

ENVIRONMENTAL IMPROVEMENT NOTICE

To: CGG Services (Australia) Pty Ltd

In conducting a petroleum environmental inspection to monitor compliance with the Davros Extension Multi-client 3D Marine Seismic Survey (Davros MSS) petroleum activity at the regulated business premises used for the facility, I, [REDACTED], a NOPSEMA inspector appointed under section 602 of the Act, am satisfied on reasonable grounds that the titleholder named above has contravened and is likely to contravene again:

regulation 7 of the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (the Environment Regulations)

1. The reasons for my opinion are:

1.1. The findings from the inspection I conducted at the regulatory business premises of the petroleum activity provide me with reasonable grounds to believe that the activity has not been undertaken in accordance with the accepted environment plan.

1.2. Specifically, the measures used to undertake monitoring, recording, auditing and reporting were insufficient. At the time of the inspection, inspectors found that the assurance measures used to undertake monitoring, recording, auditing and reporting did not ensure the following requirements detailed in the environment plan would be met:

- the requirement to prohibit the acquisition of seismic data within seasonal turtle exclusion zone was or will be implemented;
- the requirement to prohibit the acquisition of seismic data within seasonal gold band snapper exclusion zone will be implemented;
- the requirement to provide NOPSEMA with confirmation that CGG held sufficient financial assurance once titles were granted;
- the requirement to monitor and maintain a sufficient level of financial assurance throughout the activity;
- that specific, ongoing consultation was carried out prior to the start of the activity to resolve objections or claims as far as reasonably practicable; and
- notification for the start and end of the activity, or phase of the activity provided to NOPSEMA.

2. As a result of this contravention I am satisfied on reasonable grounds that there is, or may be, the following significant threat to the environment:

2.1. Petroleum activities may expose the environment to unacceptable impacts and risks such as significant impacts on matters protected under Part 3 of the *Environmental Protection and Biodiversity Conservation Act 1999*.

3. The environment that is subject to the threat is:

3.1. Matters protected under Part 3 of the *Environmental Protection and Biodiversity conservation Act 1999*, specifically the flatback turtle, *Natator depressus*, that may occur within or near to the acquisition area as shown in Attachment 1 of the supplementary information provided in response to NOPSEMA's request for further written information prior to acceptance of the Environment Plan dated 21 February 2018.

- 3.2. The social and economic features of the environment as defined in the Environment Regulations and Section 4 of the environment plan.
4. The titleholder is required to take action within 30 days to remove the threat.
5. The following action must be taken by the titleholder within the period specified above:
 - 5.1. Review and revise the measures used to undertake monitoring, recording, auditing and reporting to ensure that:
 - All requirements of petroleum environmental law relevant to the activity are captured in assurance systems including:
 - all requirements detailed in the EP, which includes supplementary information provided in response to NOPSEMA's request for further written information.
 - the development of a system for the monitoring and maintenance of financial assurance requirements in accordance with Section 571 the Act.
 - timely provision of notifications for start and end of activity, or phase of activity to NOPSEMA.
 - 5.2. Comply with regulation 7 of the Environment Regulations and Section 571(3) of the Act by any other suitable means as required to remove the threat.


NOPSEMA Inspector
wA234443

28 March 2019

When the required improvement has been completed, the NOPSEMA Inspector requires CGG Services (Australia) Pty Ltd to submit the completed part of the notice under Clause 8, to the contact details below:

Name:



Position:

Business Development Manager – Multi Client and New Ventures

Address:

Send in electronic format via email to:

submissions@nopsema.gov.au

Telephone number: +61 8 6188 8700

By signing below, I confirm on behalf of CGG Services (Australia) Pty Ltd that the specified action described in Improvement Notice No. 737 has been undertaken within the period specified.

Signed: _____

Date: _____

NOTES:

1. 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 300 penalty units or a civil penalty of 400 units (Schedule 2A, Clause 11D of the Act).
2. This notice must be displayed in a prominent place at the premises and, must not be tampered with or removed before the notice has ceased to have effect. (Schedule 2A, Clauses 11D and 12 of the Act)
3. The notice may be issued to the titleholder by being given to the titleholder's representative at the premises who is nominated for the inspection. (Schedule 2A, Clause 11C of the Act)
4. As soon as practicable after issuing the notice, the NOPSEMA inspector will take reasonable steps to give a copy of the notice to, where applicable (Schedule 2A, Clause 11D of the Act):
 - (a) the operator's representative at the facility if the premises are a facility, and
 - (b) the vessel master if the premises are a vessel under the command or charge of a master, and
 - (c) the owner, if the premises are owned by a person other than the titleholder or operator.
5. An improvement notice ceases to have effect when the responsible person takes the action specified in the notice.
6. NOPSEMA must publish on its website an environmental improvement notice within 21 days after the notice is issued, unless NOPSEMA is aware that the decision to issue the notice is the subject of an application for review by a court. (Schedule 2A, Clause 12A of the Act)
7. For the purposes of submitting the completed part of the notice under Clause 8, the titleholder's representative is the person to whom this notice was given.