

# Recommendations

## *National Coal Dust Monitoring Group*

### **Recommendation 1**

**4.12** The committee recommends that the Commonwealth Government establish a National Coal Dust Monitoring Group comprised of representatives from mining companies, state governments, technical experts and industry stakeholders such as mining unions, and that it urgently undertake an analysis as to the cause of the serious and widespread breaches of dust mitigation measures in the industry. Following the analysis, the National Coal Dust Monitoring Group should develop and implement a work program for effective coal dust mitigation measures aimed at the immediate reduction of coal mine workers' exposure to harmful levels of coal dust.

**4.13** The committee recommends that Safe Work Australia reviews current coal dust exposure levels and the current Australian and international academic and industry literature on the safest possible workable threshold for exposure to coal dust, with a view to developing a best practice national maximum exposure level. Safe Work Australia should report its findings to the National Coal Dust Monitoring Group, including whether the exposure level should be measured as a dust load of milligrams per tonne of coal cut, as distinct from time weighted averages for exposure.

**4.14** The committee recommends that all Australian States and Territories adopt the national standard for coal dust exposure. The standard would then be subject to regular review by the National Coal Dust Monitoring Group, with the review being based on dust reading and disease data provided by the mine regulators in Australian jurisdictions.

**4.15** The committee also recommends that in the short-term, coal mining companies adopt the lowest Australian level ( $2.5 \text{ mg/m}^3$ ) for coal dust exposure until a national standard has been agreed upon and implemented with a more rigorous, independent testing regime instigated as soon as practical in Queensland.

**4.16** The committee recommends that until the national standard has been developed and adopted, state governments advise mining companies that coal workers should be withdrawn from areas subject to unsafe dust levels without penalty. In addition, the Queensland government and the Department of Natural Resources and Mines should instigate a process of formal warnings followed by naming in a public register for non-compliant companies, along with additional sanctions for non-compliance.

**4.17 The committee recommends that mining companies operating in Queensland, in consultation with the Queensland Government, technical experts and industry stakeholders, urgently employ more effective coal dust mitigation measures to immediately reduce coal mine workers' current exposure to coal dust.**

### *Coal dust monitoring in Queensland*

#### **Recommendation 2**

**4.31 In light of emerging problems identified in the mining industry the committee is concerned that safety standards in all jurisdictions may not be providing a safe working environment for mine workers. The committee therefore recommends that the state governments identify best practice dust monitoring devices or similar best practice technology to be used in all Australian coal mines. The Queensland government should review the protections provided under the Coal Services New South Wales model and identify which aspects should be applied to any new legislative regime in Queensland.**

**4.32 The committee also recommends that the state governments require that dust monitoring be undertaken in a consistent and methodical way, which monitors dust levels in all relevant parts of the mine during both maintenance and production times.**

**4.33 The committee also recommends that state governments increase public transparency and accountability around dust monitoring. Dust monitoring data should be made publically available as a means of increasing accountability and restoring coal mine workers' confidence in the regulatory system.**

### *Database of coal dust suppression techniques*

#### **Recommendation 3**

**4.34 The committee recommends that the proposed National Coal Dust Monitoring Group in consultation with mining companies, state governments, technical experts and industry stakeholders, and with the support of Safe Work Australia, create and manage a database of best practice dust suppression techniques and management of dust sampling data. This would enable coal mining companies to continuously improve their safe work practices and provide increased protection for coal miners.**

**4.35 The committee recommends that the establishment of the database, and its day to day running costs, be funded by the state government and the coal mining industry.**

**4.36** The committee recommends legislation requiring mining companies' input on, and compliance with the database must be instigated at both federal and state government levels.

**4.37** The committee recommends that the National Coal Dust Monitoring Group, and state based bodies, also facilitate cross-jurisdiction information sharing about coal dust mitigation measures.

#### *Best practice dust control forum*

#### **Recommendation 4**

**4.40** The committee recommends that, in addition to the National Coal Dust Monitoring Group, the Queensland Government, in consultation with mining companies, technical experts, unions, and industry stakeholders, form a standing dust committee or similar forum, in the near to medium term, to achieve best practice dust control in Queensland coal mines and to address the concerns raised about the current mitigation and monitoring issues.

#### *Fund for former coal mine workers*

#### **Recommendation 5**

**4.54** The committee recommends that the mining industry, through its representative bodies, must create an industry-wide fund to provide compensation for coal mine workers who contract CWP. The fund's aims should include identification of, and communications with former mine workers who may require CWP screening and compensation for travel, medical, and other costs associated with undergoing CWP screening and diagnosis. Workers' access to compensation from this fund should not be time-limited in any way.

**4.55** The committee also recommends that state governments provide a means for former and current miners to seek assistance which is independent of their employers and Nominated Medical Advisors such as a hotline or helpdesk, to be funded by the industry and independently administered by an organisation such as the Lung Foundation Australia.

#### *Queensland Government's review of regulations*

#### **Recommendation 6**

**4.68** The committee recommends that the Queensland Government gives the highest priority to its review of coal dust regulations as part of its five point action plan. To achieve this the committee recommends that the Queensland

**Government take note of the concerns expressed by the committee in relation to the mine Directives, particularly the enforcement of these Directives and the need for the information contained within the Directives and rates of compliance to be able to be audited and reported on. Directives issued by government departments should use standardised language and have a rigorous process for auditing, compliance, and data collection.**

### *Regulatory capture*

#### **Recommendation 7**

**4.72 The committee recommends that the Queensland Government direct relevant officials to undertake independent, high level, training on avoiding regulatory capture.**

**4.73 The committee recommends that in developing this training the Queensland Government have regard to the Better Practice Guides developed by the Australian National Audit Office in relation to regulatory capture.**

### *Nominated Medical Advisors*

#### **Recommendation 8**

**4.78 The committee recommends that in the short term the Queensland Government mitigate the risk of regulatory capture of the Nominated Medical Advisors by making the role an independent statutory position, selected through a rigorous process conducted by Queensland Health in consultation with the Department of Natural Resources and Mines and specialists groups such as the Thoracic Society and the Lung Foundation.**