

OHS IMPROVEMENT NOTICE

To: Sedco Forex International Inc

In conducting an OHS inspection in relation to the Development Driller 1 facility, I, [REDACTED] a NOPSEMA inspector appointed under section 602 of the Act, am satisfied on reasonable grounds that the person named above as the responsible person is contravening clause 9 (2)(c) of Schedule 3 to the Act, at the Development Driller 1 facility.

The reasons for my opinion are:

- a) During a planned inspection the inspectors observed that airborne hazardous chemical dust was not being controlled during chemical mixing at the manual hopper in the sack room and presented an occupational health risk to members of the work force.
- b) No evidence was produced to demonstrate a formal assessment of assigned respiratory equipment has been performed for personnel who handle hazardous chemicals. At the time of the inspection, the workers were observed to be wearing an unsuitable form of respirator and were not wearing Atmosphere Supplying Respirators as per the operator's policies. No respirator filter change schedule was established.

In order to address the immediate threat to the health and safety of workers by ensuring members of the workforce are provided with suitable respiratory protection, Prohibition Notice 778 was issued on 19 December 2019.

- c) No evidence was produced to demonstrate that the facility operator had taken measures to determine the level of airborne contaminants, e.g. there were no records of air monitoring having been conducted. Therefore members of the workforce involved in mixing hazardous chemicals at the manual hopper are being exposed to an unknown concentration of airborne hazardous chemical dust during mixing chemicals at the manual hopper, e.g. during carrying, cutting, tipping and disposing of packaging from individual sacks of chemicals.
- d) The facility safety case identified that mixing chemicals at the hopper using dust masks required further risk reduction to control risk to as low as reasonable practicable (ALARP) and respiratory hazards could be mitigated with the installation of a dust extraction system. The inspectors observed that the installed dust extraction system, commonly referred to as a Local Exhaust Ventilation system (LEV), is ineffective at capturing the chemical dust from the mixing table, and that the discharge from the dust extraction system vents back into the work area, contaminating the breathing atmosphere of the workers. There were visible signs of dust on the LEV system, loading area and surrounding structures.
- e) No evidence was produced to demonstrate a design standard for the installed dust extraction system was used or that an original equipment manufacturer manual exists.
- f) No evidence was produced to demonstrate regular inspection, testing and maintenance of the dust extraction system was being undertaken.

- g) The rig procedure for mixing chemicals at the manual hopper does not capture any technical controls e.g. dust extraction system; and only recommends personal protective equipment.

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 mixing chemicals at the manual hopper at the facility:

- serious occupational health effects, as identified in the relevant safety data sheets, that could occur from inhalation, skin and/or eye exposure potentially leading to a permanent, progressive or irreversible condition, or cause permanent disabling and a lifelong restriction of work capability or a major reduction in quality of life, as a result of personnel being exposed to airborne hazardous chemicals.

Therefore the operator has failed to take all reasonably practicable steps to ensure that plant, equipment, materials and substances at the facility are safe and without risk to health.

You are required to take action within **90** days of the date of this notice to prevent or reduce the risk.

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

- 1) identify and implement technical controls that are necessary to reduce the risk to the health of members of the workforce, to a level that is as ALARP, of any person mixing chemicals at the manual hopper at the facility e.g. partial enclosure of mixing table and safely discharge exhausted air; and
- 2) establish processes to maintain the implemented controls systems; and
- 3) implement a system to perform an exposure assessment of personnel performing the task to demonstrate that chemicals and airborne containments are controlled to a level that does not exceed the appropriate exposure standard; **or**
- 4) implement such other controls as required to reduce the risk to a level that is as low as reasonably practicable.

Signed: 


NOPSEMA Inspector

Dated: 31 December 2019

NOTES: (Please see back of notice)

The following section is to be completed if serving the notice to the responsible person by giving it to the operator's representative or titleholder's representative at the facility, or the identified responsible person onshore.

This notice was delivered to:

[Redacted]

(insert name)

in the office or position of

[Redacted]

(insert office or position)

at: _____ am/pm on _____

(insert time)

(insert date)

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

Name: {Insert name of contact person within NOPSEMA}

Position: {Insert position of contact person within NOPSEMA}

Address: Send in electronic format via email to:
submissions@nopsema.gov.au

Telephone number: +61 8 6188 8700

Specify the action that has been taken to comply with this notice in the space below.

Improvement Notice No. **779** has been complied with by:

Signed: _____

Date: _____

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 300 penalty units or a civil penalty of 400 units.
2. This notice must be displayed in a prominent place at or near each workplace at which work affected by the notice is being performed and, must not be tampered with or removed before the notice has ceased to have effect.
3. If the notice is not issued by being given to the operator's representative at the facility, the responsible person (unless the responsible person is the titleholder) must cause a copy of the notice to be given to the operator's representative.
4. If the responsible person is the operator or an employer (other than the operator) of members of the workforce, the operator's representative at the facility must give a copy of the notice to each health and safety representative for a designated work group having group members performing work that is affected by the notice.
5. If the responsible person is the titleholder, as soon as practicable after issuing the notice, the NOPSEMA inspector will take reasonable steps to give a copy of the notice to the operator and, if the NOPSEMA inspector is at the facility when the notice issued, the operator's representative at the facility.
6. If the responsible person is the titleholder, but the inspector is not at the facility when the notice is issued, the operator must give a copy of the notice to the operator's representative at the facility.
7. 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:
 - (a) the employer of an employee who is a member of the workforce if the notice is issued to the employee, and in connection with work performed by the employee, and
 - (b) the owner of any workplace plant, substance or thing that the notice relates to, unless the owner is the responsible person or an employer referred to in (a), and
 - (c) if the responsible person is the owner of any workplace, plant, substance or thing because of which the contravention has occurred, or is likely to occur: the operator of the facility, and if the employer of employees who work in that workplace or who use that plant, substance or thing is a person other than the operator—that employer; and
 - (d) the titleholder, if the responsible person is the operator, and the contravention relates, or is likely to relate to, the titleholders' well related obligations.
8. Under item 8 of subclause 80A(1) of Schedule 3 to the Act, any of the following persons may in writing request the reviewing authority to review the NOPSEMA inspector's decision:
 - the operator of the facility
 - the titleholder, if the notice is issued to a titleholder;
 - any other person to whom the 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.
9. An improvement notice ceases to have effect when the responsible person takes the action specified in the notice.