

Good day, I hope this missive finds you in good health. I thank you for the opportunity to have a voice in this issue and to share my experience involved with these matters. Since finding out about this illness I have had no one contact me from any mine or mines department as to enquire about my situation. I have felt abandoned by this industry.

I worked 14 years in the mining industry, 90% of that underground. It was there I found a home, I found my niche and excelled. To work in an industry in which I was proud to be a part of, and was able to forge a career. A career in which I would have worked until my retirement, one I found rewarding and challenging and enjoyed immensely. A career in which I could provide for my children, allowing them the opportunity's I was unable to experience as a child growing up.

I had various roles with a number of different contractor companies, working in a variety of underground mines around the Emerald, Tiere, Middlemount, and Moranbah areas. During this time most of my work was spent at Oaky number 1 underground mine. (Approx. 8 year) Out of my 14 yrs. 10 of them was spent doing conveyor belt installations, which I still get offers of work 4 years after getting a diagnosis of silicosis, black lung and sarcoidosis.

Throughout my mining career I quickly demonstrated productive qualities, I was given extra responsibilities and then promoted to crew supervisor. Over the years these crews ranged from 5 to 20 men. I was directly responsible for the working areas underground. I proved to be an exceptional leader exhibiting the technical proficiency combined with a work ethic second to none. I lead from the front and my crew had to keep up. With a proven track record bringing in projects on time and within budget, in a high pressure and high risk work environment, and was most proud of my extremely good safety record in all of the crews with never a serious injury to anyone. But always achieving more output of any other crews within the different contractor companies I was employed with.

I worked also as a site supervisor in an umbrella contract at Oaky number 1, in which for an 8mth period I had to step up to cover the project management in a dual role until a suitable replacement was found and I resumed the role of site supervisor again. I was extremely proud that during the entire project, the eight months I was steering the ship, we had the greatest duration of time without incident, 187 days. No other time came close. There was 90 men employed when I started and grew to 150.

I also had training and assessor qualifications and not only mentoring the men I was privileged to introduce to this industry, in which I felt a great pride to be a part of. But also providing the time to train and ticket personnel, helping them advance their mining careers, in which a large number being promoted and achieving success as supervisors themselves. A great feeling of satisfaction of seeing this come to fruition. A few of them upon hearing of my condition contacted me and expressed their condolences, stating that I was one of the best supervisors that they had ever had. I felt gratified in my approach with people and work.

After all the years of hard work I finally got employment with a mine. I was finally in a position to set myself and my daughters up for life. It was during a pre-employment medical in 2012 that an anomaly was discovered in my lungs. Before this the other 5/6 chest x-rays were clear. This began a process which lasted almost a year. Several CT scans, blood work, spirometry tests, and finally a lung biopsy at Royal Brisbane Hospital. There was a differential diagnosis of Silicosis and Sarcoidosis. When I came out of the anaesthetic the surgeon spoke to me and said he had seen this type of thing before, it was a no brainer (his words), it was due to long term dust exposure. At the time I had a conditional employment agreement with mining company upon the results of medical investigation.

I was devastated. I only had a few months left on temporary medical. I was lost, it was like the floor had disappeared from under my feet. Getting no support from the mine as to my future I went into a self-destructive downward spiral and my employment was terminated.

During the course of my life, with the exception of occasionally driving on a dirt road, my only exposure to dusty environments was while working, and the early chest x-rays I had in originally working in my first role underground was clear and there were no abnormalities found.

During my 14yrs u/g I worked in some dusty areas and some extremely dust areas. In all stats that I have seen the dust levels in conveyor installations are higher than any other area in mine, and above the recommended levels. (This information was not made available to me when I was working, it was only through my investigation in last few years that I have been able to verify this) I always wore PPE when required and often donned dust masks when I believed it was needed outside of mandatory areas. I followed protocols and safe working procedures and also carried a box of dust masks when available in my kit bag in case anyone needed them and had either used or didn't have them upon them.

