

# OHS Prohibition Notice

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*Offshore Petroleum and Greenhouse Gas Storage Act 2006*

**Notice Number: 608**

## **OHS PROHIBITION NOTICE**

To: Atwood Australian Waters Drilling Pty Ltd.

In conducting an OHS inspection in relation to the Atwood Eagle facility, I [REDACTED], a NOPSEMA inspector appointed under section 602 of the Act, am satisfied on reasonable grounds that:

An activity may occur at the facility that, if it occurred, would involve an immediate threat to the health or safety of a person.

I am satisfied that it is reasonably necessary to issue a prohibition notice to the operator of the Atwood Eagle facility in order to remove the threat.

I THEREFORE DIRECT Atwood Australian Waters Drilling Pty Ltd to ensure that the following activities are not conducted:

(a) at this workplace or part of workplace:

Atwood Eagle facility

(b) following this procedure:

Hot work activities in hazardous areas; where hazardous areas are as classified in the 1989 MODU code.

The activity that has caused or may cause the threat to health or safety is:

Conducting hot work activities in hazardous areas

The reasons why the activity has caused or may cause the threat to health or safety are:

Systemic failure of the permit to work (PTW) procedures for hot work in hazardous areas in place on the Atwood Eagle facility resulted in a fire in the mud pits. This incident had the potential to cause multiple fatalities. The failure of the PTW system to control risks results in an immediate threat to safety during hot work activities in hazardous areas.

Action that may be taken that will be adequate to remove the threat to health or safety is:

- Adequately address implementation of the permit to work procedures for hot work in hazardous areas, including implementation of effective improvements to competency and hazard identification arrangements; or
- otherwise comply with Clause 9 (2) (d) of Schedule 3 to the Act by any other suitable means

to ensure the activity of Hot Work in Hazardous areas on the Atwood Eagle Facility is being conducted in a manner that reduces the risk to personnel at or near the facility to as low as reasonably practicable.

**Signed:**

[REDACTED]

[REDACTED]

**NOPSEMA inspector**

**Dated: 27/10/2015**

NOTES: (Please see back of form)

This notice was delivered to: [REDACTED]

in the office or position of Operations Manager – Atwood Eagle

at: 14:05 on 27/10/2015

**NOTES:**

1. Under clause 77 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 a matter over which the responsible person has control, may be liable to a penalty of 600 penalty units.
2. Under clause 77A of Schedule 3 to the Act, a notice ceases to have effect in relation to a responsible person when a NOPSEMA inspector notifies the responsible person that the inspector is satisfied that the responsible person, or another person, has taken adequate action to remove the threat to health or safety.
3. This notice must be displayed in a prominent place at the workplace and must not be tampered with or removed before the notice has ceased to have effect.
4. If this prohibition notice (or a copy of the notice) is not given to the operator's representative at the facility, the operator must give a copy of the notice to the operator's representative.
5. The operator's representative at the facility must give a copy of the notice to the following persons:
  - if the workplace, plant, substance or thing to which the notice relates is owned by a person other than the responsible person—that owner; and/or
  - if there is a health and safety representative for a designated work group that includes a group member performing work at a workplace, or involving the plant, substance or thing, to which the direction relates—that representative.
6. If the only responsible person for the notice is the titleholder, as soon as practicable after issuing the notice, the NOPSEMA inspector will take reasonable steps to give a copy to both the operator and the operators representative at the facility (if the inspector is at the facility when the notice is issued).
7. Under item 5 of 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;
  - 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.