

WARDEN:

INQUIRY AGAIN.

MINING WARDEN'S COURT IS ADJOURNED.MINING WARDEN'S COURT IS RESUMED.

WARDEN:

YES, THANK YOU GENTLEMEN. I NOW PRESENT THE DETERMINATION OF THE PANEL AS TO THE NATURE AND CAUSES OF THE ACCIDENT. THE DECEASED WAS SHANE KLAUS SLOTOCH WHO WAS EMPLOYED BY CAPRICORN COAL MANAGEMENT PTY. LTD. AT GERMAN CREEK MINE. HE DIED OF INJURIES RECEIVED IN AN ACCIDENT AT THE GERMAN CREEK SOUTHERN COLLIERY ON THE 1ST OF MARCH 1990. THE CAUSE OF DEATH WAS 1(A) ASPHYXIA; (B) CRUSHING; (C) FRONT END LOADER ACCIDENT. HE WAS A MARRIED MAN WHO RESIDED WITH HIS FAMILY AT 101 CENTENARY DRIVE, NORTH MIDDLEMOUNT. HE WAS EMPLOYED AT THE MINE AS A PLANT OPERATOR AND HELD A NUMBER OF CERTIFICATES TO OPERATE A VARIETY OF MACHINES. HE WAS GENERALLY EMPLOYED IN THE OPEN CUT SECTION OF THE MINE OPERATIONS AND IN AN EARTHWORKS CREW UNDER FOREMAN JAMES ROBERT MOXHAM. ON THE 1ST OF MARCH 1990 HE WAS DELIVERED BY JAMES ROBERT MOXHAM TO THE COAL PREPARATION PLANT TO COLLECT A 966C FRONT END LOADER. HE WAS INSTRUCTED TO PROCEED TO THE MOUTH OF THE SOUTHERN COLLIERY WHICH WAS APPROXIMATELY 6 KILOMETRES AWAY. THE NATURE OF THE JOB HE WAS TO UNDERTAKE WITH THE 966C LOADER WAS TO CLEAN OUT EARTH MATERIAL FROM A DRAIN SITUATED ADJACENT TO THE MANS AND MATERIALS PORTAL OF THE SOUTHERN COLLIERY. THE DRAIN WAS LOCATED APPROXIMATELY PARALLEL TO THE PORTAL ENTRANCE ROAD ON THE WESTERN SIDE WHICH RUNS INTO CULVERT 3B, AND IN A NORTHERLY DIRECTION FROM THE MOUTH OF CULVERT 3B. THE MOUTH OF CULVERT 3B IS APPROXIMATELY 35 METRES FROM THE MOUTH OF THE PORTAL. THE 966C LOADER HAD A GENERAL USE IN THE PREP. PLANT SECTION AND WAS DRIVEN BY A NUMBER OF PLANT OPERATORS. USES INCLUDED UNLOADING MAGNETITE FROM WAGONS AND CLEANING OUT COAL WASHING SLUDGE PITS AND A GENERAL ROAD CLEANUP WORK. IT WAS APPROXIMATELY 9 YEARS OF AGE AND HAD 7,764 HOURS WORK. A COMPUTERISED MAINTENANCE RECORD PRINTOUT WAS ADMITTED AS AN ANNEXURE TO THE MECHANICAL REPORTS SUBMITTED AS EXHIBITS THIRTEEN AND FOURTEEN, SETTING OUT ITS MAINTENANCE RECORD. THE 966C LOADER WAS DEEMED TO BE A NON-PRODUCTION UNIT AND CONSEQUENTLY ON A LOW PRIORITY LIST REGARDING MAINTENANCE. IT...THE RECORD...IT WAS RECORDED THAT A MAJOR BRAKE REPAIR WAS CARRIED OUT AT 5,940 HOURS BUT A PREVIOUS LIFE HISTORY WAS NOT MADE AVAILABLE TO THIS INQUIRY AND CONSEQUENTLY THE LIFE EXPECTANCY OF BRAKE COMPONENTS AT THE TIME OF THE ACCIDENT CANNOT BE DETERMINED. THE BRAKE SHOES PRESENTED WERE CONSIDERED BY THE PANEL TO BE IN A RELATIVELY GOOD CONDITION ON THE FRICTION SURFACE. THE PANEL THEN EXPRESSED CONCERN AS TO

