found to have signs of Black Lung,

Then you wouldn't be ready to retire, as you wouldn't have your house paid off and

you wouldn't have put enough money away into your super for your retirement.

That's why we need to act and stop Black Lung now.

Please do the right thing for them and their families, and also to protect all of the other coal miners.

If you still aren't on their side, then picture yourself in their shoes or one of your close family members or friends being exposed to this or

being diagnosed with signs of Black Lung.

Also think of the demand this will put on the Qld health system, as more people are diagnosed with Black Lung and require medical help to cope with this.

Mining companies are saying there is no dust problem, but speak to any of the miners and they will tell you the truth about the dust.

While I was operating a continuous miner, I always made sure that at the start of every shift I completed the required pre-start checks that I was required to do.

At times the ERZ Controllers in charge of the production district that I was in, would try to put pressure on me, "to not do them or to take shortcuts" with these pre-start checks.

I would stand up to them and I would complete these, as these are required to be completed to comply with the mine's Safety & Health Management System,

Which is developed to comply with the Qld Coal Mining Legislation.

While doing these pre-start checks, I regularly found a number of water sprays not working, blunt / broken / missing cutting picks, doing this properly, would take longer than the other shifts were recording for doing their pre-start check, this would make me think that at least some of the other operators weren't doing these checks properly. I would also notice a slight reduction in the ventilation at the front of the continuous miner. I would clean out the on-board ventilation system on the continuous miner. On the maintenance shift I would find time to fully clean this out, to further improve ventilation at the face. I also realized that we were losing ventilation at the end of the vent tube line, where the flexible duct from the continuous miner would be put in. I made up a cover to go over this area where we were losing the ventilation. I also got the ERZ Controller to do ventilation readings to prove the difference this made and I also completed a hazard form to formally capture this problem. All of these things that I did were to manage and minimize the dust at the face and to also comply with the rules. This also reduced delays with production, while waiting for dust to clear from the face, so as to see the roof, while cutting this. So the bit of delay at the start of the shift, sped up production during the shift and this also reduced the amount of dust I was exposed to. Where I would stand on the platform on the side of the continuous miner, it was nearly free of dust. Most of the dust I was exposed to, came from dust from the travelling road into the panel. Vehicles travelling in and out along this road would cause this dust. This dust is easily controlled by spreading coarse salt on the road or by watering the road. At the most extreme times this dust would cause it hard to see the face while trying to cut out the roof. It is part of the ERZ Controller's job to report this dust and then for management to allocate someone to salt or water this road. This would make an almost immediate difference, with reducing the dust coming off the road and in to the face. The other things I listed above, would quickly remove the dust caused by cutting.

Ask yourself would you like to be working in an underground coal mine, where it is know that the dust exposure limits are being exceeded, or would you like to have a close family member work there ? Then ask yourself if you believe there is a dust problem underground ? If your answer is - No, you don't think there is a dust problem. Then you need to ask to go and have a look for yourself, so you actually know the truth.

I believe for you all to fully discharge your health and safety obligations, in regard to you for filling your role on this Black Lung Inquiry panel, Then I believe every single one of you must go to and look at, one of the Qld Coal Mines that has exceeded the dust exposure limits and this mine has both an underground and Prep Plant operations. If the mine knows exactly when you are coming to site and what you will be looking at, they will try to put controls in place to reduce dust in these areas. Therefore you will not get an honest look at what it is normally like to work underground. Ensure you also take anyone who has argued that there is no dust or Black Lung problem at the Qld coal mines. Then make sure you have a look at all of the following areas -  
Prep Plant -  
the coal dust from a dozer working on the coal stockpile at the Prep Plant,  
the coal dust from the coal falling off the conveyor belt from the underground mine and this coal landing on the stockpile of coal,

If this mine also has opencut operations, then look at the coal dust from the trucks dumping their coal into the hoppers at the Prep Plant,

and also ask if you can have a look at the air conditioner filter in these trucks hauling the coal in the opencut, also the coal dust covering the air conditioner filters in the buildings around the Prep Plant,

Underground, general -

the coal dust behind the vehicle as it goes underground, once it's off the concrete at the portal,

the coal dust from the transfer points underground,

the coal dust from the loaders carrying stowage out of the mine,

Underground, Development panel, during full production -

the coal dust in the ventilation returns,

( you may be told no one works in there, but they do -

ERZ Controllers have to walk these areas, while they are producing, so there is a lot of coal dust in here,

sometimes other personnel may have to work in these areas too, while they are producing ).

