

OFFSHORE HELICOPTER SAFETY INQUIRY

January 25, 2010

Tara Place, Suite 213, 31 Peet Street

St. John's, NL

January 25, 2010

PRESENT:

John F. Roil, Q.C./

Anne Fagan.....Inquiry Counsel

**John Andrews/Amy Crosbie. Canada-Newfoundland and Labrador Offshore
..... Petroleum Board (C-NLOPB)**

**Cecily Strickland..... Hibernia Management and
..... Development Company (HMDC)**

D. Blair Pritchett/Stephanie Hillier Suncor (Petro-Canada)

Alexander C. MacDonald, Q.C/

Stephanie Hickman. Husky Oil Operations Ltd.

Paul Barnes (without counsel)Canadian Association of Petroleum Producers (CAPP)

Laura Brown Laengle Government of Newfoundland and Labrador

Norman J. Whalen, Q.C.....Cougar Helicopters Inc.

Jamie Martin.....Families of Deceased Passengers

**Kate O'Brien.....Davis Estate (Pilot) and
..... agent on behalf of Douglas A. Latto for Lanouette Estate (Co-pilot)**

**V. Randell J. Earle, Q.C. Communications, Energy and Paperworkers Union
..... Local 2121**

**Robert Rutherford (without counsel) Offshore Safety and Survival Centre,
..... Marine Institute**

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1 January 25, 2010
 2 COMMISSIONER:
 3 Q. Good morning, ladies and gentlemen. Are you
 4 ready, Mr. Roil?
 5 ROIL, Q.C.:
 6 Q. Yes, good morning, Commissioner. Before we
 7 get into today's proceedings, we have a little
 8 bit of housekeeping to do as a result of the
 9 darkness the descended upon us on Thursday.
 10 There was a very short period of time at the
 11 every end of our proceedings when the power
 12 went out. We don't have a recording of the
 13 transcript of what was said at that time, so I
 14 was tasked to prepare a bit of a transcript.
 15 I've run it by the counsel who were involved
 16 for the parties who were involved and I've
 17 given you a copy as well, and I understand
 18 that for our record keeping, it will be
 19 desirable if I simply read it into the record
 20 this morning first thing.
 21 COMMISSIONER:
 22 Q. Yes, absolutely.
 23 ROIL, Q.C.:
 24 Q. So this is taking place at approximately 12:15
 25 on Thursday, January 20th. Ms. O'Brien, Kate

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1 O'Brien is at the point asking questions of
 2 the Suncor panel as the power goes out. The
 3 first question that she takes that is after
 4 the recording is as follows: Ms. O'Brien says
 5 "following notification of an incident with a
 6 helicopter operating offshore, how long would
 7 it take before family members of passengers
 8 would be advised of the emergency?" Ms.
 9 Farrell responds "in such an incident, the
 10 first priority would be to determine a
 11 passenger manifest to know accurately who is
 12 on board. Being accurate on such information
 13 is important. Then we have to obtain family
 14 contact information for each passenger. This
 15 takes time, as some of the passengers may be
 16 employees of contractors. Once that
 17 information is obtained, calls are placed
 18 immediately by incident command personnel to
 19 families to advise them of the incident. To
 20 have accurate information is also important."
 21 Ms. O'Brien asks "but how long would it
 22 take before such information is able to be
 23 provided? Is it minutes or longer? I'm not
 24 looking for a precise time, but an estimate
 25 generally. Families should get this call

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1 before the information is generally
 2 available." Ms. Farrell responds "minutes is
 3 not achievable. Sometimes and often, it can
 4 take hours before such information is
 5 available. It is possible that information
 6 about the incident is out there in the
 7 community before we can make such calls."
 8 Ms. O'Brien closes by saying "those are
 9 my questions. Thank you." And then
 10 Commissioner, you ask "Mr. Mahoney, do you
 11 have any questions on behalf of Suncor?" and
 12 the answer from Mr. Mahoney is "no, thank you,
 13 Commissioner" and then Commissioner, you
 14 became engaged in a brief conversation or
 15 discussion with the panel members and you
 16 opened as follows: "Let me ask you a few
 17 questions. When a contract is entered into
 18 with, say, a helicopter company, who would
 19 draw up the actual contract? Would it be you
 20 folks here locally or would your legal
 21 department be involved?" Mr. Vokey answers
 22 "first, we in the region would have our input
 23 into mainly operational issues and concerns.
 24 Then it would be sent to our legal department
 25 in Calgary where they would put all the other

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1 provisions that would be normal for such a
 2 contract." And your next question is,
 3 Commissioner, "And that same process would
 4 apply, for example, to tanker or supply boat
 5 contracts as well?" Mr. Vokey says "that's
 6 correct, sir." At which time you say "thank
 7 you very much."
 8 Then Mr. Whalen rises to say
 9 "Commissioner, are the copies of the Suncor
 10 JOHS minute meetings, Joint Occupational
 11 Health and Safety minutes, to be made an
 12 exhibit?" Commissioner says "yes, I think
 13 they should be" at which point the Registrar
 14 indicates "Commissioner, they will be entered
 15 as Exhibit C-00146 once the power is back on"
 16 and then you close, Commissioner, by saying
 17 "thank you. We're adjourned until Monday
 18 morning at 9:30 a.m." And that closed at
 19 approximately 12:30 p.m. on that date.
 20 COMMISSIONER:
 21 Q. So that will go into the record, of course, as
 22 it is already.
 23 ROIL, Q.C.:
 24 Q. Commissioner, to move onto today's
 25 proceedings, today we have the third in the

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1 series of three operators. Today it's Husky
 2 Energy. They have a PowerPoint presentation
 3 and have material similar to the material that
 4 was provided by the other companies. Again,
 5 you will see distinct similarities in
 6 approach. There may be some cases where there
 7 are differences in protocols or procedures,
 8 but at the end of the day, I think you will
 9 see that the approach towards helicopter
 10 health and safety is very consistent with the
 11 other two operators.

12 Today for the list of exhibits, we have
 13 Exhibit P-146, which is the PowerPoint
 14 presentation and then 147 is divided into one
 15 and two, and that's a confidential exhibit.
 16 148, which is the Husky contract, also
 17 confidential. C-149, the operations,
 18 helicopter operations manual. C-150 which is
 19 the incident coordination plan. C-151 which
 20 is the health and safety committee standards,
 21 and then P, a public exhibit, 152, the Sea
 22 Rose FPSO safety handbook. So I would ask
 23 that they be put into evidence and uploaded
 24 onto our various sites for access as
 25 appropriate.

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1 In the PowerPoint presentation,
 2 Commissioner, there is a use of colours and
 3 there is another -- it's not an exhibit as
 4 much as a prop, but we may have to call it an
 5 exhibit, which I will refer you to when we get
 6 to the appropriate place. So good morning,
 7 gentlemen.

8 MR. PRITCHARD:
 9 A. Good morning, Mr. Roil.

10 MR. WILLIAMS:
 11 A. Good morning, Mr. Roil.

12 ROIL, Q.C.:
 13 Q. Before we begin, I would ask the Registrar to
 14 affirm Mr. Kenneth Dyer and Mr. Donald
 15 Williams. Mr. Pritchard has already been
 16 sworn and affirmed in the joint panel.

17 MR. KENNETH DYER, AFFIRMED
 18 REGISTRAR:
 19 Q. State your name, please.

20 MR. DYER:
 21 A. Kenneth Dyer.

22 MR. DONALD WILLIAMS, AFFIRMED
 23 REGISTRAR:
 24 Q. State your name, please.

25 MR. WILLIAMS:

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1 A. Donald Williams.
 2 REGISTRAR:
 3 Q. Thank you.

4 MR. TREVOR PRITCHARD, PREVIOUSLY SWORN
 5 MR. TREVOR PRITCHARD, MR. DONALD WILLIAMS AND MR. KENNETH
 6 DYER, EXAMINATION BY JOHN ROIL, Q.C.
 7 ROIL, Q.C.:
 8 Q. Good morning, gentlemen. I understand, Mr.
 9 Pritchard, that you are going to make some
 10 opening statements and then introduce the two
 11 members of the panel that are with you.

12 MR. PRITCHARD:
 13 A. Indeed.

14 ROIL, Q.C.:
 15 Q. And go from there.

16 MR. PRITCHARD:
 17 A. Mr. Commissioner, my name is Trevor Pritchard.
 18 I'm the general manager for the operations
 19 here on the east coast. That involves the
 20 production operations, the drilling, the
 21 marine and the logistics. The logistics
 22 aspect deals with helicopter transportation.
 23 To my left is Mr. Don Williams. He is the
 24 HSEQ manager on the east coast. He's being
 25 relieved of his, I'll say, their duties since

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1 October of last year in support of the
 2 Inquiry, and Ken Dyer, to the right here, is
 3 the production operations manager specific to
 4 the Sea Rose operations.

5 We're here today in support of the
 6 Inquiry to give information on how Husky
 7 operates here on the east coast, and where
 8 possible, be specific to helicopter
 9 operations.

10 Once again, I'd like to give my
 11 condolences to the families and our thoughts
 12 will always be with them.

13 I mentioned in previous testimony in the
 14 joint panel how far reaching this tragedy was.
 15 It appeared everyone in the Province was
 16 touched. What I didn't mention was the
 17 tremendous support we received from the
 18 general community around the Province.
 19 Everyone, it seemed, had heard of the incident
 20 and was affected by the tragedy and everybody
 21 wanted to help, and I want to acknowledge how
 22 widespread that support was, and in later
 23 testimony today, I will give some names of
 24 some specific people and their companies who
 25 generously offered their support.

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1 The values and aims and expectations of
 2 Husky all contribute to a safety culture that
 3 embraces safety as our top priority and a
 4 culture that should see everybody return home
 5 in the same condition, if not better, than
 6 when they went offshore. There is nothing
 7 more important than the health and safety of
 8 our workforce and this includes the safe and
 9 reliable transportation to and from our
 10 offshore facilities.

11 The oil and gas industry here in
 12 Newfoundland needs helicopter transportation.
 13 We've seen the environment that we work in and
 14 we also understand the safety requirements of
 15 our personnel.

16 It is recognized that there are risks
 17 travelling to and from the offshore. I
 18 believe helicopter transportation is safe and
 19 I continue to travel offshore. Industry has
 20 always been about continuous improvement and
 21 you'll see that on a continuous basis
 22 throughout our panel presentation today.

23 Everybody working for Husky has a
 24 responsibility for safety and the following
 25 presentation and information given by the

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1 panel will flesh out some principles and some
 2 specific ways that we discharge our collective
 3 duties. As presented in the joint panel,
 4 you'll continue to see that theme of
 5 supporting continuous improvement, so that
 6 every person who works in our industry can
 7 travel to and from our offshore facilities in
 8 a safe manner.

9 Mr. Commissioner, I introduced myself
 10 earlier at the joint panel presentation, so I
 11 will not go through my bio again, but I'd now
 12 like to hand on Mr. Dyer, sorry, Mr. Williams.

13 MR. WILLIAMS:

14 A. Mr. Roil, Mr. Commissioner, good morning. My
 15 name is Don Williams. I'm the manager for
 16 health, safety, environment and quality for
 17 Husky Energy's east coast operations and I
 18 report to our vice-president. My family and I
 19 are from St. John's and we have lived here all
 20 of our lives.

21 In the fall of 1980, I started working
 22 offshore Newfoundland on the Sedco 706 semi-
 23 submersible drilling unit. We were drilling
 24 the Hibernia B08 well at that time and I was
 25 working for a service company. During the

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1 1980s, I participated in drilling programs for
 2 the Hibernia, White Rose and Terra Nova
 3 projects' development programs. Although most
 4 of my employment over the past 30 years has
 5 been associated with the Newfoundland offshore
 6 industry, I have also worked offshore Nova
 7 Scotia, the North Sea, offshore West Africa,
 8 including Ghana, Angola and Ivory Coast, and
 9 I've worked in the Arctic, as well as western
 10 Canada and China and Algeria as well. I have
 11 travelled offshore extensively on a regular
 12 rotation base through the course of my
 13 employment and I have travelled in excess of
 14 100 times by helicopter. I have also
 15 travelled by vessel to and from our offshore
 16 facilities.

17 Commissioner, as an offshore worker
 18 during the 1980s, I experienced the safety
 19 culture that existed at that time. I can
 20 personally attest to the positive evolution of
 21 our safety culture to what exists today. When
 22 I first started in the industry, we did not
 23 ask questions about safety. Safety was rarely
 24 discussed. I do not recall having received
 25 any formal related safety training in the

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1 early days of my career.

2 Today, our offshore personnel are more
 3 informed, speak openly and honestly about
 4 their safety concerns. Our management expects
 5 this of our personnel and encourages honest,
 6 frequent and constructive communication. Each
 7 of us today in the industry, we are aware of
 8 our rights as employees and also our
 9 responsibilities.

10 In 1986, I became interested in pursuing
 11 a career in occupational health and safety and
 12 while continuing to work in the industry, I
 13 studied -- commenced part-time studies in
 14 mechanical engineering technology and safety
 15 engineering technology. My professional
 16 career began when I graduated from the Marine
 17 Institute in safety engineering technology in
 18 1992. I started working as an occupational
 19 health and safety consultant in 1992 and
 20 continued consulting until 2004. The majority
 21 of my work consisted of providing safety,
 22 safety management, as well as occupational
 23 hygiene services to the Newfoundland industry,
 24 in particular to the Newfoundland offshore oil
 25 and gas industry. In 1995, I became the first

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1 registered occupational hygiene technologist
 2 in Newfoundland and in 1997, received
 3 accreditation as a Canadian registered safety
 4 professional.
 5 In 2004, I became an employee of Husky
 6 Energy as a health safety environmental
 7 coordinator and in 2006, I was appointed a
 8 position of health, safety, environment --
 9 manager for health, safety, environment and
 10 quality. I am responsible for the development
 11 and implementation of our health, safety,
 12 environment and quality systems for Husky's
 13 east coast operations.
 14 Mr. Commissioner, I have been personally
 15 and professionally affected by the tragedies
 16 that have occurred in our offshore industry,
 17 most importantly by the lives that were lost
 18 as a result of the crash of Flight 491. It
 19 was our flight.
 20 On March 12th, I was the HSEQ manager for
 21 Husky Energy. I participated wholly in the
 22 response to the tragedy, initially in our
 23 incident coordination centre and later with
 24 the families, friends and colleagues at the
 25 Capital Hotel. They were the toughest days of

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1 my career.
 2 In October 2009, I was appointed by the
 3 vice-president for east coast operations to
 4 support the efforts of this Inquiry on behalf
 5 of Husky Energy. We believe the work of his
 6 Inquiry will improve the safety of travelling
 7 offshore by helicopter. We also believe that
 8 we will learn a great deal about our industry
 9 and in the spirit of continuous improvement,
 10 we will benefit in other areas as we apply
 11 this knowledge. I thank you for the
 12 opportunity to participate in this Inquiry and
 13 I hope that I can make a positive
 14 contribution. Thank you.
 15 COMMISSIONER:
 16 Q. Thank you. Just one quick question. I've
 17 been told, and you've told me now again, you
 18 know, how the oil industry offshore has
 19 improved its safety profile in the last 20-25
 20 years. Has that, so far as you know with your
 21 background experience, extended to other
 22 industries in Canada or in the Newfoundland
 23 Labrador area, or is it -- are you thinking
 24 it's more confined to the oil industry?
 25 MR. WILLIAMS:

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1 A. No, I think, Mr. Commissioner, it has
 2 extended, particularly in Newfoundland, I
 3 believe. You know, the companies that come
 4 here, they bring the latest knowledge,
 5 technologies and skills to our local industry,
 6 and I think we have been able to build at
 7 that, you know, as we communicate and work
 8 with each other here in Newfoundland,
 9 particularly in industry associations. We've
 10 been able to share this knowledge and some of
 11 the better companies who have proactive
 12 management systems and pursue performance in
 13 health and safety, they share that knowledge
 14 with other companies. So I think we, as an
 15 industry, an example would be the Construction
 16 Safety Association in Newfoundland, they've
 17 advanced their safety within their industry as
 18 well. So I think in a broader nature, all of
 19 the industry tend to benefit from the
 20 learnings and knowledge that are shared, and
 21 as an industry ourselves, we share within our
 22 companies. So I think there's positive
 23 influences throughout the entire industrial
 24 community in Newfoundland, and I think that's
 25 throughout Canada.

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1 COMMISSIONER:
 2 Q. Okay. Thank you very much.
 3 MR. DYER:
 4 A. Good morning, Mr. Commissioner, Mr. Roil. My
 5 name is Ken Dyer and I'm the manager of
 6 production operations with Husky here on the
 7 east coast. I am responsible for the day-to-
 8 day production operations component of the
 9 White Rose project. I report directly to the
 10 general manager, Mr. Pritchard, and I also
 11 have six direct reports.
 12 I was born and raised in Newfoundland and
 13 I currently reside in St. John's with my wife
 14 and two young children. My wife and children
 15 are also Newfoundlanders. I graduated from
 16 Memorial University with a Bachelor of
 17 Mechanical Engineering and a Masters Degree in
 18 Applied Science. I am currently a
 19 professional engineer and a member of the
 20 Association of Professional Engineers and
 21 Geoscientists in Newfoundland and Labrador.
 22 While I was completing my Bachelor's
 23 Degree, I was also employed with the
 24 Department of National Defence through the
 25 Naval Reserve Unit here in St. John's. I

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1 obtained my commission as a naval officer and
 2 also my qualification as a marine engineer.
 3 In 2003, I also obtained accreditation as a
 4 Canadian Registered Safety Professional.
 5 I have been involved in the oil and gas
 6 industry for more than 16 years, and
 7 throughout this time, I've worked on all three
 8 of the major projects here in Newfoundland,
 9 namely the Hibernia project, the Terra Nova
 10 project, and the Sea Rose White Rose project.
 11 I've held positions in all three in
 12 engineering, health, safety, environment and
 13 emergency response.
 14 In 2003, I joined Husky as the health,
 15 safety, environment and quality manager, after
 16 spending one year as the loss control engineer
 17 with Maersk Contractors on the White Rose
 18 project. At this time, the Sea Rose was under
 19 construction in many parts of the world, and
 20 the drilling program was under way in the
 21 White Rose fields. In 2006, I moved to the
 22 position as the offshore installation manager
 23 for the Sea Rose FPSO. Even though I had
 24 travelled many times to the Hibernia Platform
 25 in the past, this is the first time that I've

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1 taken on a 21-21-day rotation and I continued
 2 in this role for more than two years. As the
 3 most senior person, I had the overall
 4 responsibility for the health and safety of
 5 all people on the Sea Rose FPSO. I have
 6 travelled by helicopter on many occasions and
 7 I've flown the Super Puma, the Sikorsky S-61
 8 and the Sikorsky S-92A.
 9 Mr. Commissioner, I was on the Sea Rose
 10 during one of my management visits and checked
 11 in for my return flight when Cougar 491
 12 crashed. I knew several people on that
 13 flight, both personally and professionally.
 14 I did have the opportunity to spend the
 15 night on the Sea Rose and to spend the night
 16 with everybody on board, and also to take the
 17 trip home the next day with those people that
 18 just lost their friends, their back-to-backs,
 19 on the crash. We returned home on the
 20 Atlantic Osprey.
 21 Following the crash, I was a member of
 22 the steering committee working towards the
 23 resumption of safe flying operations here on
 24 the east coast. As part of the communications
 25 plan, I had the opportunity to speak with well

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1 over 1,000 people, including family members,
 2 both onshore and offshore, to provide them
 3 with the information about the process we took
 4 to ensure that we were resuming a safe flying
 5 operation offshore. It also provided an
 6 opportunity for those people to ask questions
 7 and to seek clarification. I took the first
 8 flight on May 12th on an S-92 to bring that
 9 message offshore.
 10 Mr. Commissioner, I've grown with this
 11 industry for over 16 years and I have a good
 12 understanding of how it works both now from an
 13 onshore and an offshore perspective. I will
 14 continue to travel offshore today and for many
 15 years in the future by helicopter.
 16 We are here today to assist in the
 17 identification of improvements in the
 18 transportation of all people flying to our
 19 offshore facilities on the Grand Banks and we
 20 hope that our presence and knowledge here
 21 today will help with making this process
 22 safer. Thank you.
 23 COMMISSIONER:
 24 Q. Thank you.
 25 ROIL, Q.C.:

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1 Q. Mr. Pritchard?
 2 MR. PRITCHARD:
 3 A. Okay. Mr. Roil, I'd just like to go through
 4 the presentation outline, so firstly, I'll
 5 give you some information on Husky Energy, who
 6 we are and where we operate, kind of globally
 7 and locally, and give more specific details to
 8 the east coast operations. I'll give
 9 something of an overview of safety culture and
 10 how we maintain momentum with education and
 11 communication, and I'll give you my ideas
 12 around safety culture. The east coast
 13 operations, some details around the
 14 organization and operations, once again,
 15 including the level towards helicopter
 16 operations. A little bit more about the
 17 regulatory environment that we operate in and
 18 the interfaces that we deal with. We will
 19 present the Sea Rose safety plan with some
 20 details, but recognizing here that there is a
 21 parallel to the drilling operations, so Husky
 22 operates the drill rigs owned by TransOcean
 23 and we discharge our expectations through the
 24 contract to make sure that there is alignment
 25 between the operations TransOcean work with

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1 and the expectations of Husky. So we look for
 2 equivalencies there between those and the
 3 document that we utilize is HOIMS, and that's
 4 the Husky Operational Integrity Management
 5 System, and you'll hear more of that as we
 6 progress through this.

7 It's recognized that the contracting
 8 community play an important role for us with
 9 over 60 percent of the offshore workforce
 10 being contractors, and I'll discuss a little
 11 bit about the procurement processes there, in
 12 a general sense, and then move on to,
 13 specifically to how the helicopter is
 14 contracted. We need to perform due diligence
 15 in monitoring and compliance and performance
 16 of our supporting contractors, and we'll
 17 discuss in some details around the helicopter
 18 operations and how it fits into that people
 19 process and equipment scale that I mentioned
 20 before in the previous testimony of the joint
 21 panel. We had the people, process and
 22 equipment, which are key barriers to
 23 preventing incidents.

24 And then we'll go on with a number of
 25 slides giving detail around the emergency

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1 response organization and then an
 2 understanding of what happened on March the
 3 12th and the subsequent days. So that's
 4 generally what the presentation will deliver.

5 ROIL, Q.C.:

6 Q. Okay, and I understand that you've divided up
 7 the presentation between the three of you and
 8 we'll follow that.

9 MR. PRITCHARD:

10 A. That's correct, Mr. Roil. We'll work between
 11 ourselves here in how we look. So the
 12 corporate overview is Husky is the third
 13 largest integrated energy company in Canada.
 14 That means we explore and produce and that's
 15 what we do here on the east coast and that's
 16 called the upstream market, and then we have a
 17 refining business called the midstream, and
 18 then we have a number of distribution networks
 19 and retail outlets called the downstream.

20 Husky has been 70 years committed to
 21 social, responsible development with a
 22 commitment to safety and the environment. We
 23 operate in western Canada, here on the east
 24 coast, USA, Greenland, China and Indonesia,
 25 where we integrate with the communities and

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1 engage in the development of the areas in a
 2 variety of ways. So whether it be health
 3 care, education, the arts, an expectation of
 4 leaving a positive legacy. We have a
 5 proactive approach in the health and safety
 6 and the environment, aboriginal affairs,
 7 community investment and diversity.

8 ROIL, Q.C.:

9 Q. Before we go, that slide with the image on the
 10 side, is that Husky's main headquarters?

11 MR. PRITCHARD:

12 A. Yes, that's what we call headquarters, but in
 13 general, we'll refer to it as corporate. So
 14 if there's a reference to corporate, this is
 15 the two buildings of Husky Towers there in
 16 Calgary.

17 ROIL, Q.C.:

18 Q. Okay, thank you.

19 MR. PRITCHARD:

20 A. So Husky has been involved with the east coast
 21 for more than 25 years. The White Rose field
 22 was discovered in 1984 and the North Amethyst
 23 field in 2006. There are currently around 625
 24 people working frontline for Husky with many
 25 other people providing goods and support

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1 services. The dark blue area on the map there
 2 shows the extensive land holdings that Husky
 3 holds as an operator in the Jeanne d'Arc
 4 Basin, and we have 22 significant discovery
 5 licenses. So there's a very large land mass
 6 there. The blue is the operator. Other
 7 colours are where there's joint operators or
 8 joint ownership shall I say of the land
 9 holdings.

10 So I'll move on with safety culture and
 11 Mr. Commissioner, this Inquiry has a large
 12 bias towards safety, and not just helicopter
 13 safety, I know you're interested in the
 14 general safety of offshore. So we've used the
 15 term safety culture and I offer my
 16 interpretation of what safety culture
 17 embraces. I believe safety culture echoes the
 18 heart and soul of a company. All companies
 19 will discuss safety culture, however different
 20 they will be. There's really the intent of
 21 the chief executive officer and how the words
 22 within that policy statement from the chief
 23 executive officer are actually discharged in a
 24 real and practical way. You will find many of
 25 the same high level requirements in most

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1 company policy statements and it is the
 2 leadership as you move down through an
 3 organization that needs to align and hold true
 4 to those values the organization has
 5 established. In reality, my own internal
 6 values align exactly with the Husky corporate
 7 values. That allows me to make decisions and
 8 communicate in a strong authoritative manner,
 9 as I know these decisions have a strong
 10 connection to the highest authority in the
 11 company. Decisions need to be made and I will
 12 develop later how good communication and
 13 collaboration with a diverse group of people
 14 help make those decisions.
 15 Every meeting at Husky, the culture at
 16 Husky is every meeting starts with the health
 17 and safety and the environment. All our daily
 18 reports start with that. All our weekly
 19 reports, all our communications to head office
 20 or corporate, all start with the details
 21 around health and safety.
 22 The slide on safety culture here shows
 23 some attributes that help in developing a
 24 safety culture. You need to start with the
 25 respect for people, listening to their views

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1 and concerns. You need strong visible
 2 leadership who align to the values of the
 3 company and can establish the priorities. You
 4 need a well-educated and trained workforce
 5 with the right tools and by tools, I mean not
 6 just the physical tools, but also the
 7 processes and the development of that culture
 8 that we describe as tools. They need to
 9 understand the role and understand the
 10 responsibilities. There also needs to be a
 11 fair and just culture to deal with performance
 12 issues and accountability. A just culture
 13 developed and introduced correctly helps
 14 create the right environment to allow for open
 15 communication and full participation at all
 16 levels. An organization needs to be a
 17 learning organization. You've heard many
 18 times that we've talked about the learning
 19 aspect of a company. We also need to measure
 20 performance and everybody needs to recognize
 21 opportunities. However, it also needs to be
 22 recognized that in setting these priorities,
 23 not everything can be done tomorrow or the
 24 next day, and that's what we need to set the
 25 priorities around.

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1 So one of the areas of that safety
 2 culture is an essential component, is the
 3 well-functioning occupational health and
 4 safety committee or the JOHS as we've heard in
 5 this Inquiry. In the joint panel
 6 presentation, I recognized the areas of
 7 legislation that have been adopted by the C-
 8 NLOPB and are applied via the works
 9 authorization. So I won't go any further into
 10 that regulatory function. So a well-
 11 functioning JOHS committee recognizes the
 12 health and safety issues that need to be
 13 resolved, track the resolution to a successful
 14 conclusion. There are constituencies formed
 15 for various departments and these departments
 16 have meetings every three weeks. They discuss
 17 a variety of topics in a general sense and
 18 departmental specific. Any issues that cannot
 19 be resolved by the supervision at those
 20 meetings can be carried forward by, or is
 21 carried forward by the JOHS committee member,
 22 and the JOHS committee member is an elected
 23 member by the workforce who represents the
 24 department and takes forward to the larger
 25 JOHS committee meeting.

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1 ROIL, Q.C.:

2 Q. What sort of size -- we've heard other
 3 operators talk about the size of the
 4 committees. You know, somebody from each of
 5 the departments and whatnot. What is the
 6 relative size of a committee on the Husky
 7 facility?

8 MR. PRITCHARD:

9 A. That can vary a little bit, depending on the
 10 activities on board. We mentioned before if
 11 you get a big construction team going on
 12 board, then you know, we'll form a
 13 constituency around that construction team who
 14 will have a member and they'll come into the
 15 JOHS numbers, but -

16 MR. DYER:

17 A. We currently have five departments offshore.
 18 Each department will have a representation
 19 there. So we'll have a minimum of five
 20 worker, five management, but there are
 21 oftentimes when we'll have more than five
 22 workers, but we will not exceed on the
 23 management side.

24 ROIL, Q.C.:

25 Q. Okay.

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1 MR. PRITCHARD:
 2 A. I'd like to move on with the -- we use a tool
 3 called OMNISAFE. OMNISAFE is an electronic
 4 tracking tool and it reports -- in there are
 5 the investigation reports and quality reports.
 6 The JOHS members have capabilities, in fact
 7 many members have the capabilities to look
 8 into the OMNISAFE to view investigations and
 9 recommendations and close out. On occasions,
 10 there are also a special needs for JOHS
 11 members, and I know Mr. Earle had recognized
 12 Mr. Frost previously. Mr. Frost is an
 13 instrument technician on the Sea Rose who is
 14 seconded to onshore to facilitate now the
 15 communications between the JOHS members
 16 offshore and what is happening here at the
 17 Inquiry.
 18 ROIL, Q.C.:
 19 Q. This is the gentleman who's been sitting in
 20 the room for all these days, yeah.
 21 MR. PRITCHARD:
 22 A. Correct. That's correct. So you know,
 23 special needs of the JOHS members so we have
 24 that communication route, not necessarily from
 25 the management, although we do give

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1 information and support communications, we
 2 have Mr. Frost to ensure that the workforce
 3 members have a member here. Mr. Frost also
 4 took part on the helicopter operations return
 5 to service task force.
 6 So not only do we need a well-functioning
 7 JOHS committee, we also need, I'll say in
 8 general, good communications and this slide
 9 here depicts many opportunities for
 10 discussions on safety and how the day-to-day
 11 practical safety issues are discussed and
 12 managed by the safety tools, for example, the
 13 permit to work that we've talked about, the
 14 tool box talk, town hall meetings. The OIM
 15 meets and greets every helicopter that arrives
 16 on the Sea Rose to lay out expectations right
 17 from the very first minute that anyone steps
 18 on board. It also lists the meetings whereby
 19 the senior management are informed of safety
 20 issues. I personally have daily meetings with
 21 the drilling operations, subsea, marine and
 22 logistics group and safety is the first on our
 23 agenda, of course.
 24 My office is right next door to the vice-
 25 president and any specific safety issues that

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1 are brought up on that daily meeting can be
 2 quickly communicated to the vice-president if
 3 he needs to know at that level in a timely
 4 manner.
 5 There are monthly onshore and offshore
 6 reviews with safety performance, as well as
 7 quarterly reviews with the vice-president
 8 around the HSEQ performance details. There is
 9 also a communication with the chief operating
 10 officer in corporate, that's on a quarterly
 11 basis, so he is informed of the detail around
 12 HSEQ too. We also discuss, of course, the
 13 HSEQ requirements every quarter with the C-
 14 NLOPB or any of the ad hoc meetings that may
 15 be necessary in between those quarterly
 16 meetings. We also have meetings every two
 17 weeks with the certifying authority and -
 18 ROIL, Q.C.:
 19 Q. Meeting, sorry, every two weeks?
 20 MR. PRITCHARD:
 21 A. Every two weeks currently with the certifying
 22 authority and we have a large interaction with
 23 the certifying authority offshore. Last year,
 24 2009, the certifying authority was on board
 25 the Sea Rose for 124 days.