When I first started in the industry a P1 dust mask was the minimum acceptable mask, the mines department upgraded the minimum to a P2 mask as the P1 were deemed not acceptable to meet the minimum standards. Not all mines had free PPE for contractors and getting these items from contract companies was onerous to say the least. A lot of the time forced to take PPE from the mine, getting in trouble from mine permanent employees and management. But it was the only option available as we were being told by our company to just use mine PPE. This sometimes created conflict and severely discouraged the proper use of all types of personnel protective equipment. All mines should have free PPE available to all workers. The mines I worked at that had these policies at least attempted to discharge their duty of care in providing the minimum dust masks. In my subsequent research and enlightenment in many areas regarding this topic, I found that a paper dust mask has a sealing rating of 300. The fully enclosed CABA unit that is used by mines rescue and for self-escape that is an enclosed system has a sealing rating of 3000. In my opinion the paper masks were only effective when doing light and easy tasks that required minimal movement. This may also sound funny, but I was never once shown how to properly don a paper dust mask.

During my time underground have worked in active very tailgates in longwall mines doing secondary support, working in a perpetual cloud of dust going past for the entire shifts. Removing development belt structure in belt roads, all by hand, then mucking out the fine dust in the belt road that is from 200 to 500mm thick. Then installing a longwall belt, all the while a large number of machines working creating high levels of dust. Some of these belt roads were 4 to 5 kms long. On one occasion an ERZ controller stopped us until we had airstream helmets usually only worn on a cutting longwall face. It's a shame it was our last day of a five day tour, his first day, and all other ERZ controllers never said a thing about excessive dust levels to us.

During conveyor installs and just about every type of work outbye, drilling holes in either roof, rib or floor is an integral part of the work. When installing bolts the way I and all workers are trained was to dry drill the start of each hole, once started then water was turned on. Operators using hand held equipment stand directly under this. A memorandum I have attached, shows a change now in this procedure, no dry drilling allowed.

Also during conveyor installations excavation work was required, some was minor using jackhammers. But most required the floor, roof or rib, or combination thereof, to be drilled, blasted and all excavated rubble to be then removed and the roof to be re-supported of primary and

secondary support to geo technical mine managers support plans. During a time when several conveyor chambers where we had to remove 2.1m deep, 6m to 8.5m wide and 100 to 150m in length. My supervisor stated that I make sure that PPE was being enforced as there was a high silica content in the rock. This was the first time anyone had mentioned silica to me. I had already installed 6 belts previously in the same mine. Nowhere on the mine site was anything that stated the rock had extremely high silica content that can cause silicosis, which can lead to death. After finding out this information, I asked that the workers in this high risk area get better dust masks than the paper masks. I suggested the rubber sealed ones with the interchangeable filters. I was told that no company or mine would justify the expense because workers would treat the rubber masks as throw away items. I suggested a course of education and training the workforce as to why it wasn't a throw away item and was told the expense was not justified. If anyone asked for the rubber mask I could get them one but was not to promote the use of rubber masks as the mine itself deemed paper masks as adequate. I informed all my workers in these areas of the dangers and recommended they ask for rubber masks, I was glad that a few of them accepted my suggestion. The others asked what the mines policy was, I informed them and they continued to wear the P2 dust masks. I had worked in various jobs with various companies in that mine for 7 years before hearing or being told about this high risk exposure. Very disappointing, but to my knowledge to this day, I dint remember seeing any signs stating silicosis or subsequent warnings.

Part of the mining process is to stone dust the ribs, roof, floor in irrespirable quarts silica stone dust to help prevent coal dust explosion. This dust literally covers every stationary surface and item in an underground mine. When roof bolting it falls on you. When operating a supercharged LHD loader, you drive in a constant falling combination of stone dust and coal dust as the reverberation of the engine shakes it off the roof in the immediate area and some LHD's have exhaust blowing directly on the floor creating dust clouds and if travelling inbye (travelling in the same direction as the airflow), you can find yourself in a perpetual cloud of dust. In my mining career I had the unfortunate experience to be dusted out on 3 occasions. So as not to interfere with production, the stone dusting was usually offered as overtime work, to be done at shift changes by permanent mine employees, this is to take place when positive conformation that no personnel are in the affected area that can be contaminated by dust. On a cutting face it is a requirement under the act. The belt road is usually the return airway and the dust lingers for kilometres. When dusting you work from the cutting face towards into the air flow, so as the operator, you can minimise your exposure. When you get caught in the dust you cannot see your hand 1foot in front of your face. Doorways out of a belt road are every 100m and are extremely difficult to find until the dust starts to thin out as walking blindly along a belt road. As this is done in the extreme end of shift, dust masks either used or unable to be located and having to resort to using t-shirt over mouth and nose until you find fresh air. You can feel the thickness of the air. When I rang up control, quite angry, was told "sorry, a breakdown in communication". One of the operators applying the dust said to me he didn't want to miss his lift and didn't care that we were in there, we were only contractors.

