

OHS Improvement Notice

Offshore Petroleum and Greenhouse Gas Storage Act 2006, Schedule 3 clauses 78, 78A and 78B

Notice No: 1963

Date: 9/01/2025

To: Subsea 7 Australia Contracting Pty Ltd

In conducting an OHS inspection in relation to the Seven Pegasus facility, I [REDACTED], a NOPSEMA inspector appointed under section 602 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (the Act), am satisfied on reasonable grounds that Subsea 7 Australia Contracting Pty Ltd has contravened a provision of a listed OHS law and is likely to contravene that provision again

AND

As a result, there is, or may be, a risk to the health or safety of a person at the Seven Pegasus facility.

The relevant listed OHS law that I am satisfied has been contravened and is likely to be contravened again is Schedule 3, Clause 9 (1) of the Act.

The reasons for my opinion are:

Members of the workforce have reported to NOPSEMA that fatigue is affecting their work. These reports describe noise conditions in the accommodation as a contributing factor. These reports cite the propulsion system as the source of the noise.

During NOPSEMA's investigation, the inspectors found that a survey of noise levels in the accommodation (cabins, mess and laundry), commissioned by the operator, are at or do not meet the recommended noise level limits in good industry practice. The noise survey report does not provide recommendations to the operator.

The inspectors concluded noise, a physical hazard, is not adequately controlled on the facility. The uncontrolled noise conditions at the facility have the potential to cause a poor physical environment which can contribute to worker fatigue.

The duty holder's facility safety case recognises that factors such as fatigue may impair personal performance and pose a risk to safety. The safety case identifies operator error as a potential cause of major accident events.

As a result of this contravention, I am satisfied that there is, or may be, the following risk to the health or safety of any person:

There is a risk of serious personal injury that could lead to permanent or irreversible damage, where the workforce is exposed to uncontrolled noise and a poor physical environment which can cause and or contribute to worker fatigue.

Fatigue is a substantial risk to workers' health, could result in operator error and subsequently impact the performance of the controls which reduce the risk of a major accident event to as low as reasonably practicable (ALARP).

I am satisfied that Subsea 7 Australia Contracting Pty Ltd is likely to contravene cl.9 (1) of Schedule 3 of the Act again because:

The NOPSEMA Inspectors' investigation found no evidence to indicate Subsea 7 has assessed the risk associated with excessive noise levels or taken effective action to control noise to ALARP.

I am satisfied on reasonable grounds that the following actions must be taken by the responsible person to reduce or prevent the risk:

1. Engage a specialised third party to identify and assess the noise risk for the noisiest mode of operation on the Seven Pegasus against a recognised standard. Undertake an ALARP engineering noise control assessment to determine noise control options, including interim controls to limit the source of the noise.
The identification, assessment and determination of noise controls options, including interim controls, must be completed within 90 days from the date of this notice.
2. Consult with members of the workforce the noise control options within 90 days from the date of this notice. Ensure introduction of changes in the workplace only occur following full consultation with employees and employee representative(s) through consultative processes.
3. Implement noise controls options based on the outcome of the ALARP assessment and consultation within 180 days of the notice.
4. Following implementation of the controls, assess the effectiveness and suitability of the controls within 30 days of the implementation of the controls.

You are required to take action to reduce or prevent the risk within the nominated days above from the date of this notice.


NOPSEMA INSPECTOR


09 January 2025

When the required action(s) has been completed, the Responsible Person is to submit this part of the notice to the following person via:

Post: Level 10, 58 Mounts Bay Road
Perth WA 6000

Email: submissions@nopsema.gov.au

Name: [REDACTED]
Position: **NOPSEMA INSPECTOR**
Contact number: [REDACTED]

By signing below, I confirm on behalf of Subsea 7 Australia Contracting Pty Ltd that the specified action described in Improvement Notice No. **1963** has been undertaken within the period specified.

Signed: _____ Date: _____

(to be signed by responsible person only when the notice has been complied with)

Notes

1. Under clause 78A of Schedule 3 to the Act, a responsible person who fails to ensure that this notice is complied with, to the extent that it relates to any matter over which the responsible person has control:
 - a. commits an offence and may be liable to a penalty of 300 penalty units for the offence; or
 - b. contravenes a civil penalty provision and may be liable to a civil penalty of 400 penalty units.
2. For every day proceeding the initial offence or contravention the notice is not complied with, the responsible person commits an offence or contravention in respect of each day (including a day of a conviction under this clause or any later day) during which the offence or contravention continues.
3. A copy of this notice must be displayed in a prominent place at or near each workplace which work affected by the notice is being performed. It is an offence to tamper with or remove it until the notice has ceased to have effect.
4. The recipient of this notice must ensure that all relevant requirements for giving copies of the notice to certain persons and representatives are complied with in accordance with cl 78b to Schedule 3 to the Act.
5. Under clause 80A of Schedule 3 to the Act, any of the following persons may request the reviewing authority in writing to review the NOPSEMA inspector's decision:
 - the operator of the facility;
 - the titleholder, if the notice is issued to a titleholder;
 - any person to whom an improvement 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.