# THE REGULATOR

2021 - ISSUE 2

## **ENSURING RESPONSIBLE** DECOMMISSIONING

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**Responsible decommissioning** means planning for safe decommissioning right from the design stage

page 08



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#### **ABOUT NOPSEMA**

The National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) is Australia's independent expert regulator for health and safety, environmental management and structural and well integrity for offshore petroleum facilities and greenhouse gas storage activities in Commonwealth waters.

By law, offshore petroleum activities cannot commence before NOPSEMA has assessed and accepted detailed risk management plans that document and demonstrate how an organisation will manage the risks to health and safety to as low as reasonably practicable (ALARP) and the risk to the environment to ALARP and with acceptable environmental impacts. For more information, visit our website at nopsema.gov.au.

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#### FEEDBACK

NOPSEMA welcomes feedback from our stakeholders. Please direct all enquiries about this publication to communications@nopsema.gov.au.

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# In this edition

#### 04

MESSAGE FROM THE CHIEF EXECUTIVE OFFICER

#### 06

HOT SURFACES POSE HYDROCARBON IGNITION RISK

#### 07

INSPECTIONS TO INCREASE FOCUS ON HIGHEST RISK

#### 08

ENSURING RESPONSIBLE DECOMMISSIONING

#### 12

IMPROVING OFFSHORE CRANE SAFETY

#### 13

**APPEA FOCUS** 

#### 14

IMPROVING INTERACTIONS BETWEEN COMMERCIAL FISHERIES AND SEISMIC PROPONENTS

## 18

CONTINUAL IMPROVEMENT IN OIL SPILL RESPONSE

2020 KEY PERFORMANCE DATA

#### 21 2020 OFFSHORE INDUSTRY ACTIVITY

22 HELP US IMPROVE OUR WEBSITE

# MESSAGE FROM THE **CHIEF EXECUTIVE OFFICER**

Recently, I was pleased to be invited to the CEO Safety Forum held during the APPEA 2021 Conference to address industry leaders on mental health and other current NOPSEMA priorities.

Mental health is something we are all grappling with during this pandemic and the offshore oil and gas industry is no different. We are seeing heightened anxiety and tension offshore that has the potential to affect attention to detail and overall performance. When you add workers spending time in isolation, working longer swing patterns and dealing with extended separations from loved ones, it is easy to understand the heightened risk to personal health, process safety and the potential for major accident events to occur.

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At NOPSEMA, we understand border closures, travel restrictions and guarantine requirements have forced the industry to implement changes that will reduce the risk of COVID-19 transmission. Industry must now also ensure the psychosocial effects of these changes are being managed to minimise the potential for longer-term mental health effects on workers.

Industry should also be cognisant of the impact that travel restrictions may have on workforce competencies in fields such as the assessment and maintenance of structural integrity. NOPSEMA has recently increased its focus on maintenance, particularly of ageing assets and how they are managed in the late-life stage.

Timely and appropriate maintenance is a key control in the prevention of harm and protection of the environment. Continued maintenance is also a critical part of planning for decommissioning. Our Head of Safety and Integrity, Derrick O'Keeffe, addressed this point at the APPEA Conference in his presentation on Deferred Maintenance - A Major Industry Challenge. Over the next few vears. NOPSEMA will be monitoring duty holders closely to ensure they are undertaking the required inspection, monitoring, maintenance and repair processes in a timely manner.



Another key priority for NOPSEMA is safe and responsible decommissioning. The Australian Government has confirmed its expectation that NOPSEMA take a heightened interest in late life assets and that we apply the full range of our compliance powers to ensure appropriate decommissioning when facilities reach their end of life. NOPSEMA has released several guidance documents to assist industry in complying with their decommissioning obligations. These documents include a regulatory policy outlining requirements and expectations for the maintenance and removal of property.

NOPSEMA has also published a decommissioning compliance strategy and plan to clarify how we work with duty holders to assist them in complying with their decommissioning obligations and the types of compliance actions they can expect where compliance cannot be demonstrated. Further compliance action on decommissioning can be expected over the coming year. From discussion at the APPEA 2021 Conference it was clear that industry leaders are increasing their focus on the growing number of assets in Australia that are approaching end of life and requiring decommissioning. The willingness of these leaders to adopt a collaborative approach was encouraging and NOPSEMA looks forward to working with them to ensure facilities are decommissioned in a safe and environmentally responsible manner.