These are but a few examples of how I have come into dusty areas. There are hundreds of others, and if you're having a go, moving around working hard, in my opinion the paper masks are fairly ineffectual, better than nothing, but I don't believe adequate for all conditions.

Since all of this has come to pass I have struggled mentally, financially and what I believe to be worst of all to meet the obligations as a parent to my daughters. I get tiered and fatigued quicker and struggle to run any mid to long distance without gasping for air. I was an extremely sporty person, I loved to run and when I purchased push bikes for the kids a few years ago was looking forward to running beside them while they rode. I found I was gasping for breath and could not get enough

oxygen after about a kilometre. I am 46 now, I played rugby league until I was 36, ran 10klm weekly on top of training. Was doing heavy physical work, I was extremely fit. I do my best to maintain my current fitness levels walking, isometric exercise and core work with a punching bag. But I sometimes struggle to prolonged running activities with my daughters who both play representative basketball. Which is extremely expensive and I am often not able to meet my share of the expenses as a divorce father. I sold my car last year so my eldest daughter didn't get her heart broken allowing her to go to the state titles, as I had no other way to be able to afford to send her. I have two daughters this year as my youngest is also playing for the Bundaberg rep team. It is in Cains this year, not Brisbane at Easter. This would not be an issue if I was working in the mining industry. I was successfully providing for my family before finding out I had this disease. I have had a dramatic shift in circumstances and lifestyle because of the loss of income, I have had the house I was buying repossessed by the bank. I had to move out of the private rental property because I was no longer able to afford it. I have lost access to my children as I no residence as concreting work ran out in Bundaberg. I was homeless for a few weeks living out of my car, until emergency accommodation could be found in which I spent 6 weeks until the department of housing unit, in which I currently reside, became available.

I feel as if I am failing as a parent because I can no longer give them what they deserve in which previously in my mining career was never an issue. I get made to feel inadequate and ostracised by the girl's mother for not being able to purchase the little things for them, like a slushy after basketball, when I didn't have the five dollars to spare for my children. I won't go into the abuse I get from not being able to meet some of the larger expenses.

My children are the reason I have not continued down a dark path of depression towards self-harm. Their support and love is the only light in my life upon the dark days, it is a battle that ebbs and flows with time. It is quite conceivable to me how people confronted with these dilemmas can commit suicide, to lose hope of having the right thing done by them.

After the diagnosis and loss of income, unable to pursue my vast experience in mining, I was lost. I didn't know what to do. I eventually contacted WorkCover. Work cover have a six month deadline in which a claim can be filed with them. Approximately 1 or 2 weeks before a 6 month deadline that I didn't even know existed I lost both my parents in a personal tragedy upon the 5<sup>th</sup> of March 2014. One year later my best friend lost his battle with cancer on March the 4<sup>th</sup> 2015, I assisted with his care and wellbeing for his last 6months. Also during this time dealing with ongoing custody issues and house repossession, loss of career, loss of in town work, and finding out about the diseases I now had from working in the mining industry. I finally filled out the paperwork for the WorkCover claim which was denied due to the 6 month lodgement rule from date of diagnosis. In my naivety, not knowing the intricacies of this procedure, my aforementioned reasons were not deemed acceptable as special circumstances to waver this 6 month rule. (I would love to know what reason would be accepted) It was after this that I sought legal advice and engaged Shine Lawyers on my behalf in a no win no fee arrangement as it was my only option.