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1 ROIL, Q.C.:
 2 Q. I'm sorry, somebody coughed, I couldn't -
 3 MR. PRITCHARD:
 4 A. 124 days the certifying authority was
 5 physically on board the Sea Rose.
 6 ROIL, Q.C.:
 7 Q. And what are some of the things that they
 8 would be looking at on those visits?
 9 MR. PRITCHARD:
 10 A. They would have a number of activities to look
 11 at. Sometimes its construction work, where
 12 they might witness a pressure test. Other
 13 times it's -- we have performance standards
 14 that they will be recognizing or regulatory
 15 reviews and inspections.
 16 ROIL, Q.C.:
 17 Q. So this is not focused on a single item or a
 18 concern of theirs, but rather a broad range of
 19 items?
 20 MR. PRITCHARD:
 21 A. The general inspection requirements really
 22 going towards maintaining our certificate of
 23 fitness.
 24 ROIL, Q.C.:
 25 Q. And we'll learn about it later, but the

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1 certifying authority for the Sea Rose is which
 2 entity?
 3 MR. PRITCHARD:
 4 A. DNV.
 5 ROIL, Q.C.:
 6 Q. DNV, yeah, okay.
 7 MR. PRITCHARD:
 8 A. We align our -- we mentioned before how
 9 important our contractors are, so we align our
 10 values with the contractors through the
 11 contract and by quarterly contractor update
 12 meetings. There are occasions where we have
 13 detailed meetings with the contractors if
 14 there's been a specific incident and perhaps
 15 they have performed an investigation. We'll
 16 review their investigation with them and have
 17 a discussion around that, what the outcomes
 18 look like and how they're going to go through
 19 the close out. And of course, communication
 20 starts initially with orientations of new
 21 employees. There's orientations at the
 22 heliport and orientations offshore.
 23 So now I'll move on with the east coast
 24 operations and the organization. So the
 25 organization is shown on this slide with the

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1 vice-president being the more senior position
 2 here on the east coast. He has eight
 3 individuals reporting to him and the corporate
 4 interface to Calgary is the chief operating
 5 officer and then onto the chief executive
 6 officer, a relatively short reporting line
 7 there for quick decision makings. You should
 8 note there that one of the direct reports to
 9 the vice-president is the HSEQ manager, and
 10 from my position as the general manager for
 11 operations, I have a great deal of interaction
 12 with the HSEQ manager.
 13 ROIL, Q.C.:
 14 Q. Okay. So on the chart we have there on the
 15 far left, the general manager of operations,
 16 that's you?
 17 MR. PRITCHARD:
 18 A. That's correct.
 19 ROIL, Q.C.:
 20 Q. And Mr. Williams, his normal role is where,
 21 the HSEQ?
 22 MR. PRITCHARD:
 23 A. Yes, that's correct.
 24 ROIL, Q.C.:
 25 Q. Okay.

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1 MR. PRITCHARD:
 2 A. And it's been pulled out there to signify the
 3 importance to that.
 4 ROIL, Q.C.:
 5 Q. And Mr. Dyer's position is?
 6 MR. PRITCHARD:
 7 A. He's under me, under the last -- second off
 8 last box on the left-hand side, manager of
 9 production operations.
 10 ROIL, Q.C.:
 11 Q. Okay.
 12 MR. PRITCHARD:
 13 A. And you'll see the interface there to the
 14 offshore installation manager with Mr. Dyer
 15 from there.
 16 ROIL, Q.C.:
 17 Q. So the OIM reports to him?
 18 MR. PRITCHARD:
 19 A. Correct.
 20 ROIL, Q.C.:
 21 Q. He reports to you?
 22 MR. PRITCHARD:
 23 A. Correct.
 24 ROIL, Q.C.:
 25 Q. And you report to the VP?

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1 MR. PRITCHARD:
 2 A. Correct.
 3 ROIL, Q.C.:
 4 Q. Okay. Who is the vice-president currently?
 5 MR. PRITCHARD:
 6 A. Paul McCloskey is the vice-president.
 7 ROIL, Q.C.:
 8 Q. Okay. Perhaps dealing with it now rather than
 9 later on, was he the vice-president or the
 10 senior person on March the 12th of 2009?
 11 MR. PRITCHARD:
 12 A. No, I was the most senior person at that time.
 13 We were still on the look out for a new vice-
 14 president on March the 12th.
 15 ROIL, Q.C.:
 16 Q. Okay. So that position was what, not created
 17 or was vacant?
 18 MR. PRITCHARD:
 19 A. No, it was vacant.
 20 ROIL, Q.C.:
 21 Q. It was vacant, so you were the senior person
 22 in Newfoundland on March 12th?
 23 MR. PRITCHARD:
 24 A. Correct. So I have a great deal of
 25 interaction with the HSEQ manager. He

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1 supports me with the operational organization,
 2 the tools and direction for safe operations.
 3 It is my responsibility to ensure the
 4 workforce are trained for their jobs and
 5 educated in the safety tools and the culture
 6 that we're trying to create, and the right
 7 attitude by the workforce to perform the tasks
 8 in a safe manner, always that thought for
 9 continuous improvement.
 10 Line management is responsible for safety
 11 and the performance of the asset that I
 12 influence is monitored by trends. So the HSEQ
 13 manager, within his department, his function,
 14 monitors the statistics of the operation and
 15 he reports those statistics to the vice-
 16 president, and then the vice-president and the
 17 HSEQ manager can see if there's any
 18 abnormalities within that and all three of us
 19 would actually sit down and have a discussion
 20 about what the trends look like, if we're
 21 heading in the right direction, what
 22 improvement areas we can look for. So I
 23 report to the vice-president but my
 24 performance and the operational performance is
 25 given to the vice-president via the HSEQ

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1 manager.
 2 There are around 25 people reporting in
 3 to the HSEQ manager and his team is
 4 distributed throughout the operational
 5 organization and really embedded into the
 6 operations groups. So the support to the
 7 offshore with an HSEQ advisor physically
 8 offshore. There's an HSEQ advisor onshore who
 9 works with Mr. Dyer. Those advisors all line
 10 up to the HSEQ manager.
 11 ROIL, Q.C.:
 12 Q. Where would the -- I think it's clear there
 13 the FPSO reports up through. Where would the
 14 contractors report in on this regime here?
 15 MR. PRITCHARD:
 16 A. Contractors reporting in offshore report -
 17 ROIL, Q.C.:
 18 Q. I mean people like TransOcean, the facility,
 19 the MODU operators.
 20 MR. PRITCHARD:
 21 A. Okay. So we also have HSEQ advisors, Husky
 22 HSEQ advisors offshore.
 23 ROIL, Q.C.:
 24 Q. Right.
 25 MR. PRITCHARD:

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1 A. And HSEQ advisors onshore and we get the link
 2 there from offshore to onshore and through
 3 into the HSEQ manager.
 4 ROIL, Q.C.:
 5 Q. So the HSEQ people that are on board the
 6 operator-controlled facilities, they are Husky
 7 employees or are they contractor?
 8 MR. PRITCHARD:
 9 A. They're generally Husky employees.
 10 ROIL, Q.C.:
 11 Q. Okay.
 12 MR. PRITCHARD:
 13 A. So we've seen this slide before, just to
 14 continue. It's one that shows the layout of
 15 the glory holes, the production facilities and
 16 an offload tanker. The White Rose project was
 17 2.35 billion dollars on time on budget, and I
 18 don't really intend to go over too much more
 19 of the layout of that, the areas. I think you
 20 are familiar with the layout.
 21 ROIL, Q.C.:
 22 Q. We've talked about the project a bit.
 23 MR. PRITCHARD:
 24 A. You've also seen this slide before, but I just
 25 want to go over the nuances of the Sea Rose.

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1 ROIL, Q.C.:
 2 Q. Yes.
 3 MR. PRITCHARD:
 4 A. Because this is Husky specific. So the Sea
 5 Rose is a weather vaning FPSO, swings on the -
 6 ROIL, Q.C.:
 7 Q. So what does weather vaning mean?
 8 MR. PRITCHARD:
 9 A. It swings on the tides and the currents, so
 10 it's tethered at the front end in the turret
 11 and any forces, external forces will swing the
 12 vessel in a natural course. If the wind's
 13 strong, it'll lie to the wind, similarly with
 14 the current.
 15 ROIL, Q.C.:
 16 Q. Now we heard from another operator with a
 17 different FPSO that they actually can control
 18 it at times, or do control it.
 19 MR. PRITCHARD:
 20 A. Yes.
 21 ROIL, Q.C.:
 22 Q. So you allow this one to actually pivot with
 23 the wind, do you?
 24 MR. PRITCHARD:
 25 A. Correct.

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1 ROIL, Q.C.:

2 Q. And that's part of its design?

3 MR. PRITCHARD:

4 A. Yes, indeed.

5 ROIL, Q.C.:

6 Q. Okay.

7 MR. PRITCHARD:

8 A. So the main components of the hull are the

9 hull itself, the integrated turret area and

10 the topsides equipment for the production of

11 the oil, gas and water. The nuances of the

12 helideck is that it's above the accommodation

13 and offset to the port side. That's to the

14 left-hand side. We have some detailed

15 pictures of that later.

16 ROIL, Q.C.:

17 Q. I was going to say, we have a better

18 photograph to show of that later on, yeah.

19 MR. PRITCHARD:

20 A. This one does show the helicopter landing

21 there.

22 ROIL, Q.C.:

23 Q. Yeah, you can see the helicopter landing in

24 the relatively stern of the vessel, and you're

25 telling us that that is actually off to the

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1 port side as well?

2 MR. PRITCHARD:

3 A. Correct. The other feature I just wish to

4 point out is the port crane. The port crane

5 is used for man riding when we have vessel

6 transfers, and I'll mention the vessel

7 transfers a little later. So it's just so

8 you're aware that that happens on the port

9 side as well.

10 So the White Rose field had some pre-

11 drilled development wells before the FPSO came

12 on station in August 2005. The mobile

13 offshore drilling units, or the MODUS, Grand

14 Banks was working on that initial development

15 and continues now with the North Amethyst

16 development.

17 ROIL, Q.C.:

18 Q. So that is still working for Husky?

19 MR. PRITCHARD:

20 A. Correct.

21 ROIL, Q.C.:

22 Q. On the North Amethyst, which is where in

23 relation to White Rose?

24 MR. PRITCHARD:

25 A. It's about six kilometres from the original --

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1 well, from the Sea Rose itself. So it's a

2 stepout new satellite development field in its

3 own new glory hole now.

4 ROIL, Q.C.:

5 Q. Okay, and that's physically visible from the

6 Sea Rose?

7 MR. PRITCHARD:

8 A. It's physically visible as in terms you can

9 see six kilometres, but, of course, the subsea

10 infrastructure is all under the water, you

11 know, from the glory holes and floor lines

12 that feed back to the FPSO.

13 ROIL, Q.C.:

14 Q. Yeah, I just meant would somebody on one

15 facility be able to see the other facility?

16 MR. PRITCHARD:

17 A. Yeah, if we have the drill rill on the North

18 Amethyst drill centre, sure you can see each

19 other. We also have the MODU Henry Goodrich

20 currently with a contract with Husky and we

21 own an exploration well as we speak today.

22 ROIL, Q.C.:

23 Q. And those have heliports on deck?

24 MR. PRITCHARD:

25 A. All drilling activities are supported by

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1 helicopter operations. As I mentioned there,

2 the more permanent type facilities, all the

3 MODUS move around, they are offshore doing

4 their work scopes on the FPSO, and all need

5 servicing in terms of personnel movements by

6 helicopter or supply vessel. Supply vessels

7 are also required to standby duties, supply

8 ones with fuel, water, goods, stores. The

9 marine logistics groups are also responsible

10 for the helicopter services and the ice

11 management in terms of planning the number of

12 vessels required for the ice management and

13 the technical management of ice. The marine

14 group are also the interface with the tanker

15 operators.

16 ROIL, Q.C.:

17 Q. To go back to -- the helicopters, we know

18 about that. How many supply vessels are in

19 support of your operations? I don't know if

20 we have that on a --

21 MR. PRITCHARD:

22 A. We had that in the joint panel operators.

23 ROIL, Q.C.:

24 Q. Yes.

25 MR. PRITCHARD:

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1 A. I think we have -- it varies, but it's around
 2 eight vessels, depending on how many MODUS we
 3 physically are operating at the time. It also
 4 varies on the -- as we come into ice season
 5 now, we will need more vessels with tactical
 6 arrangement. Some vessels move further to the
 7 north as a kind of eyes for us. We do have
 8 ice reconnaissance flights and these kinds of
 9 things to manage ice. To answer your direct
 10 question, how many vessels have we got; that
 11 varies depending on the time of year and what
 12 we've got.
 13 ROIL, Q.C.:
 14 Q. I take it, it can be up to eight and as low as
 15 what, four or six?
 16 MR. PRITCHARD:
 17 A. Yeah, I think we could operate with -- you
 18 know, you need a standby vessel. If you just
 19 had an FPSO standby vessel, and a vessel for
 20 supply runs, is the minimum that you would
 21 need.
 22 ROIL, Q.C.:
 23 Q. Okay.
 24 MR. PRITCHARD:
 25 A. So, yeah, we've seen the -- I'll call them the

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1 permanent type facilities, the FPSO, and the
 2 MODUS, all need servicing.
 3 ROIL, Q.C.:
 4 Q. Sorry, to go back to the helicopters, do
 5 helicopters make dedicated runs to each of the
 6 installations or do they tend to go to one,
 7 and then jump to the other one or two?
 8 MR. PRITCHARD:
 9 A. It's very dependent. A lot of time the time
 10 we have dedicated Sea Rose flights, we have
 11 our core crew rotations, we know the numbers,
 12 but there are times when it's ad hoc or if we
 13 need a specific contractor perhaps to get out
 14 to one installation. We can hop from one to
 15 the other.
 16 ROIL, Q.C.:
 17 Q. How far or -- sorry, how far or close are the
 18 other installations? You mentioned one that
 19 would be about six kilometres. Would the
 20 other one tend to be farther or closer to
 21 that?
 22 MR. PRITCHARD:
 23 A. So specific to the White Rose Field, the
 24 northern drill centre is around 10 kilometres
 25 to the north, North Amethyst six, and then the

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1 central drill centre is around two to three
 2 kilometres away.
 3 ROIL, Q.C.:
 4 Q. And would most transfers between those, again
 5 this question came up with other operators,
 6 would they tend to be by vessel or by
 7 helicopter or is there much transition of
 8 personnel between the facilities?
 9 MR. PRITCHARD:
 10 A. Well, there's not very much inter-personnel
 11 transfer. There's no real requirements for
 12 personnel to travel from Sea Rose to go do
 13 work on the MODUS, but there are obviously
 14 times when the helicopter will land on both
 15 facilities to offload passengers specific to
 16 their installations.
 17 ROIL, Q.C.:
 18 Q. Right.
 19 MR. PRITCHARD:
 20 A. So in terms of helicopter operations, there
 21 are thousands of people a year transported,
 22 and my next slide will show a distribution of
 23 passengers over a number of years. It takes
 24 approximately an hour and a half to travel
 25 offshore and the same time back, and up to six

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1 to eight passengers at a time. We currently
 2 have six flights scheduled in support of one
 3 drill rig, the Henry Goodrich and the FPSO,
 4 and that's because currently the GSF Grand
 5 Banks is at a near shore location at Bull Arm,
 6 so we haven't got the flights working there at
 7 the moment. The ability to transport
 8 personnel offshore by supply vessel is very
 9 seasonal as the sea state required for
 10 transfer physically at the site is less than
 11 three metres. So we talk about helicopter
 12 operations, but if we can't utilize helicopter
 13 operations, we do transfer by vessel and
 14 that's very much dependent on the weather
 15 conditions.
 16 ROIL, Q.C.:
 17 Q. And by dependent on weather, what do you mean
 18 in terms of whether people would travel at all
 19 by vessel?
 20 MR. PRITCHARD:
 21 A. That's correct. If there's no prospect of
 22 arriving at site with less than three metres
 23 of sea states, then the people won't transfer
 24 by vessel.
 25 ROIL, Q.C.:

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1 Q. We've talked, and the whole focus of this
 2 inquiry is on the risks associated with
 3 helicopter transit. What are some of the
 4 risks associated with marine transport because
 5 that's the other alternative? Are there any
 6 particularly noticeable risks that are
 7 associated with that form of transportation
 8 for workers?
 9 MR. PRITCHARD:
 10 A. There's risk involvement with just about
 11 everything that we do, so of course there's
 12 risks. It's how we manage and mitigate
 13 against those risks. So you can appreciate a
 14 basket transfer. It's called a Frog. I don't
 15 know if anybody has presented that kind of
 16 transport to you, but it's a seated
 17 arrangement, spring kind of loaded underneath,
 18 and you transfer with a crane from a moving
 19 supply vessel to a moving FPSO, in our case,
 20 or the moving MODU.
 21 ROIL, Q.C.:
 22 Q. And those movements aren't always together,
 23 are they?
 24 MR. PRITCHARD:
 25 A. There is obviously relative movements between

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1 those, so you can appreciate sea states where
 2 both vessels are moving, there is an inherent
 3 level of risk there, mitigated by minimizing
 4 the sea states that we would operate in.
 5 ROIL, Q.C.:
 6 Q. So that's where the three metre maximum
 7 requirement comes from?
 8 MR. PRITCHARD:
 9 A. Correct.
 10 ROIL, Q.C.:
 11 Q. Okay.
 12 COMMISSIONER:
 13 Q. I take it then, there's no question of a
 14 supply vessel coming alongside and some sort
 15 of transfer directly?
 16 MR. PRITCHARD:
 17 A. The relative levels between the supply vessel
 18 is very low compared to the free board of the
 19 FPSO, so - and the supply vessel has dynamic
 20 capabilities, so it can stay relatively
 21 stationary, but nonetheless, there's still
 22 relative motion between the two vessels.
 23 ROIL, Q.C.:
 24 Q. We all have pictures in our minds of people
 25 scrambling up ladders on the side of ships.

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1 That's not a viable alternative?
 2 MR. PRITCHARD:
 3 A. No, no, we would not allow that.
 4 COMMISSIONER:
 5 Q. Nor I suppose would be a ladder, the type they
 6 have on some large ships, to go down to a boat
 7 in the water, you know, a set of steps, if you
 8 like, that can be deployed? That's not
 9 practical, is it?
 10 MR. PRITCHARD:
 11 A. No, my background is from the Merchant Navy
 12 and on occasions I have used those types of
 13 ladders, but it's in very sheltered waters
 14 with a relatively stable platform to move from
 15 one vessel to another. When you get into the
 16 sheltered waters lee from a ship, you can
 17 utilize those accommodation type ladders, but
 18 out on the Grand Banks, it would be very
 19 impractical to do that, especially from the
 20 relative heights and relative motions. We can
 21 always look at that, of course, but --
 22 COMMISSIONER:
 23 Q. You won't get many takers.
 24 ROIL, Q.C.:
 25 Q. Before we leave this slide, let's go back and

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1 talk about aviation transportation a little
 2 bit more. You say you have approximately six
 3 regularly scheduled flights per week. What
 4 time are those flights scheduled for?
 5 MR. PRITCHARD:
 6 A. All our flight times are before 12 o'clock. I
 7 can't tell you the specifics to each of them,
 8 but --
 9 ROIL, Q.C.:
 10 Q. No, no, but they all take off out of St.
 11 John's before noon?
 12 MR. PRITCHARD:
 13 A. Correct.
 14 ROIL, Q.C.:
 15 Q. Okay. Additional flights are scheduled as
 16 necessary. We hear from one operator, HMDC,
 17 that said it is not currently doing night
 18 flights. We heard from Suncor, which said it
 19 is currently doing night flights. What is the
 20 situation with respect to Husky?
 21 MR. PRITCHARD:
 22 A. We'll evaluate whether we should take a night
 23 flight or not We have taken night flights and
 24 we'll continue to take night flights on the
 25 evaluations that we take. We take a balanced

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1 view towards those night flights.
 2 ROIL, Q.C.:
 3 Q. And what are the issues that come into play in
 4 terms of the balance?
 5 MR. PRITCHARD:
 6 A. The balance is around the need for the night
 7 flight, the expectations of the weather
 8 conditions in future days. We have a number
 9 of set criteria that we need to make before we
 10 would allow a night flight and that is 103
 11 Squadron is available. Night flights, if it's
 12 a landing offshore means the sea state is
 13 probably reduced because our night criteria is
 14 half, so the roll and the pitch of the vessel.
 15 So that makes it -- weather conditions flying
 16 offshore must be reasonable in order to
 17 facilitate the halving of the landing
 18 criteria.
 19 ROIL, Q.C.:
 20 Q. On an average basis, on a weekly average
 21 basis, how many night flights would be taking
 22 place right now?
 23 MR. PRITCHARD:
 24 A. I can't -- I'm going to look to Mr. Dyer.
 25 I've not seen a night flight go for a number

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1 of weeks.
 2 MR. DYER:
 3 A. I don't think we've had more than 10 to 12
 4 night flights in the last several months.
 5 ROIL, Q.C.:
 6 Q. Okay. So they're not a regular weekly
 7 occurrence?
 8 MR. DYER:
 9 A. We would not average one a week. Pardon me?
 10 ROIL, Q.C.:
 11 Q. They're not a regular weekly occurrence?
 12 MR. PRITCHARD:
 13 A. They are not a regular -- I took a night
 14 flight, for instance, the last time I was
 15 offshore, so I returned in darkness, but that
 16 would be in an October time.
 17 ROIL, Q.C.:
 18 Q. Okay.
 19 MR. PRITCHARD:
 20 A. So not regular, balanced, we take a view to
 21 it, we consider helicopter transportation a
 22 safe means of transportation, we just need to
 23 understand the limitations of that night time
 24 flying and the mitigations the reduction of
 25 the vessel movements are the criteria.

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1 ROIL, Q.C.:
 2 Q. Okay, thank you. The next slide, I think, is
 3 a new one that we haven't seen a similar one
 4 before, so you might take a moment to explain
 5 it.
 6 MR. PRITCHARD:
 7 A. Well, it really just gives an indication of
 8 the total number of passenger movements and
 9 the relationship between the transportation by
 10 helicopter and the transportation by supply
 11 vessel in an historical manner. We can see an
 12 increase in 2006 when we had a significant
 13 period with the Rowan Gorilla 6, which is a
 14 jackup rig that we contracted to do work for
 15 us in the basin. So in 2006, we can see
 16 10,000 movements, very little by supply
 17 vessels. So within that year we see the
 18 weather conditions allowed us to operate that
 19 way, and the other significant number there is
 20 in 2009 where you see a jump in supply vessel
 21 operations or transfers, and that's because of
 22 the two months in the return to service for
 23 the helicopter operations post-March 12th.
 24 ROIL, Q.C.:
 25 Q. So the general growth in vessel

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1 transportation, would that be associated with
 2 weather challenges in those particular years,
 3 or is there some other activity that might
 4 account for it?
 5 MR. PRITCHARD:
 6 A. No, I would say that in the main it's going to
 7 be the weather challenges that we see and
 8 those weather challenges are different every
 9 year.
 10 ROIL, Q.C.:
 11 Q. Yeah.
 12 MR. PRITCHARD:
 13 A. But it's just an indication of the number of
 14 transfers that we have, you know, 10,000 in
 15 2006, and it's in the region of 7,000 in 2009.
 16 I'd now like to pass on to Mr. Dyer who will
 17 take us through the regulatory environment.
 18 MR. DYER:
 19 A. Okay, thank you. Mr. Commissioner, in the
 20 following section, I'm going to speak about
 21 the White Rose offshore operation. The photo
 22 on this slide was taken in October, 2008,
 23 which depicted the resources in the White Rose
 24 Field at that time. This will be a familiar
 25 sight next month when the GSF Grand Banks

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1 rejoins the White Rose Field. The production
 2 and the drilling facilities you see in that
 3 photo all require helicopters to transport
 4 their individuals on a daily basis.
 5 ROIL, Q.C.:
 6 Q. Before you go, the tanker, that has a helideck
 7 on it, does it?
 8 MR. DYER:
 9 A. Yes, it does.
 10 ROIL, Q.C.:
 11 Q. And the FPSO shown just above that, if you
 12 will, there's one MODU which is slightly to
 13 the left. Which one is that, just as a
 14 curiosity? Can you tell from the photograph?
 15 MR. PRITCHARD:
 16 A. The far left is the Henry Goodrich, and the
 17 more centralized one is the Grand Banks.
 18 ROIL, Q.C.:
 19 Q. Okay, now are the distances here in terms of
 20 kilometres? It looks very close. It's hard
 21 to understand the scale.
 22 MR. DYER:
 23 A. The one that's furthest north of the Sea Rose
 24 FPSO would be on station, and that would be
 25 about 2.1 kilometres from the Sea Rose.

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1 ROIL, Q.C.:
 2 Q. Which one is that, the one that's --
 3 MR. DYER:
 4 A. That's the one that's ahead of the Sea Rose
 5 just to the left.
 6 ROIL, Q.C.:
 7 Q. So that's about two kilometres away, is it?
 8 MR. DYER:
 9 A. Yes. The other one is actually under tow on
 10 its way to the field.
 11 ROIL, Q.C.:
 12 Q. Okay, and what sort of distance is there, just
 13 to give us an idea of scale?
 14 MR. DYER:
 15 A. I would estimate anywhere from six to seven
 16 kilometres.
 17 ROIL, Q.C.:
 18 Q. Okay, somewhere in that vicinity.
 19 MR. DYER:
 20 A. And the tanker is actually on its approach to
 21 commence with an offload from the Sea Rose
 22 FPSO.
 23 ROIL, Q.C.:
 24 Q. Okay. Then the small supply -- the blue
 25 vessel, that's the typical supply vessel, is

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1 it?
 2 MR. DYER:
 3 A. Absolutely. We are required to have a standby
 4 vessel in the field 24 hours a day, seven days
 5 a week.
 6 ROIL, Q.C.:
 7 Q. And is that one standby vessel for all three
 8 facilities or are there more than one? In
 9 other words, if you have the FPSO on station
 10 and you have a MODU that's six kilometres
 11 away, does that supply vessel stand by for
 12 both?
 13 MR. DYER:
 14 A. With regards to the Canada Newfoundland
 15 Offshore Petroleum Board, depending on the
 16 distance that the other facility would be away
 17 from the Sea Rose, we could have one dedicated
 18 to Sea Rose and another one dedicated to that
 19 facility, or one that would dedicate itself to
 20 both.
 21 ROIL, Q.C.:
 22 Q. Okay, it just depends on distances?
 23 MR. DYER:
 24 A. Absolutely, and response time.
 25 ROIL, Q.C.:

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1 Q. Yes, okay.
 2 MR. DYER:
 3 A. We understand that the framework for the east
 4 coast regulatory environment has been
 5 described in the joint panel, as well as both
 6 of the other individual operator panel. This
 7 schematic, although it looks different, does
 8 depict and show the interfaces that Husky has
 9 with our regulatory departments and our
 10 certifying authority. The only difference is
 11 that we use Det Norske Veritas, DNV, as our
 12 certifying authority for both our drilling and
 13 our production facilities, whereas the other
 14 operators would use Lloyd's Register of
 15 Shipping. The role of the certifying
 16 authority in this scenario is in accordance
 17 with the Canada Newfoundland Offshore
 18 Petroleum Board. In actual fact, DNV provides
 19 the certification to the Sea Rose FPSO and to
 20 the drilling facilities. DNV provides an
 21 independent third party evaluation on
 22 regulatory compliance and fitness for purpose.
 23 ROIL, Q.C.:
 24 Q. The visits that Mr. Pritchard has talked about
 25 where they were out there 127 days or

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1 whatever, would that be just on one facility
 2 or would that be as divided between two or
 3 three?
 4 MR. DYER:
 5 A. DNV was actually on the Sea Rose for 124 days
 6 last year.
 7 ROIL, Q.C.:
 8 Q. Okay, and would they also be on the other
 9 facilities during the year for a period of
 10 time?
 11 MR. DYER:
 12 A. They would also conduct audits and inspections
 13 and visits, but I'm not aware of what
 14 frequency and how many days.
 15 ROIL, Q.C.:
 16 Q. Okay, and then Transport Canada, we've got a
 17 little bit of evidence about that as well. I
 18 think you've indicated that you are certified
 19 as a professional engineer and also as a
 20 marine engineer?
 21 MR. DYER:
 22 A. Correct.
 23 ROIL, Q.C.:
 24 Q. Okay. What are some of the issues surrounding
 25 the command issue on board the FPSO, who is in

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1 charge when it is moving, and who is in charge
 2 when it's on station, if there's any
 3 difference? Is there any issue there or
 4 anything interesting happening in that
 5 situation?
 6 MR. DYER:
 7 A. No. I will describe this a little further,
 8 but just to give you a direct answer to that,
 9 it's very clear how the chain of command works
 10 on an offshore facility. When we're in normal
 11 operation and connected to our buoy, which
 12 means we're on station, the offshore
 13 installation manager is in control and that's
 14 stipulated in the Accord Act.
 15 ROIL, Q.C.:
 16 Q. Yes.
 17 MR. DYER:
 18 A. When we actually go to disconnect the Sea
 19 Rose, we are now a flag ship, we now become a
 20 ship under the Marine Code and our vessel
 21 master, who is also a captain, will now take
 22 command and control of the ship.
 23 ROIL, Q.C.:
 24 Q. Okay.
 25 MR. DYER:

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1 A. And there's a formal process of how we hand
 2 those two positions over.
 3 ROIL, Q.C.:
 4 Q. A formal handover process?
 5 MR. DYER:
 6 A. Absolutely.
 7 COMMISSIONER:
 8 Q. But that captain must always be there, I take
 9 it?
 10 MR. DYER:
 11 A. Yes. On the Sea Rose, we do have a Marine
 12 Department because we have several marine
 13 systems that have to be maintained, and under
 14 Transport Canada we have to maintain all our
 15 statutory certificates. So that group is
 16 always functional and they'll just revert back
 17 to a station watchkeeping duty if we are under
 18 sail.
 19 ROIL, Q.C.:
 20 Q. Since it's been on station, how often has it
 21 moved or been off station such that the
 22 captain would be in control?
 23 MR. DYER:
 24 A. We have not been off station since 2005.
 25 ROIL, Q.C.:

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1 Q. You haven't been off station?
 2 MR. DYER:
 3 A. We have not been off station.
 4 ROIL, Q.C.:
 5 Q. Continue.
 6 MR. DYER:
 7 A. As an example, I've shown a simplified
 8 schematic, and what this does is it depicts
 9 the --
 10 ROIL, Q.C.:
 11 Q. It's simplified for you. We're going to have
 12 a moment with it.
 13 MR. DYER:
 14 A. Yes, you're right, it is simplified. What
 15 this slide actually does, though, it depicts
 16 the level of interface that we have in order
 17 to obtain what's referred to as production
 18 operations authorization, and that's our
 19 license and approval from the regulator that
 20 we can go and safely produce offshore with the
 21 Sea Rose.
 22 ROIL, Q.C.:
 23 Q. We've heard a fair bit about the production
 24 authorization. So far we're with you.
 25 MR. DYER:

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1 A. Good, right, but as you can see, the process
 2 is complex and it demonstrates the degree to
 3 which we are regulated in the offshore
 4 industry in Newfoundland.
 5 ROIL, Q.C.:
 6 Q. Uh-hm.
 7 MR. DYER:
 8 A. It also shows the level of engagement that is
 9 required by Husky as an operator and how we
 10 have to stay in communications with the Canada
 11 Newfoundland Offshore Petroleum Board,
 12 Transport Canada, and DNV, and sometimes on a
 13 daily basis. Do you have any questions on
 14 that slide?
 15 ROIL, Q.C.:
 16 Q. No, just -- I guess, if we were to superimpose
 17 helicopter operations here, would you have any
 18 direct link to the other Transport Canada, the
 19 aviation side, or would that be for the
 20 helicopter operator?
 21 MR. DYER:
 22 A. The helicopter operations are strictly
 23 mandated by Transport Canada Aviation, and our
 24 process of interaction with Cougar, it's from
 25 us to Cougar, and Cougar to that regulatory

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1 agency.
 2 ROIL, Q.C.:
 3 Q. And your relationship to Cougar is by way of
 4 contract?
 5 MR. DYER:
 6 A. Absolutely.
 7 ROIL, Q.C.:
 8 Q. Okay.
 9 MR. DYER:
 10 A. Just to add a little bit on the work
 11 authorization process, what you see in this
 12 table right now is just a representative list
 13 of all the authorizations that we have
 14 received from the Canada Newfoundland Offshore
 15 Petroleum Board.
 16 ROIL, Q.C.:
 17 Q. This is all of them or just a --
 18 MR. DYER:
 19 A. This is a representative list. This is not
 20 all of them.
 21 ROIL, Q.C.:
 22 Q. Okay.
 23 MR. DYER:
 24 A. But it does demonstrate how the regulator is
 25 involved with our business, and how many

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1 authorizations we've actually had since 2005,
 2 since we started production offshore. Now
 3 these authorizations will involve DNV to a
 4 certain degree, but not all of them, and
 5 equally there will be interactions between
 6 Transport Canada Marine Safety for those
 7 authorizations. So all the agencies for some
 8 of these authorizations would be involved
 9 together.
 10 ROIL, Q.C.:
 11 Q. So just take a moment and look at the various
 12 facilities and vessels that are on the side, I
 13 think we have spoken of some of them, but we
 14 haven't of others. Let's just momentarily
 15 look at the kinds of facilities that can be
 16 there over a period of, what, five years. So
 17 you have the Sea Rose FPSO, and the GSF Grand
 18 Banks. What's the next one down there, the
 19 Jan de Nul?
 20 MR. DYER:
 21 A. The Jan de Nul, and that is a vessel that
 22 actually dug the impressions in the sea floor
 23 so that we can put out subsea assets into the
 24 subsea without having impact of iceberg scour
 25 in the event --

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1 ROIL, Q.C.:
 2 Q. It makes the glory holes, so to speak?
 3 MR. DYER:
 4 A. The glory holes.
 5 ROIL, Q.C.:
 6 Q. Okay, what -- is that a facility that would
 7 have a helideck on it when it was on station?
 8 MR. DYER:
 9 A. I do believe that it did have a helideck on
 10 board.
 11 ROIL, Q.C.:
 12 Q. Okay.
 13 MR. DYER:
 14 A. You've often seen these vessels in St. John's
 15 Harbour prior to their deployment off to the
 16 Sea Rose Field.
 17 ROIL, Q.C.:
 18 Q. Yes, and then Atlantic Towing, that would be
 19 smaller vessels, would it?
 20 MR. DYER:
 21 A. Atlantic Towing is one of our providers of our
 22 support vessels.
 23 ROIL, Q.C.:
 24 Q. Yes, okay, and then we have something called
 25 the Veritas Vantage. Is that a ship or a rig

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1 of some sort?