the coal dust behind the vehicle as it goes into the production panels,

the dust from the stonedust trickle dusters, while they are being used filled and used,

the coal and silica dust from the outlet of the auxiliary fan,

the coal dust from the coal being loaded onto the conveyor bootend,

the coal dust from the coal being loaded into the shuttle car,

the coal and silica dust from the continuous miner cutting at the face, in full production,

the silica dust from the continuous miner cutting out the roof, in full production,

the coal and silica dust the bolter operators are exposed to, as they bolt up the roof, while the face is being cut out,

the dust coming into the face from the shuttle car as it is diving in and out from the continuous miner,

the dust coming into the face from any other vehicles that may be driving in and out of the panel,

the dust in the air at the development face while the operators try to have a drink of water, from their water bottles -

dust masks will be removed,

the dust in the air at the underground cribs, as vehicles travel in and out of the panel, while the personnel are

trying to eat their crib - dust masks will be removed,

Underground, Longwall, during full production -

the coal dust from the longwall BSL, in full production,

the coal and silica dust from the longwall shearer cutting, in full production,

the coal and silica dust from the longwall chocks moving forward,

Underground, general -

the dust from grout and cement products being used underground, this stuff is a lot worse than coal dust.

Ask yourself what is used to try to keep you from breathing in all of this dust ?

That would be the dust mask that you would be wearing.

When you take it off have a look at all of the dust on the outside of it, the dust mask stopped you from breathing this in.

Then turn over the dust mask and have a look at the dust on the inside,

if there is any dust in here, then this is the dust that the dust mask didn't stop.

Now before you do anything else, go and look in a mirror and look at the dust on your face,

if you have any dust on your face, under the area where the dust mask was on your face,

then this is some of the dust that you could have breathed in, but you didn't this time, as it stuck to your face and this dust didn't quite make it into your nose.

The dust on your face, is mainly from the dust mask not fully sealing up against your face properly.

It is very hard to get them to fully seal up against your face.

Now go and blow your nose and look at what comes out, if this has any black colouring in it,

then this means you have breathed in coal and possibly other types of dust too, like silica dust.

Mmm this isn't good, but at least this was the only time you will be exposed to this.

Now go search for the Hierarchy of hazard control ( this is easily found on the internet ), now look for the diagram that shows a triangle, that is broken up into five levels, it will have Elimination at the top and PPE ( personal protective equipment ) at the bottom. This is a system used in the industry to minimize or eliminate exposure to hazards.

It is a widely accepted system promoted by numerous safety organizations.

This concept is taught to managers in the industry, to be promoted as standard practice in the workplace.

When looking at the Hierarchy of control, it clearly shows the most effective controls and the least effective controls.

The most effective controls, in order are - Elimination, Substitution, and Engineering Controls.

The least effective controls, in order are - Administrative Controls, and PPE.

The dust mask that you wore is PPE.

That means that this least effective control, was relied upon to minimize or eliminate your exposure to coal, silica and other types of dust at coal mines.

This was also relied upon to minimize or eliminate your exposure to Black Lung.

If you had any dust on your face, under the area where the dust mask was on your face or you had black colouring come out when you blew your nose,

Then ask yourself, how safe do you feel now, from the risk of getting black lung.

Remember this would be greatly increased with every shift you spent exposed to this dust.

Now ask yourself, is there a problem with dust at coal mines, especially the underground ones ? , but not excluding the surface areas of mines.

I now ask you, to put up your hand -

If you are concerned that the mines mainly use dust masks, to try to eliminate exposure to coal, silica and other dust that is present underground ?

If you are concerned about the mines mainly using this least effective control, to try to eliminate exposure to coal, silica and other dust that is present underground ?

I thank all of you who were honest when you responded to these two questions.

My legislation suggestions, that are at the bottom of this submission, take this into consideration.

Earlier on, I explained my experiences with seeing dust monitor not being done properly.

This was in regard to this being done during shifts that weren't during full production.

So these dust monitor results didn't show the true amount of coal and silica dust that we were being exposed to.

These results aren't showing realistic amounts of dust that the miners are exposed to.

I believe it was very easy for these mines to arrange to have this dust monitoring scheduled to be done during these shifts.

If they were all done during full production shifts, they would show the actual amount of dust that the coal mine workers are exposed to.

If you are all serious about wanting to Stop Qld Coal Miners from being diagnosed with Black Lung,

then we must stop all mines from being able to conduct dust monitoring during shifts that are not during full production.

What I am saying is they must not do this during maintenance shifts and they must ensure all dust monitors are being used underground.

(Definitely Not taken into a room on the surface).

Therefore we must not allow these coal mining companies to be in control of their own dust monitoring.

We must have independent dust monitoring, which is not aligned to the coal companies.

