



SUB-COMMITTEE ON STANDARDS OF
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ANY OTHER BUSINESS

Applicability of IMO Conventions to FPSOs and FSUs

**Submitted by Oil Companies International Marine Forum (OCIMF),
International Association of Oil and Gas Producers (OGP) and
International Association of Drilling Contractors (IADC)**

SUMMARY

Executive summary:	This document addresses the proposal made by ITF at MSC 83 with paper MSC 83/27/8. It is the view of the sponsors that sufficient cause has not been shown to justify reconsideration of the decision of MSC 76. The existing safety regime for FPSOs and FSUs provided by coastal State regulation, present IMO conventions and industry guidelines is adequate. Specifically, attention should be drawn to the conclusions and recommendations of resolution MEPC.139(53), MEPC/Circ.406, and the decisions at MSC 76.
Action to be taken:	Paragraph 14
Related documents:	Resolution MEPC.139(53); MEPC/Circ.406, resolution A.891(21); MSC 76/23 and MARPOL 73/78 Annex I

Introduction

- 1 This document is submitted in accordance with the provision of paragraph 4.10.5 of the Guidelines on organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC-MEPC.1/Circ 1).
- 2 Floating Production, Storage and Offloading facilities (FPSOs) and Floating Storage Units (FSUs) are used for the offshore production, storage and offloading or for offshore storage and offloading of produced oil. FPSOs/FSUs do not carry (transport) oil.
- 3 The Marine Environment Protection Committee, at its forty-ninth session (14 to 18 July 2003), noted the complex issues involved in applying the requirements of MARPOL Annex I to FPSOs and FSUs, whose operations fall under the overriding jurisdiction and control of coastal States. The Committee further noted that most operations of FPSOs and FSUs are similar to those associated with fixed and floating platforms (also under the jurisdiction of the coastal State) and are therefore different from 'other ships' that are addressed in Annex I.

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4 The Committee confirmed that the role of FPSOs and FSUs in operation does not include 'transport' of oil. Accordingly, FPSOs and FSUs are a form of floating platform and do not therefore lie within the definition of 'oil tanker' in MARPOL regulation I/1(5). Thus, they are subject to the provisions of Annex I, that relate to fixed and floating platforms, including Regulation 39.

5 Obligations of the flag States under the Conventions should be considered for the relevant regulations. SOLAS 74/78 Convention, as amended, Regulation 1 stipulates that the present regulations apply only to ships engaged on international voyages. As FPSOs and FSUs are permanently moored at fixed locations, the application of the STCW and SOLAS conventions does not apply. In addition, the majority of FPSOs or FSUs are not self-propelled and thus fall outside the SOLAS Convention.

6 It is recognized that FPSOs or FSUs may, in abnormal and rare circumstances, need to operate away from their station for (1) drydocking, repair or maintenance work, or (2) for extreme environmental (weather) or emergency conditions. However, oil should not be transported to a port or terminal without the specific agreement of the flag and coastal State(s) obtained on a voyage basis. Furthermore, when undertaking any voyage away from the operating station, FPSOs and FSUs are required to comply with all relevant regulations.

7 Well established industry guidelines and recommendations detailing the competencies and assessments of personnel operating FPSOs and FSUs exist. Additionally, OCIMF Competency Assurance Guidelines for FPSOs, to be published in 2008, provide further industry guidance on competencies required by operating staff to manage these units safely. Also, IMO Resolution A.891(21) provides recommendations on the training of personnel on mobile offshore units (MOUs). The guidelines are applicable to FPSOs and FSUs for determining knowledge required for the performance of specific marine functions.

Comment

8 Previous decisions of IMO committees notwithstanding (MEPC/Res.139(53), MEPC/Circ.406, MSC 76/23), ITF in MSC 83/27/8 expressed its view that the status of FPSOs and FSUs in relation to SOLAS, STCW and ISM Code was unclear. They, therefore, proposed that the Committee consider the outcome of MEPC 56 and reconsider the decision of MSC 76. In their paper, they specifically cited an incident involving an FSO (floating, storage and offloading vessel), the subject of Australian Transport Safety Investigation Report Marine Occurrence Investigation No.226. The findings of that investigation did not identify causal factors attributable to inadequate manning by marine personnel or failure to follow the regulations of adopted instruments.

9 It has been established that FPSOs and FSUs are not oil tankers; rather, in operation, they are equivalent to fixed and floating platforms and therefore come under the jurisdiction of the coastal State in which they operate.

10 OCIMF, OGP, IADC, UKOA and IMCA have established guidelines and recommendations detailing the competencies and assessments of personnel operating FPSOs and FSUs. The OCIMF Competency Assurance Guidelines for FPSOs, to be published in 2008, provide additional industry guidance on knowledge required by operating staff to safely manage these units. Moreover, many companies have well-established and maintained Health, Safety, Environment and Security Management Systems that circumscribe all their production operations. Many of these systems are formally accredited by international organizations (e.g., ISO).

Conclusion

11 In the view of the sponsors of this paper, the position of MSC (and MEPC) in relation to the operation of FPSOs and FSUs is clear. The proposal that this should be reconsidered on the basis of a single incident attributed incorrectly to inadequate manning of marine personnel or failure to follow the regulations of adopted instruments is not justified.

12 Operation of FPSOs and FSUs is under the control of the coastal State and, as appropriate, the flag State.

13 Additionally, there are sufficient industry guidelines, IMO recommendations, and other [regulatory] frameworks under present conventions for the safe operation of FPSOs and FSUs.

Action requested of the Sub-Committee

14 The Sub-Committee is invited to consider the conclusions above and take action as appropriate.