2 MR. DYER:

3 A. The Veritas Vantage is a 3D seismic vessel,

4 and as you know, Husky does conduct seismic

5 activities quite often on the Grand Banks.

6 ROIL, Q.C.:

7 Q. Then further down in 2009, we have the Jumbo

8 Javelin Heavy Lift Vessel?

9 MR. DYER:

10 A. Yes, and that was a vessel that was in the

11 field in 2009 that assisted with the heavy

12 lifts for North Amethyst drill centre to be

13 able to put the equipment on the sea floor.

14 ROIL, Q.C.:

15 Q. Okay, I have to ask this question, it has no

16 relevance to anything other than my own

17 curiosity, where do the names White Rose and

18 North Amethyst come from in relation to other

19 names like Hibernia, and Hebron, and that sort

20 of thing?

21 MR. DYER:

22 A. That's a really good question. I'm going to

23 have to look for some assistance on that.

24 MR. WILLIAMS:

25 A. No, I don't have a good answer for that

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1 question. I know it stems from the original

2 discovery of the field when they were naming

3 the wells back in the discovery days, so it's

4 tied back to the original discovery wells in

5 the 1980s, but where the original of the use

6 of White Rose, I'm not certain.

7 ROIL, Q.C.:

8 Q. But you're on the flower theme.

9 MR. PRITCHARD:

10 A. We are.

11 COMMISSIONER:

12 Q. It's a question for counsel.

13 ROIL, Q.C.:

14 Q. We'll accept an undertaking on that for sure.

15 Finally, the other operators have spoken of

16 the fact that there is a new regime which is

17 coming in where many of the authorizations are

18 being combined. Have you yet got to that

19 stage in your relationship with C-NLOPB?

20 MR. DYER:

21 A. What you're talking about is how the

22 regulatory now is working towards a

23 consolidated list of authorizations referred

24 to as an operations authorization?

25 ROIL, Q.C.:

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1 Q. Exactly.

2 MR. DYER:

3 A. At the time of issue of our production

4 operations authorization, we never had that

5 opportunity to go to that phase, but on the

6 renewal of our next authorization, we will

7 clearly be (unintelligible).

8 ROIL, Q.C.:

9 Q. Will that be an advantage to you in terms of

10 lack of additional paperwork, or is there any

11 real change to the kind of work that you have

12 to do prior to getting that authorization?

13 MR. DYER:

14 A. From a Husky perspective, we still have to do

15 all our checks and balances and make sure that

16 everything is prepared. It just allows

17 everything to come under one umbrella, but all

18 the work required to demonstrate our safety

19 offshore will not change.

20 ROIL, Q.C.:

21 Q. Okay, we're now about to enter into our

22 biggest section. I think this takes us from

23 slides 23 to 55.

24 MR. DYER:

25 A. Yes, rather large.

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1 ROIL, Q.C.:

2 Q. So a significant amount of work here. We'll

3 go for a little bit and we'll come to an

4 opportunity for our morning break and we'll

5 stop you then.

6 MR. DYER:

7 A. Sure, okay. So as Mr Pritchard mentioned in

8 the beginning, the next section of the

9 presentation is going to focus on the Sea Rose

10 safety plan. Now as he also referenced in the

11 previous panels and this one, is the

12 requirement for the plan covers all our

13 production and drilling operations. For the

14 purpose of this presentation, however, I'm

15 going to only focus on the Sea Rose FPSO

16 safety plan.

17 ROIL, Q.C.:

18 Q. You're going to use that as the example?

19 MR. DYER:

20 A. This will be an example.

21 ROIL, Q.C.:

22 Q. Yes, okay, and you have a safety plan. We

23 heard from Hibernia that they have an

24 operations plan that combines a safety plan.

25 Your safety plan is a separate document?

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1 MR. DYER:
 2 A. That's correct, we have a dedicated safety
 3 plan.
 4 ROIL, Q.C.:
 5 Q. Yes, okay.
 6 MR. DYER:
 7 A. My colleague, Mr. Williams and I, we will
 8 cover this section in concert together. I'll
 9 begin with an overview of the Canada
 10 Newfoundland offshore approval process, a
 11 process that has already been discussed here,
 12 but we'll just take the opportunity to
 13 summarize.
 14 ROIL, Q.C.:
 15 Q. Sure.
 16 MR. DYER:
 17 A. I'll then describe each section of the safety
 18 plan. The safety plan for Sea Rose is divided
 19 into two parts. The first part has three
 20 sections, namely; an introduction, a
 21 description of the installation, and an
 22 overview of the organization and management,
 23 which identifies all the systems that we use
 24 to do our day to day business. Part II will
 25 be the basis for safety operations. Husky, as

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1 operator of the Sea Rose FPSO, we must
 2 demonstrate to the Board, or the Canada
 3 Newfoundland Offshore Petroleum Board, how we
 4 operate the FPSO safely throughout the entire
 5 life of the facility.
 6 ROIL, Q.C.:
 7 Q. While you mention that, we've talked about the
 8 life of the other facilities. What is the
 9 expected or anticipated life of the White Rose
 10 Project and the Sea Rose FPSO as it is
 11 currently -- based on current known reserves
 12 and the life of the vessel itself?
 13 MR. PRITCHARD:
 14 A. The original White Rose Field was developed
 15 with around about a 15 year life expectancy,
 16 and we've had discoveries since with the North
 17 Amethyst, south White Rose, and in the west,
 18 and it's all dependent on oil price, to be
 19 frank, about how long that is going to be
 20 viable. So, you know, we're going to be 25
 21 years plus would be my estimation currently
 22 with the known reserves that we have and kind
 23 of outlooks that we have.
 24 ROIL, Q.C.:
 25 Q. So based on what you know now, the likelihood

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1 is that facility will be there for something
 2 like the next 25 years?
 3 MR. PRITCHARD:
 4 A. Another 20 years, yes.
 5 ROIL, Q.C.:
 6 Q. Twenty years plus.
 7 MR. PRITCHARD:
 8 A. Yes.
 9 ROIL, Q.C.:
 10 Q. Okay, just to give us an order of magnitude.
 11 MR. DYER:
 12 A. So the safety plan is effectively a document,
 13 and what it looks at is safety by design and
 14 safety by operation. So for the offshore,
 15 it's the Bible of how we do our day to day
 16 business. The C-NLOPB shall approve the plan,
 17 however, we all know that without that
 18 approval, we will not get our authorization,
 19 and the safety plan is only one aspect of
 20 what's required in that authorization process,
 21 as I've shown by that somewhat unsimplified
 22 sketch I've shown earlier.
 23 ROIL, Q.C.:
 24 Q. Right.
 25 MR. DYER:

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1 A. On the C-NLOPB website, they do have
 2 guidelines and these guidelines have formed
 3 the basis of how we put that document
 4 together, and on December 31st of last year,
 5 they did reissue a draft improvement document
 6 for that, and it's currently under review with
 7 the industry as we speak.
 8 ROIL, Q.C.:
 9 Q. The one that you're talking to us about now is
 10 the safety plan that is currently approved and
 11 in place?
 12 MR. DYER:
 13 A. That's correct. So Section 1 of the safety
 14 plan provides an introduction to the plan.
 15 The safety plan will apply to only the
 16 operations of the Sea Rose FPSO and the White
 17 Rose Field. It'll demonstrate how Husky will
 18 operate and demonstrate how it operates in
 19 accordance with all the regulations that are
 20 stipulated for that. It would also address
 21 the safety matters as it pertains to
 22 transportation, in general, and that will
 23 include helicopter, shuttle tankers, supply
 24 vessels, all our modes of transportation
 25 within our Marine Department. The safety plan

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1 is a available for viewing on the Sea Rose
 2 FPSO. There's actually a hard copy in the
 3 offshore installation manager's cabin, and
 4 everybody can access this plan through our
 5 east coast management system, which will be
 6 described further by Mr. Williams in his
 7 section.
 8 ROIL, Q.C.:
 9 Q. You're going to have a little snapshot of that
 10 as we move along?
 11 MR. DYER:
 12 A. Absolutely. Section II of the plan, the
 13 purpose of this is to provide a description of
 14 the Sea Rose and its overall components. That
 15 includes the field layout. So if somebody was
 16 to pick up this plan, they will be able to go
 17 to Section II and get a good understanding of
 18 how all the systems work and why they work the
 19 way they do. Some of the areas that are
 20 covered in the plan, the environmental
 21 systems, just like other facilities offshore,
 22 we have an approved weather station and people
 23 that actually conduct weather observations for
 24 us. It talks about the main components, as
 25 Mr. Pritchard mentioned, the hull, the turret,

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1 and the vessel. Our control systems, our
 2 utility systems, and they're effectively our
 3 safety shutdowns systems. Escape and
 4 evacuation, a big part of how we do our
 5 business offshore, of course, is being able to
 6 understand where we are in the event of an
 7 emergency. Logistical support, which has
 8 already been discussed in previous testimony.
 9 It talks about the helideck, and we're going
 10 to spend some time on the helideck in
 11 subsequent slides just to give people an idea
 12 of how it's designed and what it's designed to
 13 do. Of course, our subsea facilities. It
 14 gives people a general overview of what's
 15 actually below the water as opposed to on top
 16 of it. The next slide, we thought it was
 17 important to highlight some of the safety
 18 features of the Sea Rose FPSO. Clearly, this
 19 is only a small depiction of the safety
 20 facilities, however, it just goes to show that
 21 the Sea Rose in its entirety is safe.
 22 ROIL, Q.C.:
 23 Q. In terms of overall size, again it's hard to
 24 see a person on board and to get a scale, but
 25 people have described the other facilities as

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1 being in relation to football fields and what
 2 not, things that we can perhaps understand a
 3 bit. What's the overall size, length, and
 4 breadth of the FPSO?
 5 MR. DYER:
 6 A. It's 270 metres long. I would say that that's
 7 roughly around two and a half to three
 8 football fields in length. It's about 20
 9 metres shorter than the Terra Nova FPSO.
 10 ROIL, Q.C.:
 11 Q. So it's slightly smaller?
 12 MR. DYER:
 13 A. Slightly smaller.
 14 ROIL, Q.C.:
 15 Q. And it looks to me like it's laid out rather
 16 differently. We don't have the two slides to
 17 -- they're both FPSOs, but they're not
 18 identical by any means, are they?
 19 MR. DYER:
 20 A. No, if you had a picture of the Terra Nova
 21 FPSO and put it next to this one, you'll find
 22 that the accommodations on the Terra Nova FPSO
 23 is up forward and the helideck is forward of
 24 that. For the Sea Rose, the accommodations
 25 and helideck are on the aft.

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1 ROIL, Q.C.:
 2 Q. So you can see the helideck very clearly
 3 there.
 4 MR. DYER:
 5 A. Yes.
 6 ROIL, Q.C.:
 7 Q. Where is the accommodation in relation to
 8 that?
 9 MR. DYER:
 10 A. It's the white box that's directly under it
 11 and just inboard.
 12 ROIL, Q.C.:
 13 Q. Okay.
 14 MR. DYER:
 15 A. So the helideck is actually on the top of the
 16 accommodation, and cantilevered over the port
 17 side, on the left side.
 18 ROIL, Q.C.:
 19 Q. Why is it cantilevered over the side? We
 20 heard about the other one that's on the bow of
 21 the Terra Nova and it sort of goes forward of
 22 the bow --
 23 MR. DYER:
 24 A. Yes.
 25 ROIL, Q.C.:

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1 Q. So it seems to be a common theme of sort of
 2 away from the FPSO itself?
 3 MR. DYER:
 4 A. Yes. Well, without having to get into too
 5 much detail on the regulatory design
 6 requirements, but one of the requirements we
 7 had to meet is Transport Publication 4414.
 8 ROIL, Q.C.:
 9 Q. Yes.
 10 MR. DYER:
 11 A. One aspect of that is if you have a helideck
 12 that's cantilevered off the side, it has to
 13 have a sufficient distance out such that in
 14 the event that a helicopter came off the
 15 helideck, that it would not impact your
 16 facility. That's called a falling gradient.
 17 So on a helideck, you have to have 210 degrees
 18 of clear space, and then 150 degrees where you
 19 actually have some limitations behind that.
 20 So clearly if you went outboard and you drew a
 21 line through the centre of the helideck, it
 22 would not impact the aft end of the Sea Rose
 23 in the event that the helicopter actually came
 24 off the helideck.
 25 ROIL, Q.C.:

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1 Q. Okay, I think we probably should take a break
 2 at this point in time. We'll come back to
 3 this slide and finish it after our morning
 4 break.
 5 (RECESS)
 6 ROIL, Q.C.:
 7 Q. Commissioner, before we go back to the slide
 8 presentation, it was pointed out to me that in
 9 my opening comments this morning, I referred
 10 to an exhibit that was admitted on Thursday,
 11 and I referred to it as 146. I believe the
 12 correct number is 153.
 13 COMMISSIONER:
 14 Q. Oh, I see.
 15 ROIL, Q.C.:
 16 Q. Correct the record to that extent. Okay, Mr.
 17 Dyer, I think we were on the slide and I don't
 18 know if you had gotten an opportunity to speak
 19 about some of the other features that you
 20 wanted to, or whether we can move on from this
 21 one.
 22 MR. DYER:
 23 A. I'm ready to move on from this one if you have
 24 no questions.
 25 ROIL, Q.C.:

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1 Q. We talked about blast and firewalls with the
 2 other operators, so we understand the
 3 principle there, and the turret is that little
 4 area in the front, is it?
 5 MR. DYER:
 6 A. That's correct, just behind the flare tower.
 7 ROIL, Q.C.:
 8 Q. It looks like a turret. Good, okay.
 9 MR. DYER:
 10 A. I'd like to spend a little bit of time and
 11 talk about the Sea Rose helideck.
 12 ROIL, Q.C.:
 13 Q. Yes.
 14 MR. DYER:
 15 A. The helideck itself is designed to comply with
 16 all the regulations that are specific to
 17 Husky, and that's the Transport Canada
 18 Publication 4414, which you've heard before.
 19 The Civil Aviation Publication 437, which is
 20 used as guidance, it's a UK document adopted
 21 on the east coast, and, of course, as DNV is
 22 our certifying authority, they also have
 23 what's referred to as a helideck notation,
 24 which is part of their requirement for us to
 25 meet as well. The Sea Rose does meet all of

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1 those.
 2 ROIL, Q.C.:
 3 Q. I was going to say, I presume that you're able
 4 to meet all three without conflict. In other
 5 words, that they somehow or other mesh?
 6 MR. DYER:
 7 A. In a lot of cases, that's a part of how we do
 8 our business with the different regulations.
 9 We find that some work and some overlap, and
 10 there's a process for what overlaps and how we
 11 remedy that with the regulator.
 12 ROIL, Q.C.:
 13 Q. Okay.
 14 MR. DYER:
 15 A. And from a structural perspective, since 2005,
 16 the Sea Rose has accommodated the following
 17 helicopters; the CH-148, which is the
 18 Cormorant that we all refer to as Search and
 19 Rescue, the Sikorsky S-92A and the S-61, as
 20 well as the AS-332 Super Puma.
 21 ROIL, Q.C.:
 22 Q. The Sikorsky 61 and the Super Puma were
 23 previous airframes used by Cougar in regular
 24 operations?
 25 MR. DYER:

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1 A. That's correct, yeah.
 2 ROIL, Q.C.:
 3 Q. The Cormorant, we heard there just a week or
 4 so ago that Search and Rescue, the government
 5 agency, was actually using the Hibernia
 6 Platform to hopscotch to a vessel that was far
 7 offshore. Would that be the same sort of --
 8 would your facility ever be used in that way?
 9 MR. DYER:
 10 A. Absolutely. All the offshore facilities, the
 11 production facilities, have that option to
 12 take a landing from a Cormorant for
 13 refuelling, to extent out their envelope of
 14 search and rescue.
 15 COMMISSIONER:
 16 Q. It looks like your helideck, as with the
 17 others, can accommodate an extra helicopter
 18 there?
 19 MR. DYER:
 20 A. That's correct. On my next slide, Mr.
 21 Commissioner, I'll show that a little closer.
 22 ROIL, Q.C.:
 23 Q. Yeah, actually, I think we can probably move
 24 to that next slide.
 25 MR. DYER:

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1 A. Okay.
 2 ROIL, Q.C.:
 3 Q. Once again, this is the first time we've seen
 4 a little schematic of one, so it's a useful
 5 tool for understanding locations and size and
 6 what not.
 7 MR. DYER:
 8 A. Absolutely. So what we're looking at here is
 9 a plan view of the Sea Rose helideck, and if I
 10 can just highlight a couple of features from
 11 left to right, it does have a dedicated fire
 12 monitor system. You'll see three monitors
 13 that are provided there; perimeter netting,
 14 landing netting, and it does have an emergency
 15 parking area, Mr. Commissioner, as you've
 16 referenced. It gives us the opportunity that
 17 if we have to move a helicopter off the
 18 helideck, we can move it to the landing area,
 19 the parking area, sorry, and we can take
 20 another landing of another helicopter at that
 21 time. We also have a fuel dispensing skid.
 22 Obviously, refuelling is a normal activity in
 23 offshore operations, and there's several
 24 attributes of the helideck that I haven't
 25 referenced here.

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1 ROIL, Q.C.:
 2 Q. Okay, the perimeter net, does that show --
 3 which is the red scanned area, red cross-
 4 hatched area, does that indicate where the
 5 helideck projects over the side of the
 6 facility?
 7 MR. DYER:
 8 A. Well, it actually does encompass the entire
 9 helideck. Mostly, as you've seen there, it's
 10 a chain link fence type of arrangement. It
 11 can catch things, it can give people an
 12 indication where the edge of the helideck is
 13 as well for when they're working on the
 14 helideck.
 15 ROIL, Q.C.:
 16 Q. In terms of the amount to which it stands over
 17 the side, is that approximately the amount of
 18 the circle -- I know it's not a circle, but of
 19 the entire surface, is it more or less, what,
 20 two-thirds to three-quarters that projects
 21 over the side?
 22 MR. DYER:
 23 A. It's not 100 percent, but it probably will be
 24 around two-thirds.
 25 ROIL, Q.C.:

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1 Q. Yes, just for our purposes, generally that
 2 kind of percentage?
 3 MR. DYER:
 4 A. Yes.
 5 ROIL, Q.C.:
 6 Q. Is projected over the side?
 7 MR. DYER:
 8 A. That's correct. Also, Mr. Commissioner, if
 9 you were to land on the Sea Rose helideck
 10 today, when you disembark, you're going to see
 11 the following people on the Sea Rose. You'll
 12 see a helicopter landing officer. That
 13 individual is in charge of the entire
 14 operation. This individual doesn't actually
 15 do anything other than stay visible and manage
 16 the entire operation. You'll see two
 17 emergency response team technicians, and they
 18 will be mustered at one of the helideck fire
 19 monitors in the event there's an issue with
 20 the landing or post-landing as well. You'll
 21 also see someone at the dispensing skid. If
 22 we're going to refuel, we have a trained and
 23 competent operator that will be positioned
 24 there, and, of course, you'll always see the
 25 individuals and we call them "handlers", and

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1 they assist with putting the chucks under the
 2 wheels, helping with disembarkation of the
 3 passengers, providing a safe route to the
 4 accommodations space, as well as assisting
 5 with your baggage.
 6 ROIL, Q.C.:
 7 Q. Are there circumstances where that helideck
 8 team would be larger than that number of
 9 persons?
 10 MR. DYER:
 11 A. We have a -- we have an on-call roster for
 12 who's on helideck duties that day, but we have
 13 several people that are trained to take all
 14 positions. If we ever had to ramp up the
 15 resources, that would be quite easy to do from
 16 an offshore perspective.
 17 ROIL, Q.C.:
 18 Q. I'm just thinking in terms of, you know, bad
 19 weather, high winds on the helideck, that kind
 20 of thing, would there be additional persons
 21 able to assist people getting from the
 22 helicopter to the facility?
 23 MR. DYER:
 24 A. Yes, there will; yes, there will, and
 25 currently right now, as was referenced in

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1 previous testimony, all these individuals
 2 actually have other jobs to do on the Sea
 3 Rose. Those jobs stop when they go to
 4 helideck duties.
 5 ROIL, Q.C.:
 6 Q. Okay.
 7 MR. DYER:
 8 A. One very important factor with, not only the
 9 helideck, but with also all aspects of the Sea
 10 Rose, is our integrity management system.
 11 We've stated out we meet regulations, how we
 12 can land helicopters, but it's equally more
 13 important that we maintain these systems so
 14 that we can actually meet those expectations,
 15 and we do that through a process called
 16 integrity management. So if we look at the
 17 helideck right now, every year our certifying
 18 authority will visit the Sea Rose to do a
 19 certification, and that's on behalf of two of
 20 the lead agencies; Transport Canada Marine
 21 Safety, as well as the Board. Before any
 22 helicopter lands on the Sea Rose, there is a
 23 comprehensive pre-flight checklist completed
 24 and that's filed and recorded for future
 25 lessons learned. We've also identified all

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1 the systems that make up the helideck and the
 2 operation of the helideck, and as an example,
 3 we've shown you the maintenance and inspection
 4 frequencies of each of those elements. Just
 5 to briefly run through them, the heli-fuel
 6 system, monthly, quarterly, and on an annual
 7 basis, we do a planned maintenance. We also
 8 bring out an independent expert, a third
 9 party, once a year to do a recertification of
 10 our heli-fuel system. Our firefighting
 11 arrangements are inspected monthly by the
 12 offshore crew, and again we bring out a third
 13 party annually to do a recertification.
 14 Lifesaving appliances are inspected monthly.
 15 Telecommunications, a very important aspect of
 16 offshore operations is your communications
 17 business, your non-directional beacon, your
 18 radio frequencies, your operator licenses and
 19 the like. Every six months we go through a
 20 review of that offshore. We have a
 21 telecommunications person on the Sea Rose, and
 22 every year the Canadian Coast Guard will come
 23 out for a final inspection. Lighting, annual
 24 inspection, and if any lights fail, they're
 25 fixed, and the structural integrity aspects

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1 which is also done on an annual basis by a
 2 third party consultant.
 3 ROIL, Q.C.:
 4 Q. Not entirely germane to this, but we did talk
 5 about it in an earlier slide, where and how
 6 does weather information get accumulated that
 7 is used in relation to helicopter operations?
 8 I take it that weather is necessary for your
 9 production operation?
 10 MR. DYER:
 11 A. Yes.
 12 ROIL, Q.C.:
 13 Q. And there's also weather that is relevant or
 14 useful to a helicopter operation. How does
 15 that get accumulated and where does it go?
 16 MR. DYER:
 17 A. The Sea Rose has a dedicated environmental
 18 management system offshore, and that comprises
 19 a suite of environmental equipment that is
 20 placed on the Sea Rose in consultation with
 21 Provincial Airlines and Environment Canada.
 22 That will allow us to take observations of
 23 ceiling height, rain accumulation, and things
 24 of that nature, and you also rely on the
 25 experience of your people, your weather

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1 observer in this case to give you what's
 2 called a green deck, a clear helideck for
 3 landing. All the information is reported on
 4 an hourly basis under the Environment Canada
 5 expectations and reported to Cougar in what's
 6 referred to as a METAR. Cougar will look at
 7 that and they're allowed to use that
 8 information to plan their next flights.

9 ROIL, Q.C.:

10 Q. Is most of that information accumulated
 11 mechanically or is it judgmentally by an
 12 observer, how much does personal judgment come
 13 into play on things like ceiling height, wave
 14 height, and those kinds of things?

15 MR. DYER:

16 A. In some situations, personal judgment is
 17 required; however, for a large degree of the
 18 observation, it is taken by certified
 19 equipment on the facility itself, i.e. you'd
 20 go and look at what's called a Stevenson
 21 Screen where they'll have two temperature
 22 thermometers in there, you'll take the reading
 23 right off the gauge. So the people
 24 involvement of that is our ability to take the
 25 reading, but there's other systems that would

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1 be automatically recorded, your wave heights,
 2 your currents, your ceiling. The individual
 3 will help you with visibility, things that
 4 require an individual to be part of, but for
 5 the most part, most of it is equipment based.

6 ROIL, Q.C.:

7 Q. Thank you.

8 MR. DYER:

9 A. So that takes us through Section 1 and Section
 10 2 of Part 1 of the safety plan. Section 3 of
 11 the safety plan provides a description of the
 12 overall management and the command structure
 13 for the Sea Rose FPSO, and on the next slide,
 14 Mr. Commissioner, I'll talk a little bit about
 15 this transfer of authority on the disconnect
 16 process. In this section, specific reference
 17 is made to the management systems and the
 18 documents that provide safety, risk, and
 19 operational guidance to all people on the
 20 FPSO. The main components, if I could just
 21 list them off there; organizational command
 22 structure, and I'll talk to that on my next
 23 slide.

24 ROIL, Q.C.:

25 Q. Uh-hm.

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1 MR. DYER:

2 A. Relationship with external agencies. We've
 3 talked briefly about DNV, and the Board, and
 4 Transport Canada Marine Safety, but it's very
 5 important that we have good communication with
 6 other external agencies, the Royal Canadian
 7 Mounted Police, for example, Environment
 8 Canada. There's all these different agencies
 9 that we will work with and rely on in the
 10 event of an emergency. The Husky Operational
 11 Integrity Management System, which is referred
 12 to as HOIMS, Mr. Williams is going to take us
 13 through that in some detail.

14 ROIL, Q.C.:

15 Q. So we heard about OIMS, this is HOIMS?

16 MR. DYER:

17 A. This is HOIMS, correct.

18 ROIL, Q.C.:

19 Q. Okay.

20 MR. DYER:

21 A. Training and qualifications, operations and
 22 control, monitoring and compliance
 23 effectiveness, occupational health and safety,
 24 and contingency planning. So this part of the
 25 safety plan is rather large and has a lot of

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1 valuable information in it. The
 2 organizational chart to the right shows the
 3 offshore organization on the Sea Rose FPSO. As
 4 stipulated under the Accord Act, the offshore
 5 installation manager is delegated the overall
 6 authority for safety and wellbeing of
 7 personnel on board, and as I mentioned in my
 8 opening remarks, that's a position I held for
 9 over two years. As you will see, and as Mr.
 10 Pritchard referenced earlier, there is a
 11 dedicated health safety environment and
 12 quality advisor on the Sea Rose all the time,
 13 and that would mean that we would have two in
 14 a back to back situation. These individuals
 15 operationally report to the offshore
 16 installation manager, but they functionally
 17 report to the HSEQ manager in St. John's. The
 18 role of the HSEQ advisor, this person will
 19 support the offshore team to assist with the
 20 implementation of policies, procedures, and
 21 standards. They're a source of advice, as
 22 they are an expert in their field, and provide
 23 direction to any and all employees on the Sea
 24 Rose, whether they are staff or contractor.
 25 They actively participate in emergency

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1 response processes, they conduct audit
 2 inspections, and they attend the JOHS
 3 meetings, and what's interesting about the Sea
 4 Rose is that we all know the HSEQ advisor is
 5 not a member of the JOHS Committee, but we
 6 have them attend because they are a great
 7 source of information for that committee as a
 8 whole.
 9 ROIL, Q.C.:
 10 Q. They wouldn't vote with the committee?
 11 MR. DYER:
 12 A. No, they have no rights on that committee.
 13 They are a source of information and
 14 expertise, if required.
 15 ROIL, Q.C.:
 16 Q. A resource tool?
 17 MR. DYER:
 18 A. Absolutely. In the event that the Sea Rose
 19 disconnects from the buoy, the authority under
 20 Transport Canada is now delegated to the
 21 vessel master. Now the vessel master, there's
 22 only one vessel master on each rotation, i.e.
 23 there's one captain, but the Sea Rose itself
 24 does have five people that have what's called
 25 a master mariner qualification.

