

ENVIRONMENTAL IMPROVEMENT NOTICE

To: Esso Australia Resources Pty Ltd

In conducting a petroleum environmental inspection in relation to the West Tuna petroleum activity, 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:

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

at: West Tuna Platform

1. The reasons for my opinion are:

1.1. Esso identified an extensive oil sheen in close proximity to its facilities on 1 February 2017. While Esso took samples from the sheen, amongst other comprehensive source identification activities, documented sampling procedures were not carried out in accordance with the accepted environment plan.

1.2. The failure to follow documented procedures contributed to Esso failing to obtain a representative sample of the oil from the sheen. This failure directly impacted on Esso's ability to identify the source of the spill or narrow down the range of potential credible spill sources.

1.3. Specifically, findings from the inspection conducted found a number of key areas that contributed to Esso failing to obtain a representative sample:

- Esso did not follow its documented procedures in attempting to obtain a representative sample. For example,
 - non-standard sampling equipment was used to obtain samples
 - sampling techniques used were inappropriate and not consistent with the environment plan
 - procedures for chain of custody, sample labelling and sample preservation were not followed
- Personnel undertaking sampling and chemical characterisation were not familiar with the oil sampling procedures Esso has in place.
- Suitable sampling equipment was not available. This resulted in an improvised sampling approach that was inconsistent with good practice and Esso procedures.

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. Inadequate or poorly-implemented processes to obtain representative samples of spilt oil may result in failure, or unnecessary delays in the identification and exclusion of potential sources of a spill. Delays or failure to identify the source may result in additional environmental impact and risk that could otherwise be avoided, including additional spill volumes and duration, or deployment of inappropriate response strategies. Similarly, spills may occur in the future from the identified, or similar, source that could have otherwise been prevented.

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

- Matters protected under Part 3 of the Environmental Protection and Biodiversity Conservation Act 1999, including listed species of seabirds, marine mammals and marine reptiles that may occur in the operating area and surrounds as shown in Section 6 of the West Tuna Environment Plan.
 - The social and economic features of the environment as defined in the Environment Regulations including commercial fishing operations.
4. The titleholder is required to take action within 60 days of the date of this notice to remove the threat.
5. The following action must be taken by the titleholder within the period specified above:
- 5.1. Review training for the provision of oil spill response sampling to ensure:
- All personnel undertaking sampling are familiar with procedures and adequately qualified to take samples
 - Laboratory staff are familiar with documented oil spill sampling procedures
 - Testing of response arrangements considers oil spill sampling activities
- 5.2. Ensure oil spill sampling equipment is appropriately located and maintained to enable the effective deployment as soon as possible after a spill is identified.
- 5.3. Ensure appropriately trained and qualified personnel to take oil spill samples are available for deployment as soon as a possible after a spill is identified.

Signed:



NOPSEMA inspector

Dated: 19 April 2017

NOTES: (Please see the last page of this notice)

This notice was delivered to: _____

(insert name)

in the office or position of _____

(insert office or position)

at: _____ am/pm on _____

(insert time)

(insert date)

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

Name: [REDACTED]
Position: Environment Specialist
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 Esso Australia Resources Pty Ltd that the specified action described in Improvement Notice No. 638 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.