

OHS Improvement Notice

Offshore Petroleum and Greenhouse Gas Storage Act 2006, Schedule 3 clauses 78, 78A and 78B

Notice No: 2097

Date: 22/04/2026

To: Esso Australia Pty Ltd (EAPL)(ACN 000018566)

In conducting an OHS inspection in relation to the Marlin Complex facility I, [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:

Esso Australia Pty Ltd (EAPL) is contravening a provision of a listed OHS law

AND

As a result, there is, or may be, a risk to the health or safety of a person at the Marlin Complex facility.

The relevant listed OHS law that I am satisfied is being contravened is:

Schedule 3, clauses 9(1) of the Act.

The reasons for my opinion are:

During an inspection of the Marlin Complex facility, it was found that work to address all findings of the assessment of arc flash incident energy level study at the facility had not been completed following previous advice to EAPL that the work needed to be done in a timely manner.

The risks from arc flash explosions have not been adequately assessed.

Arc flash labelling of facility electrical switchboards has not been completed to identify the arc flash incident energy levels and critical information as specified in **Appendix B of AS/NZS 4836**, Safe working on or near low-voltage and extra-low voltage electrical installations and equipment 2023.

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:

- severe injury or fatality from arc flash explosions, caused by inadequate precautions being taken against arc flash injuries.

I am satisfied on reasonable grounds that the following actions must be taken by the responsible person to reduce or prevent the risk:

- Provide a written report to NOPSEMA that demonstrates the risks of arc flash injuries are being properly controlled.

The demonstration must include the following requirements from AS/NZS4836 for the control of arc flash hazards:


1. Identification and description of arc flash hazards.
2. An assessment of the risk of arc flash on the facility that:
 - a. Determines the arc incident energy levels present on the facility
 - b. Identifies the locations where arc flash incident events can occur
 - c. determines the likelihood of personnel being exposed to an arc flash event
 - d. Identifies the consequences if exposure occurs, including identification of areas where persons are working on or near high-energy switch rooms or equipment.
3. Evidence that all reasonably practicable steps have been taken to implement the hierarchy of controls to treat the risk from arc flash incidents including:
 - a. Elimination of the exposure of personnel to arc flash hazards by only interacting with deenergized and isolated equipment.
 - b. Substitution of manual operating systems with automated operating systems.
 - c. Isolation of personnel from the hazard by installing physical separation from energized equipment or conductors, and that switchboards shall be constructed to contain the energy associated with an arc event.
4. Evidence that all reasonably practicable engineering controls have been taken to reduce the risk of arc flash incidents including:
 - a. Limiting incident energy with reduced fault current and/or reduced fault clearance times by adjusting breaker protection settings.
 - b. Implementation of system modifications such as —
 - i. arc flash detection and suppression systems.
 - ii. remote controls and switching.
 - iii. remote racking in or racking out devices.
 - iv. upgrades of switchboard form type.
 - v. upgrades or modification of boards to allow for racking with the door closed.
 - vi. use of fixed circuit breakers instead of rackable breakers for new installations or upgrades
 - vii. insulated bus bars
 - viii. installation design considerations for isolation and maintenance tasks; and
 - ix. use of fuses which provide faster clearance times.
5. Evidence that all reasonably practicable steps have been taken to implement administrative controls including:
 - a. Labelling all switch rooms, plant and relevant locations to identify incident energy levels and any actions or precautions that should be taken. These labels should be equivalent to that shown in **Appendix B.11 of AS/NZS 4863**;
 - b. Demarcating arc flash boundaries;
 - c. Making arc flash registers and diagrams available for employees and contractors;

d. Implementing an incident energy and personal protective equipment category system as detailed in **figure B.1 of AS/NZS4836**.

6. Evidence that all reasonably practicable steps have been taken to ensure that appropriate personal protective equipment that is suitable for the residual risks present after steps 1- 5 have been completed, is provided and used.

The demonstration must include photographs, where possible, of any relevant items, such as affixed arc flash labels.

You are required to complete these actions **within 90 days from the date of this notice**.


NOPSEMA INSPECTOR
wA1103602

22 April 2026

When the required action(s) has been completed, the Responsible Person is to submit this part of the notice to the following person via:

Post: Level 10, 58 Mounts Bay Road
Perth WA 6000

Email: submissions@nopsema.gov.au

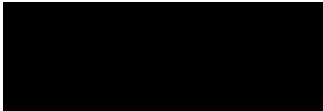
Name:



Position:

NOPSEMA INSPECTOR

Contact number:



By signing below, I confirm on behalf of Esso Australia Pty Ltd (EAPL) that the specified action described in Improvement Notice No. 2097 has been undertaken within the period specified.

Signed:

Date:

(to be signed by responsible person only when the notice has been complied with)

Notes

1. Under clause 78A of Schedule 3 to the Act, a responsible person who fails to ensure that this notice is complied with, to the extent that it relates to any matter over which the responsible person has control:
 - a. commits an offence and may be liable to a penalty of 300 penalty units for the offence; or
 - b. contravenes a civil penalty provision and may be liable to a civil penalty of 400 penalty units.
2. For every day proceeding the initial offence or contravention the notice is not complied with, the responsible person commits an offence or contravention in respect of each day (including a day of a conviction under this clause or any later day) during which the offence or contravention continues.
3. A copy of this notice must be displayed in a prominent place at or near each workplace which work affected by the notice is being performed. It is an offence to tamper with or remove it until the notice has ceased to have effect.
4. 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 78b to Schedule 3 to the Act.
5. Under clause 80A of Schedule 3 to the Act, any of the following persons may request the reviewing authority in writing to review the NOPSEMA inspector's decision:
 - the operator of the facility;
 - the titleholder, if the notice is issued to a titleholder;
 - any person to whom an improvement 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.