

*Oaths Act 1867***Statutory Declaration****QUEENSLAND****TO WIT**

I, Mark Walter Lydon, of 44 Nelson Street, Mackay, Queensland, 4740 in the State of Queensland, do solemnly and sincerely declare that:

1. I am an Inspector of Mines within the electrical discipline of the Coal Mining Inspectorate (“the Inspectorate”) within Resources Safety and Health Queensland (“RSHQ”). I have worked in the coal industry across various mining houses spanning forty three (43) years, primarily underground. I commenced with the Inspectorate in January 2020 as an Electrical Inspector of Mines.
2. In response to a request from the Board of Inquiry, I provide the following evidence to assist the Inquiry.

HPI on 11 April 2020

3. At approximately 10:00am on 12 April 2020, I received a telephone call from Mr Tim McNally advising me that a High Potential Incident (“HPI”) had occurred at Grasstree Mine at 9:25pm on 11 April 2020 (“the HPI”). Mr McNally advised me that there had been a small goaf fall in Longwall 808 that had caused methane levels to rise above 2.5%, namely methane levels had risen to 4.3%.
4. I recall that Mr McNally advised that the exceedance had caused power to trip from the tailgate sensor. I took notes of my conversation with Mr McNally, and these notes have the document identification number RSH.002.069.0001.
5. The weekend that I received the HPI was the first weekend that I had been tasked as a weekend duty officer. The period in question was the Easter long weekend and the scheduled Inspector of Mines (“IOM”) in the roster was IOM Malcom Brownnett. In

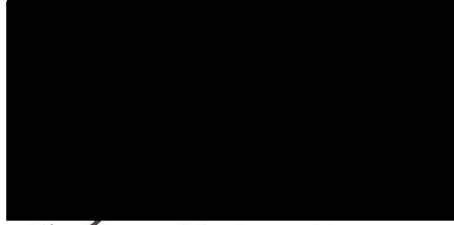
consultation with Regional Inspector Stephen Smith, IOM Brownett and I agreed that I would take calls on Sunday 12 April and Monday 13 April 2020.

6. After I received the HPI notification, and having regard to the fact that I am from the electrical rather than mining discipline and this was my first time on call, I decided to consult with and seek guidance from Regional Inspector Smith. Inspector Smith advised me to call the Mine Manager and ask to be provided with the gas trends for the dogleg and 400m sensor. I called Mr McNally and asked him to email me screenshots of the gas data relating to the exceedance.
7. At 10:41am that day I received an email from Mr McNally. The email contained screen captures relevant to the HPI. This email has document identification number RSH.002.064.0001. I forwarded these screen shots onto Regional Inspector Smith at 10.43am on the 12th of April. A copy of this email is attached to this Statutory Declaration as Annexure "A".
8. At 7:52pm that day I received a further email from Mr McNally that attached the Form 1A relating to the HPI. As I was still working on and reviewing incidents that were coming in from other mines I briefly looked over the Form 1A and closed the email, marking it unread to remind me to upload the document into Lotus Notes at a later time. The email with the Form 1A attachment has the document identification number RSH.002.065.0001.
9. On Monday 13 April 2019, I reviewed the Form 1A description of events and notification and entered it into Lotus Notes along with the other Form 1A notifications that I had received over the weekend.
10. Upon reviewing the relevant documents for the purpose of writing this statement I have identified that the Form 1A records the HPI as having been reported to me at 8:30am, which is different to the time I had recorded it as received in my notebook. I did not notice this discrepancy at the time. I have now reviewed my notes and I received a call about an incident at another mine earlier that morning, prior to receiving the HPI from Grasstree at 10:00am. After my review of my notes it is my view they are correct and the HPI was reported to me at 10:00am on 12 April 2020, and not at 8:30am.

11. On 14 April 2020, at the Inspectorate's weekly meeting, each of the HPI notifications that had been received over the Easter long weekend were discussed between the Mackay and Rockhampton offices, as is standard practice.
12. After the weekly meeting I had a discussion with Regional Inspector Smith regarding the location of the sensors in the longwall. I advised Regional Inspector Smith that the sensor which is commonly known as the s.243A sensor (or the 400 metre sensor) was not in situ as it had been described, and that the Longwall retreat chainage was in close proximity to the end of the block. I advised Regional Inspector Smith that the dogleg sensor was being utilised as the s.243A sensor. Regional Inspector Smith asked me to seek clarification from the mine as to whether the dogleg (CH₄) sensor was set up as per the requirements of s.243A(3) of the *Coal Mining Safety and Health Regulation 2017* ("the Regulation").
13. An email was sent by myself at 10:45am on 14 April 2020 to Mr McNally asking him to confirm that the Longwall 808 dogleg sensors were configured in accordance with s.243A(3) of the Regulation. This email chain has document identification number RSH.002.067.0001.
14. Later that day, at 3:15pm, I received a response from Mr McNally indicating that the sensor did not comply with s.243A of the Regulation. Mr McNally's email response to me has document identification number RSH.002.066.0001.
15. On receiving confirmation that the dogleg (CH₄) sensor was not configured as per s.243A of the Regulation I notified Regional Inspector Smith. Following our conversation, it was my understanding that Regional Inspector Smith was going to undertake some follow up action with the mine and I was not required to take further action.
16. On 25 May 2020 at 12:05pm, I received a copy of the Form 5A for the HPI. This was provided to me by way of email from Penny Pearce, one of the Administration Officers in the Mackay office. I reviewed the Form 5A response taking note of the actions that had been addressed in the document, all of which were associated with ventilation management. The email from Penny Pearce has document identification number RSH.002.068.0001.

17. I note that all of my email correspondence associated with the Grasstree HPI has been attached in Lotus Notes to the file.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.



Signature of declarant/deponent

Taken and declared before me at ^{MACKAY} Brisbane this ^{20th} [date] day of July 2020



A Justice of the Peace/Commissioner
for Declarations



ANNEXURE "A"

LYDON Mark

From: LYDON Mark
Sent: Sunday, 12 April 2020 10:43 AM
To: SMITH Stephen (Mining Inspector)
Subject: Fwd: HPI Information >2.5% on TG sensor

Sent from my iPhone

Begin forwarded message:

From: "McNally, Tim" <tim.mcnally@angloamerican.com>
Date: 12 April 2020 at 10:41:09 AM GMT+10
To: LYDON Mark <Mark.Lydon@dnrme.qld.gov.au>
Cc: "Wynn, Damien" <Damien.Wynn@angloamerican.com>, "Schiefelbein, Kelvin" <Kelvin.Schiefelbein@angloamerican.com>, "Moreby, James" <James.Moreby@angloamerican.com>
Subject: HPI Information >2.5% on TG sensor

Mark

As requested attached are the screen captures relevant to the HPI in the TG that occurred last night.

As discussed over the phone the two sensors are displayed

- TG gas sensor located on 197 support
- The TG dog leg sensor located in TG dog leg.

The sensor that is normally located between 0 and 400m in the TG has been removed due to the proximity of the longwall to the mains (incident occurred at 107m chainage).

If you have any questions or you require any additional information then please contact me.

Regards

Tim McNally
[REDACTED]

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