

OHS IMPROVEMENT NOTICE

To: Esso Australia Pty Ltd (“EAPL”)

In conducting an OHS inspection in relation to the Bream B 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:

- (a) clause 9(2)(e) of Schedule 3 to the Act at Bream B facility.

The reasons for my opinion are:

NOPSEMA conducted an inspection on the 29 July 2019 on Bream B facility and further enquiries thereafter.

As part of the inspection, NOPSEMA inspectors noted the Brucker, davit and winch 60 month dynamic load test with a latest acceptable completion date (LACD) of 10 April 2019 had not been completed. The Brucker is used as an escape capsule in the event of platform evacuation and/or to assist in a rescue of personnel fallen over board. There is only one Brucker on board the facility.

EAPL identifies a dropped Brucker as a major accident event (MAE) in their accepted safety case. There is one relevant critical preventative control provided in the safety case to prevent a dropped Brucker, namely:

- *Maintenance and certification of Brucker cable, hook and winch performed by Specialist’.*

EAPL’s Fire and Safety Equipment Maintenance Procedure FSE 060-026 ‘Inspection procedure’ requires an original equipment manufacturer (OEM) certified technician to ensure the complete system (davit, winch and escape capsule/Brucker) is operational and deemed fit for service and testing. This includes an annual inspection of the complete system in accordance with MSC.1/Circ.1206/Rev.1; and on a 60 month frequency, a 1.1 dynamic overload test in accordance with MSC.1/Circ.1206/Rev.1.

EAPL’s own Performance Standard on lifting equipment describes lifting and lifted equipment is considered to fail the pre-use visual inspection if it is out-of-test or damaged. Periodic inspections in the preventative maintenance programs are a combination of visual and non-destructive testing.

EAPL have not provided documented evidence of assurance the Brucker and winch platform structure is fit for service in accordance with applicable procedures and performance standards. I am therefore satisfied that EAPL has not taken all reasonably practicable steps to implement and maintain appropriate procedures and equipment for the control of and response to emergencies at the facility.

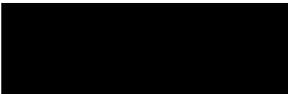
As a result of this contravention I am satisfied that there is, or may be, the following risk to the health or safety of any person:

Due to not conducting the 60 month dynamic load test, there is the risk the complete Brucker (escape capsule) davit system is not operational and fit for service.

You are required to take action within **30** 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. EAPL to ensure the 60 month dynamic overload test is completed to the satisfaction of the OEM to ensure the structural integrity of the Brucker/winch davit structure is fit for purpose and is safe and without risk to health; and
2. Implement interim mitigating measures until the 60 month dynamic load test is completed; or
3. Implement such other controls as required to reduce risk to a level that is as low as reasonably practicable.

Signed: 


NOPSEMA Inspector
Dated: 30 August 2019

NOTES: (Please see back of notice)

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

Name: [REDACTED]

Position: Manager Assessment and Inspection

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. **766** 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.