

OHS Improvement Notice

Offshore Petroleum and Greenhouse Gas Storage Act 2006

Notice Number: 609

OHS IMPROVEMENT NOTICE

To: Atwood Australian Waters Drilling Pty Ltd.

I, [REDACTED], an OHS inspector appointed under section 602 of the Act, am satisfied that the person named above as the responsible person is contravening, or has contravened, and is likely to contravene:

Clause 9 (2) (d) of Schedule 3 to the Act, which requires the operator of a facility “to take all reasonable practicable steps to implement and maintain systems of work at the facility that are safe and without risk to health.”

At: Atwood Eagle facility

The reasons for my opinion are:

The findings from the OHS inspection in relation to the Atwood Eagle facility conducted from 20th to 23rd October 2015 indicate that the systemic failure of the permit to work procedures in place on the Atwood Eagle facility resulted in a fire in the mud pits that had the potential to cause multiple fatalities.

Permit to work procedures are not being followed to ensure that systems of work are safe and without risk to health. Findings include: lack of understanding of the hazards and risks, hazards not adequately identified by the workers and the work area supervisors.

The JSA (Job Safety Analysis) process applied did not provide sufficient detail for the workforce to fully understand the nature of the hazards and to identify the controls necessary for the management of the hazards and risks.

You are required to take action within **60 days** of the date of this notice to prevent further contravention or likely contravention of the clause.

The following action must be taken by the responsible person within the period specified above:

Complete a review of the permit to work system and address the actions identified to ensure that the systems of work on the facility are safe and without risk to health. The review should address at least the following items:

- Implement a robust system to identify hazards in the workplace during the permit to work process to ensure that hazards are identified and understood and appropriate control measures are selected and implemented to effectively manage the identified hazards and risk; or
- Otherwise comply with Clause 9 (2) (d) by any other suitable means.

Signed:

[REDACTED]

[REDACTED]

NOPSEMA inspector

Dated: 27/10/2015

NOTES: (Please see back of notice)

This notice was delivered to: [REDACTED]
in the office or position of Operations Manager – Atwood Eagle
at: 14:05 on 27/10/2015

When the required improvement has been completed, return this part of the notice to the following person at the address below:

Name: [REDACTED]
Position: OHS Regulatory Specialist
Address: Send in electronic format via email to:
submissions@nopsema.gov.au
Telephone number: +61 8 6188 8700

Specify the action that has been taken to comply with this notice in the space below.

Improvement Notice No. **609** has been complied with by:

Signed: _____ Date: _____

NOTES:

1. Under clause 78 of Schedule 3 to the Act, a person who fails to ensure that this notice is complied with, to the extent that it relates to a matter over which the person has control, may be liable to a penalty of 300 penalty units or a civil penalty of 400 units.
2. This notice must be displayed in a prominent place at or near each workplace at which work affected by the notice is being performed and, must not be tampered with or removed before the notice has ceased to have effect.
3. If the notice is not issued by being given to the operator's representative at the facility, the responsible person (unless the responsible person is the titleholder) must cause a copy of the notice to be given to the operator's representative.
4. If the responsible person is the operator or an employer (other than the operator) of members of the workforce, the operator's representative at the facility must give a copy of the notice to each health and safety representative for a designated work group having group members performing work that is affected by the notice.
5. If the responsible person is the titleholder, as soon as practicable after issuing the notice, the NOPSEMA inspector will take reasonable steps to give a copy of the notice to the operator and, if the NOPSEMA inspector is at the facility when the notice issued, the operator's representative at the facility.
6. If the responsible person is the titleholder, but the inspector is not at the facility when the notice is issued, the operator must give a copy of the notice to the operator's representative at the facility.
7. As soon as practicable after issuing the notice, the NOPSEMA inspector will take reasonable steps to give a copy of the notice to, where applicable:
 - (a) the employer of an employee who is a member of the workforce if the notice is issued to the employee, and in connection with work performed by the employee, and
 - (b) the owner of any workplace plant, substance or thing that the notice relates to, unless the owner is the responsible person or an employer referred to in (a), and
 - (c) if the responsible person is the owner of any workplace, plant, substance or thing because of which the contravention has occurred, or is likely to occur: the operator of the facility, and if the employer of employees who work in that workplace or who use that plant, substance or thing is a person other than the operator—that employer; and
 - (d) the titleholder, if the responsible person is the operator, and the contravention relates, or is likely to relate to, the titleholders' well related obligations.
8. Under item 8 of subclause 80A(1) of Schedule 3 to the Act, any of the following persons may in writing request the reviewing authority to review the NOPSEMA inspector's decision:
 - the operator of the facility
 - the titleholder, if the notice is issued to a titleholder;
 - any other person to whom the notice has been issued;
 - an employer, if affected by the decision;
 - a relevant health and safety representative;
 - a relevant workforce representative, if requested by a member of the workforce affected by the decision;
 - a person who owns any workplace plant, substance or thing to which the NOPSEMA inspector's decision relates.
9. An improvement notice ceases to have effect when the responsible person takes the action specified in the notice.