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1 Responsibility for all of the helicopter
 2 operations does fall under the direction of
 3 the marine supervisor, which on the slide is
 4 actually the vessel master, and marine there,
 5 and also the marine department. So our
 6 primary helicopter landing officers, for
 7 example, would be our crane operators, who are
 8 part of the marine department. Okay, so at
 9 this point, that concludes the review of the
 10 first couple of sections. I'm going to hand
 11 over to Mr. Williams now and he's going to
 12 take us through our safety management process.
 13 ROIL, Q.C.:
 14 Q. He's going to lead us into Part 2 of the
 15 safety plan?
 16 MR. DYER:
 17 A. No, we're still in Section 3. He's going to
 18 take us through the safety management aspects
 19 of that.
 20 ROIL, Q.C.:
 21 Q. Okay. Mr. Williams.
 22 MR. WILLIAMS:
 23 A. Commissioner, I'd like to introduce you to the
 24 overall structure of our safety management

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1 system. I will begin by showing you the
 2 fundamental components and there are three of
 3 those, and then as we progress into our
 4 management systems, we'll introduce you to
 5 some specific procedures and guidances that we
 6 have that pertain specific to helicopter
 7 operations. I must apologize before I begin
 8 getting into the details, we'll introduce a
 9 number of acronyms. I know you heard very
 10 many throughout the presentations.
 11 Unfortunately, we have more to share with you
 12 today. Mr. Commissioner, Husky is responsible
 13 for the safety and the wellbeing of its
 14 employees and its contractor's employees. We
 15 are responsible for their safety while they
 16 are on our facilities, and as Mr. Pritchard
 17 said earlier, while they travel to and from
 18 our facilities. We are committed to ensuring
 19 our employees and your contractor's employees
 20 return home safely to their families at the
 21 end of each working day, and we are committed
 22 to a culture of continuous improvement. Before
 23 we begin discussing the various aspects of our
 24 management systems, I'd like to introduce you
 25 to the three fundamental components of our

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1 management systems. They are the health
 2 safety environmental policy, and we'll refer
 3 to that as the HSE policy; the Husky
 4 Operational Integrity Management System
 5 commonly referred to HOIMS, and you understand
 6 there is another that ExxonMobil uses called
 7 OIMS --
 8 ROIL, Q.C.:
 9 Q. Yes.
 10 MR. WILLIAMS:
 11 A. And we have our east coast management system
 12 which we refer to as our ECMS.
 13 ROIL, Q.C.:
 14 Q. Okay, there are three levels. Starting high
 15 level and coming down to operational level, is
 16 that the concept you're introducing us to?
 17 MR. WILLIAMS:
 18 A. That is correct, and we represent them as the
 19 pyramid structure.
 20 ROIL, Q.C.:
 21 Q. In a pyramid representation, okay.
 22 MR. WILLIAMS:
 23 A. Beginning with our health safety environmental
 24 policy, the HSE policy sets the framework for
 25 the organization's culture in respect of

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1 health safety and environmental protection.
 2 Our policy outlines our company's intentions
 3 with regards to the protection of people, the
 4 environment, and our assets. It also
 5 describes expectations for maintaining
 6 operational integrity. As you understand, we
 7 have facilities that involve a lot of process
 8 equipment and high risk, and our HOIMS or our
 9 HSE policy incorporates that in with its
 10 statements. Our policy is mandated by the
 11 chief executive officer, as well as our vice-
 12 president for east coast operations. The
 13 policy has three fundamental components.
 14 ROIL, Q.C.:
 15 Q. Sorry, you say it's mandated by chief
 16 executive officer and the vice-president. Is
 17 it set at that CEO level, does the CEO
 18 actually engage the wording that is the HSE
 19 Policy?
 20 MR. WILLIAMS:
 21 A. My understanding is he's engaged in the
 22 wording, he actually endorses the policy, so
 23 his signature will be on the policy as his
 24 endorsement.
 25 ROIL, Q.C.:

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1 Q. And is that a policy that is strictly applied
 2 to the White Rose project, or is that a
 3 corporate policy?
 4 MR. WILLIAMS:
 5 A. It is a corporate policy, but it's applied to
 6 the White Rose. East coast operations is what
 7 we call a business unit of Husky Energy.
 8 ROIL, Q.C.:
 9 Q. Right.
 10 MR. WILLIAMS:
 11 A. So the corporate policy is applied
 12 specifically to the east coast operations as
 13 well, our business unit, as well as other
 14 business units within the company.
 15 ROIL, Q.C.:
 16 Q. So it's not specific to this project, it is
 17 applied to this project the same way it is
 18 applied to other projects of the company?
 19 MR. WILLIAMS:
 20 A. Correct.
 21 ROIL, Q.C.:
 22 Q. Yeah.
 23 MR. WILLIAMS:
 24 A. The policy describes some key components or
 25 requirements. First of all, leadership and

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1 commitment, and Mr. Pritchard spoke earlier
 2 when he spoke about safety culture, and the
 3 requirement for our leadership to be actively
 4 participating and communicating in the various
 5 aspects of health and safety in our
 6 organization. It also requires personal
 7 responsibility in preventing harm. We
 8 embrace, as an organization, the philosophy of
 9 the internal responsibility system, Mr.
 10 Commissioner, which involves that employees,
 11 supervisors, and managers, all take
 12 responsibilities in preventing harm and
 13 protecting the environment. It requires
 14 compliance with the relevant laws and
 15 legislation that apply to us. We also
 16 endeavour as an organization to go beyond the
 17 laws and regulations. We understand that
 18 technologies change, the ways of doing work
 19 change, and we try to adapt that to our
 20 business. It requires performance
 21 measurement, the setting of goals, and
 22 continuous improvement, and I'll speak to
 23 these as we progress throughout the
 24 presentation. The HSE policy is posted at the
 25 workplaces and it's communicated to our

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1 employees during their orientations.
 2 ROIL, Q.C.:
 3 Q. Just in terms of general statements,
 4 communicate to employees, are you working with
 5 electronic or paper-based, how do you -- how
 6 do you get this information to people?
 7 MR. WILLIAMS:
 8 A. It's communicated through presentations. When
 9 our employee receives an orientation, they
 10 will get a presentation. It's also
 11 communicated through our handbooks that we
 12 have as well. So there are a number of ways.
 13 It's also on our website, on our east coast
 14 management website, and our orientation is
 15 there electronically. So there's a number of
 16 methods that we would use to share that
 17 information with our employees.
 18 ROIL, Q.C.:
 19 Q. Thank you.
 20 MR. WILLIAMS:
 21 A. I would now like to introduce the Husky
 22 Operational Integrity Management System. As I
 23 just describe, our HSE policy provides the
 24 overarching intent of our senior leadership.
 25 However, the policy does not provide specific

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1 direction as to how we are to accomplish the
 2 requirements stated within the policy. So,
 3 Commissioner, it would be like having an
 4 Occupational Health and Safety Act without
 5 having a set of regulations to support that
 6 Act. A company or a business would not know
 7 what the guidance is, how do they know when
 8 they are in compliance or not in compliance,
 9 like having, I guess, a Motor Vehicle Act
 10 without speed limits. As such, what Husky has
 11 done to accommodate, they developed the Husky
 12 Operational Integrity Management System, and
 13 this HOIMS, as we referred to it, it consists
 14 of 14 elements. Each element consists -- is
 15 comprised of aims and expectations. I will
 16 elaborate on these aims and expectations, and
 17 Mr. Dyer will as well, as we progress through
 18 our presentation. It is these aims and
 19 expectations that guide each business unit to
 20 minimize adverse impacts to Husky. There are
 21 actually 117 expectations in total. I refer
 22 to a business unit periodically through the
 23 presentation. I'm talking about our east
 24 coast operations. We are considered a
 25 business unit within the corporate umbrella.

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1 HOIMS is about everyone going home safely
 2 after every shift, it's about how we all
 3 behave, do our job, and the integrity of our
 4 actions.
 5 ROIL, Q.C.:
 6 Q. Just on that "everyone going home safely",
 7 what is the company's, I guess, expectation or
 8 hope with respect to practises that are
 9 learned offshore when people go off shift?
 10 How does your home life in any way relate to
 11 your work life?
 12 MR. WILLIAMS:
 13 A. It's a very good point -- question. We
 14 promote the philosophy that safety is an
 15 attitude and a behaviour that you carry with
 16 you all of the time, whether you're on the job
 17 and whether you're off the job. We fully
 18 promote that people conduct their work at home
 19 or at their cabins or recreational lives all
 20 with the philosophy of working safely, and
 21 that's a concept that we continuously promote
 22 through our organization.
 23 ROIL, Q.C.:
 24 Q. Okay.
 25 MR. WILLIAMS:

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1 A. This slide outlines the 14 elements with HOIMS
 2 and shows the website which personnel will
 3 access when they require information about
 4 HOIMS. Commissioner, each of these elements,
 5 there are 14, have been assigned a custodian
 6 within our east coast business operations.
 7 These custodian, as we say, are subject matter
 8 experts in the particular areas, and they
 9 assist our company in our operations group to
 10 implement -- to develop and implement the
 11 requirements associated with each of these
 12 elements. So they'd foster the expectations
 13 and the aims of the element within our
 14 company. In our presentation today, we will
 15 elaborate on a number of these elements as
 16 they apply and pertain to helicopter
 17 operations. I will just introduce you to the
 18 ones that we will speak to today.
 19 ROIL, Q.C.:
 20 Q. Yeah, element 14, which are the ones that
 21 we're going to speak of specifically in our -
 22 in the rest of our presentation.
 23 MR. WILLIAMS:
 24 A. Yes. Leadership commitment and
 25 accountability, and Mr. Pritchard spoke

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1 earlier about culture, and we'll elaborate on
 2 some of the other aspects of commitment and
 3 accountability later. Safe operations, risk
 4 assessment and management, emergency response,
 5 and we'll also introduce the response and loss
 6 of Flight 491. Reliability and integrity, if
 7 I could spend a moment on that now. Mr. Dyer
 8 spoke earlier about the integrity management
 9 system and its relationship to the systems and
 10 components with respect to the helideck.
 11 Element 5 is specific to that type of process
 12 that we have systems, tools, and techniques in
 13 place to maintain our equipment to a
 14 serviceable and useable state, and that's the
 15 function of Element 5, reliability and
 16 integrity. I'll speak about personnel
 17 competency and training, and introduce some of
 18 the components of our program. Incident
 19 management, information documentation and
 20 effective communication, compliance,
 21 assurance, and regulatory advocacy is very
 22 important to us as well, contracted services
 23 and materials, and performance assessment, and
 24 continuous improvement. So we'll elaborate on
 25 each of these elements throughout the

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1 presentation.

2 ROIL, Q.C.:

3 Q. Okay, before we go further, there's an

4 additional exhibit. It's a single page. It's

5 more of a prop, Commissioner, but I'd just

6 like to introduce it now to help people who

7 are following with us. There's a series of

8 numbers and colours that pop up, and I wonder

9 if we could have Exhibit 183 -- it'll become

10 Exhibit 183, and, Mr. Williams, you can just

11 explain to us what these numbers all mean and

12 where we'll see them again -- just perhaps

13 scroll it down a little bit. I don't know if

14 you can control it there, Mr. Williams, can

15 you, with the -- can you control it with the

16 mouse there. Scroll down a bit. Yeah, okay.

17 MR. WILLIAMS:

18 A. Okay, you see there are 14 elements in our

19 HOIMS.

20 ROIL, Q.C.:

21 Q. Right.

22 MR. WILLIAMS:

23 A. Husky Operational Integrity Management

24 Systems, and there's no particular special

25 reason, it's part of the overall brochure that

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1 we use to present HOIMS to our company --

2 within our company and our clients and our

3 customers. So this is the way we depict the

4 14 elements. There's no special reason or

5 purpose for it.

6 ROIL, Q.C.:

7 Q. So when we see a number two coloured in yellow

8 later on in the slide presentation, you're

9 actually referring to Element 2?

10 MR. WILLIAMS:

11 A. Element 2.

12 ROIL, Q.C.:

13 Q. Okay, and what is it that happens to these

14 elements of the HOIMS, do they find their way

15 into the safety plan and other things?

16 MR. WILLIAMS:

17 A. Yes, they are built right in. Our objectives,

18 and I'll speak to the next component of our

19 management system, and you'll see the

20 relationship between our health and safety

21 policy, HOIMS, and our east coast management

22 system, and how they all work together to give

23 us a comprehensive management system.

24 ROIL, Q.C.:

25 Q. Another thing you mentioned were custodians,

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1 that there's somebody who's personally

2 responsible to shepherd or to champion these

3 issues within the company. Are those persons

4 or custodians, you know, are there special

5 ones for the east coast, or are there

6 corporately persons that are responsible?

7 MR. WILLIAMS:

8 A. There are individuals within our east coast

9 operations and they are special to the east

10 coast, and they're knowledge in the particular

11 element for which they are custodian to.

12 ROIL, Q.C.:

13 Q. So would you be a champion of or a custodian

14 of one of these?

15 MR. WILLIAMS:

16 A. Yes, I would.

17 ROIL, Q.C.:

18 Q. Which one would you have?

19 MR. WILLIAMS:

20 A. Element 7.

21 ROIL, Q.C.:

22 Q. Number 7.

23 MR. WILLIAMS:

24 A. It's incident management.

25 ROIL, Q.C.:

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1 Q. Okay.

2 MR. WILLIAMS:

3 A. And within our corporation there is what we

4 call a HOIMS ownership team, and there are

5 groups that are established corporately to

6 foster the development within the corporation

7 of each element, so the HOIMS expectations are

8 met throughout the company.

9 ROIL, Q.C.:

10 Q. Okay, I think that's fine. We can go forward

11 now.

12 MR. WILLIAMS:

13 A. I would now like to introduce the east coast

14 management system, the third component of our

15 overall management system. The Husky East

16 Coast Management System provides our

17 operations and support personnel with the

18 tools to ensure operations are conducted in a

19 safe and environmentally responsible manner.

20 Essentially, the ECMS, they use to conduct

21 their work. The ECMS has been developed with

22 consideration for the direction and guidance

23 provided by our policy, HOIMS, as well as the

24 regulations that apply to us, industry

25 standards, and best practices. So we have

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1 taken the knowledge that exists out there and
 2 tried to apply that and use it and incorporate
 3 it in our East Coast Management System. It
 4 provides us with the means for compliance.
 5 ROIL, Q.C.:
 6 Q. Before we go on, you mentioned the policy was
 7 set on a corporate national or international
 8 level?
 9 MR. WILLIAMS:
 10 A. A corporate level.
 11 ROIL, Q.C.:
 12 Q. A corporate level, and HOIMS is set where?
 13 MR. WILLIAMS:
 14 A. HOIMS is set jointly by corporate as well as
 15 the east coast. Mr. Commissioner, if I may
 16 share with you, HOIMS was a next stage
 17 development to what previously existed, loss
 18 control performance management standards. The
 19 east coast business unit, or the east coast
 20 operational group personnel, contributed
 21 significantly to the overall development of
 22 HOIMS for our overall corporation. So we were
 23 very knowledgeable in the development, each of
 24 the elements, each of the expectations. We
 25 contributed to that development in a

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1 significant way, as we are recognized as
 2 advanced in terms of our commitment,
 3 development, and systems that we apply to
 4 health and safety.
 5 ROIL, Q.C.:
 6 Q. You mean advanced within the company?
 7 MR. WILLIAMS:
 8 A. Yes.
 9 ROIL, Q.C.:
 10 Q. You're considered a sophisticated operation,
 11 is that what you're trying to tell me?
 12 MR. WILLIAMS:
 13 A. Can you repeat the question, Mr. Roil?
 14 ROIL, Q.C.:
 15 Q. Yes. You said you're considered advanced. Do
 16 you mean the east coast personnel are
 17 considered sophisticated or advanced in terms
 18 of their knowledge and understanding of this
 19 kind of system?
 20 MR. WILLIAMS:
 21 A. I think it's fair to say we were considered
 22 advanced in the development and
 23 comprehensiveness of our management systems,
 24 and the application and use of our management
 25 systems, or the tools in the day to day work.

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1 ROIL, Q.C.:
 2 Q. Okay.
 3 MR. WILLIAMS:
 4 A. And our culture in the willingness to apply
 5 those tools.
 6 ROIL, Q.C.:
 7 Q. Ultimately, though, the HOIMS is a national
 8 requirement, it applies to all work groups in
 9 all areas?
 10 MR. WILLIAMS:
 11 A. It applies to all business units within the
 12 company.
 13 ROIL, Q.C.:
 14 Q. Business units, I'm sorry, that's the
 15 expression you used. The East Coast
 16 Management System, is that specific to your
 17 business unit?
 18 MR. WILLIAMS:
 19 A. Yes, it is.
 20 ROIL, Q.C.:
 21 Q. Okay, and who was that developed by?
 22 MR. WILLIAMS:
 23 A. The entire organization here located in St.
 24 John's. We do -- have involved corporate in
 25 certain aspects of its development, but it's

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1 predominantly developed by the people within
 2 our business unit.
 3 ROIL, Q.C.:
 4 Q. Yeah. Okay, thank you.
 5 MR. WILLIAMS:
 6 A. Okay.
 7 ROIL, Q.C.:
 8 Q. This looks to me like it's some sort of a
 9 webpage, is it?
 10 MR. WILLIAMS:
 11 A. That depicts the East Coast Management System,
 12 and if I can just share with you some
 13 highlights of the webpage.
 14 ROIL, Q.C.:
 15 Q. Okay, so who would have access to this?
 16 MR. WILLIAMS:
 17 A. All of our personnel.
 18 ROIL, Q.C.:
 19 Q. Uh-hm.
 20 MR. WILLIAMS:
 21 A. When you come to work with Husky, or if you're
 22 providing services to Husky as a consultant,
 23 you would have access to the East Coast
 24 Management System. So when you logon to your
 25 computer, you can just click on a button and

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1 you'll get access to this information.
 2 ROIL, Q.C.:
 3 Q. Okay.
 4 MR. WILLIAMS:
 5 A. It's structured for a reason the way it is.
 6 The typical links that you see across there,
 7 home, and there's a welcome message there from
 8 our Vice-President, Mr. Paul McCloskey. It
 9 has specific policies. The HSE policy will be
 10 accessible through there, information about
 11 HOIMS is accessible, forms and templates,
 12 that's just the information that personnel --
 13 like, the checklist or form they need to
 14 complete, an expense account form would be
 15 located within there. If I could draw your
 16 attention to the list there on the right hand
 17 side, starting with drilling and completions.
 18 As you see, there are various groups there,
 19 production operations or projects, they're our
 20 operational group. So the people that work in
 21 our operation, such as on the Sea Rose FPSO,
 22 will login to that particular group area and
 23 they will get access to all the information
 24 they need, all the procedures, all the
 25 drawings, the processes, and that's where they

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1 would go. On the left hand side of the
 2 screen, you'll see we have H1N1. In the fall
 3 of 2009, of course, ongoing into this year,
 4 there was a major concern for us in our
 5 offshore facility that we manage the risk
 6 associated with H1N1. So we created a
 7 specific link to information that we had in
 8 our organization on that particular matter.
 9 So it was information corporately available,
 10 information how a person -- you know, find out
 11 what would they need to get a vaccination,
 12 what are the risks associated with H1N1, how
 13 do they prevent it from happening to them. So
 14 that's what we had done, we created that
 15 special link as an example of access to
 16 information, and just below that, you can see
 17 we have support services. So when we look at
 18 our organization, these particular groups
 19 provide valuable support to each of our
 20 operational groups, and the information flows
 21 back and forth depending on what type of
 22 information you would need. For example, the
 23 business services, well, that would be
 24 comprised of our commercial and our accounting
 25 groups, information technology, as well as our

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1 document management group, which is very
 2 important in terms of the support of the east
 3 coast management system. Our logistics
 4 groups, which is comprised of marine
 5 operations and services, which Mr. Pritchard
 6 spoke of earlier, that information is in
 7 there. So I just wanted to give you an
 8 overview of -- we'll talk about each of the
 9 specific component as we progress through our
 10 presentation.
 11 ROIL, Q.C.:
 12 Q. Okay, this is a Windows based user friendly
 13 system that you can just click and go to the
 14 more specific information as you would need
 15 it?
 16 MR. WILLIAMS:
 17 A. Yes, this is one way to access it. It's more
 18 of a user friendly practical way to get access
 19 to documents and procedures. You can actually
 20 go into what we call our Husky Document
 21 Management System, so more technically
 22 complicated to get in through there, but you
 23 can get more access to more information
 24 through that other process as well. Bear with
 25 me a second.

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1 ROIL, Q.C.:
 2 Q. Okay, this is the first time we see one of
 3 these numbers and colours.
 4 MR. WILLIAMS:
 5 A. This is the colour of Element 2.
 6 ROIL, Q.C.:
 7 Q. This is Element 2.
 8 MR. WILLIAMS:
 9 A. Safe operations.
 10 ROIL, Q.C.:
 11 Q. Okay.
 12 MR. WILLIAMS:
 13 A. As stated earlier, we will be introducing a
 14 number of our HOIMS elements throughout the
 15 presentation, particularly as they pertain to
 16 travel offshore by helicopter. I would like
 17 to introduce Element 2 as it is specific to
 18 the aim of preventing of incidents by
 19 identifying and minimizing risk and promoting
 20 safe behaviour. In your comment, Mr. Roil,
 21 earlier, we believe this is important for us
 22 all both on and off the job. Element 2
 23 requires us, as a company, to develop specific
 24 guidance and instructions with respect to
 25 safety. For example, safe systems of work.

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1 Mr. Dyer introduced the Sea Rose safety plan.
 2 So working safely would be used with planning
 3 and the Sea Rose safety plan and the basis for
 4 safe operations, which is Part 2, are part of
 5 that process, it's the beginning of that
 6 process. Element 2 requires us to develop
 7 safe work practices. There's a long list of
 8 safe work practices of our operations groups
 9 that they use every day, depending on the type
 10 of task or job that they have to do that day,
 11 and that also includes an abundance of
 12 checklists. It includes -- Element 2 requires
 13 operation manuals, such as the Helicopter
 14 Operations Manual, which we will discuss in
 15 more detail. Element 2 requires behaviour
 16 based safety process. In other words, it
 17 requires the identification of at risk
 18 behaviours and unsafe conditions by observing.
 19 There are a number of approaches to behaviour
 20 based safety. We at Husky have adopted what's
 21 called the FOCUS Process. FOCUS stands for
 22 Field Observation Continuously Upgrading
 23 Safety, and Mr. Dyer will speak about that
 24 later on in his presentation.
 25 ROIL, Q.C.:

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1 Q. I think we have a card that is called a FOCUS
 2 Card.
 3 MR. WILLIAMS:
 4 A. You have the card there. It's called a FOCUS
 5 card, and not to preempt his introduction to
 6 it, but that's what they would use when the
 7 identify an at risk behaviour, as we call it,
 8 or an unsafe condition, and they have a way to
 9 dealing with that. They will deal with it
 10 immediately by approaching that individual
 11 about what risk may be present, and we'll have
 12 a way to follow up that, which will be
 13 elaborated. I'd also like to introduce that
 14 our drilling installations operated by Trans
 15 Ocean also have behaviour based programs, and
 16 they have what is called a START Program, and
 17 that stands for See Think Act Reinforce and
 18 Track.
 19 ROIL, Q.C.:
 20 Q. S-T-A-R-T?
 21 MR. WILLIAMS:
 22 A. START for their program, and I understand
 23 Cougar has a program and they refer to it as
 24 HEBO. So a lot of our companies have these
 25 behaviour based programs because we see

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1 tremendous value in this type of approach to
 2 risk management. I would now like to
 3 introduce risk incident management. Mr.
 4 Commissioner, we believe all incidents are
 5 presentable both on and off the job.
 6 ROIL, Q.C.:
 7 Q. This is the one that you have personal
 8 responsibility for?
 9 MR. WILLIAMS:
 10 A. I'm sorry?
 11 ROIL, Q.C.:
 12 Q. This is the one that you have personal
 13 responsibility for in our east coast area?
 14 MR. WILLIAMS:
 15 A. As custodian.
 16 ROIL, Q.C.:
 17 Q. Yes, as custodian.
 18 ROIL, Q.C.:
 19 Q. As custodian, I am responsible.
 20 ROIL, Q.C.:
 21 Q. Is custodian like champion, is that a similar
 22 --
 23 MR. WILLIAMS:
 24 A. Key advocate, champion, yeah, that would be a
 25 way of paraphrasing it.

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1 ROIL, Q.C.:
 2 Q. The word within Husky is "custodian"?
 3 MR. WILLIAMS:
 4 A. We've applied the word "custodian".
 5 ROIL, Q.C.:
 6 Q. Okay, that's fine.
 7 MR. WILLIAMS:
 8 A. Ownership sort of thing.
 9 ROIL, Q.C.:
 10 Q. Yeah.
 11 MR. WILLIAMS:
 12 A. As Mr. Pritchard noted earlier, we're a
 13 learning organization. We need to learn from
 14 every incident that occurs and endeavour to
 15 prevent it from reoccurring. Mr.
 16 Commissioner, we have learned from the loss of
 17 Flight 491. Our joint panel has shared with
 18 the Inquiry the recommendations contained
 19 within the return to service report. We'll
 20 continue to learn as we look forward to the
 21 recommendations from this Inquiry, as well as
 22 the investigation report to issued by the
 23 Transportation Safety Board. Element 7
 24 outlines the company's requirements for
 25 incident management and our culture of open,

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1 honest communication provides the confidence
 2 that all hazards and incidents are reported.
 3 Mr. Commissioner, Husky formally notified the
 4 C-NLOPB by verbal and written notification at
 5 the time of the incident on March 12th. The
 6 return to service report was issued by the
 7 Helicopter Operations Task Force and was
 8 submitted to the C-NLOPB report on behalf of
 9 east coast operators. The C-NLOPB will accept
 10 the investigation report by the TSB as the
 11 final report. The next element I would like
 12 to introduce you to is Element 6, and it's
 13 personnel competency and training. Our
 14 personnel are our greatest asset. Our success
 15 and safety performance will be directly
 16 proportional to the competency of our
 17 personnel and how they apply their skills and
 18 knowledge in every job and task that they
 19 undertake. The aim of Element 6 is to provide
 20 assurance that personnel possess the necessary
 21 competencies, knowledge, abilities, and
 22 demonstrated behaviours to perform their tasks
 23 and designated responsibilities effectively,
 24 efficient, and safely. Now I'd like to
 25 introduce you to the next several slides, some

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1 of the components and aspects of our
 2 competency and training programs.
 3 ROIL, Q.C.:
 4 Q. So we're staying within Element 6.
 5 MR. WILLIAMS:
 6 A. We are staying within Element 6.
 7 ROIL, Q.C.:
 8 Q. Okay.
 9 MR. WILLIAMS:
 10 A. To begin this slide, I'd like to talk about
 11 the training aspects of it, of our company's
 12 program, and some of the processes that we use
 13 to ensure competency. To ensure our personnel
 14 are trained and competent to perform work, we
 15 must identify what qualifications are
 16 required, and if you look at the slide, we
 17 show some examples of the type of sources or
 18 references we would use to identify those
 19 requirements, and it could be regulatory
 20 requirements. I believe our joint panels
 21 spoke about the standard practice for the
 22 training and qualifications for offshore
 23 personnel, but we would use that document
 24 extensively to identify what the
 25 qualifications are necessary for our offshore

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1 people.
 2 ROIL, Q.C.:
 3 Q. Okay, I think our --
 4 MR. WILLIAMS:
 5 A. We have our own company requirements as well.
 6 ROIL, Q.C.:
 7 Q. I think our visual here is perhaps so small
 8 that we can't read the printing that's on the
 9 -- again you have another extract, it looks
 10 like, from a computer screen.
 11 MR. WILLIAMS:
 12 A. Okay, that's just a pictogram. It's the
 13 database. It's a pictogram of the database
 14 that our training and data administrator would
 15 use daily, and that database contains all the
 16 information on all our employees and the
 17 information related to their positions and
 18 qualifications required, and that's how we
 19 identify and track the training requirements
 20 of our personnel, scheduled training, and make
 21 sure they are competent.
 22 ROIL, Q.C.:
 23 Q. I think one of our other presenters, perhaps
 24 it was HMDC, had shown us a similar thing, I
 25 believe, and I don't know if you've seen it,

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1 but it was -- essentially, there was a job
 2 taken, I don't recall the exact job, and there
 3 were 47 training requirements associated with
 4 that job. So that was on a screen. Is this
 5 showing us a similar --
 6 MR. WILLIAMS:
 7 A. That's a very similar picture that we're
 8 painting here. On the left hand side, there's
 9 actually an individual there, and then all
 10 those qualifications are assigned to that
 11 individual, and it would depend on the
 12 position they would hold, as well as any
 13 additional roles that they may have. So it
 14 would vary, depending on the requirements.
 15 ROIL, Q.C.:
 16 Q. So the screen that we can't read, and perhaps
 17 shouldn't read, would be of a named person and
 18 what their competencies and qualifications and
 19 requirements were?
 20 MR. WILLIAMS:
 21 A. Yes.
 22 ROIL, Q.C.:
 23 Q. Okay. So yours is done by individual, is it?
 24 MR. WILLIAMS:
 25 A. By individual.

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1 ROIL, Q.C.:

2 Q. By individual, okay, and who would have access

3 to that? Would the individuals themselves

4 have access to that?

5 MR. WILLIAMS:

6 A. No, they would have access to the information

7 through the training and data administrator.

8 So if they wanted some information about some

9 of the training, the status, and that sort of

10 thing, they would access that individual.

11 However, what our training and data

12 administrator would do is on a quarterly basis

13 they are generating reports and training

14 status reports, so they're identifying the

15 upcoming needs over the next four to six

16 months. So they're continuously looking

17 forward to what training requirements are

18 necessary.

19 ROIL, Q.C.:

20 Q. And a person would have access to this -- if I

21 had a training requirement that was expiring

22 in three months time, would you be able to

23 tell me that, or would my manager be able to

24 tell me that?

25 MR. WILLIAMS:

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1 A. Yes, they would.

2 ROIL, Q.C.:

3 Q. Would I be able to track that myself in terms

4 of my own -- on the screen, or would that be

5 something that only the manager would be able

6 to track?

7 MR. WILLIAMS:

8 A. No, most of our individuals, they rely on --

9 actually the training and competency program

10 is administered and managed by personnel with

11 the HSEQ group. So they take the ownership of

12 that program and they work closely with our

13 operation groups, and, you know, other

14 departments in the organization to track the

15 training requirements and make sure personnel

16 possess valid training certificates,

17 competencies are up to date, and, you know,

18 everything is up to speed.

19 ROIL, Q.C.:

20 Q. Okay, thank you. Continue.

21 MR. WILLIAMS:

22 A. On the lower half of that slide, you'll see

23 I've indicated a number of processes there,

24 and these processes forms the foundation of

25 our competency and training program, and

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1 essentially upon the identification, the

2 qualifications that are required by our

3 personnel who will then use these processes to

4 provide our personnel with the training

5 necessary and assessments to make sure that

6 they become and remain competent, and the

7 graphic on the right, we had just spoken to

8 briefly a moment ago.

9 ROIL, Q.C.:

10 Q. This is an interesting visual, we haven't seen

11 from the other operators, so tell us what

12 you're trying to explain to us here?

13 MR. WILLIAMS:

14 A. Mr. Commissioner, what we tried to share with

15 you, there are three -- what we see as three

16 important ingredients or components to

17 personnel being competent and working safely.

18 If I can direct your attention to the upper

19 circle or the yellow circle, as you see,

20 you'll see regulatory requirements, Husky

21 requirements. So what that's indicating is

22 that before a person can be competent, they

23 need to know what qualifications are required,

24 so we'll use the various sources, and those

25 that I spoke about on the previous slide, to

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1 identify all of the qualifications and

2 individual needs. When we hire personnel, we

3 identify what their capabilities are and we'll

4 develop that sort of gap analysis, or list of

5 deficiencies.

6 ROIL, Q.C.:

7 Q. Okay. Let's for our discussion here talk

8 about the helicopter landing officer as being

9 a typical -- that is relevant to our mandate.

10 MR. WILLIAMS:

11 A. Yeah.

12 ROIL, Q.C.:

13 Q. So Husky has requirements for helicopter

14 landing officer?

15 MR. WILLIAMS:

16 A. Yes, we do, and actually there are

17 requirements for that position stipulated

18 within the CAPP standard practice for training

19 qualifications. So I'll take those

20 qualifications, as an example, and we place

21 them in our database, so anybody who assumes

22 the role of helicopter landing officer, they

23 will have to have those qualifications. If

24 that individual doesn't have all those

25 certifications and qualifications, then we'll

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1 go to the lower circle on the right, the red
 2 area, and we'll identify ways to make sure
 3 that individual either receives the training
 4 or education, whether it's on the job or by
 5 experience, working with more senior
 6 knowledgeable people. They will learn what
 7 they need to know to become more knowledgeable
 8 and proficient in the performance of being,
 9 for example, a helicopter landing officer. By
 10 this time, the individual could be deemed
 11 competent. In other words, they have all the
 12 training.

13 ROIL, Q.C.:

14 Q. Technically competent.

15 MR. WILLIAMS:

16 A. They have done all the assessments, so they're
 17 competent to perform the job of helicopter
 18 landing officer, but there's one more
 19 important ingredient and it stems from the
 20 individual's willingness to apply all that
 21 knowledge, the skills, and the talent in the
 22 day to day conduct of his work and particular
 23 job. It could be -- beliefs and values will
 24 play an important role respecting other
 25 people's beliefs and values. Exhibiting safe

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1 behaviour, making the choice to exhibit that
 2 behaviour, that safe work behaviour, in every
 3 job and task they do. Motivation, come to
 4 work motivated to work with the right mindset
 5 and wanting to perform properly. Interest can
 6 affect a person's willingness to work safely
 7 as well. People have various types of risk
 8 taking, off the job, on the job, so they can
 9 be a little bit influential as well, but it
 10 comes down to the attitude towards safety. So
 11 identifying the qualifications, providing all
 12 the necessary training, and then combining
 13 that with the choice and the willingness to
 14 work safely. Mr. Commissioner, we believe
 15 that represents the people within our
 16 organization, the people on the Sea Rose FPSO.
 17 We believe they maintain all these
 18 characteristics, and we deem them competent in
 19 that regard.

20 ROIL, Q.C.:

21 Q. So all of your personnel, you consider to be
 22 in the green area, and they have incorporated
 23 all three ingredients in their life at work
 24 with you?

25 MR. WILLIAMS:

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1 A. Yeah, we need all three to be able to work
 2 safely and to do our work.

