

Prosecution Summary of Conviction

K19 Mining Pty Ltd (ACN: 615 964 595)

LEGISLATION:		Work Health and Safety Act 2020				
Charge	Charge Number	Sentenced Date	Regulation	Section	Penalty	Offence Date
1	NE536/2024	21/11/2024		19(1) 31(1)	\$350,000	17/07/2022

BREACH(ES)

Being a person conducting a business or undertaking, did not, so far as was reasonably practicable, ensure the health and safety of a worker while the worker was at work in the business or undertaking, and by that contravention caused serious harm to a worker, contrary to sections 19(1) and 31(1) of the *Work Health and Safety Act 2020*.

DETAILS

Introduction

On 17 July 2022, a mechanic completing work for contractor K19 Mining Pty Ltd (K19) suffered nerve damage and hearing loss when he was attempting to re-inflate a deflated tyre on an Astra road train (**Truck**). The incident occurred at the Kalium Lakes Beyondie mine site approximately 160 Kilometres south-east of Newman (**Mine site**).

K19 is a company that conducted the business of providing haulage, road maintenance and harvesting contracting services (**Services**) at the mine site.

The mechanic was not provided with training prior to or during his work beyond a basic site induction.

Incident

On 17 July 2022, at approximately 6am the mechanic and another worker travelled 30-40km along the access road to the Hill 3 Quarry area where the Truck was parked just off the road.

The truck driver had advised the mechanic and the other worker that he had heard a noise on the Truck. After diagnosing the issue, they commenced greasing the pivot points. During this process the other worker noticed that an inner tyre on the rear axle of the Truck was flat and had come off its bead.

Once the greasing was complete, the mechanic and the other worker turned their attention to the deflated tyre. No Job Hazard Analysis or other documented hazard analysis was undertaken prior to the tyre task being begun.

The Truck was jacked up and the men removed the outer tyre to gain access to the inner tyre. The deflated inner tyre was inspected in situ on the truck and no damage to the tyre was observed. They determined that the tyre should be re-inflated. The inflation hose, which was approximately 1m long, was connected to the truck's air compressor and they commenced the re-inflation of the tyre.

Both the mechanic and the other worker were positioned in the line of fire directly in front of the tyre when it was being inflated, approximately one metre or less in front. Both men were standing side by

side bending over to look at the pressure gauge attached to the 1m hose. The other worker was to the right side of the mechanic.

During inflation, when the pressure gauge reached approximately 70 PSI the tyre exploded. The percussive blast from the explosion propelled the mechanic backwards and knocked him unconscious for approximately 4 minutes. His safety glasses and hard hat were blown off and his shirt torn by the force of the blast and numerous small wounds were bleeding across his body.

When the mechanic came too his right arm and neck were in extreme pain and he was unable to sit up with his head spinning and ears ringing. He was fortunate not to have been killed. He has undergone shoulder surgery and his rehabilitation for the nerve injuries is extensive. The nerve damage is likely to be permanent.

The mechanic suffers from tinnitus at a level that impacts significantly on his quality of life and for which he uses hearing aids. There is uncertainty about whether he will be able to return to work.

Knowledge of the Hazard

It is common industry knowledge that:

- a. a tyre explosion can result in a sudden release of the stored energy (percussive blast). The stored potential energy of such a blast can lift a small car eight metres into the air.
- b. an operator ought to be out of the line of fire when re-inflating a tyre.
- c. Tyre cages should be used in controlled environments to re-inflate tyres.

Practicable Measures

Prior to and as at 17 July 2022, it was reasonably practicable and of low cost for K19 to have implemented the practicable measures being :

- a. Implement and enforce a procedure requiring the operator to be out of the line of fire of any percussive blast when inflating a Truck tyre.
- b. Implement and enforce a procedure requiring the operator to utilise a hose of at least 3 metres to inflate a Truck tyre.
- c. Implement and enforce a procedure where tyres were only inflated in the workshop area and not while in-situ on a Truck.
- d. Ensured that workers were trained in, aware of, understood and followed the tyre inflating procedures particularised in paragraphs above.

Taking any or all of these measures would have reduced the risk of the mechanic being impacted by the explosion, and consequently the risk of the mechanic's injuries, on 17 July 2022.

Subsequent Changes

The mine site implemented a procedure for re-inflation of tyres. The procedure mandated that reinflation out of the workshop should be avoided and re-inflation should only occur in the workshop area.

K19 purchased longer hoses to be used in re-inflation, being 15 metres in length.

The mine site ensured that there were tyre re-inflation cages in the K19 workshop.

OUTCOME	Pleaded guilty – convicted and fined
FINE	\$350,000
COSTS	\$4568.70
COURT	Magistrates Court of Western Australia – South Hedland