

Reducing the COVID-19 threat: effective regulatory approaches

When the potential risk of COVID-19 emerged in Australia, NOPSEMA responded quickly with proactive measures to regulate the offshore energy industry.

NOPSEMA has prioritised regulatory activities to ensure specific, COVID-19 related health and safety needs of the offshore workforce are being met, while working with industry and government to help maintain the essential offshore oil and gas services.

Operators of offshore oil and gas facilities are required to have contingency plans in place for managing all infectious diseases and NOPSEMA has had a significant role in ensuring compliance with these plans to help protect and support the offshore workforce from new risks associated with COVID-19.

To remind operators of their obligations in light of the global COVID-19 pandemic, NOPSEMA wrote to all offshore oil and gas facility operators in late February, requiring them to review their infectious disease management plans to ensure they had arrangements in place for reducing COVID-19 related health risks to the industry workforce, contractors and visitors.

NOPSEMA then surveyed all facility operators to establish what they were

doing to manage the health of offshore workers. After analysing the responses, NOPSEMA established that in most cases, plans had been implemented and that risk reduction measures used by some facility operators would be more effective if applied broadly across industry. NOPSEMA immediately provided this analysis to industry for facility operators to learn from and apply in the context of their current arrangements.

According to NOPSEMA CEO Stuart Smith, the regulator can add substantial value through its ability to “rapidly exchange information and experiences with industry and stakeholders, including its international counterparts, for shared learning and implementation to protect the workforce”.

“As one of 11 national regulators of the International Regulators’ Forum, which exists to drive improvements in health and safety regulation of the offshore oil and gas industry through collaboration on joint programmes and information sharing, NOPSEMA shared survey results with the forum to provide examples of best practice for application globally,” he said.

Mr Smith, who represents NOPSEMA at this forum, said the exchange resulted in some of the member countries adopting the results as a guide for leading practice to share within their own jurisdictions.

NOPSEMA also established a COVID-19 Taskforce with a dedicated inspection team which quickly undertook a targeted inspection program, directed at gaining intelligence about how operators are managing the effects and consequences of the COVID-19 pandemic.

“Information is being gathered through document reviews and online inspection meetings, where offshore oil and gas companies respond to questions, with their answers discussed and clarified as needed,” Mr Smith said.

“Information about how industry is responding to COVID-19 is used to further develop and plan regulatory priorities to address specific concerns.”

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- Stuart Smith

As part of its work with stakeholders to reduce the risks associated with COVID-19 and prioritise the wellbeing of offshore workers, NOPSEMA is part of the National Coordination Mechanism, which includes government and industry representatives.

NOPSEMA has also established an industry forum involving the Australian Petroleum Production and Exploration Association, Safer Together, unions and state government representatives. This forum meets regularly to share information and resolve COVID-19 related priority issues.

A COVID-19 compliance strategy has been released by NOPSEMA, documenting measures for effectively regulating the offshore industry during the COVID-19 pandemic. The strategy explains how NOPSEMA is acting to support industry during the COVID-19 pandemic in its production of essential energy supplies, while overseeing industry management of health, safety and environmental risks.

Following the strategy's commencement on 30 March, NOPSEMA inspected all operators within its remit and provided feedback within 24 hours. The inspections were followed by individual phone calls to the operator's senior management to ensure the learnings were reaching them and being applied. In all cases, these senior managers welcomed the inspection findings and the opportunities to improve their systems.

This engaging approach by NOPSEMA has received endorsement and positive feedback from Australian operators and international regulatory bodies, reinforcing that NOPSEMA's actions are making a difference to the health and safety outcomes of the offshore industry.

In commenting on NOPSEMA's targeted inspections program and new strategy, Vice President – Health, Safety and Environment at INPEX, Neville Carrington said: “NOPSEMA's performance has been very good and of help in the acquisition and sharing of information to assist in the identification of risks and the means by which they could be effectively managed.”

In commenting specifically on NOPSEMA's compliance strategy, former Head of the US Offshore Petroleum Regulatory Body, Elmer Danenberger said: “Your strategy is prudent, measured and supportive, and is a good model for other regulators.”