3 ROIL, Q.C.:

4 Q. Okay, I think that's clear. Thank you.

5 MR. WILLIAMS:

6 A. Just one more slide on training and
 7 competency. I just want to introduce that we
 8 continuously strive to improve our competency
 9 and training processes. We recognize the need
 10 for ongoing oversight and review our
 11 competency and training program, and develop a
 12 number of activities or procedures for that
 13 purpose, and on this particular slide, we list
 14 the types of things that we do on an ongoing
 15 and regular basis to continuously advance our
 16 training, to identify what training
 17 deficiencies might exist, and to ensure we are
 18 becoming a better organization.

19 ROIL, Q.C.:

20 Q. How do you interact with CAPP and the C-NLOPB?
 21 We've heard evidence about the training manual
 22 that CAPP developed and that's been adopted by
 23 the C-NLOPB for positions like helicopter
 24 landing officers. If somebody at Husky
 25 determined that they wanted to have additional

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1 or different training, how would that come
 2 about? Would that have to go back through the
 3 CAPP process or could you do it on board your
 4 facility?

5 MR. WILLIAMS:

6 A. It wouldn't have to go through the CAPP
 7 process. By the function of us possessing
 8 work authorization which is issued by the C-
 9 NLOPB, we are mandated to achieve the minimum
 10 requirements that are stated within the CAPP
 11 guidelines as adopted by the industry and the
 12 regulatory authority. Husky, as an operator,
 13 there is also within these guidelines a
 14 facilitation for an exemption or equivalency.
 15 We, as an operator, if we had a situation
 16 where we wanted to exceed or take a slightly
 17 different approach to a training requirement,
 18 we could apply for that equivalency and
 19 demonstrate to the regulatory authorities or
 20 the C-NLOPB that this is the approach that we
 21 would like to take, and look for their
 22 approval. So there is a process where an
 23 operator could apply the equivalency process
 24 for a different type or a way to go about
 25 their training program.

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1 MR. PRITCHARD:
 2 A. If I could add to that, Mr. Roil, what we've
 3 got is mandated training, and then we have job
 4 specific training, and then we have
 5 enhancements to the role. So we have three
 6 kind of areas to it. So mandated training,
 7 job specific, and then we look for the next
 8 level coming through by having enhanced
 9 training. We need to train for the next
 10 level, so there's an enhancement area to the
 11 training program that you saw.
 12 ROIL, Q.C.:
 13 Q. Yes, so again going back to the helicopter
 14 landing officer, and forgive me, this is not a
 15 requirement that I know that's within that
 16 particular job, but just to give it a name, if
 17 the CAPP training said you had to have three
 18 days of training in some training centre, you
 19 couldn't make it less than three days?
 20 MR. PRITCHARD:
 21 A. We would accept that in the mandatory
 22 training, and we would have our HLOs trained
 23 to that level.
 24 ROIL, Q.C.:
 25 Q. Right, if you wanted to add training to it,

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1 could you or would you?
 2 MR. WILLIAMS:
 3 A. By all means, yes. We have full discretion.
 4 If we want to enhance or advance our training,
 5 there's -- certainly that's a welcome approach
 6 of an operator.
 7 COMMISSIONER:
 8 Q. Excuse me, when you do these things and a
 9 person goes through these various training
 10 efforts, somebody must evaluate that person at
 11 some point. Is it his or her supervisor?
 12 MR. WILLIAMS:
 13 A. Good question. Typically for our
 14 organization, we have trained what we call
 15 competency assessors. So these are
 16 individuals that are knowledgeable in the
 17 skills and equipment and processes that
 18 individual -- or qualifications the
 19 individuals need. So they are responsible for
 20 actually assessing the individual in a number
 21 of different ways on the performance of those
 22 skills and qualifications.
 23 We have also, from time to time, brought
 24 in external consultants to work as assessors,
 25 very knowledgeable in our processes and

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1 equipment, and there is a reliance on the
 2 certifications. You know, when we send an
 3 individual to a certain school or a training
 4 institution, there's a reliance on the
 5 training institution providing the right
 6 qualifications for that student, depending
 7 upon the program. But we do a significant
 8 amount of internal assessment of our
 9 employees.
 10 COMMISSIONER:
 11 Q. Thank you.
 12 ROIL, Q.C.:
 13 Q. Okay, thank you. Now we're moving to another
 14 area of HOIMS.
 15 MR. WILLIAMS:
 16 A. Another element of HOIMS, Element 14, a very
 17 important element for us.
 18 ROIL, Q.C.:
 19 Q. But again, so that we understand, this element
 20 of HOIMS is incorporated into the safety plan.
 21 Is that correct?
 22 MR. WILLIAMS:
 23 A. Aspects of it would be in -- yes.
 24 ROIL, Q.C.:
 25 Q. Yeah, those aspects that are necessary for the

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1 safety plan to have integrity.
 2 MR. WILLIAMS:
 3 A. Yes.
 4 ROIL, Q.C.:
 5 Q. Okay.
 6 MR. WILLIAMS:
 7 A. I should also like to emphasize as well,
 8 you'll see the numbers 1 through 14. There's
 9 no hierarchy to the numbering system. Each
 10 element, whether it's number 14 or number 3,
 11 they're all equally important.
 12 ROIL, Q.C.:
 13 Q. So they could be put in a circle in terms of
 14 their importance?
 15 MR. WILLIAMS:
 16 A. And there was a circle on the HOIMS diagram as
 17 well. So they are very, very important
 18 overall. They all need to work together and
 19 to create, you know, the right management
 20 system and atmosphere for safe work.
 21 ROIL, Q.C.:
 22 Q. You have just chosen an order that works for
 23 your presentation, have you?
 24 MR. WILLIAMS:
 25 A. To a certain extent, yes.

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1 ROIL, Q.C.:

2 Q. Okay.

3 MR. WILLIAMS:

4 A. So there is -- we apologize if there's any

5 confusion on the part of the participants for

6 following us through these slides.

7 Included in our HSE policy is a direction

8 from our chief executive officer to strive to

9 continuously improve. Element 14, performance

10 assessment and continuous improvement are

11 essential components to the safety and

12 wellbeing of our personnel. They are also

13 essential for our success as a company and as

14 an industry. I'll just like to share with you

15 some examples of the things we can do in

16 striving for continuous improvement.

17 Health and safety is the first subject at

18 all our daily operation meetings. We discuss

19 what went on the day before. At each of our

20 weekly management meetings, the HSEQ manager

21 will report to the vice-president the

22 activities of the past week and if there were

23 any health and safety concerns, and sometimes

24 there are actually -- there are quite often

25 positive news that we have to share with the

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1 management team on safety and we do that as

2 well quite often.

3 ROIL, Q.C.:

4 Q. So you don't just report incidents that are

5 problems? You report what, behaviours that

6 are commendable?

7 MR. WILLIAMS:

8 A. Mr. Dyer will speak on a focus program and the

9 positive aspects of that as well. We provide

10 monthly statistic performance reports to all

11 of our operational groups. We have quarterly

12 performance reviews with our chief operating

13 officer and the focus of that meeting, the

14 first focus of that meeting is communicating

15 his safety expectations to the east coast

16 business unit and it's always clear and

17 distinct what his expectations are for us.

18 We regularly meet with our partners to

19 review performance and share our best

20 practices. We meet with Suncor, as well as

21 ExxonMobil to advance our business here in the

22 east coast from a safety perspective.

23 There is a corporate HOIMS ownership team

24 comprised of senior personnel that meet to

25 foster the implementation of HOIMS within the

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1 corporation. I spoke briefly about that

2 earlier.

3 We conduct an annual HSE summit to review

4 our overall performance and set goals. That's

5 held in Calgary and all the company's

6 operations groups participate in this summit

7 and this will occur in February in Calgary,

8 next month, and we'll have a number of

9 representatives, and I believe Mr. Pritchard

10 and Mr. Dyer will be attending that summit

11 this year.

12 ROIL, Q.C.:

13 Q. What kind of issues would get dealt with at

14 those summits? What kind of issues that might

15 be relevant to offshore Newfoundland?

16 MR. PRITCHARD:

17 A. I'll respond to that, Don, if you wish?

18 MR. WILLIAMS:

19 A. Yes.

20 MR. PRITCHARD:

21 A. We have guest speakers. One of the guest

22 speakers this year has a book out and that

23 book deals with the Texas, the refinery

24 disaster, and so we get an understanding about

25 organizations and how that disaster came

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1 about. I am presenting on the response to

2 Cougar 491 and this is more the internal

3 response, what it meant to the east coast

4 operations, how we dealt with it and how we

5 are still significantly impacted by Flight

6 491. So that's the kind of -- there might be

7 presentations on other safety matters, but

8 those are two examples for you of what will

9 happen at this year's summit.

10 MR. WILLIAMS:

11 A. Mr. Roil, I'd just like to share with you, the

12 question might be asked "well, how come the

13 HSEQ manager is not going to corporate HSE

14 summit?" As I indicated earlier, my

15 assignment today is to support the Inquiry and

16 its efforts, so the acting HSEQ manager will

17 attend the summit as well.

18 ROIL, Q.C.:

19 Q. Okay. So you would normally attend, but for

20 us?

21 MR. WILLIAMS:

22 A. I or a delegate of mine would attend.

23 ROIL, Q.C.:

24 Q. Okay.

25 MR. WILLIAMS:

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1 A. We also conduct an annual management system
 2 review. So every year, we sit with the
 3 management team and we review our management
 4 systems and aspects of it in terms of how
 5 effective it was the previous year and how can
 6 we improve upon our management system the
 7 following year, and that's the management team
 8 for our east coast, as well as each of the
 9 custodians, will sit in this meeting and talk
 10 about HOIMS and our east coast management
 11 system. So these are the types of activities,
 12 not all inclusive, of the things we do for
 13 performance assessment and continuous
 14 improvement.
 15 I would now like to introduce Mr. Dyer to
 16 speak about part two of the Sea Rose safety
 17 plan, basis of safe operations.
 18 ROIL, Q.C.:
 19 Q. Okay. So we've now dealt with all of part one
 20 of the safety plan and you're now going to be
 21 the custodian of part two.
 22 MR. DYER:
 23 A. Yes, that's right. I'm going to take us
 24 through part two of the safety plan.
 25 ROIL, Q.C.:

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1 Q. Okay.
 2 MR. DYER:
 3 A. Part two is a stand-alone document. It is
 4 entitled Basis for Safe Operations. This
 5 section demonstrates how Husky, as the
 6 operator, has adequately assessed the risk to
 7 personnel, to the environment, and of course
 8 to the facility, in that we've implemented the
 9 controls and the mitigations to make sure that
 10 we can operate safety offshore.
 11 As briefly introduced by Mr. Williams,
 12 the risk management aspects for Husky are
 13 covered under Element 3, and Element 3 comes
 14 with two aims and seven expectations. So when
 15 we look at the aims, clearly we want to be
 16 able to manage risks, and the way we manage
 17 risk is by performing comprehensive
 18 assessments to provide information that
 19 assists us with our decision making process.
 20 Those assessments will take many forms and in
 21 subsequent slides, I'll give you an example of
 22 what some of these tools actually are.
 23 ROIL, Q.C.:
 24 Q. Yeah. So they can be, I presume, high level
 25 corporate or on the drilling deck floor?

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1 MR. DYER:
 2 A. A risk assessment can be as much as having a
 3 meeting, to having a very structured
 4 quantitative aspect where you're looking at
 5 probabilities and consequences. And the
 6 second one is to develop and implement plans
 7 to manage significant risks to a term referred
 8 to as low as reasonably practicable.
 9 ROIL, Q.C.:
 10 Q. I think we've had other presenters who've used
 11 a similar expression.
 12 MR. DYER:
 13 A. Yes. Okay, so I just want to have a look at
 14 some of the expectations, and I'm not going to
 15 read all of it. I'm just going to highlight
 16 some of the key aspects of each one. So the
 17 first one deals with risks being managed by
 18 the identification of hazards and major
 19 incident scenarios, and you've seen the other
 20 panels as well. There is a risk management
 21 process with all operators and all companies,
 22 and for us, it does come in many different
 23 ways. I'll give you an example of what we
 24 would look at, a major incident scenario risk
 25 assessment. That could be something as simple

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1 as training, helideck drills, doing your
 2 drills on the helideck to simulate a
 3 helicopter crash. We're looking at the -- you
 4 know, what's involved? What's the risk to our
 5 personnel first in doing the drilling and what
 6 are we learning from it if we ever get to the
 7 actual event? So that's just kind of a
 8 separate example of how we'd apply it. The
 9 more formal example would be doing a major
 10 design on a facility, when you actually get in
 11 and look at things very structured, pressures
 12 and temperatures and flow rates and these
 13 types of things, which is what we do on a day-
 14 to-day basis in a lot of cases.
 15 The second one would be risk assessments
 16 are conducted for appropriate activities or
 17 milestones. It's very important that we
 18 understand what we're actually going to risk
 19 assess. If you're going to change out a piece
 20 of equipment with an exact duplicate, well
 21 then you've already done the homework on that.
 22 What you're going to look at is more on the
 23 safety of the installation and removal than
 24 more so the design. So it would be on
 25 different levels, but you have to understand

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1 what the context is before you start.
 2 Procedures are established to review
 3 existing risk assessments. On subsequent
 4 slides, we're going to talk about Husky's risk
 5 assessment tools, and that could be, as I
 6 mentioned before, something as a meeting or a
 7 focus observation, but every tool that we have
 8 will come with a procedure, and that procedure
 9 is in our east coast management system. It's
 10 a current document. We update it as we go,
 11 but it clearly helps you after you've selected
 12 the process to take you through that process.
 13 ROIL, Q.C.:
 14 Q. Okay. So we'll actually look at some examples
 15 that might show how this works in a factual
 16 situation?
 17 MR. DYER:
 18 A. Yes, I'll take us through two examples.
 19 ROIL, Q.C.:
 20 Q. Good.
 21 MR. DYER:
 22 A. Risk assessments are performed by qualified
 23 personnel. As I mentioned before, risk
 24 assessments have many shapes and sizes, and of
 25 course, depending on what you're looking at

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1 will depend on the judgment and the experience
 2 of the people that you need with you, and in
 3 some cases, that expertise may be required
 4 outside of Husky, whereby we would draw in
 5 that independent expert to assist. We'll
 6 always be with that expert because we want to
 7 learn what that expert can bring to the table
 8 as well. A clear process is established by a
 9 procedure to prioritize the risks. Husky does
 10 have a risk matrix, no different than anybody
 11 else. We have a five by five. We cover all
 12 aspects of risk. That matrix itself helps us
 13 identify where we are with the original
 14 planning of risk, given the ingredients that
 15 we're going to put into that review, and then
 16 we'll take that opportunity to bring that risk
 17 down lower if we need to.
 18 ROIL, Q.C.:
 19 Q. I take it you don't use the five by five
 20 little chart every time you risk manage a job?
 21 MR. DYER:
 22 A. No, we don't. In a lot of cases, we will use
 23 that process and when I give my examples, I
 24 can explain how that works, but in other
 25 cases, in behavioural safety, for example,

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1 that's a clear identification of a hazard
 2 which potentially could lead to a risk that
 3 you have to manage, but you wouldn't
 4 necessarily use a matrix to help you with that
 5 determination.
 6 A follow up process is in place to ensure
 7 that the risk management decisions are
 8 implemented. Well, of course, it's very
 9 important that you can say we have a risk
 10 process, that we sit down with the experts, we
 11 find out how we're going to manage it, but
 12 typically, out of risk processes come actions
 13 and it's very important that we're able to
 14 show how we close those actions or we manage
 15 them before we start that work, and Husky has
 16 a couple of databases that they use. One is
 17 called an action tracking management system,
 18 ATMS, and in there you will find that summary
 19 of all the actions that come out of our
 20 assessments and we are able to track each one
 21 to closure as well.
 22 And the last one is a risk assessment is
 23 documented, auditable and appropriate, and
 24 that's very important. We are definitely --
 25 we can stand by what we're doing. We can

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1 demonstrate to a regulator when they come
 2 offshore how we've performed a risk
 3 assessment. We can demonstrate how we've
 4 implemented the controls and how we've managed
 5 the controls as well.
 6 ROIL, Q.C.:
 7 Q. Now this is another one that you may call
 8 simple, but we'll take a few minutes to go
 9 through it so that we understand what it is
 10 you're trying to explain to us about the risk
 11 management process at Husky Energy.
 12 MR. DYER:
 13 A. Sure. As Kimberly Turner made reference to in
 14 her original testimony, she made reference to
 15 a standard referred to as ISO 31000. ISO
 16 31000 is a standard that looks at guidelines
 17 to assist with the implementation of risk
 18 management techniques and that standard was
 19 issued on November 15th, 2009.
 20 ROIL, Q.C.:
 21 Q. I was going to say, I think when she was here,
 22 she said it was about to be issued.
 23 MR. DYER:
 24 A. Yes.
 25 ROIL, Q.C.:

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1 Q. It was brand new, I think.
 2 MR. DYER:
 3 A. Yes.
 4 ROIL, Q.C.:
 5 Q. Leading edge at that point.
 6 MR. DYER:
 7 A. Exactly. And what that standard does is it
 8 does draw in practice and it helps you
 9 understand how to apply some of your tools.
 10 This figure three is straight from that
 11 standard and it depicts what I would deem to
 12 be a common approach to a risk management
 13 process. When we reviewed Element 3 and we
 14 looked at the aims and the seven expectations
 15 of procedures and identification, risk
 16 matrixes and things, they're all the
 17 ingredients in this process. So if you'd
 18 like, I can take you through a very simple
 19 example -
 20 ROIL, Q.C.:
 21 Q. Yes.
 22 MR. DYER:
 23 A. - of how that would work. Non Sea Rose
 24 related, I'll just give a day-to-day example
 25 of how this could work. So not uncommon if

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1 you're on Water Street on any day, you would
 2 see people that opt not to take a crosswalk
 3 and they want to cross the street, at any
 4 time. Okay, so let's just take it as if I'm
 5 that individual. So I'm going to stand on the
 6 sidewalk and the first thing I want to be
 7 looking at is what's called establishing the
 8 context. What is it I'm trying to accomplish
 9 and what environment am I going to try to
 10 accomplish it in? It just so happens on this
 11 day, it's going to be a winter's day and I'm
 12 going to cross the street. I'm not going to
 13 take the crosswalk. Then I'm going to go into
 14 an assessment, and everybody goes through this
 15 every single day, whether you get in your
 16 vehicle and you drive here or you decide to
 17 drive here in a storm or you climb the stairs
 18 and you've got articles in both hands when
 19 there's guardrails on the side of the
 20 stairwell. You make a decision based on what
 21 risk, on what you're doing.
 22 So I'm on the sidewalk right now and I'm
 23 looking at what's around me. I'm identifying
 24 the risks associated with what I'm trying to
 25 accomplish, and what would they look like?

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1 Well, clearly it could be a winter's day so my
 2 visibility could be obscured. So there's one
 3 part of challenge. I could be walking on ice,
 4 so that when I step off, I might slip.
 5 There's another hazard. We're trying to
 6 identify all the hazards. I could be standing
 7 next to a van where my visibility is blocked
 8 now and I can't see the approaching traffic.
 9 A couple of examples of hazards that
 10 potentially may lead me to a near miss or an
 11 incident if I don't manage that properly.
 12 Then we look at the risk analysis. So I
 13 don't have a matrix in my hand, but I'm
 14 clearly in my mind thinking "okay, is this
 15 safe? Am I going to do this?" I'm analysing
 16 all these hazards, and then I'm going to
 17 evaluate it. You're either going to make the
 18 decision that it's safe and I'm just going to
 19 go for it, or you're going to say "no, I think
 20 I should take the crosswalk. I should obey
 21 the traffic signs" or "I'm going to move away
 22 from that van because I can see better" or
 23 "I'm going to step off that ice onto some
 24 rigid footing so that I don't slip." So
 25 there's three examples of you analyze that

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1 you've got a risk. Now it's up to you to put
 2 those safeguards in place. So you put all
 3 those safeguards in place and you cross the
 4 street, and when you cross the street, most
 5 people look back and what that is, that's your
 6 confirmation that your safeguards worked. And
 7 that's an example of how you would take a day-
 8 to-day activity and just take it into a very
 9 simple risk assessment process.
 10 ROIL, Q.C.:
 11 Q. And so what I have done there, if I'm the
 12 person, and I think surrounded by safety
 13 people we should never admit that we're not
 14 using crosswalks, but if I'm the person, I go
 15 through this process in the way that you've
 16 explained it, as an informal way of risk
 17 managing the process of getting across Water
 18 Street.
 19 MR. DYER:
 20 A. That's a very informal way of looking at it.
 21 ROIL, Q.C.:
 22 Q. Yes.
 23 MR. DYER:
 24 A. Now if you were going to look at a design
 25 change or something on an FPSO facility, then

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1 that would come in a very structured process
 2 whereby you would look at a lot of different
 3 factors. You would have to have an
 4 experienced team with you. You will document
 5 everything you're doing. You'll risk rank it.
 6 You'll look at the actual risk and then you'll
 7 look at your safeguards and then you'll look
 8 at your residual risks and it's on your
 9 residual risk that you say that this is a safe
 10 activity and I can't make it any safer, and
 11 then you're ready to go with that activity.

12 ROIL, Q.C.:
 13 Q. Do you ever go through a process where you
 14 analyze the risk, assess the risk, attempt to
 15 manage the risk and simply find that you can't
 16 get there, that it is not safe to cross the
 17 street at all?

18 MR. DYER:
 19 A. Absolutely. People will tell you that the
 20 only way you can eliminate all risk is to not
 21 do the job.

22 ROIL, Q.C.:
 23 Q. Yes.

24 MR. DYER:
 25 A. And there have been examples where we've done

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1 a risk assessment and it clearly came out that
 2 that job was not safe to proceed with, given
 3 all the mitigations. I think Mr. Pritchard
 4 gave that example in the joint testimony when
 5 we were trying to remove a riser spool from
 6 our turret. It was in a confined space. The
 7 weather wasn't great. It was a heavy lift,
 8 and we found that we had limitations on our
 9 crane to do the lift. So clearly, we have to
 10 go back and fix the engineering piece before
 11 we can proceed with that job, and that job did
 12 not go ahead.

13 ROIL, Q.C.:
 14 Q. Okay.

15 MR. DYER:
 16 A. So as I mentioned, there's many different ways
 17 of doing risk assessments. This is an example
 18 of some of Husky's risk assessment tools. On
 19 any given day, all of these tools will be used
 20 in Husky's business, on any given day, and on
 21 the Sea Rose, you will see, on any occasion,
 22 you will see all of those tools being used as
 23 well, and I'll just run through a quick
 24 example of a couple of those. We will talk
 25 about -

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1 ROIL, Q.C.:
 2 Q. You have a bunch of acronyms here that we're
 3 probably not as familiar with as you are, so
 4 take your time in terms of explaining this
 5 slide for us.

6 MR. DYER:
 7 A. Okay. The process hazard analysis, this is a
 8 -- it's called a PHA. It is a structured
 9 review, that is individuals and experts come
 10 together. They review whatever the context,
 11 and I'll keep referring back to ISO 31000,
 12 they'll review the context, but they can do it
 13 with different tools, and the first one is
 14 called a HAZOP, and that's a hazard analysis
 15 and operability study, very structured,
 16 engineering review. Typically you have guide
 17 words. You look at a system. For example, if
 18 you were going to install a new system, well
 19 how would that system react if you had a
 20 higher pressure than design, a lower pressure
 21 than design, a higher flow rate, a higher
 22 temperature? It's structured very much in
 23 that manner, and you have to put safeguards in
 24 place from a design perspective, whether it be
 25 to put in pressure safety relief devices and

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1 these types of things. So that tool has a
 2 specific purpose.

3 A hazard identification, a HAZID, that's
 4 when you go through with just a -- it's more
 5 of a brainstorming and identifying hazards
 6 associated with what you're trying to
 7 accomplish, and once again, putting in your
 8 mitigations.

9 A what-if checklist, that's where you
 10 come together as a group of very qualified
 11 people and you just pose questions. What if
 12 that was subjected to minus 20 degrees? What
 13 if someone tripped on that stool? You go
 14 through the cause and effect of that.

15 And FMEA is a failure modes and effect
 16 analysis, very structured, where you look at
 17 the reliability aspects, and a failure modes
 18 and effects criticality analysis, the same
 19 thing. We just put several people through
 20 this training actually with the east coast.

21 And a preliminary hazard assessment which
 22 effectively is an overriding introduction to
 23 when you first start off looking at your
 24 hazards of any design.

25 ROIL, Q.C.:

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1 Q. So you're saying any or all of these could be
 2 used on board the Sea Rose virtually every
 3 week or every day?
 4 MR. DYER:
 5 A. We can use these on the Sea Rose from time to
 6 time. Predominantly you'll have Sea Rose
 7 people engaged with a group of onshore people
 8 and it would be coordinated from an onshore
 9 approach.
 10 The other tools are all offshore tools.
 11 FOCUS, which I'm going to explain in some
 12 detail on my next slide. Simultaneous
 13 operations, this is Sea Rose specific, as well
 14 as how do we manage the safety of having a
 15 drilling facility over one of our glory holes
 16 while we're producing from it and operating on
 17 the Sea Rose, and that's a systematic approach
 18 of good communications and safeguards to make
 19 sure there's no incidents. Risk based
 20 inspection, this is something that we have
 21 inherent in our integrity management process.
 22 It's great that we design a pipe and we meet a
 23 regulation that says it has to maintain its
 24 integrity for 20 years, but we'll also go
 25 above that and we'll look at the wear

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1 characteristics and we'll send a contractor
 2 out to have a look at the integrity of that
 3 pipe over time. Even though we do meet the
 4 design, it gives us that one more look as to
 5 how our integrity is for Sea Rose. And the
 6 permit to work system, all of those issues on
 7 the right-hand side are all part of that
 8 process. That's how we manage our day-to-day
 9 business on the Sea Rose and it's a very
 10 comprehensive process that makes sure all our
 11 jobs are done safely.
 12 ROIL, Q.C.:
 13 Q. I think permit to work, safe job analysis and
 14 tool box talk we've heard from the other
 15 operators. I suspect that yours is not that
 16 different. Step Back 5 by 5, are we going to
 17 see that somewhere else or do you want to
 18 comment on that here?
 19 MR. DYER:
 20 A. I can actually show that to you now. You have
 21 a small sticker. I don't know if you've seen
 22 this, Mr. Commissioner. I think you have
 23 this, Mr. Roil.
 24 ROIL, Q.C.:
 25 Q. I have a -- it isn't an exhibit, but I have it

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1 here and I can circulate it in the room.
 2 MR. DYER:
 3 A. Yes, yeah.
 4 ROIL, Q.C.:
 5 Q. We're calling this a prop rather than an
 6 exhibit.
 7 MR. DYER:
 8 A. It's a prop. It's a prop is good, yeah. Just
 9 let me -- I'll give you a very brief overview
 10 of a Step Back 5 by 5 process. Once you've
 11 completed all of your planning and you're
 12 ready with all of your controls and safeguards
 13 to start a job, of course then we have to use
 14 a permit system offshore to identify the steps
 15 that were taken. The permit -- I'll go past
 16 all the steps of it's been approved, all of
 17 the site visits have been done, all the
 18 controls are in place, and all the mitigations
 19 have taken place. Now we're ready to start
 20 the job. Before you start the job, you do a
 21 tool box talk. It's an opportunity for
 22 everyone to come together to assess the risks,
 23 because a job may be approved 24 hours in
 24 advance, and you may look at it 24 hours
 25 later. So there may be some things that have

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1 changed.
 2 Once the tool box talk is complete and
 3 all people have signed off indicating that
 4 they are aware of all the hazards of that job,
 5 the last thing they do is a Step Back 5 by 5.
 6 Once they are all the location, they know they
 7 have to stop, don't start any work, step back,
 8 take five minutes and address a couple of key
 9 things. For example, inspect and assess work
 10 area for hazards. We could have had a
 11 snowstorm overnight, which means now you've
 12 got other hazards that are introduced,
 13 tripping hazards and things of this nature.
 14 Observe for others in the work area. If
 15 you're doing work, you really need to know
 16 who's around you and they need to know what
 17 you're doing, just in case what you're doing
 18 may impact what they're already working on.
 19 Assess the hazards, make sure they're properly
 20 controlled. So you look at your tool box talk
 21 and you say "these are the hazards I've looked
 22 at." You assess the scene, say "okay, now I
 23 know where these hazards are presenting
 24 themselves and I have to be sure I understand
 25 where they are." And it's a very quick tool

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1 to make sure that everybody is aware on the
 2 day, on the minutes, that it's safe before
 3 they actually take a tool and start working,
 4 and that's the value of that.
 5 ROIL, Q.C.:
 6 Q. Do those little pieces of paper get tracked by
 7 anybody? Do you collect them afterwards?
 8 MR. DYER:
 9 A. These actually stay with the permit and our
 10 permits are subject to audit.
 11 ROIL, Q.C.:
 12 Q. Okay. So if an auditor goes in, the auditors
 13 should see that one of these has been
 14 completed and somebody has signed off on it?
 15 MR. DYER:
 16 A. Yes. In actual fact, the Sea Rose does have
 17 what's called a self audit system, where we
 18 will actually audit ourselves against our own
 19 compliance with this as well.
 20 ROIL, Q.C.:
 21 Q. Okay.
 22 MR. DYER:
 23 A. What I want to do now, Mr. Commissioner, is
 24 just have a brief discussion of our -
 25 ROIL, Q.C.:

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1 Q. Before you go on to the FOCUS, which I think
 2 could take a few minutes, just let me ask you
 3 a question that we hadn't prepared in advance,
 4 but it jumps out at me. Is there any sort of
 5 pattern -- when you do all of this planning,
 6 sometimes the little bits of light go through
 7 the cheese, to use the Swiss cheese analogy
 8 that others have used. Sometimes with all the
 9 planning and all of the analysis and tool box
 10 talk, something goes wrong, and when you go
 11 back, is there any pattern to whether or not
 12 the problem was you failed to address a risk
 13 or is it the fail to manage the risk or that
 14 the work wasn't performed the way it should
 15 have been? Are there any patterns in risk
 16 management, as you go back and look at it?
 17 And I'd say that's a question that's a little
 18 bit unfair because I haven't given you advance
 19 notice of it. You may want to think about it
 20 and answer after lunch, but -
 21 MR. DYER:
 22 A. I can just -
 23 ROIL, Q.C.:
 24 Q. - where does risk management normally fall
 25 down is my question, because sometimes it

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1 does.
 2 MR. DYER:
 3 A. I would agree that you'll always find room for
 4 improvement when it comes to risk management
 5 process. The three examples you cited,
 6 whether it be, you know, did they perform as
 7 expected or did we miss a hazard or did we
 8 miss identification of a hazard. They're all
 9 very real circumstances and it goes to show
 10 that the process does revolve around people.
 11 Where we are is Husky is the fact that the
 12 next time we perform that job, because it's
 13 very common that you would repeat a lot of
 14 work on an offshore facility, a lot of common
 15 work, that we go through the process again.
 16 We just don't take that document to say "we're
 17 going to do the job next week. I don't have
 18 to do anything. I just got to take everything
 19 I had before." We go through it again, we
 20 reassess. We make sure our lessons learned
 21 from whatever we missed, whatever hole in the
 22 cheese was there is brought forward and
 23 brought into the next time we do that. So
 24 it's a continuous improvement. It's very
 25 difficult to say there's one specific reason

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1 why you would miss something, but it's better
 2 to say that in the positive culture we're
 3 trying to create that we identify that,
 4 address the lesson learned and make sure we
 5 don't repeat the behaviour going forward into
 6 the next job.
 7 ROIL, Q.C.:
 8 Q. So it could be a failure to identify the risk
 9 or it could be a failure to manage the risk or
 10 it could be a failure to do the job with the
 11 processes that have been put in place?
 12 MR. DYER:
 13 A. It could be all of those, and the key is how
 14 we manage it, how we understand it and how we
 15 educate our people so that we don't actually
 16 have those issues.
 17 ROIL, Q.C.:
 18 Q. Okay, thank you.
 19 MR. DYER:
 20 A. Okay, are we going to proceed to the FOCUS?
 21 ROIL, Q.C.:
 22 Q. Yes, please do.
 23 MR. DYER:
 24 A. Okay, great. As Mr. Williams discussed in his
 25 explanation of HOIMS, Element 2 was referred

