

OHS Prohibition Notice

Offshore Petroleum and Greenhouse Gas Storage Act 2006, Schedule 3 Clause 77 and 77A

Notice No: 1872

Date: 29/04/2022

To: Esso Australia Pty Ltd

In conducting an OHS inspection in relation to the Kingfish B facility, [REDACTED], a NOPSEMA inspector appointed under section 602 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (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

AND

It is reasonably necessary to issue this notice to Esso Australia Pty Ltd in order to remove the immediate threat to the health or safety of a person.

The activity that may occur, which if it occurred would involve an immediate threat to health or safety of a person is:

The use of the south side quarters walkway and upper section of stairwell.

The reasons why the activity may cause an immediate threat to health or safety of a person are:

The collapse of the walkway could cause one or more persons to fall into the sea. Sections of corroded steelwork could fall onto walkways underneath the corroded structure onto people using them.

I THEREFORE DIRECT Esso Australia Pty Ltd to ensure that the activity is not conducted..

The action(s) that may be taken to adequately remove the immediate threat to health or safety of a person include:

1. Carry out a suitable and sufficient assessment of the ability of the walkway and stairwell and their supporting structures to carry personnel traffic, including the loads likely to be experienced when the south side quarters walkway and stairwell are used as an emergency access to the facility's lifeboats.
AND

2. Identify reasonably practicable repairs that will allow the use of the south side quarters walkway and stairwell, so far as is reasonably practicable be safe and without risk to health.
AND

3. Carry out identified repairs.
OR

4. Any other equally effective measures provided these have been agreed in advance by NOPSEMA.



NOPSEMA INSPECTOR

29 April 2022

Notes

1. Under clause 77A of Schedule 3 to the Act, this notice ceases to have effect when the NOPSEMA inspector notifies the responsible person that the inspector is satisfied that adequate action has been taken to remove the threat to health or safety.
2. Under clause 77 of Schedule 3 to the Act, a person commits an offence if the person omits to do an act that breaches this notice, that person may be liable to a penalty of 600 penalty units.
3. For every day proceeding the initial offence that the notice is not complied with, the responsible person commits an offence in respect of each day (including a day of a conviction under this clause or any later day) during which the offence continues.
4. A copy of this notice must displayed in a prominent place at the workplace. It is an offence to tamper with or remove it until the notice has ceased to have effect.
5. The recipient of this notice must ensure that all relevant requirements for giving copies of the notice to certain persons and representatives are complied with in accordance with cl 77 of Schedule 3 to the Act.
6. Under clause 80A of Schedule 3 to the Act, the following persons may appeal against the decision to issue the prohibition notice to the reviewing authority:
 - 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.