I trust you find this latest edition of The Regulator informative.

Stuart Smith Chief Executive Officer

# HOT SURFACES POSE HYDROCARBON IGNITION RISK

Offshore oil and gas facilities typically have power generation and processing equipment that will generate or contain significant heat, and consequently hot surfaces. An exposed hot surface can be an ignition source if there were to be a leak of flammable hydrocarbons. This could potentially lead to a major accident event such as fire or explosion and loss of life. The risk of such a catastrophic event is real, significant, and cannot be ignored.

NOPSEMA has received multiple notifications of dangerous occurrences from hot surfaces associated with equipment including turbines, steam systems, and boilers. Each occurrence was unique due to the specific type, design, and layout of equipment, as well as the design standards applied and the types of hydrocarbons at the facility. The risk of a major accident event was the common factor.

To ensure the risk of hydrocarbons igniting from exposure to a hot surface can be managed, duty holders should, at the design phase of their facility, determine the maximum surface temperature of equipment during normal and abnormal conditions. Hotter-thanexpected surface temperatures may occur during operational life for several reasons, for example due to degradation of insulation material.

In this case, duty holders must have performance standards in place that define the assurance activities that will control, manage, and monitor the risk of hydrocarbons igniting from hot surfaces. Where a hot surface exceeds the maximum temperature specified in the performance standard, in line with the safety case or an industry standard, the duty holder must immediately take steps to mitigate or reduce the risk of ignition. This could include shutting down the equipment, reducing production, delaying or suspending any highrisk activities, undertaking a formal risk assessment, more dispersion modelling, increasing the frequency of assurance activities, and/or re-engineering the equipment.

In May, NOPSEMA released a draft information paper to raise awareness and highlight appropriate approaches to managing the risk of hydrocarbons igniting from exposure to hot surfaces. The paper presents our observations and expectations around general risk management approaches, based on industry standards and relevant good industry practice to ensure that equipment at a facility is safe and without risk to health.

The draft Management of hot surface information paper is available on our website. Currently, NOPSEMA is considering feedback provided by industry and other stakeholders in finalising the paper.





# INSPECTIONS TO INCREASE FOCUS ON HIGHEST RISK

NOPSEMA is changing how it programs its inspections, spending less time inspecting activities where the duty holder has demonstrated compliance and more time inspecting higher risk activities.

While NOPSEMA's regulatory processes have long been regarded as world-class, recent events including the COVID-19 pandemic, the decommissioning of the Northern Endeavour, and the Australian Government's deregulation agenda has prompted NOPSEMA to change its approach to ensure we remain effective.

A more flexible and dynamic approach to inspections will improve NOPSEMA's efficiency by redirecting resources to monitor the higher risk activities and reduce regulatory burden on duty holders that have already demonstrated compliance.

NOPSEMA will maintain a 'baseline' frequency of risk-based inspections, for example, we will continue to inspect activities where the duty holder has demonstrated compliance, but the activity and oil type pose a higher risk.

NOPSEMA will also now include formal conclusions in its inspection reports to ensure our findings and observations are communicated clearly. Duty holders will continue to own the risks and must address issues and non-compliance identified by NOPSEMA in a timely manner.

NOPSEMA will continue to issue recommendations to set out the actions it expects duty holders to take to address issues and non-compliance. Recommendations are issued where the issue or non-compliance is of a nature that can be managed by the duty holder, does not pose an immediate or significant threat, and is not a serious or blatant contravention of the law. NOPSEMA will follow-up all recommendations and take enforcement action where warranted.

Further changes are being considered including greater flexibility for duty holders to manage risks and increased accountability to address the cause(s) of non-compliance identified by NOPSEMA. In the coming months, NOPSEMA will publish a revised Inspection policy for comment detailing the forthcoming changes.

INSPECTION

PROGRAMMING



# ENSURING RESPONSIBLE DECOMMISSIONING

While the decommissioning of offshore oil and gas facilities has been a legal obligation in Australia since the late 1960s, only a handful of facilities have been decommissioned in that time. Now, more than half of the facilities regulated by NOPSEMA are more than 20 years old, some more than 50 years, and at least 13 have ceased production. Many of these facilities will need to be decommissioned over the next five to ten years.

