

Mines Safety Regulations for the 21st Century

Heads of European State Mining Authorities Conference

Dublin – October 2014

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HSE

What we are doing

- Current position
 - >40 sets of mining legislation
 - ~ 1,000 separate regulations
 - ~ 8,000 provisions (too many to count!)
 - ~ 1950s-1990s
- End position (April 2015)
 - 1 piece of modern mining legislation
 - 70 regulations
- Once in a lifetime change

Why re-regulate now?



- Last reform programme stopped in 1997
 - 15,000 miners
 - Too few to justify the resource
- Fast forward to 2011
 - 6,000 miners
- What has changed?
 - Politics



- Politics
 - Response to catastrophes
 - Most mining legislation; Piper Alpha
 - Health issues
 - Respirable/inhalable dusts
 - Europe
 - Government objectives
 - Economic growth agenda
 - Removing burdens on business
 - What interests the public



What drives regulatory reform

Politics

- Response to catastrophes
 - Most mining legislation; Piper Alpha
- Health issues
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- Europe
- Government objectives
 - Economic growth agenda
 - Removing burdens on businesses
- What interests the public

Burdens on business?

- New coalition government in May 2010
 - 'We are going to slay the health and safety monster' – David Cameron (and in 2012)
- Government commissioned three reports in 15 months
 - H&S legislation not the problem
 - Costs mainly arise from
 - Fear of civil litigation over compliance
 - Advice from H&S consultants
 - Increased insurance premiums
 - But some scope for consolidation in some sectors



- About 200 sets across all sectors
 47 sets of mining specific legislation
- Target set to halve that by 2014
 - About 100 sets to go in total
 - 47 to 1 reduction in mining legislation will deliver about half that figure
- Looks very de-regulatory
- Opportunity to do something that actually makes things better



What we have tried to do

- Bring very closely into line with 92/104/EEC
 - Extractive Industries Directive
- Make the law clear
 - one set of legislation not 40+
- Lose duplication and irrelevant provisions
- Keep specific regulatory controls over mining major hazards
- Legal duty to ensure risks are ALARP



- Biggest policy shift in this exercise
 - Duties will fall on the mine operator (the employer in charge of the mine) rather than the mine manager, an employee
- Other significant changes
 - Much clearer focus on competence and competence management
 - Delivery of mines rescue
 - Regulation of coal mine dusts brought into alignment with regulation of other harmful substance
 - Approach to use of explosives

- Greater focus of the health and safety document as the starting point
 - high level hazard identification
 - Much more aligned to a 'Seveso safety report ' approach
- Document should demonstrate
 - Assessments done in relation to hazards identified
 - Necessary control measures put in place
 - Arrangements are in place to manage and maintain the necessary control measures

Main duties



- Take necessary measures to ensure mine is run safely
 - From design through operation and maintenance to abandonment
 - Demonstrations in writing
 - instructions, rules, schemes,
 - Management structure
 - Identify safety critical posts, define roles and determine competence requirements
 - Competence management

Major hazard risk control



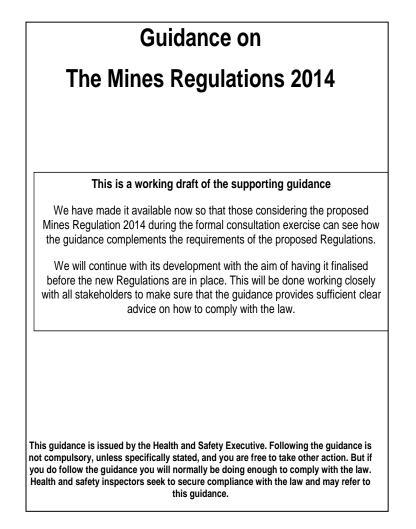
- Control over specific mining hazards
 - Fire
 - Flammable gases/explosions
 - Ground movement
 - Inrushes
 - Water
 - Toxic and suffocating gases
 - Transport through shafts and underground
 - Explosives



- Ventilation
- Escape and rescue provision
- Inspection and supervision
- Tips
- Dust in coal mines



Supported by guidance



Where are we now?

- Submitted to Government for approval on 6 October
- Should be signed by a Minister by late-November/early-December
- Law by 6 April 2015
 - All current mining health and safety legislation will be withdrawn on the same date



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