We must ensure that the dust levels are reduced and that each and every coal miner has their own personal continuous dust monitor for each and every shift.

We must ensure we find the best practices for reducing dust levels and adopt these practices.

We owe it to all of the Queensland coal miners and their families, to do the right thing for them and to protect their health and safety.

I believe that the mines are now more focused on their profits and therefore they are putting production before safety and health.

Let us not forget the true price of coal, by considering the lives that we have lost during the production of coal.

The price of coal seems to be always written in blood.

Think about all of the underground coal mining disasters we have had in Queensland.

I am passionate about safety and I understand the importance of my and my fellow coal mine workers health and safety.

But I also understand that in regard to production - if the black stuff isn't coming out of the ground at a reasonable rate, then we won't have a job.

This highlights the importance of safe production.

Looking at the production increases of coal mining operations since this legislation came into effect in 2001, it clearly shows that safety and production can actually go hand in hand.

Doctors need to be appointed independently of employers and mining companies.

We can't afford to have doctors and other health professionals on their payrolls.

They need to be fully independent and do their job properly without their being any bias.

Doctors seem to be taking shortcuts to get more coal board medicals done each day.

Office staff are conducting lung / breathing tests and hearing and drug tests.

Then the Doctors just reviews this information and signs off on the medicals.

I have had numerous coal board medicals done during my working life and have seen this first hand.

I have noticed a difference between having the breathing tests being conducted by an occupational specialist and the office staff doing these for the doctors.

We need to ensure we stop exposing our coal miners to high levels of dust,

this will decrease the risk of them being diagnosed with Black Lung.

Look at what we have to do to greatly improve health and safety, in regard to Black Lung,

test the suggested changes, record what effect they have made, listen to what the coal miner have to say in regard to suggestions,

then report back with these stats and then make these relevant amendments to our legislation.

Also report back the suggestions from all of the coal miners, eg. management and workers.

Then ensure every coal mine is complying with these changes.

But also ensure we are continuously looking for new technology or try to develop equipment and methods to reduce dust levels further.

We need to ensure we are looking for continuous improvement with controlling dust levels.

I am focusing my comments here on the most effective controls, in regard to the Hierarchy of control.

Do you remember that from earlier.

When looking at the Hierarchy of control, it clearly shows the most effective controls and the least effective controls.

The most effective controls, in order are - Elimination, Substitution, and Engineering Controls.

The least effective controls, in order are - Administrative Controls, and PPE.

The dust mask that you wore was PPE - least effective control.

So we need to focus on the most effective controls, like - Elimination, Substitution, and Engineering Controls.

Also ensure we look at what NSW is doing in regard to Black Lung and controlling dust levels.

What do they have in their legislation for this also, as it seems to be working.

But don't just think about doing what they are doing, look at what improvements can be made to this.

Remember safety and production go hand in hand.

By reducing the dust levels, there will be less dust in the work area.

If you look at the development face, less dust means a continuous miner operator will be able to see the face sooner,

this means, this person will be able to continue with the next step with cutting,

there will then be shorter delays, meaning more production time, and resulting in more production.

So this will be a win for safety and health / Black Lung, and a win for production.

Our legislation is risk management based.

So if we were to apply controls in legislation, then I believe the following legislation suggestions would apply.

These shall then be prescriptive, so this will be black & white, with no grey areas & must be fully complied with at all times,

as was the true intent of our legislation was intended, so as to protect the health & safety of all of Qld underground coal mine workers ( CMWs ).

\*I believe that legislation must be changed to ensure –

\*Under this part of legislation, which is for Black Lung and dust levels and the management of this,

"AT NO TIME" is any person or party or this state, exempt from being prosecuted for any offence or breach of this part of the Qld CMH&S Act.

(this is written as it is read) Section 3, Subsection 2 of the Qld Coal Mining Health & Safety Act, "DOES NOT" comply with the sentence that was just read.

This states - Nothing in this Act makes the State liable to be prosecuted for an offence.

I have suggested this due to the reluctance at times for Mines Inspectors to fully ensure mines are complying with this legislation and

shutting them down for unsafe operations, this is done under,

Section 167 of the Qld Coal Mining Health & Safety Act (Qld CMH&S Act), Directive to suspend operations for unacceptable level of Risk.

The mines inspectors know this section of legislation protects them from being prosecuted, so they can hide behind this.

I believe some Mine Inspectors won't do this because they have only take a role with the mines inspectorate for a short time,

before they return to work for the coal mines again.

So they don't want to upset the mining companies and therefore limit their future job opportunities.

I believe the rest of the mines inspectors are being pressured by the Qld government, not to shutdown any mine.

