



Improvement Notice

(paragraph 3.30(e))

*Offshore Petroleum and Greenhouse Gas Storage Act 2006
Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009*

Notice Number: 0379

IMPROVEMENT NOTICE

To: MODEC Venture 11B. V.

I, [REDACTED] an OHS inspector appointed under section 680 of the Act, am satisfied that the person named above as the responsible person is contravening, or has contravened, and is likely to contravene:

(a) clause 9(2)(e) of Schedule 3 to the Act;

at:

MODEC Venture 11

The reasons for my opinion are:

The facility safety case states that lifeboat drills and sea trials are to be conducted annually by 3rd Party Specialists or the Manufacturer involving launching the lifeboat, operating the lifeboat in the water followed by recovery. It became apparent during the current planned inspections that these annual lifeboat drills / sea trials have not been consistently carried out and no such tests were carried out since 2009.

MODEC Venture 11B.V. was unable to fully demonstrate that the lifeboats are capable of performing their function on demand in the event of a facility emergency.

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 or regulation.

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

MODEC Venture 11B.V. to put in place an inspection and testing regime to ensure that the lifeboats are capable of performing their intended functions in an event of an emergency by:

- conducting the lifeboat trials involving the launching and operating/manoeuvring in the water followed by their full recovery to the FPSO; or
- by any other means to comply with Clause 9(2)(e) of Schedule 3 of the Offshore Petroleum Greenhouse Gas Storage Act 2006.

Signed: [REDACTED]

OHS inspector

Dated: 13 April 2012

[*Omit if Inapplicable]

NOTES: (Please see back of form)

This notice was delivered to: 
(insert name)

in the office or position of 
(insert office or position)

at: 11:15 am/~~pm~~ on 13 APRIL 2012
(insert time) (insert date)

(See notes on page 3)

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

Name: 

Position: OHS Regulatory Specialist

Address: Level 11, 58 Mount Bay Road, PERTH WA 6000

Telephone number: 08 61888716

Improvement Notice No. 0379 has been complied with.

Signed: 

Date: 9/7/2012

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 100 penalty units.
2. This notice must be displayed in a prominent place at the workplace and, under clause 79 of Schedule 3 to the Act, must not be tampered with or removed before the notice has ceased to have effect.
3. Under subclause 78 (11) of Schedule 3 to the Act, an operator, or an employer of a member of the workforce to whom this notice is given must:
 - (a) give a copy of the notice to each health and safety representative for a designated workgroup having group members performing work that is affected by the notice; and
 - (b) display a copy of the notice in a prominent place at or near each workplace at which the work is being performed.
4. Under subclause 81 of Schedule 3 to the Act, any of the following persons may request Fair Work Australia to review the OHS inspector's decision:
 - the operator of the facility or an employer who is affected by the decision;
 - any person to whom an improvement notice has been issued;
 - the health and safety representative for a designated work group that includes a group member affected by the decision;
 - a workforce representative in relation to a designated work group that includes a group member affected by the decision;
 - if there is no designated work group — a workforce representative in relation to a member of the workforce affected by the decision;
 - the owner of any plant, substance or thing to which the OHS inspector's decision relates.
5. An improvement notice ceases to have effect when the responsible person takes the action specified in the notice, or if no action is specified, takes the action that is necessary to prevent the contravention, or likely contravention, with which the notice is concerned.