Responsible decommissioning, that is safe and cost-efficient, is challenged when duty holders leave their planning for decommissioning to the end of a facilities life.

"Responsible decommissioning means planning for safe decommissioning right from the design stage, and well before facilities have been installed" said NOPSEMA's Head of Environment and Decommissioning, Cameron Grebe.

In 2019, the Minister for Resources and Northern Australia issued a Statement of Expectations to NOPSEMA in which he highlighted the need for heightened oversight of duty holder compliance with their decommissioning obligations. NOPSEMA subsequently increased its promotion and advice, compliance monitoring, and enforcement activities for decommissioning. To assist duty holders in understanding and complying with their decommissioning obligations NOPSEMA has published several guidance documents. This included a Section 572 Maintenance and removal of property regulatory policy in 2020 that outlined all of the pre-existing decommissioning requirements and NOPSEMA's expectations on how they should be met.

Responsible decommissioning means planning for safe decommissioning right from the design stage Recently, NOPSEMA published a five-year Decommissioning Compliance Strategy to communicate how it would work with duty holders to ensure timely and responsible planning and implementation of decommissioning activities.

"Our goal is to have decommissioning plans in place by 2023 for all facilities where property and equipment is no longer in use, and by 2025, property and equipment should be removed within five years of not being used and wells permanently abandoned within three years of ceasing production" said NOPSEMA's Decommissioning Manager, David Christensen.

In support of the strategy, NOPSEMA has also published a Decommissioning Compliance Plan. The plan identifies the types of compliance actions duty holders can expect NOPSEMA to consider depending on several factors. This includes the length of time a field has been in permanent state of non-production, the level of planning and preparation for decommissioning in current, or under revision, permissioning documents, and the level of integrity issues likely to limit options for decommissioning.

At NOPSEMA, we recognise the increasing pressure placed on duty holders to reduce costs as production declines, however, it remains a legal requirement for duty holders to maintain all property and equipment in good condition and repair. It is unacceptable for duty holders to allow their disused property and equipment to degrade to a point where it becomes too dangerous to remove or otherwise safely decommission.

Recently, NOPSEMA has found several cases of corrosion and other structural damage, particularly at ageing assets. Cases such as this will challenge a duty holders' ability to decommission responsibly. NOPSEMA will be closely monitoring duty holders to ensure they are carrying out the required inspection, monitoring, maintenance, and repair processes.

NOPSEMA has found several cases of corrosion and other structural damage NOPSEMA seeks to further clarify to duty holders their decommissioning obligations and NOPSEMA's expectations

NOPSEMA has already issued directions for Eni's Woollybutt field and Woodside's Enfield, and to Exxon Mobil (Esso) for multiple nonproducing facilities in the Bass Strait.

The directions set clear timeframes for plugging and abandoning wells, removing property and equipment, protecting natural resources, and making good any damage to the seabed. The directions also require property and equipment to be maintained in good condition and repair so that it may be safely removed or, where NOPSEMA approves an alternative solution such as repurposing, remain on location. "In taking appropriate and proportionate compliance action, NOPSEMA seeks to further clarify to duty holders their decommissioning obligations and NOPSEMA's expectations," said Mr Christensen.

Over the next year, NOPSEMA will engage with the duty holders we have identified as requiring a higher or moderate level of regulatory oversight to discuss their compliance with their decommissioning obligations. In most cases, duty holders should expect lower-level compliance action to be taken, for example NOPSEMA requesting revisions to accepted permissioning documents.

"Each case will be unique with a range of circumstances and considerations that we will need to take into account before taking any type of compliance action," said Mr Christensen.

To learn more about NOPSEMA's expectations and how to comply with your decommissioning obligations please visit our website.

# IMPROVING OFFSHORE CRANE SAFETY



Since mid-2020, NOPSEMA has observed a significant increase in reports of dangerous occurrences relating to offshore cranes. Following 29 investigations, NOPSEMA has highlighted crane safety as an area of increased risk and hence a priority for compliance monitoring.

