

DIVING SUBMISSION ASSESSMENT

1 Purpose

This policy document provides an overview of the general principles the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) applies when undertaking a diving assessment. This policy has been drafted with consideration of the relevant legislation.

The purpose of this policy is to provide a documented, systematic and consistent approach for the conduct of a diving assessment.

2 Scope

Under the Commonwealth *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, NOPSEMA is responsible for the administration of OHS legislation of offshore petroleum and greenhouse gas storage operations that relate primarily to exploration for petroleum, or the recovery, processing, storage, offloading or transportation by pipeline of petroleum or greenhouse gas substances that take place in Commonwealth Waters and/or relevant designated coastal waters where powers have been conferred.

The scope of offshore petroleum and greenhouse gas storage operations in respect of which NOPSEMA will exercise safety regulatory functions are by definition:

- diving operations (whether at a facility or not)
- operations at a facility.

NOPSEMA has a regulatory obligation under the Commonwealth Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009 [OPGG(S) Regulations], and the relevant Victorian regulatory equivalent, to assess Diving Safety Management Systems (DSMS) submitted by diving contractors.

The OPGGS(S) Regulations also require that the diving contractor develop a Diving Project Plan (DPP) which is approved by the operator of the diving project before any diving commences. NOPSEMA can request a copy of the DPP for review even if there is an operator for the diving project. NOPSEMA inspects diving operations against the DSMS and the DPP.

For offshore petroleum or greenhouse gas storage related diving operations that do not occur at or on a facility then there may be no operator for the diving project. In this case, the diving contractor must submit the DPP to NOPSEMA for assessment and acceptance prior to commencement of diving operations.

This policy relates to DSMS and DPP assessment and should be read in conjunction with the Diving Assessment Standard Operating Procedure (N-04500-SOP0218).

3 Relevant Legislation

References to regulations in this document are to those in the Commonwealth Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations [OPGG(S) Regulations]. Similar arrangements apply in designated coastal waters where the States or the Northern Territory have developed legislation to mirror these requirements, and where powers are conferred on NOPSEMA. Currently, only the Victorian legislation confers powers on NOPSEMA. For diving activities in designated coastal waters of all other States and of the Northern Territory, diving contractors should refer to the relevant State or Territory agency or authority. Hereafter, references are to the Commonwealth legislation unless otherwise specified.

4 Diving Assessment Principles

The objectives of the OPGGS(S) Regulations are to:

- encourage industry to continuously improve its safety performance
- adopt best practice to achieve agreed safety protection standards in industry diving operations
- ensure diving operations are carried out in a way that ensures that risk to employees is reduced to as low as reasonably practicable.

Risks will be minimised by ensuring that the following processes have been put in place (in relation to the health and safety of persons involved in the operation):

- the identification of hazards, and assessment of risks
- the implementation of measures to eliminate the hazards, or otherwise control the risks
- the implementation of a comprehensive and integrated system for management of the hazards and risks
- the implementation of monitoring, auditing and reviewing to ensure continuous improvement.

It should be noted that the OPGGS(S) Regulations require that a diving contractor develop a DSMS, and have it accepted by NOPSEMA, before commencing any offshore petroleum diving operation.

4.1 Assessment of information in diving submissions

In general, for the purposes of assessment, NOPSEMA will assume that information provided by diving contractors in diving submissions (DSMS or DPP) is correct. However, if there are any doubts regarding the accuracy of information, NOPSEMA can question and perform further reviews. Examples of cases when information requires verification include:

4.2 Adequacy of information in diving submissions

In general, the Lead Assessor will make a judgement on the adequacy of the diving submission based on its content. The Lead Assessor may seek clarification or request additional information to assist in the assessment of the submission. In order to expedite the assessment, the diving contractor and NOPSEMA should both participate fully and openly in a two-way communication process before and during the assessment, to ensure that any requirements for further information or clarification are addressed in a timely manner.

4.3 Diving submission will be in accordance with the criteria contained in the Regulations

NOPSEMA's assessment of the diving submission will be in accordance with the criteria contained in the regulations. NOPSEMA's acceptance decision will be based on an assessment of whether the submission is appropriate for the activities of the diving contractor, and whether it complies with the OPGGS(S) Regulations.

The DSMS should include a demonstration that the contractor's management system is comprehensive and integrated, in the sense that it covers all activities and that it has the appropriate structure and processes to foster continual improvement on safety performance. In particular, a DSMS must comply with OPGGS(S) Regulation 4.4 and a DPP must comply with OPGGS(S) Regulation 4.16; both DSMSs and DPPs must comply with OPGGS(S) Regulation 4.18 concerning consultation with members of the workforce. NOPSEMA may take into consideration any information that is relevant to any of these factors, providing the information is current.

5 Negative Decisions

If NOPSEMA decides to reject either a DSMS or DPP or impose conditions on a DSMS or DPP the diving contractor must be given the reasons for the rejection.