We are currently pursuing a common law case. At this time work cover has not accepted my claim, they have not accepted that my dust born lung disease as a work related matter. It has been going on for almost 3 years, it has been 4 since the diagnosis and almost 5 from the discovery of lung abnormality. WorkCover are now using the third legal firm representing them on their behalf. The extremely lengthy process has taken a huge toll upon myself and my extended family. My brother in-law whom I got a job for in the mines beside me, we worked together for around 6 years. He was the fitter in my crew, he has also contracted a lung disease and is in early stages of CWP/silicosis. I have spoken to others within the industry that have similar conditions, at least now I have a support

group that understands. One of the findings of an early report on how to deal with the increasing numbers that are and will continue to show up over the next few years was a hotline for coal mine workers to talk to, to get information from. I believe this would be a great benefit and assist in easing the burden of uncertainty and fear that goes along side this complex issue. This lengthy process needs to be streamlined as hard working Queenslanders are losing everything they worked for. It feels as if WorkCover are trying to obfuscate their responsibilities and deflect the real finding, to muddy the water as to mitigate their responsibility. This is a shared opinion of all the coal mine workers I have spoken to regarding our condition. We are made to feel like we have done something wrong, ostracised by peers and colleagues and the serious lack of understanding within the industry is staggering. There is still workers being sent into dangerous dust hazards without knowledge of what dangers they face. These mines and companies are not discharging their duty of care to all employees, as contractors are not being informed like some of the permanent employees.

I was in Brisbane recently and was able to attend the sitting of the parliamentary committee on the 31<sup>st</sup> of January, it was educational to say the least. The answers that WorkCover and Anglo coal representatives gave shed a beacon of understanding, compassion and hope. But what they said is far from the reality. The casual way in which Queenslanders are summarily torn apart by the brutality of the current system, is something the industry and the government should be ashamed of. I don't want this disease, I did everything in my power guided by my inadequate equipment and lack of education and training about the inherent danger. I thought what I was doing was adequate to protect my health and be able to have a long career with no lingering, let alone chronic respiratory problems to deal with the rest of my life. It is a steep price to pay when I did nothing wrong. I worked bloody hard and have lost so much, next to no income, on welfare payments, no job prospects, no career, and no house. All I wanted to do was look after my family and that has been denied to me by policies and procedures, the mine holders and the contract companies failed in their duty of care in providing a safe work place and proper protective equipment that ensured I went home from work the same as I started. That being said in my 14 years underground my lungs should have been in the same condition as when I started my mining career. What disappoints me the most is that the mining companies knew that the dust levels were getting higher and exposing workers and did nothing. (Attached is a letter from mines department to all SSE's, stating dangerous dust levels) They placed production over safety. Now I have a time bomb in my lungs that could metastasize into fibrosis and lung cancer and in all reality will be directly or contribute greatly to my death.

And not one person from the mines or mining department has ever spoken to me.

I hope the words that were spoken by WorkCover's CEO prove to be reliable. But their actions since have contradicted what they said already.

I was advised that historically that sarcoidosis has never been accepted by WorkCover as a work related illness, but from what I heard said by WorkCover CEO was that a variety of dust diseases would be covered by WorkCover; Silicosis, CWP, sarcoidosis were all acceptable and covered as work related conditions. And that's good because my lung specialist in Bundaberg said I have all three. But to this day WorkCover are still not accepting my claim.

I would like to thank you for the opportunity and giving me a voice in this ongoing debate, I don't feel like cannon fodder as much as I did before I was able to tell my story. I can only hope a swift resolution so I can rebuild my life and be a better parent to my children, because I see the impact of this in them more than anything else.

Sincerely

Jason Bing

21 August 2015

BY EMAIL: To all Coal Mine SSEs

Dear SSE

**Recent confirmed cases of coal workers pneumoconiosis (Black Lung) and request for personal respirable dust monitoring data from Jan to 31 Aug 2015**

An observed rising trend in respirable coal dust results prompted the mines inspectorate to conduct a review of exposure data for the period January 2012 to October 2014. This data has been analysed and used to make statistically valid comment on factors such as:

- The current state of compliance across Queensland underground coal mines
- Trends in personal exposures
- Work groups / work roles receiving the highest exposures

As a result of this review a number of directives have been issued to underground coal mines to develop and implement dust mitigation strategies to reduce respirable coal dust exposures. Figure 1 and 2 clearly illustrates the rising trend in the measured average (mean) respirable coal dust exposures among longwall and development operators for the period 2012 – 14.