Across 35 fixed facilities regulated by NOPSEMA, there are 67 pedestal cranes, as well as several other types of cranes in operation. It is clear that a crane is both an essential piece of equipment on many facilities, and also one of inherent risk, making it important for duty holders to be mindful of operational pressures on their decision-making when it comes to crane operations and the consequences for workforce safety.

Globally, the offshore industry has seen many catastrophic incidents involving cranes collapsing or loads being dropped resulting in death and serious injury, damage to equipment and infrastructure, and the release of hydrocarbons with safety and environmental consequences.

In May 20201, NOPSEMA issued the Safe operation of degraded cranes with reduced capacity safety bulletin in response to three incidents involving cranes that were being operated with degraded capabilities.

In one of the more concerning incidents, the duty holder had failed to use its management of change procedures to assess the risk of using a crane with structural corrosion, failed to use any recognised standard during a load test of that crane and failed to examine the crane after the load test before putting the crane back into operation at a reduced lifting capacity. These findings indicated that the crane was operated in a condition that increased the potential for failure, placing workers at risk.

During NOPSEMA's investigation, the duty holder took the crane out of operation and it remains out of operation to date. NOPSEMA issued an improvement notice to ensure the duty holder completed all the necessary steps to reduce risk to as low as reasonably practicable.

Further to the safety bulletin, NOPSEMA is preparing to publish an Improving Offshore Crane Safety discussion paper outlining its observations and expectations. This includes common failures identified across all reported dangerous occurrences such as management of corrective maintenance, competency of personnel, and applying lessons learned.

NOPSEMA hosted a workshop with industry duty holders and crane subject matter experts in July to provide insights into the contributory, causal and other relevant factors of the recent crane-related dangerous occurrences and to identify leading practices and opportunities for improvement. NOPSEMA's crane safety presentation, which was delivered at the workshop, can be viewed on our website.

# **APPEA FOCUS**

NOPSEMA was pleased to be able to host a booth at this year's very successful APPEA conference in Perth. The largest in-person conference in Australia since COVID appeared in early 2019 ran smoothly, and it was great to see a diverse range of participants in the plenary sessions. Plenty of delegates took the opportunity to come and ask questions or chat to the NOPSEMA team. Our new decommissioning brochure was especially popular.

The focus of the conference was squarely on the role of oil and gas in a net zero future. There were some excellent presentations that demonstrated a willingness to embrace the shift in thinking required to position the oil and gas industry as a key player in global emissions reductions.

In the opening plenary, Prime Minister Scott Morrison reaffirmed the importance of gas as a driver of Australia's post-COVID economic recovery, and former Chief Scientist Alan Finkel confirmed the critical role for gas, not only as a transition fuel, but as one of the many ingredients required to produce high volume and reliable renewable energy supply. With blue hydrogen and carbon capture and storage both prominent on the agenda it seems the oil and gas industry is well positioned to support Australia's energy supply and contribute to global targets to meet net zero by 2050.

Our Head of Safety and Integrity, Derrick O'Keeffe, presented on industry's response to COVID-19 and what comes next, as well as deferred maintenance and the impact it has on safety. Both presentations can be viewed on our website.

Our CEO, Stuart Smith, spoke at the CEO's safety forum about mental health and the importance of duty holders working with the offshore workforce to address this increasingly challenging issue, particularly in the context of the pandemic and its ongoing impacts.

Decommissioning was the theme of several sessions with industry showing good signs of preparedness for the significant volume of decommissioning work that will be required in Australia over the next 10 years. It was great to see industry showing a desire to take a collaborative approach to tackling the decommissioning liability.



# IMPROVING INTERACTIONS BETWEEN COMMERCIAL FISHERIES AND SEISMIC PROPONENTS

Where a seismic survey is proposed in, or adjacent to, important fishing grounds, conflict between the party conducting the seismic survey and commercial fishers often arises. Managing this conflict can be difficult as each industry has a 'licence to operate' in the marine area but neither has priority usage. In the absence of a formal framework to guide the interactions between them, issues have to be identified and resolved through case-by-case assessment under the OPGGS Environment Regulations which creates tensions and burden for parties required to be consulted.