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1 to as safe operations. One aspect of Element
 2 was our behavioural based safety program,
 3 and this is a key component for the Sea Rose
 4 and how we establish our safety culture. On
 5 the slide, Mr. Commissioner, you'll see a
 6 FOCUS card, and we've shown both sides of the
 7 card here on your screen. The premise of
 8 FOCUS is to provide everyone the opportunity
 9 to identify what's referred to as an at-risk
 10 behaviour or an unsafe condition, but it's
 11 also equally as important that we identify
 12 what worked well, and you'll see that on the
 13 card. There's two aspects, all safe
 14 behaviours or adverse behaviours and
 15 conditions.
 16 These cards are located throughout our
 17 accommodation, in many locations. So they're
 18 accessible by all our workforce offshore. On
 19 average, we receive about five to eight cards
 20 a day, just over 1800 a year in total. Each
 21 card, when submitted, is reviewed. Now
 22 depending on the nature of what's written
 23 down, it'll be reviewed immediately or
 24 typically it's reviewed by the offshore
 25 leadership team every morning on the Sea Rose,

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1 roughly around 8:00 in the morning. Following
 2 which every card will be entered into a HSE
 3 summary and submitted to several people,
 4 offshore JOHS, the occupational health and
 5 safety committee, as well as a whole dynamic
 6 of onshore individuals. At 8:15 every
 7 morning, we have a call onshore and offshore
 8 and the first thing of business is to review
 9 the health and safety performance of Sea Rose
 10 over the previous 24 hours and every FOCUS
 11 card will be reviewed at that point.
 12 However, not all the crew is aware of
 13 what was written on these cards at this point
 14 in time. So every evening on the Sea Rose,
 15 every department will conduct a handover to
 16 their back-to-backs, because we are a 24-hour
 17 operation.
 18 ROIL, Q.C.:
 19 Q. Yeah, the people working on the other 12
 20 hours?
 21 MR. DYER:
 22 A. Exactly. The first order of business on every
 23 handover is every single FOCUS is read to
 24 every member of the crew, and it gives the
 25 crew an opportunity to comment on that and to

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1 seek clarifications if required, and that
 2 communication will come back to us as well.
 3 You will notice as well, there is an
 4 identification for an observer's name there on
 5 the bottom of the card. This in no way will
 6 preempt anybody from Sea Rose with dealing
 7 with what's written on the card. This is a
 8 voluntary basis. We expect everybody to
 9 participate and we do have good participation.
 10 The only reason why we have the name there is
 11 because if we have an opportunity to look for
 12 more information on the finding, if we need
 13 clarification, then we have someone to go back
 14 to. But if it's not signed, that's perfectly
 15 fine. In no way will that preempt us from
 16 dealing with what's on that card.
 17 The real value of the card is that it
 18 also identifies what we deem to be the safe
 19 behaviours. As you can well imagine, you'll
 20 get a lot out of a safety culture by
 21 acknowledging what you actually did well, not
 22 just what isn't right, and we do that very
 23 well, and when you're reviewing that in a
 24 handover every evening and you can identify
 25 that someone was performing a valve job and

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1 they did an excellent job with it because they
 2 had the following in place, well that just
 3 gets communicated down. It really has an
 4 effect on the morale of the crew as well. So
 5 it's real positive from that perspective.
 6 ROIL, Q.C.:
 7 Q. So the identification through observation is
 8 not just of adverse behaviours. It is also of
 9 positive behaviours?
 10 MR. DYER:
 11 A. Absolutely.
 12 ROIL, Q.C.:
 13 Q. If I see somebody doing something well, I'm
 14 invited to comment on it?
 15 MR. DYER:
 16 A. That's correct. That's absolutely right.
 17 COMMISSIONER:
 18 Q. The other thing that strikes me, and I guess
 19 this is an intended result, by going through
 20 these processes, you're keeping safety always
 21 in the individual's mind.
 22 MR. DYER:
 23 A. Yes.
 24 COMMISSIONER:
 25 Q. That's -

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1 MR. DYER:
 2 A. That's exactly right.
 3 COMMISSIONER:
 4 Q. Yeah.
 5 MR. DYER:
 6 A. Mr. Commissioner, when I was the offshore
 7 installation manager and I would meet the
 8 helicopters, we would talk about the
 9 requirement to participate in FOCUS and I
 10 would always make it very clear to every
 11 individual that they are empowered to stop
 12 unsafe work that they see on the Sea Rose with
 13 no apportion to blame whatsoever. So if I was
 14 walking on the topsides module and I saw
 15 someone that was in an unsafe condition, then
 16 I would go over and tell that individual to
 17 stop, step back, and let's reassess together
 18 and see if you can identify a better way
 19 forward. So it's not just a communication to
 20 leadership and everybody. It's a
 21 communication between individuals, and once we
 22 get to the point where they're comfortable
 23 communicating with each other, then we really
 24 got something to work on there, really
 25 building a culture around that, and the Sea

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1 Rose is a good example of that.
 2 MR. PRITCHARD:
 3 A. I think that's very important, Mr.
 4 Commissioner. It's a voluntary system. We
 5 have no mandated numbers. We do measure it,
 6 and of course, watch the numbers grow. We
 7 have no mandated numbers. It's the quality
 8 that we want to have and the input of the
 9 workforce that we're looking for, and we can
 10 see that by the number of cards that we have
 11 submitted.
 12 ROIL, Q.C.:
 13 Q. Do you have to encourage -- or is there a
 14 method that you use to encourage
 15 participation? You know, there's the whole
 16 incentive program. Is there any reward given
 17 to anybody to fill in cards?
 18 MR. DYER:
 19 A. No.
 20 MR. PRITCHARD:
 21 A. The reward is the safety of yourself and the
 22 individuals and the rest of the workforce.
 23 That's reward enough.
 24 MR. DYER:
 25 A. Yes.

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1 ROIL, Q.C.:
 2 Q. What about the comment that we heard from one
 3 of our presenters, the leader of the NDP, that
 4 some workers, not identified by location, felt
 5 that they did not have the ability to report
 6 concerns offshore because there was a fear
 7 that they'd be -- there might be some
 8 retribution or that it wouldn't be accepted,
 9 that management wouldn't be interested, what
 10 do you say about those kinds of comments, all
 11 three of you perhaps, in terms of your
 12 workforce?
 13 MR. DYER:
 14 A. From my experience working offshore, I have no
 15 examples how that's happened. When we look at
 16 people filling in a card, they can drop it off
 17 in five different drop off boxes and nobody
 18 will ever know who they were. They can drop
 19 it on our HSEQ advisor's desk at any time. So
 20 there's lots of opportunity where they can
 21 participate and not be known.
 22 ROIL, Q.C.:
 23 Q. But surely if I identify a situation that is
 24 site specific, it's not hard for you to find
 25 out who was in that physical place at that

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1 time. So if I saw something happening in the
 2 galley, somebody was using a knife in a way
 3 that was dangerous, it wouldn't take an awful
 4 lot of estimation or guesstimation to identify
 5 the person. Is that a place where you might
 6 have some reluctance? Where people can, by
 7 virtue of telling of the fact, they can be
 8 identified as to the person who made the
 9 report?
 10 MR. DYER:
 11 A. As Mr. Pritchard mentioned previously, there's
 12 a performance accountability aspect of the Sea
 13 Rose that has to be maintained to a standard
 14 as well. It's very important that people
 15 communicate and identify at risk but it's more
 16 important that people are themselves safe when
 17 they do their activities. To address your
 18 question, you are correct in that, yes, there
 19 may be some observations coming in where you
 20 can readily identify who that individual was,
 21 but -- and that's an area, we obviously have
 22 to deal with the issue that's been brought up,
 23 and if we feel the individual is not
 24 performing or putting themselves at risk
 25 unknowingly, then we will definitely follow up

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1 with that individual to make sure they
 2 understand, you know, the impact of what they
 3 were doing, so they don't repeat that
 4 behaviour in the future.
 5 MR. PRITCHARD:
 6 A. And that's the elements of a just culture.
 7 The just culture ensures as you work through
 8 (unintelligible) process that would take you
 9 through accountability and within that level
 10 of process, you'd identify "are the
 11 individuals trained? Is there a procedural
 12 issue?" So whilst there may be an at-risk
 13 behaviour, we identify what the potential
 14 failures are within our processes that would
 15 have allowed that individual to actually go
 16 ahead with that unsafe behaviour. So in many
 17 instances, there's not a level of, I'll say,
 18 retribution here, but identification of
 19 improvement areas for that individual to be
 20 further trained or to put the process right.
 21 COMMISSIONER:
 22 Q. What is coming through to me is that you just
 23 don't put a culture in place, that this is a
 24 never ending process. Is that fair to say?
 25 MR. PRITCHARD:

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1 A. That is, yes. The culture develops with the
 2 reporting structure that we have and you know,
 3 alongside that accountability piece, we do
 4 want people to perform their work safely, and
 5 it's not always individual's problems, but if
 6 they are observed working unsafely, there may
 7 be something further back in their history,
 8 training, process that they might be using at
 9 that time that's giving them the -- you know,
 10 opened that door for them to have an
 11 opportunity for unsafe behaviour.
 12 COMMISSIONER:
 13 Q. So you can never rest on your oars really.
 14 MR. PRITCHARD:
 15 A. Not at all.
 16 COMMISSIONER:
 17 Q. You've got to keep going.
 18 MR. PRITCHARD:
 19 A. Continuously look for -- yeah. So whilst you
 20 might be able to identify the individual, it
 21 will be then, the support of that individual
 22 to ensure that unsafe behaviour doesn't occur
 23 again.
 24 ROIL, Q.C.:
 25 Q. I think, Mr. Dyer, although we've focused on

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1 behaviours, I see that conditions, hazardous
 2 conditions can also be identified. So
 3 something broken or not working could be -
 4 MR. DYER:
 5 A. A tripping hazard is an example of that.
 6 Something that we've introduced to the
 7 facility that may impact or cause an unsafe
 8 behaviour for others. Working at heights
 9 without the proper tie off apparatus, these
 10 types of things.
 11 ROIL, Q.C.:
 12 Q. Okay. I think that's probably a good time for
 13 us to make a break before we get into the next
 14 slide.
 15 COMMISSIONER:
 16 Q. Thank you. 2:00 then.
 17 (LUNCH BREAK)
 18 ROIL, Q.C.:
 19 Q. Thank you Commissioner. Gentlemen, we're
 20 still on slide No. 53 and before we broke for
 21 lunch, we were dealing with the FOCUS card and
 22 I have a couple of questions arising out of
 23 that. The first question is, is it clear to
 24 you that workers see helicopter transportation
 25 as being part of their employment?

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1 MR. DYER:
 2 A. Yes, yes.
 3 MR. PRITCHARD:
 4 A. Yes, indeed.
 5 ROIL, Q.C.:
 6 Q. Anybody who can answer, perhaps I'll direct my
 7 eyes towards Mr. Dyer and then either of you
 8 gentlemen can answer this question as maybe
 9 appropriate. Okay, so it's clear that
 10 helicopter transportation is a part of my
 11 work, if I'm an offshore worker. The second
 12 question is have you ever seen these cards
 13 focussed, pardon the pun, on an aspect of
 14 helicopter transportation or do they generally
 15 come in dealing with work place issues that
 16 are on the facility?
 17 MR. DYER:
 18 A. The FOCUS card can be used to address all
 19 aspects of the worker's employment and that's
 20 from the time they're at Cougar until the time
 21 they depart Cougar to go home.
 22 ROIL, Q.C.:
 23 Q. Right, and I think other operators have told
 24 us the same thing, but clearly the
 25 transportation is a piece of the work.

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1 MR. DYER:
 2 A. Yes, that's correct.
 3 ROIL, Q.C.:
 4 Q. And so these are meant to focus on work, not
 5 just on the platform.
 6 MR. DYER:
 7 A. Correct.
 8 ROIL, Q.C.:
 9 Q. Okay, I guess my question from that comes into
 10 now the whole issue of suits, transportation
 11 suits of which much has been said at these
 12 hearings. My question for you is prior to
 13 March 12th when there came to be considerable
 14 focus on the suits, were you gentlemen or was
 15 your company aware of a general concern about
 16 the fit of transportation suits, either by
 17 these FOCUS cards or by any other means?
 18 MR. PRITCHARD:
 19 A. Yeah, the suits did come in as an issue on the
 20 FOCUS cards and many of the, you know,
 21 meetings that were had, all in terms of
 22 comfort, you know, that the comfort and the
 23 fit of the--comfort of the zipper and the
 24 stiffness of the zipper in particular.
 25 Certainly in hindsight, you know, these

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1 comfort issues could have masked some
 2 underlying feature of the safety of the seal
 3 arrangement, the integrity of the seal, so you
 4 know, we are starting to recognize in
 5 hindsight that the comfort issues may have
 6 translated into an issue with the seal on the
 7 face, recognize that at the time.
 8 ROIL, Q.C.:
 9 Q. The reason I ask about fit is that it seems to
 10 me from what I know of the suits that the
 11 issue of the fit around your face is a
 12 question of integrity, if it doesn't fit, it
 13 will not work properly. The other expression
 14 "fit" means I'm sloppy in the boots or the
 15 legs are too long for me and so, I guess, my
 16 question going back to you on that is was
 17 there any real indication to you, to any of
 18 you in your company that there was a problem
 19 of integrity of the suits in terms of the
 20 ability to get a good water seal, other than
 21 the zipper issue with respect to the face
 22 seal?
 23 MR. PRITCHARD:
 24 A. No, we had no indications that there was an
 25 integrity issue per se. We did have a number,

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1 as I say, feedback regarding the comfort of
 2 the suit.
 3 ROIL, Q.C.:
 4 Q. Okay, and I guess my final question along the
 5 same lines is, and Mr. Dyer, you spoke a lot
 6 about the whole issue of risk management and
 7 how you identify the risks and then you manage
 8 them, and in that context, you will recall my
 9 question about whether sometimes risk
 10 management fails because we fail to identify
 11 the risk or we fail to mitigate it. Do any of
 12 you see the failure of the fit, of the
 13 integrity fit of the suits as being somehow a
 14 failure of the risk management system and
 15 again, not trying to cast blame because we're
 16 trying to look for where we have opportunities
 17 to improve in the future, so is it in that
 18 case that we failed? And I say "we" in a
 19 collective sense, that we failed to identify
 20 one of the risks, that is that fit, integrity
 21 fit was key to performance?
 22 MR. PRITCHARD:
 23 A. When we looked at the suit, at the purchase of
 24 the suit, we look at the standards and we were
 25 buying a suit that met the standards and

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1 implicitly we expected the integrity of the
 2 seals to be in-built to the suit. As I say,
 3 the comfort issues could well have masked the
 4 integrity issue, we had so, you know, a number
 5 of comfort issues that were brought to light,
 6 just a number of those may well have masked
 7 that.
 8 ROIL, Q.C.:
 9 Q. Okay. I guess if we ever get a suit that does
 10 fit somebody now, we understand what the issue
 11 is on that one.
 12 MR. PRITCHARD:
 13 A. Indeed, and you know, we've seen it from the
 14 letters from the TSB to Transport Canada
 15 trying to ensure that everybody around the
 16 world will--at least from Transport Canada
 17 point of view, do recognize the importance of
 18 the integrity of the suit itself and to have
 19 checks, as we have now in place when people
 20 are putting the suit on.
 21 ROIL, Q.C.:
 22 Q. Okay, thank you. In that case, we'll now go
 23 into the next slide, Mr. Dyer, if you're ready
 24 to proceed.
 25 MR. DYER:

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1 A. Mr. Roil, I just wanted to close out on two
 2 observations for this slide, if I could
 3 please?
 4 ROIL, Q.C.:
 5 Q. Yes, okay, absolutely.
 6 MR. DYER:
 7 A. One thing I just wanted to draw particular
 8 attention to is the transparency and the
 9 openness that we have with our Occupational
 10 Health and Safety Committee on the FOCUS card
 11 process as well. When our JOHS committee of
 12 Occupational Health & Safety Committee meets
 13 every 21 days, they will, as part of their
 14 agenda, review the status of our FOCUS
 15 observations. As you can gather, there will
 16 be some observations that will require an
 17 action to remedy the situation and it is very
 18 important that we provide a tool that allows
 19 us to track that to closure and to demonstrate
 20 to, not just the Occupational Health and
 21 Safety Committee, but all personnel on board
 22 that we take it seriously and we're going to
 23 close out the finding. To date, we've closed
 24 over 95 percent of all actions raised in the
 25 last five years on FOCUS observations.

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1 ROIL, Q.C.:
 2 Q. What would cause an item not to close in a
 3 reasonably rapid period of time? Are there
 4 some issues that take much longer than others
 5 to close?
 6 MR. DYER:
 7 A. Perhaps early, some will vary, you will have
 8 to make an engineering study of an observation
 9 or simply you may just have to replace a valve
 10 or something smaller. So some will be
 11 remedied immediately, some will obviously
 12 require a process whereby we will have to go
 13 through a standardized process for completion.
 14 ROIL, Q.C.:
 15 Q. And who then within the company, who is
 16 charged with the responsibility of seeing that
 17 these do get closed out? Is that your
 18 department or is it Mr. Williams or -
 19 MR. DYER:
 20 A. It's managed through the offshore installation
 21 manager offshore. We also have visibility
 22 into that process as well. We track it
 23 through our, what's called our SAP system,
 24 which is our plan maintenance system, so that
 25 report is available for print at any time and

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1 a good indication of how we're doing, as I
 2 said, is done at the OHS meetings every three
 3 weeks. Okay, and just as a closing remark on
 4 that one as well, our vice-president of
 5 Eastcoast Operations do review each of the
 6 FOCUS cards every day at all times and any
 7 issues that come up will directly be drawn to
 8 the attention of the general manager.
 9 As I mentioned on the slide that showed a
 10 variety of the risk management tools that
 11 Husky uses, one example was a Toolbox Talk.
 12 What I just showed here is an example, it
 13 covers over two slides and it has five steps,
 14 but what this is, this is a standard Toolbox
 15 Talk that the helideck operations team would
 16 perform and complete before the helicopter
 17 operations has started on the Sea Rose.
 18 Typically you will have the helicopter landing
 19 officer and his team up on the bridge of the
 20 Sea Rose and they will sit down for 15 to 20
 21 minutes and they'll go through this checklist
 22 just to make sure everybody is aware of where
 23 they need to be, what their roles and
 24 responsibilities are at every phase of the
 25 helicopter landing process. It will start 30

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1 minutes prior to arrival, then there will be a
 2 section on arrival, the helicopter refuelling
 3 process, the department aspects of it and then
 4 there's a post helicopter operations close
 5 out. This will be done every time we land a
 6 helicopter on Sea Rose and complete it.
 7 ROIL, Q.C.:
 8 Q. Those that are working on other assignments,
 9 are they generally given enough time to be 30
 10 minutes before the helicopter lands?
 11 MR. DYER:
 12 A. Yes, they are.
 13 ROIL, Q.C.:
 14 Q. There's no challenges there in terms of, well
 15 I got to finish up my job that I'm doing, so I
 16 might be 15 minutes late.
 17 MR. DYER:
 18 A. There are examples when that may very well
 19 happen, but the key to that is to make sure we
 20 communicate well. Who is on call for that
 21 week, what time the flights are due to arrive
 22 and there's announcements made in advance to
 23 let people know to make the work site safe and
 24 make their way to the helideck for the Toolbox
 25 Talk.

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1 ROIL, Q.C.:

2 Q. And you have adequate notice of when the

3 helicopter is to arrive.

4 MR. DYER:

5 A. Yes, we do and that's managed through a formal

6 process. That concludes the -

7 ROIL, Q.C.:

8 Q. Sorry, before you go back, just again a matter

9 of more curiosity than anything, but it may

10 turn up to be something, on refuelling the

11 helicopter, if you go back one slide, one of

12 the risk management tools is fuel samples for

13 pilot inspection before and after. What's

14 that about? What's the risk and what's the

15 activity?

16 MR. DYER:

17 A. Well typically whenever the helicopter lands

18 on the Sea Rose, we have to provide

19 demonstration that we have the proper fuel.

20 Before we put it on the actual helicopter,

21 that sample is taken, reviewed with the pilot,

22 I think it was the second-in-command that

23 actually reviews it, approves it as a good

24 sample and then we proceed with the

25 refuelling. Afterwards we take another sample

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1 as a quality check just to make sure that what

2 we're leading in the system also meets the

3 standard for the next flight.

4 ROIL, Q.C.:

5 Q. So the fuel before delivery and the fuel

6 immediately after delivery is what is sampled,

7 not necessarily what's in the helicopter.

8 MR. DYER:

9 A. It's a representative of what -

10 ROIL, Q.C.:

11 Q. Of what's in the helicopter.

12 MR. DYER:

13 A. Yes.

14 ROIL, Q.C.:

15 Q. Is fuel integrity a challenge in terms of the

16 offshore operation?

17 MR. DYER:

18 A. No, we are required to maintain a certain

19 volume of fuel on board and to a cleanliness

20 that's required for helicopter operations,

21 today I am not aware of any issues with that

22 process. Okay, so that concludes my section

23 for this point in time. I'm now going to hand

24 over to Mr. Pritchard.

25 ROIL, Q.C.:

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1 Q. To Pritchard who is going deal with

2 contractive services.

3 MR. DYER:

4 A. Yes, that's correct.

5 MR. PRITCHARD:

6 A. So this is Section 13 of the HOIMS, contract

7 of services materials. So Husky has a

8 documented procurement process and ensures

9 goods and services supplied to Husky meet

10 Husky standards. They can be delivered in a

11 consistent and efficient manner by the

12 contractors. The contractors aligned to our

13 HSEQ, aims and expectations by our HOIMS

14 document, which is part of the contracts that

15 we issue out. The aims and expectations for

16 the various contractors are really based upon

17 the scope and complexity of scope to be

18 delivered. The process addresses Husky's

19 policy and regulatory requirements, which

20 include the aspect of the Newfoundland

21 benefits and full and fair opportunity aspects

22 to contractors.

23 ROIL, Q.C.:

24 Q. Sorry, other than the actual helicopter

25 contract, which has been let to Cougar, as we

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1 know, are there other contracts, are there

2 other contractual relationships that impact

3 helicopter transportation? And I'm thinking

4 of one, for example, the weather monitoring,

5 that has at least some peripheral impact, in

6 terms of the weather is being provided and

7 then given to Cougar. Are there any other

8 examples of contrast?

9 MR. PRITCHARD:

10 A. There's the weather, there's Helly Hansen,

11 Cougar, I can't think of any more than that.

12 MR. DYER:

13 A. Of course, there's all kinds of interfaces as

14 well with the Cougar facility as being that,

15 that barrier to getting offshore as well, so

16 there's all kinds of interface at that point.

17 ROIL, Q.C.:

18 Q. Yeah, and it would seem to me that most of

19 your impact would be on the equipment going

20 onto a helicopter, for instance the flight

21 suit, the helicopter business itself and then

22 perhaps something that might happen on the

23 helideck, like fuel -

24 MR. PRITCHARD:

25 A. I think some of the maintenance issues, yeah,

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1 Mr. Dyer spoke about the maintenance and a
 2 third party is coming in, so the Coast Guard
 3 going out and doing telecommunications for us.
 4 ROIL, Q.C.:
 5 Q. Yeah, well we have several examples of that,
 6 of course.
 7 MR. PRITCHARD:
 8 A. We have the--well, prior to going offshore,
 9 the interface there with the Atlantic Offshore
 10 Medicals provision for our H1N1 protection, as
 11 it were, for the offshore facilities, so we
 12 were doing a medical check prior to helicopter
 13 dispatch.
 14 ROIL, Q.C.:
 15 Q. In the ordinary run of events would AOMS be
 16 involved in helicopter transportation?
 17 MR. PRITCHARD:
 18 A. The only time that we get involved outside of
 19 distinct helicopter transportation is when we
 20 travel by vessel, so there's kind of a
 21 screening process there to ensure that people
 22 are ready to be transported on the vessel
 23 itself and, you know, prospects potentially of
 24 sea sickness.
 25 ROIL, Q.C.:

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1 Q. Okay, so there's no medical impacts to
 2 helicopter transportation for the majority of
 3 workers.
 4 MR. PRITCHARD:
 5 A. Not if we fly in by helicopters, not normally,
 6 but of course, with H1N1 we were trying to
 7 mitigate against the kind of infection going
 8 out there. So Husky procurement process
 9 ensures integrity in its contractor selection.
 10 You can see from the slide that at an early
 11 stage we determine if a contractor is
 12 technically competent to perform the work and
 13 also meets the standards of HSEQ for Husky.
 14 This is a pass or fail, if you don't meet the
 15 Husky HSEQ standards, you don't go any further
 16 and you're not on the invitation to bid, so
 17 pass or fail in that.
 18 ROIL, Q.C.:
 19 Q. So a contractor has to prequalify to submit to
 20 doing work on behalf of -
 21 MR. PRITCHARD:
 22 A. Yes, we need to understand that he is
 23 technically competent to do the work and that
 24 his processes, in terms of HSEQ meet our
 25 standards and that's a yes or a no.

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1 Thereafter the process only provides the
 2 opportunity for those to contract, the
 3 invitation to bid. The ones that--the
 4 contractors who have passed the entry level,
 5 then there's really just the commercial
 6 aspects and the Newfoundland benefits are
 7 evaluated. We do take time to debrief the
 8 bidders that have come through and not met our
 9 qualifications and standards and we do that in
 10 the spirit of continuous improvement, trying
 11 to develop the capabilities of the contracting
 12 community.
 13 ROIL, Q.C.:
 14 Q. Sorry, just go back, clarifications, what
 15 subject would clarifications be? Issues
 16 arising during the tendering process or
 17 questions -
 18 MR. PRITCHARD:
 19 A. Yes, and through the tendering process, once
 20 they're through the invitation to bid, the
 21 evaluation side of it, sometimes the scopes
 22 can be clarified so that if many questions
 23 come in that need clarification, we clarify
 24 and we issue out to all of the bidders at that
 25 time. So it's an open and transparent process

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1 as in if someone requests clarification, we
 2 respond to that and go back out to everybody
 3 who is on the bid list.
 4 ROIL, Q.C.:
 5 Q. And when the contract is ready to be let, to
 6 what extent is that managed locally and to
 7 what extent would you rely upon your corporate
 8 office to provide advice.
 9 MR. PRITCHARD:
 10 A. In general we manage everything pretty much
 11 locally. Some of the larger contracts,
 12 depending upon the dollar value, do escalate
 13 to corporate, so if you're going to contract a
 14 rig, for instance, pretty expensive item, some
 15 of those contracting entities would go back up
 16 the line. Husky was operating in 2003 with a
 17 GSF Grand Banks preparing the development
 18 wells for the White Rose field and needed
 19 helicopter transportation. As per the
 20 process, we entered into the competitive
 21 bidding process with Cougar and CHC as being
 22 the bidders. Contracting strategy ensured
 23 integrity and technical capabilities of both
 24 providers and the best commercial bid was
 25 actually given by Cougar and it commenced the

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1 contract in July 2003. In 2005, we started to
 2 monitor the operational aspects of the S-92A
 3 and after aviation review in 2006, we had an
 4 amendment to the contract to bring in the S-
 5 92A, which started service then in 2007.
 6 Whilst the incumbent supply was selected on
 7 this occasion, there are many examples of
 8 where the contract is not always given to the
 9 resident provider. Examples of this would be
 10 the tankers where there are various owners,
 11 and historically the drill rigs have come in
 12 and been through Global Santa Fe, TransOcean,
 13 Rowan and more recently with ConocoPhillips
 14 standard drilling with the Stena Carron, so
 15 it's not always the current resident provider
 16 that gets the contract.
 17 ROIL, Q.C.:
 18 Q. Before you go on, perhaps just take a moment
 19 to look at the helicopter contract, which is a
 20 confidential exhibit, I wonder if the
 21 Registrar could bring up exhibit No. 148. I
 22 have just a couple of questions coming out of
 23 this document itself. The first one is the
 24 issue of first response and I see that that's
 25 noted twice in the contract, once very briefly

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1 early on, but then it's more detailed at page
 2 21 of the exhibit that's in our pagination,
 3 page 21. First response, and I think without
 4 having to read every word there, the last
 5 line, "The carrier, which is Cougar, shall
 6 provide first response with wheels up,
 7 response time at most one hour." And that has
 8 been spoken of often and by the other
 9 operators and my question for you, as it has
 10 been for others, how is the one hour wheels up
 11 time period, how is that determined? What
 12 were the factors that went into your heads
 13 when you were coming up with that negotiated
 14 or agreed to response time?
 15 MR. PRITCHARD:
 16 A. The White Rose is the third operator field in
 17 Newfoundland, HMDC being first and then Terra
 18 Nova, both of those services had one hour
 19 wheels up. We reviewed that, found that
 20 acceptable to us and it was obviously
 21 acceptable to the Board as well, the C-NOPB
 22 respected that. What we do know is that the
 23 first response helicopter has a number of
 24 duties, so responding to a variety of
 25 incidents, whether it be down manning of a

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1 platform where you would need all the seats in
 2 a helicopter, it might be a medical issue and
 3 we might need to put the stacker or the
 4 stretcher arrangement in there, or it might be
 5 a winching requirement, so there's a variety
 6 of responses that the helicopter needs to
 7 respond to and I can't give you details on the
 8 timing and issues around that regarding how
 9 well all that fits together in a helicopter
 10 and what time period, but I do know that we do
 11 need to respond to that variety of incidents
 12 and one hours wheels up, as a maximum, seemed
 13 appropriate to us at the time.
 14 ROIL, Q.C.:
 15 Q. And in fact we know that the response time on
 16 March 12th was something shy of -
 17 MR. PRITCHARD:
 18 A. Correct and then that's why I tried to
 19 emphasized the one hour maximum, we know
 20 depending on the response that there is
 21 capability to respond quicker than the one
 22 hour.
 23 ROIL, Q.C.:
 24 Q. Okay, and although we will have Cougar and
 25 then we will ask them for their opinion and

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1 perhaps they are more qualified in
 2 helicopters, your understanding is that the
 3 configuration for the various types of first
 4 response would not be all identical, some
 5 require a winch, some a stretcher, some -
 6 MR. PRITCHARD:
 7 A. Seats out, stretchers in, correct, yes.
 8 ROIL, Q.C.:
 9 Q. And the second issue I would want to bring
 10 your attention to is at page 20, go back one
 11 page. And here there's a reference at--oops,
 12 sorry, not there yet, 2.2.12, here we are.
 13 "The carrier shall furnish the charter of
 14 timely reports of aircraft incidents and
 15 accidents." And I understand that the
 16 definition of incidents and accidents might be
 17 found more--well first of all, what's your
 18 understanding of the difference or do you have
 19 an understanding of what an incident is verses
 20 what an accident is in relation to the
 21 provision of helicopter services?
 22 MR. PRITCHARD:
 23 A. Will I look to Mr. Williams to respond to this
 24 in terms of reporting function from a Health
 25 and Safety point of view?