Figure 1: Estimated mean exposures for longwall operators 2012-14.

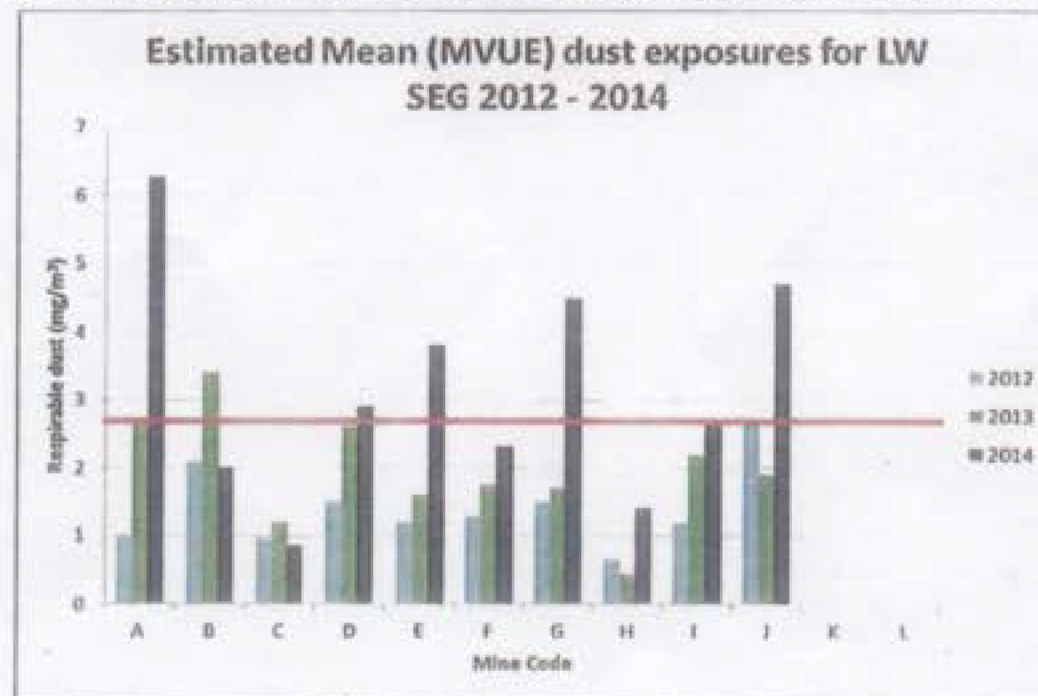
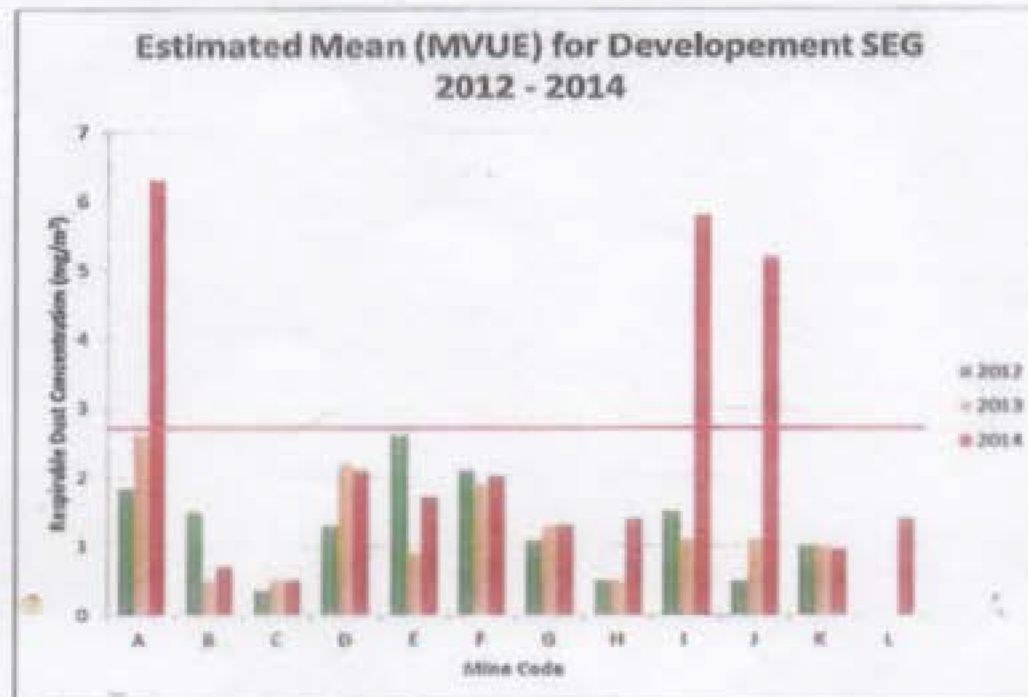