Recently, the Senate Inquiry into the Impacts of Seismic Testing on Fisheries and the Marine Environment released its final report. NOPSEMA welcomed the inquiry, actively taking part by preparing a submission and attending a hearing via video conference to provide evidence. NOPSEMA's submission has been described as being both 'excellent and very comprehensive'.

Part of the inquiry's focus was on understanding the conflict between seismic survey proponents and commercial fishers. Stakeholders representing commercial fisheries expressed concern about the impact of high intensity sound emissions on commercially important fish and invertebrate species and subsequent disruption of their fishing operations. Seismic proponents expressed concern about how difficult it is to access fisheries information and other relevant evidence to inform their evaluation and management of impacts to commercial fisheries and their target species, and how that prolongs the assessment of their environment plan.

**66** without good relationships... it is unlikely such conflict can be appropriately addressed by NOPSEMA and the Environment Regulations alone.





When it comes to this type of conflict, a lot of attention is directed at the regulatory process, but without good relationships or proper consideration of genuine concerns, it is unlikely such conflict can be appropriately addressed by NOPSEMA and the Environment Regulations alone.

NOPSEMA has been supporting the Department of Industry, Science, Energy and Resources (DISER) and the Department of Agriculture, Water and the Environment (DAWE) in facilitating the two industries to explore and agree on more collaborative solutions. This work initiated the establishment of a collaborative forum, chaired by DISER aimed at developing a policy framework with new initiatives to conflict and improving cooperation between seismic survey proponents and commercial fishers. The policy framework concept is adopted from a similar framework successfully implemented in Norway and identified by both industries as a leading practice.

Key Australian commercial fishing groups and offshore petroleum peak bodies (and their members) are supportive of the project and have agreed to collaborate in agreeing specific measures within the framework to remove some of the points of conflict and burden in the individual survey approvals. Ultimately it is up to the industries to agree on solutions that address their respective needs Currently, this collaboration includes developing guidance for strategic and operational engagement between the industries, a standard loss adjustment protocol that enables fishers to make evidence-based claims for compensation for financial losses as a direct result of a seismic survey and other measures the industries identify and agree as helpful.

Ultimately it is up to the industries to agree on solutions that address their respective needs. The case-by-case assessment and approval by NOPSEMA for individual seismic surveys will remain and issues that cannot be resolved by the industries will continue to arise through the individual assessments.

The seismic inquiry also focussed on scientific uncertainty about the short and long-term effects of noise on marine life. To address the challenges presented by scientific uncertainty, NOPSEMA requires seismic proponents to implement a thorough environmental impact assessment process with scientifically sound application of the best available data. Where a gap in data creates uncertainty as to whether impacts will be of an acceptable level, a range of measures are required to address this. This may include taking a precautionary approach by excluding sensitive locations and/or times of year, implementing adaptive management to respond to information gathered during a survey, and/or validating impact predictions through environmental monitoring.

The measures required to address scientific uncertainty can add significant cost to a seismic survey and, at times, be a barrier to the objectives of the survey being achieved. There are a number of examples in Australia and around the world where these challenges are being addressed through collaborative research frameworks. For example, the Fisheries Research and Development Corporation, the Influence of Man-made Structures on the Ecosystem in the North Sea and the IOGP-JIP Sound and Marine Life Program. These frameworks have been successful in answering key environmental impact assessment questions, without imposing unreasonable costs on proponents.

**66** NOPSEMA supports the formation of a collaborative research framework in Australia

NOPSEMA supports the formation of a collaborative research framework in Australia for the offshore petroleum industry. A well-designed framework has the potential to produce research that will support evidence-based environmental impact assessments and improve environmental management outcomes. The mechanism by which such a framework is funded and governed will need detailed analysis and consideration of the lessons learned from similar frameworks.

## CONTINUAL IMPROVEMENT IN OIL SPILL RESPONSE

A central tenet of outcomes-based regulation is that of continual improvement. What this means is that the industry must regularly examine controls and arrangements to identify and implement possible improvements, such as adopting new technology, services, procedures, and practices, to meet increasing community expectations.

Following the *Montara* and *Macondo* disasters, the global oil and gas industry demonstrated its capacity for continual improvement by implementing a suite of joint industry projects to improve oil spill response capability. These projects brought substantial developments across globally pre-positioned capping stacks and ancillary equipment, dispersant stockpiles, and a range of other capability and preparedness measures.

