

Your ref:
Our ref:
Enquiries:

THE REGISTERED MANAGER

Dear Sir,

GENERAL EXEMPTION FROM THE PROVISIONS OF THE MINES SAFETY AND INSPECTION REGULATIONS 1995 REGARDING THE REGISTRATION OF DIESEL UNITS USED UNDERGROUND

The provisions of regulation 10.50 of the Mines Safety and Inspection Regulations 1995 currently deal with the notice of registration process for a diesel unit to be used in an underground mine.

I am of the opinion that the requirement for the registration by the district inspector of mines of a diesel unit for underground use in a mine is no longer necessary. Pending amendment of the regulations to reflect a move towards a more enabling style of legislation, I propose to apply the exemption provisions of regulation 1.5 by making a determination that the need to comply with the requirements of regulations 10.50, 10.51(1), (2), (3), (4)(c), and 10.57(1) is no longer necessary and that, consequently, a general exemption from the provisions of those regulations is hereby granted.

This exemption is subject to the following conditions:

- (1) *The manager of a mine must ensure that an accurate register in a form approved by the State mining engineer is securely kept and maintained at the mine for the recording of details of all diesel units used underground at the mine.*
- (2) *Before any diesel unit is taken underground the manager of a mine must ensure that the details listed hereunder, as a minimum, must be entered in the register referred to in condition (1):*
 - (a) *List of all underground mines under the jurisdiction of the manager where the unit will be used;*
 - (b) *Name of owner of the unit;*
 - (c) *Asset or reference number of the unit;*
 - (d) *Make of the unit;*
 - (e) *Model of the unit;*
 - (f) *Make of diesel engine;*

- (g) Model of diesel engine;*
 - (h) Diesel engine number;*
 - (i) Approximate flywheel power rating of the engine in kW;*
 - (j) Maximum undiluted exhaust emission measurements for oxides of nitrogen and carbon monoxide in parts per million taken at the last test together with the date of that test; and*
 - (k) A record of any exhaust treatment device or other device and of any special conditions of use determined by the manager to be necessary for the safe operation of the unit underground.*
 - (l) A record of the type and capacity of all fire fighting appliances and/or equipment installed on the unit.*
 - (m) A record of the ventilating air requirements for the unit calculated pursuant to Regulation 10.52(5).*
- (3) If an engine is replaced in any diesel unit details of that replacement engine, containing items (f), (g), (h), (i), (j) and (k) of condition (2), shall be entered in the register.*
- (4) If a diesel unit is removed permanently from an underground mine a record of that removal shall be made in the register.*
- (5) Every entry in the register shall be signed and dated by the manager or his authorised representative.*
- (6) The register required under condition (1) shall be made available to an inspector on request.*
- (7) Where an inspector forms the opinion that a diesel unit does not meet appropriate standards for safe operation underground, he may order the withdrawal of the unit from service by means of a direction to that effect written in the mine record book and the manager shall comply with that direction as soon as is practicable. The unit shall not be returned to service until any conditions specified by the inspector in the direction have been complied with.*

For the purposes of Condition 1, I will approve hard-copy registers which may take the form of a bound or loose-leaf volume or card-index which is kept in a secure location and available for the making of entries only to persons authorised by the manager for that purpose. This will not preclude the use of an electronic system for the management of the data required to be entered in the register, but the register itself must be maintained in hard-copy format.

You will note that an effect of this exemption is to render redundant the definitions of the terms “notice of registration” and “register number or registration number” in regulation 10.47.

I emphasise that this exemption relates only to the registration process. The application of all the remaining regulations contained within Division 4 “Diesel Units” of Part 10 of the Mines Safety and Inspection Regulations 1995 are not affected.

Yours faithfully,

M J Knee
STATE MINING ENGINEER

24 June 2002