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1 MR. WILLIAMS:
 2 A. Thank you. We have, probably if I could
 3 clarify this, three terms that we use in our
 4 approach, we have what is called as hazards,
 5 hazards, basically unsafe conditions and
 6 adverse behaviours. And then next to that we
 7 have what is called a near miss and accidents
 8 and a near miss and an accident are sub--or
 9 incident subcategorized as a near miss and an
 10 accident, if I could explain it that way.
 11 ROIL, Q.C.:
 12 Q. I think we've had explanations from the other
 13 operators that are very similar, that there's
 14 the hazard, the near miss and the accident.
 15 MR. WILLIAMS:
 16 A. Accident, so to speak.
 17 ROIL, Q.C.:
 18 Q. But within the category of incident, near
 19 misses and accidents are both incidents, a
 20 hazard is not an incident.
 21 MR. WILLIAMS:
 22 A. That's correct.
 23 ROIL, Q.C.:
 24 Q. Okay. So I guess my question then comes out
 25 what are the nature of the kinds of

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1 information that you get provided by Cougar
 2 under this clause? It talks in terms of in
 3 any aircraft operated by them worldwide, have
 4 you had a series of incidents or accidents or
 5 near misses reported by them?
 6 MR. WILLIAMS:
 7 A. Not under the context of from a worldwide
 8 context, not to my knowledge.
 9 ROIL, Q.C.:
 10 Q. Okay, what about locally, what kind of
 11 reporting information do you -
 12 MR. WILLIAMS:
 13 A. Cougar have reported locally in terms of
 14 incidents that, you know, relevant to Husky's
 15 operations at the heliport.
 16 ROIL, Q.C.:
 17 Q. And what kind of incidents would you be aware
 18 of in terms of helicopter transportation that
 19 are reported to you?
 20 MR. WILLIAMS:
 21 A. They would be the situations that occurred
 22 during the check-in processes involving
 23 personnel going offshore, typically an
 24 individual trying to carry or bringing a
 25 prohibitive or restricted item with them onto

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1 the aircraft or through the security check in.
 2 ROIL, Q.C.:
 3 Q. Sorry, would that be a hazard or a near miss?
 4 MR. WILLIAMS:
 5 A. That would be considered more of a hazardous
 6 condition. We've had no accidents in terms
 7 of, associated with the heliport operations on
 8 behalf of Husky.
 9 ROIL, Q.C.:
 10 Q. So in terms of--okay, for example a trip and
 11 fall if somebody was getting on the
 12 helicopter, do you have anything like that?
 13 MR. WILLIAMS:
 14 A. Not to my knowledge, no.
 15 ROIL, Q.C.:
 16 Q. Have you had anything reported other than,
 17 obviously the incident of March 12th that
 18 would give you any concerns with respect to
 19 helicopter transportation to the offshore?
 20 MR. WILLIAMS:
 21 A. No.
 22 ROIL, Q.C.:
 23 Q. I think that's all, if you want to move on to
 24 the next slide.
 25 MR. PRITCHARD:

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1 A. So the next slide deals with the acceptance of
 2 the S-92. So the S-92 is being used by
 3 PetroCanada during 2005. Our aviation expert
 4 was reviewing the use of the S-92, as was our
 5 logistics team here locally, monitoring the
 6 operation. We confirmed the suitability of
 7 the offshore facilities, so we understood the
 8 helidecks on board the FPSO and the drill rigs
 9 were suitable and of course, we knew the C-
 10 NOPB had already accepted the PetroCanada
 11 airframe and therefore saw no impediment to
 12 Husky introducing the S-92 there. Now a
 13 number of enhancement, enhanced safety
 14 features, such as comfort, capacity and
 15 capabilities that attracted Husky to the S-92,
 16 these features were relayed to the offshore
 17 workforce post the selection process. So we
 18 selected the S-92 on those features.
 19 ROIL, Q.C.:
 20 Q. Okay, because other operators had chosen to
 21 use the S-92, would it have been possible for
 22 you to continue to use a different airframe
 23 for your service?
 24 MR. PRITCHARD:
 25 A. Yes, it would have been possible, but you

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1 know, the review of the S-92 with the larger
 2 carrying capacity, larger carrying capacity
 3 gives less flight hours and inherently less
 4 flight hours are better for the operation.
 5 Any further questions on that, Mr. Roil?
 6 ROIL, Q.C.:
 7 Q. No, just the other question was, again, we all
 8 have the benefit now of 20/20 hindsight, but
 9 prior to the incident on March 12th which was
 10 a very very significant and a very tragic
 11 incident, what was the nature of the
 12 acceptance of the S-92 by the workforce prior
 13 to that time? Was it, you know, that it was
 14 generally considered a better machine than
 15 what had been there before or more comfortable
 16 or was there challenges with it? We heard a
 17 little bit about the chip indicators that were
 18 getting more flights turning around and coming
 19 back because a light would come on in the dash
 20 board of the machine and the instructions to
 21 the pilot were return. Tell us a little bit
 22 about how that worked for you, was it a
 23 difficult transition or was it an easy
 24 transition?
 25 MR. PRITCHARD:

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1 A. No, I think the enhanced capabilities
 2 outweighed anything that we were seeing
 3 locally. Yes, flights had been turned around,
 4 but they were few flights when you consider
 5 how many flights we actually have in a weekly
 6 and monthly basis. Me, personally, when I,
 7 you know, got on, the comfort features of an
 8 S-92 are fantastic compared to some of the--
 9 the earlier aircraft, sitting uncomfortably
 10 for an hour and a half squashed up against
 11 somebody else is--I recognize the comfort and
 12 features of the S-92. I don't know if Mr.
 13 Dyer has got any, you know, more direct
 14 feedback from the workforce, he was an OIM for
 15 two years.
 16 MR. DYER:
 17 A. No, I would tend to agree. I've flown all the
 18 helicopters as well and I found one of the
 19 designs of the S-92 is that it has more space
 20 for each individual person, which is great,
 21 four large doors for egress which is a good
 22 feature as well. There was some learnings
 23 with our crew to understand that, you know,
 24 this is a new helicopter, of course, it comes
 25 with a much more sophisticated monitoring

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1 system, so when we had things like chip lights
 2 and turnarounds, a bit of an education for our
 3 workforce on that, but understanding that
 4 there's a significant higher level of safety
 5 in the design of these aircraft than the older
 6 aircraft. Overall, I believe my opinion the
 7 workforce prefers the S-92, but that's my
 8 opinion of that.
 9 ROIL, Q.C.:
 10 Q. Obviously there might have been some people
 11 who felt the other way, but -
 12 MR. DYER:
 13 A. Absolutely.
 14 ROIL, Q.C.:
 15 Q. But generally it was acceptance.
 16 MR. DYER:
 17 A. Yes.
 18 MR. PRITCHARD:
 19 A. That's the end of this section now, so I'll
 20 hand it over to Mr. Williams with the
 21 compliance and performance monitoring.
 22 MR. WILLIAMS:
 23 A. Mr. Commissioner, a significant portion of our
 24 offshore operations are conducted by
 25 contracted services. For example, we have our

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1 obvious, we just discussed our helicopter
 2 operations, which is the reason we're here.
 3 We also have a vessel operations, two vessel,
 4 major vessel contractors. We have one
 5 drilling contractor, but we operate two rigs
 6 and significant other number of specialized
 7 technical service contractors. Also a
 8 significant portion of the work on board the
 9 Sea Rose FPSO is conducted by contracted
 10 services. For Husky, the primary means of
 11 obtaining assurance that our contractors are
 12 compliant with regulations as well as our
 13 specific requirements is through the audit
 14 process. Plus the audit process employed by
 15 Husky ensures that we are regularly engaged
 16 with our contractors and we review our
 17 expectations with them to ensure they are
 18 maintaining compliance.
 19 I'd just like to briefly discuss our
 20 contractor audit process. As I indicated it
 21 is important to ensure that our contractors
 22 maintain compliance. In that regard, we
 23 conduct an annual audit plan schedule and that
 24 audit schedule is based on a number of
 25 factors. It includes risk associated with the

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1 contract service, so it could be the
 2 complexity of the operation, the number of
 3 people involved or the type of work that the
 4 contractor may be doing on our behalf. It
 5 could also involve the work activities planned
 6 for the upcoming year. We typically look out
 7 to the upcoming year to see what major scopes
 8 may be happening, like in 2009 we had diving
 9 operation, we may have drilling operations
 10 coming forward, so we look at the type of
 11 activity that we're doing when we're creating
 12 our plan. And it could be associated with the
 13 previous experience with the contractors, have
 14 they had any incidents, have they had any, you
 15 know, significant non-conformances that we
 16 might want to look at. All of our audits,
 17 planned audits for any year, they include
 18 health safety environmental quality aspects,
 19 as well as technical. There may be special
 20 audits or in the areas of incident and non-
 21 conformance or a special focus based on a
 22 technical service that we want to look at.
 23 I'll draw your attention to the table included
 24 on the slide here, which shows the number of
 25 audits conducted by Husky of its contractors

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1 commencing in 2005 through 2009.
 2 ROIL, Q.C.:
 3 Q. Just while we're looking at those numbers, can
 4 we take anything from that? While they vary
 5 every year, they seem to be in the vicinity of
 6 25. In relation to the number of contractors
 7 that are working with you, you know, are there
 8 50, are there a 100 or are there only 24?
 9 MR. WILLIAMS:
 10 A. We would have in the orders of hundreds of
 11 contractors, but if you look at--if you apply
 12 perhaps the 80/20 rule, 80 percent of our work
 13 where the people involved or the equipment
 14 involved in our offshore work is probably
 15 associated with 20 percent of our contractors,
 16 so we tend to focus on an annual basis of
 17 those contractors who represent the most risk
 18 and the most work. So many of our contractors
 19 get audited, but our most significant
 20 contractors get audited almost on an annual
 21 basis or certainly on a regular basis and they
 22 are repeated quite often a number of times.
 23 ROIL, Q.C.:
 24 Q. Stop for a moment until the noise goes down.
 25 MR. WILLIAMS:

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1 A. Okay.
 2 ROIL, Q.C.:
 3 Q. Okay, perhaps then we can move on -
 4 EARLE, Q.C.:
 5 Q. Musical interlude.
 6 MR. WILLIAMS:
 7 A. Are we okay?
 8 ROIL, Q.C.:
 9 Q. Yes, we're ready to go ahead. Thank you, Mr.
 10 Williams.
 11 MR. WILLIAMS:
 12 A. Mr. Commissioner, Cougar Helicopters
 13 transports our personnel to and from our
 14 offshore facilities on a daily basis. We
 15 recognize the importance of this service and
 16 the need to ensure that the operation of
 17 transporting our personnel is conducted
 18 safely. The following table on this slide
 19 provides a summary of the audits that are
 20 conducted by Husky of Cougar Helicopters. We
 21 have endeavoured to conduct a regular audit
 22 and oversight activity of Cougar and its
 23 operations.
 24 I would also like to inform you that our
 25 auditors have not identified any deficiencies

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1 during their audits that they believe could
 2 pose a significant risk to flight safety or
 3 the ability of Cougar to conduct a safe
 4 operation. The conclusion of our auditors has
 5 always been very positive Cougar.
 6 ROIL, Q.C.:
 7 Q. Who would be doing the aviation audit for you?
 8 Is that internal forces or external
 9 contractor?
 10 MR. WILLIAMS:
 11 A. Predominantly they've been conducted by a
 12 contractor. They are aviation specialist
 13 services that we have had as a contractor for
 14 some time now, since we've commenced
 15 operations with Cougar, at least since the
 16 beginning of 2003.
 17 ROIL, Q.C.:
 18 Q. Okay, and would these contractors do other
 19 audits of other helicopter and airframe
 20 operators in other parts of Canada?
 21 MR. WILLIAMS:
 22 A. No, the contractor that Husky uses, in terms
 23 of its helicopter support, they only focus on,
 24 to my knowledge, Husky's work in association
 25 with Cougar Helicopters.

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1 ROIL, Q.C.:

2 Q. Now we've had a fair bit of information from

3 HMDC about a number of audits they gave. So I

4 think I've only asked you to provide the

5 outline for one audit.

6 MR. WILLIAMS:

7 A. Yes.

8 ROIL, Q.C.:

9 Q. In this case, it's 2008.

10 MR. WILLIAMS:

11 A. Just to note, I'll share some information on

12 the audit, Mr. Commissioner, of 2008 conducted

13 by Conrail on our behalf. I'd just like for

14 your record to know that all of the

15 observations, recommendations in all previous

16 audits have been closed.

17 ROIL, Q.C.:

18 Q. Okay, so that's right, when you perform an

19 audit in a particular year, if there's

20 something outstanding from the year before,

21 does that get picked up and looked at?

22 MR. WILLIAMS:

23 A. Yes, it will be reviewed, the previous year's

24 recommendations or findings, and it will be

25 looked at to ensure they have been closed out

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1 properly.

2 ROIL, Q.C.:

3 Q. Okay. Describe the audit that was being

4 performed here in 2008.

5 MR. WILLIAMS:

6 A. This audit was conducted by Conrail Aviation

7 Safety Limited on behalf of Husky Energy.

8 ROIL, Q.C.:

9 Q. Okay, is that -- I believe, is that the same

10 company that did the work for the return to

11 service, the HOTF?

12 MR. WILLIAMS:

13 A. Aviation safety review team, yes.

14 ROIL, Q.C.:

15 Q. Yes, that's right, and I think we have their

16 credentials in that particular exhibit.

17 MR. WILLIAMS:

18 A. That is correct.

19 ROIL, Q.C.:

20 Q. The credentials of the individuals -

21 MR. WILLIAMS:

22 A. Yeah, that's contained with the return to

23 service report, that information.

24 ROIL, Q.C.:

25 Q. Return to service report, correct.

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1 MR. WILLIAMS:

2 A. So in this particular audit, as you'll note

3 there, all of the recommendations and actions

4 were closed. There were actually a total of

5 nine findings and four observations. We chose

6 this particular audit because it represents

7 the nature of the findings that we were seeing

8 with Cougar prior to the loss of Flight 491 on

9 March 12th 2009. So this was the most recent

10 information we had of Cougar prior to that.

11 ROIL, Q.C.:

12 Q. Going into that particular time frame.

13 MR. WILLIAMS:

14 A. Going into March, yes.

15 ROIL, Q.C.:

16 Q. Okay. Perhaps you should just take a couple

17 of minutes and take these recommendations and

18 explain how they were -- what they mean to you

19 and then how they get closed.

20 MR. WILLIAMS:

21 A. Okay. Bear with me just a second. I will

22 have to acknowledge that the audits were

23 conducted by a third party, a third party

24 specialist. I'm not an aviation specialist,

25 so -

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1 ROIL, Q.C.:

2 Q. I understand that.

3 MR. WILLIAMS:

4 A. - there will be limit to the explanation I

5 will be able to provide -

6 ROIL, Q.C.:

7 Q. Yeah, that's fine.

8 MR. WILLIAMS:

9 A. - on these particular observations, so if you

10 -- is it your intention for me to walk through

11 all of these?

12 ROIL, Q.C.:

13 Q. Well, let's just take some of them. For the

14 first one, for example.

15 MR. WILLIAMS:

16 A. Okay. Number one, there was -- and I

17 paraphrased these so I could get them on the

18 slide for your information.

19 ROIL, Q.C.:

20 Q. Right.

21 MR. WILLIAMS:

22 A. There was the communication of the company

23 drug and alcohol policy to pilots cannot be

24 verified. The observation was that the pilots

25 were within -- there is a reference within

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1 their HSE handbook to the drug and alcohol
 2 policy and they were viewing it through that
 3 mechanism, but there was also another
 4 recommendation within that handbook to a HR
 5 document which the pilots had no knowledge of
 6 and hadn't signed off officially. So that was
 7 that particular observation. There was never
 8 any threat or any indication that there was a
 9 drug and alcohol or any situation. It was
 10 just a documentation and sign off of
 11 information related to drug and alcohol policy
 12 within their HR document.

13 ROIL, Q.C.:

14 Q. Okay. And so how would that be closed out?
 15 You know, if not -- if you don't know
 16 specifically, what would the nature of the
 17 kind of activity be?

18 MR. WILLIAMS:

19 A. Yeah. So what they have done is they revised
 20 their induction documents. So now it's a sign
 21 off or a check box within the induction
 22 documents or orientation document to document
 23 that they have read and understand the drug
 24 and alcohol policy and will comply with their
 25 requirements.

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1 ROIL, Q.C.:

2 Q. Okay. Let's pass over the second one, just in
 3 the interest of time. Third one, "ensure that
 4 pilots and maintenance engineers have
 5 representation on the HSE committee."

6 MR. WILLIAMS:

7 A. Yeah. They did have an occupational health
 8 and safety committee or same as our JOHS for
 9 their facility.

10 ROIL, Q.C.:

11 Q. Right.

12 MR. WILLIAMS:

13 A. The observation in this case was that the
 14 majority -- they have 70 pilots and they have
 15 30 or 40 maintenance mechanical engineers. It
 16 represents a significant portion of the
 17 workplace, yet these particular work groups
 18 had no representation on the facility
 19 committee, so to speak. So that was the
 20 recommendation there and they have subsequent
 21 -- now have representation on the HSE
 22 committee.

23 ROIL, Q.C.:

24 Q. So the issue was the constitution of the
 25 committee, rather than that there wasn't a

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1 committee at all?

2 MR. WILLIAMS:

3 A. Yeah. There was a committee in existence, but
 4 all the represented departments were not -- or
 5 departments were not represented.

6 ROIL, Q.C.:

7 Q. Let's just jump down to another one, a little
 8 more than halfway down the page. "Ensure safe
 9 access to emergency shower and eye wash
 10 station within the maintenance facility."

11 MR. WILLIAMS:

12 A. Yeah. On the day of the audit, there was an
 13 obstacle, I think it was a work stand, that
 14 was preventing access to -- you know, as part
 15 of your chemical hazard requirements in
 16 prevention, you want to have your MSDS's, your
 17 shower stations and eye wash stations
 18 accessible. On that particular day, they had
 19 a work station that was blocking access to the
 20 emergency shower station. So what they've
 21 done is they've marked the area as a warning
 22 that, you know, do not obstruct access. So no
 23 other future equipment will be put in that in
 24 the way.

25 ROIL, Q.C.:

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1 Q. And then perhaps the second last one, "Cougar
 2 to ensure that all personnel maintenance
 3 training requirements are kept current."

4 MR. WILLIAMS:

5 A. My understanding of that observation, they
 6 have two requirements. One is on a rolling
 7 annual basis, maintenance have to have at
 8 least a continuous eight-hour training
 9 program. So on any 12-month basis, that's a
 10 requirement. However, at the time of the
 11 audit, a number of the maintenance engineers
 12 had not maintained or kept up that rolling
 13 eight-hour requirement. They also have
 14 another requirement, which is 24 hours over, I
 15 believe it was either a two or three-year
 16 period. Now they were all in compliance with
 17 the 24-hour maintenance expectation, but they
 18 had not -- they all never had their eight-hour
 19 maintenance expectation, and I believe it was
 20 related to one of their training engineers had
 21 been seconded to another project for a short
 22 period of time and interrupted their regular
 23 training schedule. So that has been corrected
 24 and they do not foresee, as far as I
 25 understand, any more problems with maintaining

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1 their annual eight-hour maintenance training
 2 requirement.
 3 ROIL, Q.C.:
 4 Q. In any of these observations or findings --
 5 well, what are the categories in the audits
 6 that you perform? Are there just two
 7 categories or are there three? Is there a
 8 more serious and a less serious ranking of
 9 them?
 10 MR. WILLIAMS:
 11 A. Typically auditors, including ourselves, you
 12 know, the Husky auditors go to a contractor,
 13 and even the C-NLOPB for that matter, we have
 14 two levels of findings and the term "finding"
 15 is used quite often, but another term, it's
 16 called non-conformance and they are almost
 17 equivalent in terms of the level of, I guess,
 18 severity, and typically what a finding would
 19 be is any time there is a non-compliance with
 20 a particular policy, procedure or regulatory
 21 requirement, that would be described as a
 22 finding or non-conformance, so to speak. And
 23 the other one is the observation or as we in
 24 Husky, we use it as an opportunity for
 25 improvement is the term that we would use.

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1 They are items that are not specifically --
 2 they don't represent any significant risk, but
 3 they're identified as opportunities to improve
 4 your systems. You know, sometimes -- I mean,
 5 knowledge comes from a lot of different places
 6 and auditors will pick up things,
 7 inefficiencies and that sort of thing.
 8 Systems may be in place. Systems may be
 9 complied with. But yet there might be an
 10 opportunity to improve something. So that
 11 would be an observation or an opportunity for
 12 improvement.
 13 ROIL, Q.C.:
 14 Q. In terms of the process of auditing, so that
 15 we understand, have you ever seen an audit of
 16 a contractor where there hasn't been some
 17 finding or observation of some sort, or is it
 18 generally that they are clean and that it is
 19 unusual to have these kinds of observations?
 20 MR. WILLIAMS:
 21 A. Coincidentally, there was an audit of Cougar
 22 Helicopters conducted, Mr. Commissioner, by
 23 our security consultant and the conclusion, on
 24 behalf of -- that's an external consultant,
 25 and was that there were no findings. There

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1 were no observations and there were no
 2 findings. The audit was very flattering of
 3 the security measures taken within Cougar, and
 4 that's almost to be expected, considering, you
 5 know, they are operating almost like an
 6 airport authority, that their security would
 7 be very, very extensive. So that was a
 8 positive reflection on how they manage their
 9 security and that includes personnel checking
 10 through, you know, on behalf of Husky, to gain
 11 access to the flights, and also security
 12 within their facilities, in terms of the
 13 gating and the cameras and those types of
 14 things that they have in place. So that was
 15 one of the audits. But it's rare to have an
 16 audit conducted and not find any observations.
 17 They did report that occasionally they will
 18 catch people trying to get through the
 19 security with, you know, prohibited or
 20 restricted items, but they seem to be picking
 21 up on that.
 22 ROIL, Q.C.:
 23 Q. And in the audits that you do of other
 24 contractors, do you generally find that there
 25 are findings and observations?

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1 MR. WILLIAMS:
 2 A. Yes. In all of our other audits that we have
 3 -- you know, the 132, whatever I indicated
 4 there, Husky has, that was the only audit that
 5 we have not found any opportunity for
 6 improvement. So we typically do find matters
 7 for our contractors.
 8 ROIL, Q.C.:
 9 Q. Okay. I think that's all I want to ask you
 10 about that particular slide. Thank you.
 11 Going to move to another part of HOIMS.
 12 That's number 11, is it?
 13 MR. WILLIAMS:
 14 A. Now we're at number 11. Compliance assurance
 15 and regulatory advocacy. So, Commissioner, as
 16 indicated earlier in our presentation, we are
 17 mandated by our chief executive officer to
 18 ensure compliance with corporate policies and
 19 with all relevant regulations. We are also
 20 directed to work constructively to influence
 21 proposed laws and regulations and debate on
 22 emerging issues. We have been and are
 23 currently engaged in the development of
 24 regulations and guidelines. We have
 25 participated with the C-NLOPB and CAPP in the

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1 development of the drilling and production
 2 regulations for the Newfoundland and Labrador
 3 offshore area. We are also engaged in the
 4 development of the guidelines that support
 5 those regulations and the enhancement of those
 6 guidelines. As Mr. Dyer indicated earlier, we
 7 are also engaged in the review of the safety
 8 plan guidelines and our environmental group
 9 participates regularly in guideline and
 10 regulatory review processes.

11 ROIL, Q.C.:

12 Q. What sort of interaction would you have with
 13 C-NLOPB during a year? Is it daily, weekly,
 14 monthly?

15 MR. WILLIAMS:

16 A. Daily.

17 ROIL, Q.C.:

18 Q. Daily?

19 MR. WILLIAMS:

20 A. In all cases, we are well engaged, frequently
 21 engaged, various levels, various departments,
 22 at the most senior levels in our organization,
 23 as well as the C-NLOPB. Chief safety officer
 24 at C-NLOPB will engage regularly with each of
 25 us on various matters. Our HSEQ advisors

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1 onshore and -- advisors offshore and HSE
 2 coordinators onshore will engage regularly
 3 with the safety officers with C-NLOPB. Also,
 4 from an environmental perspective, the chief
 5 conservation officer will engage with myself
 6 or the conservation officers engage with our
 7 environmental advisors as well within Husky.
 8 Matters related to operations, health and
 9 safety, environment, Canada benefits, we are
 10 in frequent and constant communication.

11 ROIL, Q.C.:

12 Q. Okay. So it's not just the formal audit and
 13 inspection process?

14 MR. WILLIAMS:

15 A. No, no. I would actually like to speak to the
 16 audit and inspection process just for a moment
 17 here.

18 ROIL, Q.C.:

19 Q. Yeah, and that's the reason I wanted that
 20 preamble, was to see whether all of your
 21 contacts were through this process or whether
 22 it was more broad ranging, and I take your
 23 answer to be that it's much more broad
 24 ranging.

25 MR. WILLIAMS:

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1 A. Much more broad. It's all encompassing
 2 actually. We recognize the importance of the
 3 C-NLOPB audit and inspection program and Husky
 4 has endeavoured to cooperate completely and
 5 proactively with the C-NLOPB in that regard.
 6 We respect the role of our regulatory
 7 authorities and recognize their mandate in
 8 assuring the public that Husky, as an
 9 operator, maintains compliance with
 10 legislation and guidance under their
 11 jurisdiction. Our vice-president for east
 12 coast operations expect that we maintain
 13 cooperation, openness and honesty with all our
 14 regulatory authorities. It is in the best
 15 interest of our personnel, our company and our
 16 industry.

17 Mr. Roil, your questions regarding
 18 engagement, this slide was actually intended
 19 to kind of describe to you the relationship
 20 and engagement that we do conduct with our, in
 21 particular C-NLOPB. We have similar
 22 engagement with other regulatory bodies as
 23 well. As, you know, Mr. Dyer indicated with
 24 DNV. We're regularly engaged with them, as
 25 well as Transport Canada.

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1 I would now like to introduce Mr. Dyer to
 2 talk about helicopter operations.

3 MR. DYER:

4 A. Thank you. Mr. Commissioner, I just want to
 5 spend a small bit of time and try to draw the
 6 interface now between our helicopter
 7 operations and some of our risk management
 8 processes and documents that we use on a daily
 9 basis. You've seen this slide before. It's
 10 the slide that was presented during the joint
 11 panel. The only difference being is Husky is
 12 now on this slide as opposed to the general
 13 operators in total.

14 The purpose of the slide is important
 15 because it does serve to clarify the
 16 relationship between Transport Canada Aviation
 17 and Cougar, clearly the segregation between
 18 Husky and that process. Husky, when it's
 19 offshore, does have the lead agency of the
 20 Canada Newfoundland Offshore Petroleum Board.
 21 Transport Canada Aviation is not part of that
 22 process.

23 ROIL, Q.C.:

24 Q. So Husky Energy has no direct relationship
 25 with Transport Canada in terms of helicopter

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1 transportation?
 2 MR. DYER:
 3 A. Other than through the helideck design,
 4 through their regulations, but other than
 5 that, no.
 6 ROIL, Q.C.:
 7 Q. In terms of the daily operation of helicopters
 8 and the reporting on, that's not a direct
 9 relationship that you have?
 10 MR. DYER:
 11 A. That's correct.
 12 ROIL, Q.C.:
 13 Q. Okay. Similarly -- I'd just go back for a
 14 moment. Similarly, I take it, Cougar
 15 Helicopters Limited doesn't have the kind of
 16 regular contact with the C-NLOPB that you
 17 would have.
 18 MR. DYER:
 19 A. That's exactly right.
 20 ROIL, Q.C.:
 21 Q. Their relationship is through you.
 22 MR. DYER:
 23 A. Yes, that's exactly right. A key document in
 24 managing our helicopter operations is referred
 25 to as our helicopter operations manual. Now

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1 this manual, like all our other policies and
 2 procedures, is located on Husky's east coast
 3 management system. It's located under
 4 logistics section and it's available for all
 5 personnel to view, and it provides guidance to
 6 help us ensure that we're making the right
 7 decisions and we can manage our overall
 8 operations safely and effectively.
 9 ROIL, Q.C.:
 10 Q. Okay. Before you get into it, how -- we have
 11 that as Exhibit No. 149. We don't need to go
 12 there, but just I can tell you I've seen it
 13 and reviewed it. I don't see where Cougar has
 14 signed off or it's not a contract. What's the
 15 relationship between your helicopter
 16 operations manual and the people at Cougar?
 17 What engagement is there between the two of
 18 you on that document?
 19 MR. DYER:
 20 A. The original version of the document, and if
 21 you pull it up, you can see it actually has
 22 been signed off by Cougar on the initial
 23 version. The revision to the document in
 24 2009, I believe, has been signed by Husky.
 25 However, Section 1 of the contract now

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1 references directly this document in the
 2 Cougar contract.
 3 ROIL, Q.C.:
 4 Q. Okay. So I take it that there is alignment.
 5 This isn't something that you draft up on your
 6 own and they have no knowledge of it?
 7 MR. DYER:
 8 A. That's exactly right. This document actually
 9 has 24 sections and I've only highlighted a
 10 couple of the contents on that slide.
 11 ROIL, Q.C.:
 12 Q. Right, okay.
 13 MR. DYER:
 14 A. One section that I didn't put on the slide,
 15 but I think is very important, is a section
 16 entitled aircraft flight crew qualifications.
 17 This section calls for the requirement of the
 18 -- the qualifications of the pilot, but it
 19 also calls for the emergency survival
 20 requirement training for the pilots as well,
 21 and we also have, between the helicopter
 22 operations manual and our contract, references
 23 for that requirement, and what we understand
 24 from Cougar is that all their pilots do
 25 complete their five-day BST and their

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1 recurrent training as required.
 2 ROIL, Q.C.:
 3 Q. I think that question came up with other
 4 operators, and what about -- while we're
 5 there, do you have any knowledge of what
 6 equipment the helicopter pilots wear, in terms
 7 of HUEBA and/or their flight suits?
 8 MR. DYER:
 9 A. I understand that their flight suit is a
 10 Viking flight suit. It doesn't come with a
 11 Transport Canada certification, from what I
 12 understand. However, we are aware that
 13 there's some agencies that are working towards
 14 development of a standard and I assume that
 15 Cougar can provide more information to you on
 16 that. I also understand that they do not use
 17 the HUEBA as a standard piece of kit, but
 18 Cougar, to my knowledge, is working towards an
 19 emergency breathing device for pilots,
 20 understanding that the HUEBA does pose some
 21 different challenges if you're wearing it in
 22 the cockpit, with regard to snag hazards and
 23 things, and I think Cougar can provide some
 24 more information on that as well.
 25 ROIL, Q.C.:

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1 Q. That's fine. I'm making work for my
 2 colleague, Ms. Fagan, as we go. I trust that
 3 Cougar will speak to that, and they're perhaps
 4 the ones that are best able to answer those
 5 questions.
 6 MR. DYER:
 7 A. Absolutely. Absolutely. And this is my final
 8 slide for this section, Mr. Commissioner, but
 9 if we go back to the joint panel, you would
 10 have been introduced by a process by Mr.
 11 Pritchard when he was going through the risk
 12 management section and he made a reference to
 13 three categories with which that we can manage
 14 and reduce risk.
 15 ROIL, Q.C.:
 16 Q. I think we've seen this slide with the three
 17 scallops in it.
 18 MR. DYER:
 19 A. Exactly. You've seen the exact slide.
 20 ROIL, Q.C.:
 21 Q. Indeed.
 22 MR. DYER:
 23 A. So what we wanted to do is to put this slide
 24 to practice. Now everything on this slide is
 25 not exhaustive in nature in any sense. We've

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1 just chosen some examples to demonstrate what
 2 you would consider in each of these three
 3 categories, clearly understanding that people
 4 are a part of all aspects of these categories.
 5 So we take the equipment, for example.
 6 We start with the passengers, passenger
 7 safety, and there's been a lot of discussion
 8 in this Inquiry about that, the suits, HUEBA
 9 and personal locator beacons. We also have a
 10 safe helicopter and of course the requirements
 11 for that are dictated under drilling
 12 legislation and we know now that the S-92 is
 13 to the current standards. We also know that
 14 that comes with many different positive
 15 attributes, i.e. bird strike, lightning
 16 strike, these types of things. So it's
 17 designed to a standard that makes it safe.
 18 Also with regards to offshore, we look at
 19 helicopter operations as a system. It's not
 20 just the helicopter itself. It's the entire
 21 process of starting, to getting to the Sea
 22 Rose and going back. So we have to maintain
 23 our systems offshore as well. Very important.
 24 On the process side, there's lots of
 25 processes that are required to make this work.