This is because the mining companies are continuously pressuring the Qld government, by using media campaigns to do this.

They keep saying they are a marginal business and if the government affects them negatively, then they will no longer be viable and will have to close or at least lay off workers.

But realistically they are always looking at their profits and doing everything they can to increase these.

These scare campaigns through the media are part of that.

When they whinge about a downturn and having to lay off workers and actually doing that.

Stop and look at their production figures and their profit margins, after they have done this,

this will prove that they are actually laying off workers to keep increasing their profits.

This is all driven by the CEOs chasing more salary from their bonuses,

but also ensuring they secure their position by ensuring the shareholders get a return also.

So really this is why they keep pressuring the Qld government through those negative campaigns and most people believe them.

\*Dust monitoring is to be fully controlled by an external party / service, such as SIMTARS.

\*The Qld Minister for Natural Resources and Mines shall ensure this external party / service,

has enough resources available and have enough support and assistance, to ensure all parts of this legislation is complied with.

\*The Qld Minister for Natural Resources and Mines shall ensure the Mines Inspectorate,

has enough resources available and have enough support and assistance, to ensure all parts of this legislation is complied with.



\*Dust monitoring must be done during production shifts. This is to ensure that this clearly indicates the true dust levels the CMWs are actually exposed to.

The external party /service, in control of the scheduling of the dust monitoring, must immediately re-schedule any dust monitoring that was done during a shift of less than full production.

\*During dust monitoring, it must be clearly explained to the person who will be wearing the dust monitor, that they must notify the ERZ Controller in charge of the district that they will be working in, that they are wearing a dust monitor; and that they must record - their name, the area of the mine that they were working in, the name of the ERZ Controller that is in charge of that district, the task that they were doing, if that were wearing this and working as part of a production crew member, then was the normal amount of production reached, and ensure their ERZ Controller has signed this and written their name on it too.

The ERZ Controller in charge of the district that dust monitors were worn in, must check the details the wear is recording, and write their name on this and sign it.

The person issuing these dust monitors must record that days date, shift being worn - eg, night shift, time this was issued.

The person collecting these, shall ensure all details have been recorded, in regard to the wearer of the dust monitor.

\*The inspectorate must ensure that all of the mines are then fully complying with the legislative limits.

\*This shall be done by them receiving the results of all of the dust monitoring, as soon as this is available.

They must then review this immediately and stop any operations that had dust levels that exceeded the legislative limits.

\*Dust monitoring results shall also be sent to all ISHRs.

\*The dust monitoring results shall be displayed as to clearly identify a failed sample.

This shall be done by having that individual failed result, so that the font colour for this, is **"RED"** (nothing else is to be "RED" on this report).

This shall also be made to be in **"BOLD"** font and in a **"LARGER FONT SIZE"**, than all of the other font sizes, (everything else on this page shall be printed in black and in the same font and font size, but in smaller font than the failed result).

These dust monitoring results shall be, emailed and printed in colour.

This is to make the failed result clearly visible.

\*All coal mine workers must be immediately notified of a failed dust monitoring result, at that coal mine.

\*All reports for dust monitoring must be posted on the a noticeboard in the muster area, so this report shall be clearly visible by all underground coal mine workers, this noticeboard must also be located in a position that is clearly visible to all underground coal mine workers, and a copy of this report of a failed result must be given to the coal mine worker who had worn this dust monitor during this dust monitoring.

\*A copy of this report of a failed result must be given to all ERZ Controllers in charge of the district where this dust monitoring was taken from.

All of these ERZ Controllers must record this in their stat report, on the shift they were given this report.

They must all inspect and ensure that all controls for dust are - all in place / are all working / are all being used.

They must all report on any of these that were not - in place / not working / not being used.

\* Looking at the meaning of a HPI (High Potential Incident),

All failures of dust monitoring at coal mine operations must be included into the meaning of a HPI and therefore the legislation relating to a HPI must be complied with.

All coal mining operations that have failures of dust monitoring results - that means they have exceeded the legislative levels of coal and silica dust -

then the SSE at that coal mine must ensure that the coal mining operations for the "AFFECTED AREA ONLY" are immediately stopped.

All of that mine's SSHRs and a ISHRs and a senior coal mining inspector in that region shall be immediately notified of this stoppage.

This "PART OF THE OPERATION" is not to be restarted until - the risk to coal mine workers from that part of the operation is at an acceptable level.

This means that the affected area can comply with the legislative levels of dust, while they are operating at full production rates.