Figure 2: Estimated mean exposures for development operators 2012-14.



Based on the preliminary findings the Queensland Mines Inspectorate now intends to extend the review of personal respirable dust exposure to include the period November 2014 – 31 August 2015. It is intended that a report will be prepared to cover all personal exposures for the period 2012 – August 2015. Mines will be de-identified and the reports will be provided to all SSEs.

To assist with this process can you please supply all personal monitoring records for respirable dust that have been collected at your mine during this period. Please forward these results in **excel spreadsheet** by email to:

Mr Fritz Djukic – Inspector of Mines (Occupational Hygiene)  
[fritz.djukic@dnrm.qld.gov.au](mailto:fritz.djukic@dnrm.qld.gov.au)

This information is required by no later than 9 October 2015.

**Recent confirmed cases of Coal Workers pneumoconiosis (CWP) or Black Lung**

In recent years there has been an alarming surge in the prevalence of black lung among US coal mine workers. NIOSH estimates that up to 10000 miners have died over the last decade due to Black Lung and a total of 76,000 deaths since 1968. This recent surge has been attributed to increasing mechanisation, longer shifts and the increased presence of silica (thin seam mining). The US department of Labour (MSHA) currently enforced a respirable coal dust limit of 2 mg/m<sup>3</sup> which will soon be reduced to 1.5 mg/m<sup>3</sup>. For more information: <http://www.msha.gov/endblacklung/>

It has been more than 30 years since Queensland last reported a confirmed case of Black Lung. This year two (2) cases have been confirmed and a third potential case is under investigation.

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While the rising trend in personal dust levels measured in the last two years may not be responsible for these observed cases, it does however present a timely reminder of the outcomes of excessive coal dust exposure and the fact that our coal miners are not immune to this debilitating disease.

It is important that respirable dust levels are tightly monitored and controlled to ensure that the Queensland coal mining industry does not experience a similar fate to that of the US. There is now an opportunity for all mines to consider the validity of their dust monitoring programmes and the effectiveness of their dust mitigation plans. The focus should be on reducing dust through engineering controls and operator positioning. Respiratory protection should only be considered as an interim or supplementary control measure. PPE is the least effective and most unreliable control in the hierarchy.



The Queensland Mines Inspectorate will continue its focus on respirable dust exposures as it one of the identified priority hazards.

Please ensure this letter is posted at a conspicuous place at your mine, thank you in advance for your cooperation.

Yours sincerely



Russell Albury  
Chief Inspector of Coal Mines

Cc: All Coal Operators  
ISHRs

# OAKY NO.1 UNDERGROUND

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GLENCORE

## MEMO

To : All Coal Mine Workers  
From : Shane Wright  
Date : 2<sup>nd</sup> December 2016  
Subject : Dry Drilling

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To all,

After taking in the learning from a recent Silica dust exceedance in which dry drilling was undertaken, dry drilling will not be performed at Oaky No.1 in the future.

If the practice is required for any reason an appropriate Risk Assessment (JSA) will be performed taking into account at least the following:

- Dust generation and controls
- Nearby seams or splits for gas potential areas
- Heat generation and control of that heat.

Regards,  
Shane Wright

**COPIED AND PUT IN  
PIGEONHOLES**

*MP*