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WHY THE BRAKE EFFICIENCY WAS AT A REDUCED LEVEL COMPARED TO THE TEST RESULTS OF THE REBUILT SETS. THE PANEL OFFERS ITS OPINION BASED ON THE EVIDENCE THAT THE BRAKE SHOE ANCHOR PIVOTS WERE SIGNIFICANTLY CORRODED AND SEIZED, THESE PIVOTS BEING NON-LUBRICATED ONES. EVIDENCE ALSO SUGGESTS TO THE PANEL THAT ON THE SHOES PRESENTED AS EXHIBITS FIFTEEN AND SIXTEEN THAT THE ACTUATING ROLLERS ARE IN A SEIZED CONDITION. THESE ROLLERS ARE DESIGNED TO ROLL FREELY UNDER ROTATION FROM THE "S" CAM AND WHEN SEIZED REQUIRE ADDITIONAL FORCE AS A SKID MODE RESULTS. FURTHER, THE "S" CAMS THEMSELVES APPEAR CONSIDERABLY CORRODED, THEREBY CONTRIBUTING FURTHER TO ABSORPTION OF THE EXPANSION FORCES DESIGNED FOR PROPER ACTUATION OF THE BRAKES. EVIDENCE ALSO ESTABLISHED THAT WHEN THE 966C LOADER WAS USED TO CLEAN OUT THE COAL SLUDGE PITS, ITS BRAKING EFFECT WAS SEVERELY REDUCED BY THE SLURRY INGRESS AND THE PRACTICE WAS TO CLEAN THE BRAKES OUT WITH A HOSE FORCE AT THE WASH BAY. ON THE 1ST OF MARCH 1990, SHANE KLAUS SLOTSCH WAS OPERATING THE 966C LOADER CLEANING OUT THE DRAIN NEAR THE SOUTHERN COLLIERY PORTAL ENTRANCE AS INSTRUCTED. JOHN LEONARD BLACK WAS OPERATING A BACKHOE AT THE SAME SITE BUT CEASED WHEN HIS MACHINE SUFFERED A FLAT TYRE. SHANE SLOTSCH OPERATED HIS MACHINE BY ENTERING THE DRAIN, FILLING THE BUCKET WITH DIRT MATERIAL, REVERSING OUT OF THE DRAIN, PROCEEDING FORWARD, TURNING RIGHT INTO A ROAD TO DUMP THE MATERIAL SOME 50 METRES AWAY. THIS WAS THE CONTINUED OPERATION IN JOHN BLACK'S PRESENCE THAT MORNING. JAMES ROBERT MOXHAM COLLECTED SHANE SLOTSCH AND JOHN BLACK AT LUNCH TIME AND TOOK THEM TO THE CRIB HUT. AFTER LUNCH, SHANE SLOTSCH RETURNED TO THE LOADER TO CONTINUE HIS WORK; JOHN BLACK AND JAMES MOXHAM WENT ELSEWHERE. SHORTLY AFTER 1 P.M. ROBERT JOHN SINCLAIR WAS RETURNING...WAS TRAVELLING IN A P.J.V. MAN CARRIER WITH TWO OTHERS DOWN INTO THE PORTAL ENTRANCE. HE PASSED THE FRONT END LOADER OPERATED BY SHANE SLOTSCH. THE LOADER WAS POSITIONED ABOUT 40 METRES FROM THE PORTAL ENTRANCE FACING PARALLEL WITH THE ROAD IN LINE WITH THE PORTAL TUNNEL. IT HAD A BUCKET FULL OF MATERIAL AND THE BUCKET FACING AWAY FROM THE ENTRANCE. THE MACHINE WAS STATIONARY AND SHANE SLOTSCH WAVED ROBERT SINCLAIR FORWARD INTO THE PORTAL ENTRANCE.....

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WARDEN:

ALL PERSONNEL ARE TO BE INSTRUCTED ON THIS PROCEDURE; (2) WHERE POSSIBLE, MOBILE EQUIPMENT WORKING IN WET AND SLURRY CONDITIONS BE FITTED WITH AN ENCLOSED OIL IMMersed WET BRAKING SYSTEM; (3) WHERE IT IS NOT POSSIBLE TO EQUIP MOBILE EQUIPMENT WITH THIS BRAKING SYSTEM IN THIS TYPE OF ENVIRONMENT, A MORE RIGID INSPECTION OF BRAKING SYSTEM BE CARRIED OUT, PARTICULAR EMPHASIS BEING PLACED ON CORROSION AND CORROSION SUBSTANCES, ALONG WITH FORMALISED WASHING OUT PROCEDURES; (4) TRAINING OF ALL PERSONNEL, INCLUDING REFRESHER TRAINING, ESPECIALLY WHERE THEY ARE TO WORK IN A DIFFERENT AREA OR WORK ENVIRONMENT SHOULD TAKE PLACE TO ENSURE THAT THE OPERATORS ARE FAMILIAR WITH THE MACHINE AND PLACE OF WORK; (5) THE INTENT OF RULE 7.5(4) OF THE GENERAL RULES FOR THE OPEN CUT COAL MINES 1988 ARE...BE EXTENDED TO COVER ALL RUBBER TYRED MOBILE EQUIPMENT. THAT'S THE END OF THE RECOMMENDATIONS OF THE PANEL. I WOULD NOW LIKE TO THANK THE MEMBERS OF THE PANEL FOR THEIR PARTICIPATION IN THIS INQUIRY AND ALSO TO THE WITNESSES AND OTHER REPRESENTATIVES AT THE INQUIRY FOR THEIR INPUT. THANK YOU, GENTLEMEN.

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WARDEN: THANK YOU, YOUR WORSHIP, AND MEMBERS OF THE INQUIRY. THAT IS THE END OF THE PROCEEDINGS.  
MINING WARDEN'S COURT IS CLOSED.

RECORDER:

K.M. DAHLKE

(TRANSCRIBED: 30.5.90)