The SSE must also have the permission of the senior coal mining inspector that has been investigating this incident. Also before restarting operations, the SSE must notify - all of their SSHRs, and the ISHR they reported this to, and the senior coal mining inspector they reported this to -

that all of the controls and any additional controls for controlling dust have been put in place, to ensure the risk to coal mine workers from the operations is at an acceptable level.

Also notify these people of all of the requirements of that Senior Mines Inspector and notify them that these have all been fully addressed and controlled.

Also notify all of these parties when the next dust sampling is scheduled, within the next 48 hrs.

\*Any operation or part of an operation, that has been stopped due to a failed dust monitoring result, must have another dust monitoring conducted within 48 hrs of the operation restarting.

If this doesn't happen then the operation must stop until this can be done.

This dust monitoring must be conducted, while they are operating at full production rates.

\*At no time shall any coal mine be operated in a way to reduce production while dust monitoring is being conducted.

\*The only exemption to an operation stopping due to a failed dust monitoring result, shall be when it is not safe to do so.

All of that mine's SSHRs, all of the ISHRs and a senior coal mining inspector in that region shall be immediately notified of this.

Examples of these events would be during a longwall take off or a strata failure that requires urgent action – this strata failure must be treated as and reported as a HPI.

This exemption to stop, must expire as soon as it is safe to stop.

No one shall attempt to use this section to continue to produce for any other reason.

\*Any breach of this part of legislation, (that part of legislation being for the regulation of all dust in or from a coal mining operation)

shall be immediately investigated for a possible prosecution.

\*Any breach of the dust monitoring legislation shall be immediately investigated for a possible prosecution.

\*All risks can not be classified as acceptable, if all hazards aren't listed in the risk assessments and any other risk management practices.

Must also ensure all relevant safety alerts have been viewed to ensure everything identified in the safety alert is listed in these risk management practices.

Then suitable controls must be put in place.

The hierarchy of control must be taken into consideration when listing all controls, therefore stronger and more suitable controls must be put in place to control and reduce all dust being generated and also carried in the intake airways and also in the return airways, were personnel may be required to work in, while production would normally take place.

Good mining practices must be used to control all dust.

They can't say that they are at an acceptable level of risk, if the hazard isn't identified, because suitable controls are not actually put in place, to control this hazard and the risk is ranked.

After all of the actions from all dust related risk management practices have all been signed off, that coal mining operation needs to notify the Inspectorate.

The inspectorate must go to the mine and ensure that all of these controls are in place.

This must be done by conducting a visual inspection of each control being in place and being used / operational.

This must not be completed by only doing a surface visit of that mine and being told and explained, how these controls were put in place.

\*All risk management activities relating to airborne dust, at all coal mining operations must be reviewed by - all of their SSHRs, all of the ISHRs, a Senior coal mining inspector and one independent party (that specializes in coal dust management and holds the relevant risk management competencies - eg. SIMTARS), –

This party must have been selected and ensuring full consensus has been reached on using this party by – all ISHRs, the Qld President of the CFMEU mining & energy division, the Qld Commissioner for Mine Safety and Health and the Chief inspector of mines.

All of the parties conducting these reviews must be sent a copy of a signed statement from the Mines inspector who did the mine site visit and conducted the visual inspection of all of the controls being in place and being used / operational.

All of these parties must also be supplied with the dust monitoring results for - before and after the controls were in place and being used.

\*No one at any time shall enter any area of an underground coal mine that doesn't have adequate ventilation to meet the legislative requirements.

All areas of an underground coal mine that doesn't have adequate ventilation must be no roaded and an information tag must be attached with sufficient information on it, so all coal mine workers know why this area is no roaded.

No one at any time shall tell anyone to enter one of these areas.

\*Production ERZ Controllers stat reports must have a section for pre-start checks for all production equipment.

This shall list all production equipment, such as continuous miner, shuttle car, LHD, breaker feeder and conveyor belt. Then each of these shall be signed by the person who completed the pre-start checks, and these pre-start checks shall be completed at the start of that shift.

All of these need to be countersigned by the ERZ Controller.

A failure to comply with this, means that these pre-start checks weren't completed.

The importance of these pre-start checks, is that to ensure that the relevant suitable controls for dust suppression are in place.

These being – on the continuous miner – there are no blunt or worn or missing picks or pick blocks;

all water sprays are working to their full potential;

water pressure and flow is above - the recommended amount stated by the manufacturer and the minimum stated in the mine's SHMS –

for fire fighting and dust suppression and airborne dust control;

on the breaker feeder and conveyor boot end and transfer points – ensuring ;

all water sprays are working to their full potential;

water pressure and flow is above - the recommended amount stated by the manufacturer and the minimum stated in the mine's SHMS –

for fire fighting and dust suppression and airborne dust control;

minimize spillage of coal & other material onto the roadway.