To ensure the Australian industry maintained its focus on continual improvement, NOPSEMA established oil pollution emergency preparedness as one of its strategic compliance focus areas. We examined options for improvement in oil spill preparedness and capability and worked with the industry to implement the improvements. In 2017, NOPSEMA established the Spill Risk Cooperative Forum (SRCF) to provide titleholders a forum where they could explore cooperative solutions for improved preparedness and response measures, solutions that would otherwise be out of reach for a single titleholder.

The success of the SRCF contributed to APPEA forming an industry Oil Spill Preparedness & Response Working Group (OSPRWG) to further develop and implement improvement options. NOPSEMA recently engaged with the OSPRWG while undertaking a revision of its Oil Pollution Risk Management guidance note. The revision was undertaken to incorporate industry feedback and improve the clarity and effectiveness of the guidance. The guidance note is now available for comment on our website and NOPSEMA encourages all of its stakeholders to provide feedback.

Internationally, NOPSEMA took a leading role as a member of the International Offshore Petroleum Environment Regulators (IOPER) group in establishing their Oil Spill Working Group. From 2018–20, NOPSEMA's Drilling and Spill Risk Manager, Rhys Jones, chaired the group and led a work stream focussed on the timelines of source control response. Mr Jones reflected on the group's work in leading improvement in oil spill response at the plenary session of the recent International Oil Spill Conference.

"Across the industry, it was clear to us that response planning was inconsistent and the logistics capability to deploy wasn't uniformly understood. We saw an opportunity to improve the timeframe for deploying a capping stack and source control equipment to respond to a loss of well control," said Mr Jones.

With that goal, NOPSEMA and IOPER partnered with APPEA in 2019 to host a Source Control Workshop. The workshop was attended by 120 participants from nearly 40 organisations who shared valuable knowledge on the tasks required to deploy and install a capping stack and where efforts should be directed to improve timeliness and effectiveness. The learnings from the workshop led NOPSEMA and IOPER to collaborate with the International Association of Oil & Gas Producers (IOGP) to develop the Response Time Model (RTM). The RTM is a tool designed to assist titleholders in identifying the tasks and predicting the timelines for capping a well blowout. The IOGP published Report 592; a toolkit for the RTM to guide planning of timely source control emergency response. The report was co-presented by NOPSEMA and IOGP at the recent International Oil Spill Conference to disseminate the knowledge and the RTM to the global industry.

Through 2020-21, NOPSEMA and the APPEA Drilling Industry Steering Committee (DISC) worked to embed the learnings of the RTM into the Australian offshore petroleum industry. Recently, NOPSEMA and IOGP presented the work at the APPEA conference and announced the release of the APPEA Australian Offshore Titleholders Source Control guideline and the NOPSEMA Source Control Planning and Procedures information paper. The paper clarifies NOPSEMA's expectations for source control content within an environment plan, well operations management plan, and safety case, as well as a source control emergency response plans (SCERP), which is an operational response plan developed and maintained by titleholders. APPEA's guideline provides the industry with further details of the SCERP content requirements, consistent with IOGP guidance for source control.

Moving forward, NOPSEMA sees many more opportunities for continual improvement. This includes testing of global oil spill response capability to ensure it is operationally ready and improving arrangements for effective and efficient incident management control of a large-scale oil spill response. NOPSEMA will continue to focus on oil pollution emergency preparedness and work with the industry, technical authorities, and international regulatory counterparts to drive improvement.

### 2020 KEY PERFORMANCE DATA





# Expression of interest: Help us improve our website

In June NOPSEMA successfully launched its new website.

The new website has integrated NOPSEMA's three pillars of Safety, Integrity and Environment into one 'Offshore Industry' section.

NOPSEMA is now looking to refine the user experience by seeking expressions of interest from interested stakeholders to provide their feedback on the new website. All feedback will be used to inform future improvements to the website including design, structure, and functionality.

If you are interested in participating, please visit our website and complete the online form.

# 66 Report an incident

To notify NOPSEMA of an accident, dangerous occurrence, environmental or well integrity incident call: 1300 674 472



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National Offshore Petroleum Safety and **Environmental Management Authority (NOPSEMA)** 

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