Remembering that an ERZ Controller's Stat Report is a legal document.

At no time shall coal be emptied from shuttlecars / ramcars, on to the production wheeling road, unless this is only for the temporary filling in of potholes in the wheeling road.

The spillage of coal when filling shuttlecars / ramcars must be keep to a minimum, excessive spillage must be cleaned up immediately.

(This is to minimize the amount coal dust being generated into the intake air that is going to the production face).

\*The Qld Commissioner for Mine Safety and Health shall form a "Dust monitoring and Black Lung review panel", with only one person representing each relevant party – these being –

ISHR, Qld CFMEU executive, Inspector of coal mines, Coal mines, SIMTARS, etc

(this will be similar to the legislation review panel but must include SIMTARS and the CFMEU Executive and a ISHR).

These people shall all be actively pursuing greatly reducing airborne dust at all Qld underground coal mines.

No person on this panel shall unnecessarily impede the progress of this panel.

\*Any person or party that is unnecessarily impeding the progress of the Dust monitoring and Black Lung review panel, shall be immediately investigated for a possible prosecution.

\*The Qld Minister for Natural Resources and Mines must continually have SIMTARS and other relevant parties (consider also the CSIRO and University of Qld, for assisting with this also) investigate new ways to greatly reduce the amount of dust in the immediate atmosphere in all areas of underground coal mines.

\*SIMTARS shall trial these in an underground coal mine and record the dust levels for - before and while each of these controls is being used.

Then report back their findings to -

all of the ISHRs, Qld President of the CFMEU, The Qld Minister for Natural Resources and Mines, The Qld Commissioner for Mine Safety and Health, The Chief Inspector of Coal Mines, The Dust monitoring and Black Lung review panel, and The Qld Coal Mining Legislation review panel.

\*The Qld Commissioner for Mine Safety and Health must ensure that these new ways to control dust are passed on to all underground coal mines in Qld and that all of these coal mines are actually trialing these, recording these results and ensuring all of this information is passed back to -

all of the ISHRs, Qld President of the CFMEU, The Qld Minister for Natural Resources and Mines, The Chief Inspector of Coal Mines, and the Qld Coal Mining Legislation review panel.

\*The Qld Minister for Natural Resources and Mines shall continually have SIMTARS involved in and overseeing all trialing of these new ways of greatly reducing airborne dust in Qld underground coal mines. This is to ensure we are actively pursuing better mining practices.

\*The Qld coal mining legislation review panel shall also be improving legislation, in regard to - greatly reducing airborne dust in all Qld underground coal mines, including the learnings from the trials to reduce dust levels, and looking at what NSW has in it's legislation to regulate dust levels and to control or at least greatly reduce the risk of being diagnosed with Black Lung.

The review panel shall be working together to -

reduce the risk of all Qld coal mine workers being diagnosed with Black Lung, and to comply with the object of the Qld Coal Mining Legislation.

The object of this Act is to -

ensuring to protect the safety and health of persons at coal mines and persons who may be affected by coal mining operations;

and ensuring the risk to coal mine workers from the operations is at an acceptable level.

No person on this panel shall unnecessarily impede the progress of this panel.

\*Any person or party that is unnecessarily impeding the progress of the Qld Coal Mining Legislation review panel, shall be immediately investigated for a possible prosecution.

\*The Qld Minister for Natural Resources and Mines shall ensure that the Mines Inspectors are continually inspecting Coal Mining Operations,

to ensure they have updated their Procedures to include -

the learnings from the trials to reduce dust levels; and

the changes in legislation for -

greatly reducing airborne dust in all Qld underground coal mines and reducing the risk of all Qld coal mine workers being diagnosed with Black Lung.

\*The Qld govt, The Qld Minister for Natural Resources and Mines, The Qld Commissioner for Mine Safety and Health, The Qld Mines Inspectorate, The Qld Resources Council, The Coal Mine Operators in Qld and any other party or person, shall not unnecessarily impede the progress of actively reducing dust levels at Qld underground coal mines.

\*Any person or party that is unnecessarily impeding the progress of actively reducing dust levels at Qld underground coal mines,

shall be immediately investigated for a possible prosecution.

(This is due to this being of the greatest importance, to reduce the dust levels, and the risk of Qld coal mine workers being diagnosed with Black Lung, and

making improvements to do this as soon as possible).

\*All underground coal mines shall be operated with their main focus being on controlling airborne dust levels in all parts of the underground coal mines.

This is due to the seriousness of this Black Lung issue and being the cause of an increasing number of Qld coal mine workers that are

being exposed to increasing levels of dust and the increasing level of risk of the Qld coal mine workers being diagnosed with Black Lung.

This will mean safety and production, go hand in hand.

But at no time shall safety be watered down, so production and profits can be increased, at the cost of safety.

\*All underground coal mine worker shall continuously have with them a personal dust monitor, while they are underground. Then dust monitors shall be inspected at the end of every shift, to identify the dust levels that they were exposed to.

Also any other worker in an area that has been identified as requiring dust monitoring, shall continuously have with them a personal dust monitor.

\*The Qld Minister for Natural Resources and Mines shall continually have SIMTARS investigate a way to conduct real time dust monitoring.

When this technology is available, this shall be installed in all underground coal mines and any other area that has been identified as having concerning levels of dust.

SIMTARS shall then continuously look at ways to improve this dust sampling system.

\*This real time dust monitoring shall be conducted to comply with legislative limits.

\*The idea of most of this part of legislation is to ensure coal mines are operated in a way to ensure that they are continuously, actively and proactively controlling all airborne dust generated from travel roads, and the exposure of all dust to all coal mine workers.

\*This real time monitoring shall be positioned –

at the outbye end / on the intake airway side of continuous miners / coal cutting equipment, but in the intake air flow; in the longwall, this shall be installed at the outbye end / on the intake airway side of the maingate drive / BSL, but in the intake air flow;

in the longwall, this shall also be installed at the top of the pan line, near the maingate end and in the air flow;

in the longwall, this shall also be installed at the top of the pan line, at the mid face point and in the air flow;

in the longwall, this shall be installed at the top of the pan line, at the tailgate end and in the air flow;

at each underground cribroom, behind the brattice wing, that is used to ventilate the cribroom;

at the end of each conveyor roadway that is in an intake airway;

at the outbye end of each production panel, but in the return airflow; and

at the outbye end of the start of panel travel roadways, but in the air flow.

These shall be installed so the air flow shall pass over these devices.

These real time monitors shall also be installed in all intakes where they intersection the coal seam, eg. at the bottom of all drifts and shafts.

This is to ensure dust suppression is actively, continuously and proactively used to control surface dust that may enter the mine workings.

At no time shall any air flow be directed away from these devices.

\*No person or party shall try to divert any air away from any real time dust monitor.

\*Any person or party that is trying to divert any air away from any real time dust monitor, shall be immediately investigated for a possible prosecution.

\*Monthly dust monitoring shall also be conducted in and around all coal mines' coal preparation plants.

This is due to the large amount of visible coal dust in and around this area of coal mining operations.

If any of these dust monitoring levels shall reach 75% of the legislative levels for underground coal mines, then the same measures should also apply to the Qld surface coal mining legislation,

as does apply to the Qld underground coal mines.

\*All doctors that are signing off on Qld coal board medicals, must be appointed under Qld coal mining legislation.

\*All coal mine workers in Qld, must have a current coal board medical, that was signed off, by a doctor appointed under Qld legislation only.

\*All Qld underground coal mine workers shall have a Chest X-Ray taken every 5 years, and immediately after permanently leaving the Qld coal mining industry, and again 5 years later. This is to look for any signs of black lung or any other work related Lung problems.

\*All chest x-rays of Qld underground coal mine workers shall be reviewed by a radiologist who is trained, experienced and assessed, to review and grade these x-rays to the ILO B-Reader standards.

All cases, of signs of Black Lung or other work related Lung problems shall be immediately reported to - The SSE of the mine that they last worked at, All of the SSHRs of the mine that they last worked at, all of the Qld ISHRs, The Qld President of the CFMEU, The Qld Minister for Natural Resources and Mines, The Qld Commissioner for Mine Safety and Health, The Chief Inspector of Coal Mines, The Dust monitoring and Black Lung review panel, and The Qld Coal Mining Legislation review panel.

\*All doctors doing coal board medicals and reviewing chest x-rays, must be independent of the coal mines and other employers, such as contractors.

All lung / breathing test must be conducted by personnel that are trained, assessed, certified and experienced in this. These personnel and the doctors doing these medicals must know and understand their relevant part of the Qld coal mining legislation. They must comply with this at all times.

\*These personnel and the doctors shall complete a Legislation exam before commencing these tasks, and complete Legislation exam refreshers every 5 years, but only for all of the parts of legislation that are relevant to them. These shall be conducted by the Qld mining Inspectorate.

\*These people and parties doing these medicals or relevant other tests, shall always comply with this part of this legislation.

\*Any person or party that is not complying with this part of this legislation, shall be immediately investigated for a possible prosecution.

\*Legislation exam refreshers shall be conducted by the Qld mining Inspectorate, every 5 years for ALL of the following people – SSEs, Underground mine managers, Ventilation officers, Production managers, Undermanagers, Safety managers (eg. head of the safety dept on site), ERZ Controllers, Supervisors, this shall also include "all senior management of all contracting companies" on site, for companies that have personnel working underground.

\*If these legislation exam refreshers are not completed before reaching 5 years since the last one, then these people can not be appointed to that position. This also means that these people can not give directions to any person who works as a permanent employee or permanently as a contractor at a coal mine.

\*Any person or party that is not complying with this part of this legislation, shall be immediately investigated for a possible prosecution.

\* The Qld Minister for Natural Resources and Mines shall ensure there are enough resources available, to ensure all of these Legislation exam refreshers are conducted by the Qld mining Inspectorate. (This is not to be done by any external party, as they may focus more on getting paid for the amount of people who pass these, than actually focussing on those people who are actually competent enough to pass these exams).

\*These Legislation exam refreshers shall be audited to ensure they are being done properly.

\*The Qld Commissioner for Mine Safety and Health's annual report shall have a section that reports on Qld Black Lung and dust monitoring. This shall include - all improvements to reduce dust levels in all of the Qld coal mines;

the stats for all trials of new methods of reducing dust levels;  
all failed dust monitoring, and also to report on what part of the coal mine these were for, as to indicate if coal mines have a common area of concern,  
clearly state the name of the affected mine;  
this shall also name the SSE, Mine Manager, Production Manager, Relevant Department Manager (eg. longwall or development) and  
the ERZ Controller for the shift that the dust monitoring was conducted -  
this is to indicate if there are any of these people that are regularly named for having failed dust monitoring;  
list all of the controls that the coal mine had in place, when they had a failed dust monitoring result;  
list all of the controls put in place after the coal mine had a failed dust monitoring result;  
list the controls that all of the mines have put in place, that have greatly reduced dust levels;  
list what positive measures have been trialled or used at mines;  
list what new technology is available to greatly reduced dust levels;  
list the number of underground coal mine workers' medicals that have been reviewed by the Department that reviews & stores these medicals;  
list the number of underground coal mine workers' medicals that haven't been reviewed by the Department that reviews & stores these medicals;  
also list the number of underground coal mine workers' chest x-rays that haven't been reviewed by a radiologist who is trained, experienced and assessed, to review and grade these x-rays to the ILO B-Reader standards;  
also list the latest technology that is available to view these chest X-rays;  
list what is being done to source this equipment to be permanently available in Qld to be used to view these chest X-rays; and  
then list all confirmed reports of Black Lung in Qld coal mine workers or these former workers.

A copy of this individual section must also be emailed to all ISHRs, the Qld President of the CFMEU mining & energy division,

the Qld Premier, the Qld Minister for Natural Resources and the Chief inspector of mines –  
this shall be emailed with a read receipt and The Qld Commissioner for Mine Safety and Health shall ensure that they get a read receipt back from all of these people.

This section of the report shall be clearly visible and be clearly listed in the index of this report.

\*No person or party shall try to hide any reports of Black Lung in Qld.

\*Any person or party that is trying to hide any reports of Black Lung in Qld, shall be immediately investigated for a possible prosecution.

\*Also introduce the same DPM (diesel particulate matter) controls that NSW has in their legislation.

This is in regard to how often they change their DPM filters and how much DPM you can expose coal mine workers to.

"Diesel particulate matter, sometimes also called diesel exhaust particles, is the particulate component of diesel exhaust,

which includes diesel soot, aerosols such as particulates, metallic abrasion particles, sulfates, and silicates.

There is debate about whether this causes Lung Cancer.

But NSW's legislation seems to be very proactive about reducing the risks that are from DPM,

so why should we deal with this differently and why wouldn't we include this now,

especially if this may cause Lung Cancer.

Ask yourself do we need that sort of issue in the future of Qld underground coal mining,

or would you rather include this now.

Diesel engines also produce exhaust gases, such as - Carbon Monoxide, Carbon Dioxide, Formaldehyde, Nitrogen Oxides, Sulfur Dioxide, various hydrocarbons, etc.

As a coal mine worker, I am passionate about safety and I understand the importance of my fellow coal mine workers health and safety.

I also understand that in regard to production - if the black stuff isn't coming out of the ground at a reasonable rate, then we won't have a job.

Thank you for accepting my submission and for everyone on the Black Lung Inquiry Panel, for the role and responsibilities you have accepted in doing this job.

Yours in safety  
Jason Mathewson