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1 Of course, operational inspection and
 2 maintenance processes on both the Sea Rose and
 3 with regards to helicopter operations. We
 4 talked about weather observation and
 5 monitoring. Flight following was brought up
 6 in the joint panel presentation, where we can
 7 actually identify the location of the assets
 8 at all times. And safe work practices
 9 equally, as mentioned by Mr. Williams in
 10 earlier testimony as well.
 11 And the people, the pilots are trained to
 12 a high standard, of competency assurance
 13 programs equivalent to our Element 6 of HOIMS,
 14 competency and training. Our helideck team
 15 training, very important. Our drills and
 16 exercises, we have to be sharp. We have to
 17 understand what happens in the event and how
 18 to react to that and we practice and train for
 19 that very occasion. And of course, passenger
 20 training, there's a mandatory set of training
 21 requirements before you can even get on a
 22 helicopter.
 23 Collectively, and you can add lots to
 24 these three categories, but collectively, all
 25 serve to promote the barriers in the Swiss

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1 cheese model to prevent that alignment of the
 2 holes to give you an event at the end of the
 3 day.
 4 ROIL, Q.C.:
 5 Q. So these are all, to go back to our analogy,
 6 these are all pieces of cheese which help to
 7 diminish the risk?
 8 MR. DYER:
 9 A. They all help to contribute to lowering the
 10 risk of helicopter operations.
 11 ROIL, Q.C.:
 12 Q. Okay. That's very useful. Thank you.
 13 MR. DYER:
 14 A. We're at the point in our presentation now
 15 where we're going to talk about the Husky
 16 Energy emergency preparedness process, and Mr.
 17 Williams is going to take us through that
 18 section.
 19 MR. WILLIAMS:
 20 A. Mr. Commissioner, our priority is the
 21 prevention of any incident that may result in
 22 an emergency situation. Husky recognizes the
 23 importance of emergency preparedness and the
 24 loss of Flight 491 clearly revealed to us how
 25 important it is to be prepared. Mr. Pritchard

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1 will provide the Inquiry with an overview of
 2 our response to the events of March 12th and
 3 the days that followed. We strive to identify
 4 all necessary actions to be taken to protect
 5 our people, environment and assets in the
 6 event of emergency or security threat.
 7 We have a team of dedicated and committed
 8 personnel. Our personnel understand the
 9 importance of emergency response process. It
 10 places demands on their personal lives and
 11 their families, yet they never question the
 12 importance and nature of their role.
 13 ROIL, Q.C.:
 14 Q. How often do you practice for emergencies?
 15 And I take emergencies to be security threats,
 16 physical emergencies.
 17 MR. WILLIAMS:
 18 A. All types of situations. You know, typically,
 19 we exercise in response to a situation that
 20 occur with our offshore facilities or
 21 travelling to and from our facilities, so we -
 22 - you know, over time, we look at most, if not
 23 all scenarios that are -- could present a
 24 major situation to us. We conduct typically
 25 six to eight exercises, significant exercises

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1 each year, and that involves a full
 2 mobilization of the teams I will just briefly
 3 describe to you in a moment, and also
 4 engagement with the regular support services
 5 that we need, emergency support services.
 6 It'll involve engagement with the regulatory
 7 bodies and we exercise all of the different
 8 aspects, the communications aspects, the
 9 family support aspects of it. So all of our
 10 exercises have various components to it that
 11 are practised and exercised.
 12 ROIL, Q.C.:
 13 Q. Okay. We have another multi-coloured slide.
 14 MR. WILLIAMS:
 15 A. Multi-coloured slide and what I'd like to kind
 16 of just give you a brief overview is of our
 17 emergency response process. We have a multi-
 18 level emergency response process that can deal
 19 with the emergency and the resulting issues in
 20 the crisis. So I'll try to explain this to
 21 you from, if you look at it on the left-hand
 22 side, the emergency site, which could be --
 23 typically could be an offshore facility. The
 24 incident coordination centre, which is the
 25 location where Husky's emergency response

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1 teams will mobilize, and then I'll talk
 2 briefly about Calgary.
 3 ROIL, Q.C.:
 4 Q. Okay. So the emergency site could be on a
 5 facility?
 6 MR. WILLIAMS:
 7 A. It could be on a facility.
 8 ROIL, Q.C.:
 9 Q. On a vessel that's -
 10 MR. WILLIAMS:
 11 A. Or it could be a vessel in transit.
 12 ROIL, Q.C.:
 13 Q. Right.
 14 MR. WILLIAMS:
 15 A. Such as Cougar Flight 491.
 16 ROIL, Q.C.:
 17 Q. Or, we now know an airframe.
 18 MR. WILLIAMS:
 19 A. Yes.
 20 ROIL, Q.C.:
 21 Q. Could it also be something that's at your
 22 office in St. John's?
 23 MR. WILLIAMS:
 24 A. It could be an onshore situation too, and we
 25 exercise for those situations.

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1 ROIL, Q.C.:
 2 Q. Right. So the emergency site depends on the
 3 facts that give rise to the incident?
 4 MR. WILLIAMS:
 5 A. Yes.
 6 ROIL, Q.C.:
 7 Q. Okay.
 8 MR. WILLIAMS:
 9 A. And in respect of the emergency site, each of
 10 our facilities and contractors have emergency
 11 response plans. So they have a method and a
 12 plan to deal with a particular emergency at
 13 their facility, whatever type emergency that
 14 is. In support of that emergency, they would
 15 notify Husky onshore of a situation that's
 16 pending or has already occurred, and I'd like
 17 to talk about the Husky emergency response
 18 team, and that's the ERT.
 19 ROIL, Q.C.:
 20 Q. Okay. So the little overlap of the brackets,
 21 the brown bracket and the blue bracket, that's
 22 telling us that there's a connection here, is
 23 it?
 24 MR. WILLIAMS:
 25 A. There's communication interfaces. There's

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1 people interfaces. So there's a lot -- you
 2 know, between each of these groups, they're
 3 not isolated.
 4 ROIL, Q.C.:
 5 Q. Right, okay.
 6 MR. WILLIAMS:
 7 A. The Husky onshore emergency response team is
 8 responsible for providing the necessary
 9 support to the facility or location in
 10 distress. This may take the form of medical
 11 aid, evacuation support. We may mobilize
 12 vessels, aircraft or they may need technical
 13 advise to address the particular emergency
 14 that they have. This is the role of the
 15 emergency response team and they are located
 16 within what we call the incident coordination
 17 centre. We'll refer to it as the ICC.
 18 ROIL, Q.C.:
 19 Q. The ICC?
 20 MR. WILLIAMS:
 21 A. Yes.
 22 ROIL, Q.C.:
 23 Q. And where is the ICC located?
 24 MR. WILLIAMS:
 25 A. It's adjacent to our offices at Scotia Centre.

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1 ROIL, Q.C.:
 2 Q. Is that the one that is shared with Suncor?
 3 MR. WILLIAMS:
 4 A. Petro-Canada, or Suncor, sorry.
 5 ROIL, Q.C.:
 6 Q. Yeah.
 7 MR. WILLIAMS:
 8 A. I'm still back with Petro-Canada.
 9 ROIL, Q.C.:
 10 Q. You're allowed to make that mistake. Okay, so
 11 that's the shared incident centre -
 12 MR. WILLIAMS:
 13 A. Yes, it is.
 14 ROIL, Q.C.:
 15 Q. - that you have in the Scotia Building
 16 downtown St. John's.
 17 MR. WILLIAMS:
 18 A. On that note, if there is a situation where,
 19 you know, both organizations have to mobilize,
 20 both organizations have redundant facilities.
 21 We actually have a secondary facility within
 22 the Scotia Centre and an external facility.
 23 If a situation should arise where we were --
 24 like an explosion or something happened to the
 25 Scotia Centre where we not have access, we

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1 have a facility outside of that, we could
 2 mobilize an emergency response team. We call
 3 it the business continuity centre.
 4 ROIL, Q.C.:
 5 Q. Okay. So you have a backup to your main
 6 facility?
 7 MR. WILLIAMS:
 8 A. To our main emergency centre, yes.
 9 ROIL, Q.C.:
 10 Q. And that's off site, in a different building?
 11 MR. WILLIAMS:
 12 A. That's off site, yeah, isolated location. In
 13 addition to the emergency response team, we
 14 have what is called the major emergency team.
 15 In addition to the immediate needs of the
 16 facility in distress, we recognize that
 17 emergency will require the management of a
 18 number of additional matter, such as
 19 notification to regulatory or external bodies,
 20 the care of family members, communication to
 21 external agencies, information to the public
 22 or addressing technical matters that may stem
 23 from the emergency, and the management of
 24 these matters is the responsibility of the
 25 major emergency team, and the response on

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1 March 12th involved both of these teams for a
 2 number of days, and Trevor will discuss that.
 3 ROIL, Q.C.:
 4 Q. Yeah, I think we're going to look at the blue
 5 and the yellow team in a little more detail in
 6 the next slide.
 7 MR. WILLIAMS:
 8 A. Correct.
 9 ROIL, Q.C.:
 10 Q. Right, okay. What about the CER team?
 11 MR. WILLIAMS:
 12 A. The last group there is our corporate
 13 emergency response team, and they will -- they
 14 are ready to support Husky's east coast
 15 emergency response in any situation, and on
 16 March 12th, the corporate team, or CERT team
 17 as we refer to it, mobilized immediately.
 18 ROIL, Q.C.:
 19 Q. Okay, and they're in Calgary?
 20 MR. WILLIAMS:
 21 A. And they're located in Calgary.
 22 ROIL, Q.C.:
 23 Q. Okay.
 24 MR. WILLIAMS:
 25 A. This slide shows the organization of the ERT

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1 and the MET teams and we have what is known as
 2 a phased activation approach. As shown on
 3 this slide, the group within the blue box or
 4 the upper section represents the positions and
 5 roles within what we call the on-call
 6 emergency response team. We have 11
 7 individuals who participate in our on-call
 8 process on a weekly basis and they form that
 9 emergency response team, as you note there.
 10 ROIL, Q.C.:
 11 Q. So sorry, that's about 11 people?
 12 MR. WILLIAMS:
 13 A. That's 11 people noted there.
 14 ROIL, Q.C.:
 15 Q. And where does the incident commander come
 16 from?
 17 MR. WILLIAMS:
 18 A. The incident commander is part of the
 19 emergency response team. He is on call as
 20 well.
 21 ROIL, Q.C.:
 22 Q. Okay. Is that -
 23 MR. WILLIAMS:
 24 A. And he's in -- sorry.
 25 ROIL, Q.C.:

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1 Q. - by necessity, somebody like Mr. McCloskey,
 2 the vice-president, or is it handled in some
 3 other way?
 4 MR. WILLIAMS:
 5 A. The incident commander within our organization
 6 is one of the management team members. So we
 7 have six members of our management team that
 8 form the six individuals who rotate on a
 9 weekly basis as incident commander. In a
 10 situation, and Trevor -- on March 12th, Trevor
 11 Pritchard was -- Mr. Pritchard was our
 12 incident commander. On a weekly basis, we
 13 rotate out and other managers will assume the
 14 role, and that's the same for each member of
 15 the emergency response team. They carry a
 16 pager for a week. They're on call 24/7 and
 17 they're ready to mobilize to the incident
 18 coordination centre within 45 minutes of the
 19 notification to mobilize.
 20 The major emergency team, as you describe
 21 there, performs those functions as you see on
 22 the slide, and we have the ability to mobilize
 23 as many people as we need. We typically have
 24 about 140 people that are trained in various
 25 roles to support the emergency, and depending

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1 on the situation, we only may -- we may only
 2 mobilize three or four individuals, depending
 3 on the circumstances and needs, and of course,
 4 on March 12th, we needed as much support as we
 5 could get, and we received it.
 6 ROIL, Q.C.:
 7 Q. And where are the personnel drawn from that
 8 staff this yellow section, the major emergency
 9 team?
 10 MR. WILLIAMS:
 11 A. They are predominantly Husky staff.
 12 ROIL, Q.C.:
 13 Q. Here in St. John's?
 14 MR. WILLIAMS:
 15 A. Here in St. John's, yes.
 16 ROIL, Q.C.:
 17 Q. Okay, and I think Mr. Pritchard is going to
 18 tell us about how that -
 19 MR. WILLIAMS:
 20 A. Now, Mr. Commissioner, I'd like to ask Mr.
 21 Pritchard -
 22 ROIL, Q.C.:
 23 Q. - came into play as of March 12th.
 24 MR. PRITCHARD:
 25 A. March the 12th is a day that will live with us

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1 for the rest of our lives and to say that each
 2 of us has been deeply affected would be an
 3 understatement. 14 of the passengers on board
 4 were destined for the Sea Rose FPSO and
 5 between the panel members here, we knew most
 6 of the victims personally and we will cherish
 7 the good memories we have of them.
 8 At five to ten on March the 12th, I was
 9 in a HOIMS custodian meeting, giving an update
 10 to the group on the latest corporate
 11 information. So we've heard a lot about
 12 HOIMS. I'm the link, strong link to
 13 corporate. I sit on the corporate team. I
 14 was beckoned out of the meeting and informed
 15 the Sea Rose helicopter had turned around and
 16 may be ditching. My heart sank and I was
 17 stunned for a second. My thoughts took me to
 18 a controlled ditching and the hope of a
 19 successful rescue. My training kicked in and
 20 I went to the emergency response room. I was
 21 not on duty that day. However, I did
 22 recognize there was going to be a need for
 23 communications and other stakeholders out with
 24 the ICC team and the MET group.
 25 As is often the case, the worst of times

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1 can bring out the best in people and I am
 2 practically proud of the Husky staff who
 3 played an important role, an important part on
 4 that day in helping the families, the friends,
 5 through this difficult time.
 6 As events unfolded on March the 12th and
 7 the days after, our endeavours and priorities
 8 were to support the rescue effort and keep the
 9 needs of the families at the forefront of our
 10 thoughts and our actions. As news spread of
 11 the tragedy and the gravity of the situation
 12 was becoming apparent, our workforce, both
 13 onshore and offshore, were immediately
 14 affected, and we recognized the vulnerability
 15 there in the perspective of safety and we
 16 stopped all non-essential work offshore.
 17 ROIL, Q.C.:
 18 Q. When you say non-essential work, is there some
 19 work that did continue? And why the reason to
 20 stop the so-called non-essential work?
 21 MR. PRITCHARD:
 22 A. It was, you know, we can monitor the plant
 23 from the control room, but the non-essential
 24 work would be the -- you know, building of
 25 scaffold, painting requirements, perhaps some

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1 maintenance and some Capex type work, but we
 2 did not want to be going into opening of
 3 vessels or doing any kind of intrusive work.
 4 Pretty much everybody came back to the
 5 accommodation and just monitored the process
 6 plant, which you can do from the control room.
 7 ROIL, Q.C.:
 8 Q. I'm not putting words in your mouth, but I
 9 take it that there was a concern that the
 10 focus would not be able to be on work, given
 11 the gravity of the situation?
 12 MR. PRITCHARD:
 13 A. Absolutely. You know, this was a major
 14 tragedy and many, you know, friends were lost.
 15 Well, you know, as the events unfolded, we
 16 didn't know what had happened, but we took
 17 that position of just bringing everybody back
 18 to the accommodation. We could get
 19 information to people as soon as we could,
 20 whenever new information became available.
 21 So this was a different response for the
 22 emergency team. We were not taking the lead
 23 with the response. Our role was really in the
 24 support of the Department of National Defence,
 25 search and rescue, and we willingly gave up

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1 any and all of our resources.
 2 ROIL, Q.C.:
 3 Q. So where was the interface? Was it you were
 4 the person or how did the DND or the JRCC
 5 piece integrate with your incident command
 6 centre?
 7 MR. PRITCHARD:
 8 A. So we did have a link to JRCC in the MET
 9 organization in the ICC. So we did have a
 10 link to understand what requirements they
 11 would have. We gave them information on what
 12 resources we had and we had -- such as the
 13 Gabarus, I think in Bull Arm, Bay Bulls
 14 rather, and our logistics people just sailed
 15 the vessel and then informed JRCC "there's a
 16 vessel there. What do you want to use it
 17 for?" They would have been -- once the Cougar
 18 flight, response flight had gone, then of
 19 course, there would have been acknowledgement
 20 to us "yes, the flight's gone" and JRCC would
 21 just give us an update about what resources
 22 they were using at the time.
 23 ROIL, Q.C.:
 24 Q. Okay. So was there any question in your mind
 25 as to who was in control of that recovery and

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1 rescue situation?
 2 MR. PRITCHARD:
 3 A. Absolutely not. You know, this was clearly
 4 search and rescue. The SAR first response
 5 helicopter would be utilized, as would any of
 6 our resources be given up to DND or JRCC to
 7 control.
 8 So the response can be considered in four
 9 phases: the hours immediately after the crash,
 10 and I'll cover that in some detail. I will
 11 also give you some detail between March the
 12 12th and March the 17th when our emergency
 13 response system closed down, I'll say, in an
 14 official capacity. We still went away and
 15 worked at our desks, but the centre at the
 16 Scotia Centre that Mr. Williams described
 17 stayed alive for that length of time. The
 18 return to service period between March the
 19 12th and May the 18th took a considerable time
 20 and effort with dedicated people doing audits
 21 and coordinating information, but I won't
 22 really go into the return to service in
 23 particular detail as we've covered that in
 24 previous testimony.
 25 ROIL, Q.C.:

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1 Q. Indeed.

2 MR. PRITCHARD:

3 A. And support of the Inquiry. We feel the

4 Inquiry is of great value and there's a great

5 deal of support from our internal organization

6 and other companies who can provide

7 information and give details that we thought

8 appropriate, so hence the presentation.

9 So in the early hours, the emergency

10 response team or the ICC and major emergency

11 team, the MET, mobilized very quickly. So

12 recognize this is at five to ten in the

13 morning. So most people are at work

14 physically and there's a very quick response,

15 within minutes in fact. The corporate team

16 also mobilized very quickly. It was kind of

17 6:00, half past 6:00 for them by that stage.

18 So they were just mobilizing to work

19 themselves any way. They had mobilized very

20 quickly as well.

21 Over the course of the next six days,

22 more than 100 people of Husky were involved in

23 support. In those early hours, everyone was

24 hopeful, especially when there was reports of

25 life rafts being seen in the water and two

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1 people on the water. The emergency response

2 team was working well, busying themselves and

3 preparing paperwork, ensuring crew lists and

4 contact details were all available.

5 A hotel near the airport was established,

6 made available for families and this is where

7 the very early news releases were given. We

8 made sure that the families were informed of

9 any new information prior to going out with

10 any news releases. The number of family

11 members grew very quickly, and we changed

12 locations to the Capital Hotel, where the

13 family members were given rooms to allow them

14 to be available to receive the latest

15 information as soon as it was given to us.

16 Everybody had a snip of information.

17 I had to keep Government informed and

18 call the Premier with an update to the

19 situation as I knew it. I also made contact

20 with the C-NLOPB at an early stage, to give

21 them updates and information.

22 ROIL, Q.C.:

23 Q. Just a -- sorry, your earlier slide talks

24 about the response team operated 24 hours a

25 day until the 17th. So in fact, that's the

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1 room that we talked about earlier, there was

2 somebody there at all hours of the day for

3 those four days?

4 MR. PRITCHARD:

5 A. Absolutely, yes, for those -- up until the

6 17th, from the 12th to the 17th, we had, not

7 the full team. As things -- better

8 understanding was given, we reduced the

9 numbers in the MET, but there was somebody

10 there 24 hours a day and we set up, you know,

11 telephone communications for those families

12 that didn't arrive at scene to the Capital

13 Hotel where we could give them direct

14 information, they were able to call in to a

15 kind of call centre with information. But the

16 MET centre and the IC -- well, the MET centre

17 was up and running 24 hours a day.

18 So during the days between March the 12th

19 and March 17th, the Capital Hotel was the

20 centre of attention for us. As the RCMP and

21 TSB gave updates, there was more and more

22 people arriving. Provincial Airline had

23 generously offered to fly in any immediate

24 family to St. John's on a priority status and

25 Husky assisted other families to fly to St.

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1 John's if they were not from a location that

2 PAL actually flew from.

3 Over the next few days, we must have been

4 addressing hundreds of people at a time. We

5 had set up security in the early phases,

6 however -- and we got to know the faces of

7 many of the families. However, extended

8 families, colleagues, and friends of those on

9 board Cougar 491 were showing up. There was a

10 lot of emotional conversations during those

11 days.

12 On the Saturday, I was supported by the

13 chief operating officer. So they flew in from

14 Calgary, the chief operating officer and the

15 general manager for communications. So I was

16 given, you know, on the ground support from

17 the corporate organization at that time.

18 ROIL, Q.C.:

19 Q. Commissioner, we're running close to the break

20 time. I would propose that we continue if

21 we're getting very close to the end, unless

22 you would rather break and come back.

23 COMMISSIONER:

24 Q. You're getting very close now?

25 ROIL, Q.C.:

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1 Q. I think we're a matter of ten minutes away
 2 from -
 3 COMMISSIONER:
 4 Q. All right then.
 5 ROIL, Q.C.:
 6 Q. Okay.
 7 MR. PRITCHARD:
 8 A. Whilst we concentrated on the needs of the
 9 family, the TSB and RCMP did an excellent job
 10 on organizing recovery of the victims and
 11 remains of the helicopter. Our CEO, John Lau,
 12 personally presented a plaque to the crew of
 13 the Osprey who did an outstanding job in a
 14 very tough situation. I know how much it
 15 meant to the families to recover their loved
 16 ones.
 17 I would like to make a few
 18 acknowledgements. I apologize in advance if I
 19 miss out one or two who gave their support and
 20 don't get a mention here. I mentioned in my
 21 opening statement everyone it seemed wanted to
 22 help. I'd like to again thank the group of
 23 the Department of National Defence, the TSB,
 24 the RCMP and the St. John's Coast Guard and I
 25 kind of wrap them up together. They made a

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1 very efficient team, very motivated in the
 2 task in hand.
 3 I'd also like to acknowledge the rapid
 4 response from the Red Cross and the EZRA
 5 chaplaincy and the grief counsellors from
 6 Lawlor Associates who were with us in the
 7 hotel right from the very start. They were
 8 excellent. They just provided support just at
 9 the right time, just when it was necessary.
 10 The Capital Hotel, who moved away many
 11 conferences and actually meetings there, they
 12 made the hotel pretty much open for our use.
 13 Technip for helping with the engineering of
 14 the lifting frame for the helicopter and
 15 Atlantic Towing, the owners of the Atlantic
 16 Osprey. HMDC, Suncor and Statoil, they gave
 17 us overall support in the response.
 18 I'd also like to thank the media once
 19 again for being sensitive to the families
 20 needs for privacy during that time.
 21 Last, but not least, the Husky staff who
 22 supported the whole response. They were
 23 compassionate and caring and I feel made an
 24 exceptional difference under exceptional
 25 circumstances.

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1 I'd just move on with the lessons learned
 2 to that initial response, and this slide here
 3 does not depict by any means the full list.
 4 There's an extensive list beyond this of
 5 lessons learned to that initial response.
 6 However, throughout all operators
 7 presentations, we have testified to being a
 8 learning organization and this simply creates
 9 record of the lessons learned was held at this
 10 time. So some of the things that worked well
 11 are the families first, and this response, you
 12 know, we were looking after the people. We
 13 were not the immediate first response agency,
 14 I would say, and we certainly needed to take
 15 care of the families. Bringing the Husky
 16 related families to one designated location,
 17 and I do believe other families came to the
 18 Capital Hotel. It was the centre of attention
 19 for us to give information out.
 20 Support and cooperation by external
 21 agencies, I think the training that other
 22 external agencies must do seemed to shine
 23 through there as well between RCMP, Coast
 24 Guard, I know they're trained, and all of this
 25 training was well witnessed on the day.

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1 The speed that the emergency response
 2 teams mobilized, I think that's a function of
 3 the time that the event happened. It was
 4 mobilized very quickly.
 5 Some of our improvement opportunities.
 6 It was a stressful time and there were
 7 individuals who were, I'll say, obviously
 8 stressed and we dealt and cared with them at
 9 the time. There may have been others that
 10 were also being affected which we did not
 11 particularly recognize and perhaps we need a
 12 little bit more training in that stress
 13 related area for the managers to recognize
 14 when people are becoming stressed. We did
 15 account for that with the grief counsellors
 16 but, you know, we do need to be trained a
 17 little bit more on stress and stress related
 18 outcomes.
 19 And in sharing sufficient resources for
 20 longer term responses. The five or six days
 21 that we responded, more than 100 Husky staff
 22 operating a 24-hour-a-day basis. If that was
 23 to extend on further, we would certainly have
 24 needed to call upon, you know, further
 25 resources from Suncor and HMDC. So we well

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1 recognize that we need to put those kind of
 2 things in place.
 3 ROIL, Q.C.:
 4 Q. So it's recognized that the mutual aid
 5 agreement goes beyond simply boats and planes?
 6 MR. PRITCHARD:
 7 A. Absolutely, and it did in this case. We did
 8 take some, you know, human resources into our
 9 organization to help us. It was -- you know,
 10 from an HR point of view, we manned up not
 11 only the Scotia Centre, but we also manned up
 12 the Capital Hotel with a number of people on a
 13 24-hour basis as well. So whilst I went to
 14 the Capital Hotel kind of 6:00 each morning
 15 for updates and review and give out
 16 information, there was a presence there by
 17 Husky 24 hours a day.
 18 ROIL, Q.C.:
 19 Q. In terms of improvement opportunities, no
 20 failures in the hardware or software or any of
 21 the technological things that we rely upon so
 22 much these days?
 23 MR. PRITCHARD:
 24 A. No, I think in the main, that worked pretty
 25 well. You know, it was really about

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1 communication. So our communications with
 2 JRCC, external agencies, one or two little
 3 nuances that we could have improved upon. So
 4 there's a number of us now have Blackberrys
 5 for more rapid response of kind of e-mail
 6 systems, but I'll live with that.
 7 ROIL, Q.C.:
 8 Q. Many of us do, in life.
 9 MR. PRITCHARD:
 10 A. Yes, indeed. But no, everything else, from a
 11 hardware point of view seemed to work and, you
 12 know, the training that we spoke of earlier,
 13 you know, placed us in a great place to be
 14 able to work through our processes.
 15 ROIL, Q.C.:
 16 Q. Okay. Any closing remarks that you'd like to
 17 make, Mr. Pritchard, or anybody?
 18 MR. PRITCHARD:
 19 A. Yes, indeed. I've got some closing remarks.
 20 Mr. Commissioner, I truly believe helicopter
 21 transportation is safe today. However, you
 22 will recognize through our testimony, we have
 23 always looked for continuous improvement and
 24 this is the reason we support this Inquiry.
 25 We very much appreciate being a part of the

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1 Inquiry. When helicopter transportation
 2 improvements are made, by virtue of your
 3 recommendations, our collective efforts will
 4 be rewarded with yet another move in the right
 5 direction to create a safe workplace.
 6 The Inquiry has been something of a
 7 journey of learning for many of us. I have
 8 appreciated the discussions and angles you and
 9 the participants present and this has been
 10 thought provoking and I will be reflecting on
 11 my organization to determine how we contract
 12 work and internally resolve issues in a timely
 13 manner. It is, of course, the proactive
 14 approach to safety that is truly meaningful to
 15 prevent incidents before they happen. Using a
 16 robust, state-of-the-art safety management
 17 system, with a strong safety culture and good
 18 communications across a diverse population, I
 19 believe that is the way to develop that
 20 proactive continuous improvement environment.
 21 I believe our safety statistics on our
 22 facilities would bear this out. Whilst
 23 statistics are recognized as past performance,
 24 it is really what we do today and plan for
 25 tomorrow that will continue to keep our

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1 workforce safe. Thank you, Mr. Commissioner.
 2 COMMISSIONER:
 3 Q. Thank you very much.
 4 ROIL, Q.C.:
 5 Q. Thank you, panel members. That's all the
 6 questions that I had for you.
 7 COMMISSIONER:
 8 Q. All right then. We'll take the break now.
 9 (BREAK)
 10 COMMISSIONER:
 11 Q. You've finished your questions, haven't you,
 12 Mr. Roil?
 13 ROIL, Q.C.:
 14 Q. Yes, Commissioner.
 15 COMMISSIONER:
 16 Q. Okay, and Mr. MacDonald, Ms. Hickman, if you
 17 have questions, you would be at the end,
 18 agreeable?
 19 MACDONALD, Q.C.:
 20 Q. Yes, Commissioner.
 21 COMMISSIONER:
 22 Q. All right, counsel for C-NLOPB?
 23 MS. CROSBIE:
 24 Q. No questions, Commissioner.
 25 COMMISSIONER:

1 Q. Thank you. Transport Canada? No. CAPP,
 2 counsel for CAPP, no. HMDC or Suncor have any
 3 questions? No.
 4 MR. PRITCHETT:
 5 Q. No questions at this time.
 6 COMMISSIONER:
 7 Q. Cougar?
 8 WHALEN, Q.C.:
 9 Q. No questions, Mr. Commissioner, thank you.
 10 COMMISSIONER:
 11 Q. Thank you. Sikorsky and Helly Hansen are not
 12 here. Counsel for MUN, is -- he's outside. I
 13 don't see him. Obviously, then he would have
 14 no questions. Counsel for the Government of
 15 Newfoundland, Ms. Brown?
 16 MS. BROWN LAENGLE:
 17 Q. No questions, thank you, Commissioner.
 18 COMMISSIONER:
 19 Q. Thank you. Mr. Harris is not here. Okay,
 20 then, Mr. Earle, questions?
 21 EARLE, Q.C.:
 22 Q. I have some questions.
 23 MR. TREVOR PRITCHARD, MR. DONALD WILLIAMS, MR. KENNETH
 24 DYER - EXAMINATION BY RANDY EARLE, Q.C.:
 25 EARLE, Q.C.:

1 there's a reality that has to be confronted
 2 here, and that is as much as any organization
 3 wants to encourage people to complete cards
 4 like these and report hazards, or perhaps even
 5 worse than hazards, and not every incident is
 6 not always report, and we cannot have a
 7 situation where the result of reporting is
 8 neutral because the fact of the matter is an
 9 unsafe situation is disclosed, or unsafe work
 10 practices are disclosed, they have to be acted
 11 upon. That's a given, that's correct, is it,
 12 gentlemen?
 13 MR. PRITCHARD:
 14 A. That's correct.
 15 MR. DYER:
 16 A. That's correct.
 17 EARLE, Q.C.:
 18 Q. And would you not agree that really a big part
 19 of the challenge is to convince people that,
 20 you know, remember you're not just, to use a
 21 childish phrase "telling on somebody", you're
 22 also looking after your own interest, the
 23 interest of our co-workers, the interest of
 24 your families, but that takes some continuous
 25 persuasion to remind people of that because

1 Q. Good afternoon, gentlemen.
 2 MR. PRITCHARD:
 3 A. Good afternoon.
 4 MR. WILLIAMS:
 5 A. Afternoon.
 6 EARLE, Q.C.:
 7 Q. It's nice to see a couple of safety
 8 professionals in the panel. We haven't had a
 9 safety professional yet, unless we want to
 10 call our risk management safety professional.
 11 I'd like to start with some general questions
 12 about how safety is approached, and the sorts
 13 of things that have to be done to create a
 14 good safety culture because certainly I've
 15 been working with people in various industries
 16 for a good long while now, and I would concur
 17 with your observations that safety has
 18 improved a lot over the number of years in all
 19 industries, but I've also come to the
 20 conclusion that it is a challenge which
 21 requires the bending of human nature, quite a
 22 challenge indeed. I guess either one of the
 23 safety professionals could answer this, but
 24 I'm looking at your FOCUS card and thinking
 25 about operating, and it seems to me that

1 there is a reluctance to get somebody else in
 2 trouble, if you will? Would you agree with
 3 that?
 4 MR. PRITCHARD:
 5 A. It is a continuous requirement to make that
 6 happen, and you're quite right, that's how
 7 people should have that outlook, and that is
 8 indeed the outlook that we try to engage with
 9 the workforce.
 10 EARLE, Q.C.:
 11 Q. And there is a reluctance on the part of some
 12 people, I mean, that's a reality that as
 13 safety professionals you have to deal with,
 14 there is a reluctance to put the finger on
 15 somebody else?
 16 MR. PRITCHARD:
 17 A. Some new people coming into the organization
 18 may well have that reluctance, but it's when
 19 you get that reluctance taken away and get the
 20 safety culture engrained into a bigger mass of
 21 the population offshore, and that's really
 22 what makes that momentum move is when you get
 23 that level of engrainment that new people
 24 coming in and recognizing the attributes of a
 25 safety culture actually come on board that

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1 much quicker.
 2 EARLE, Q.C.:
 3 Q. I notice Mr. Dyer giving me a much briefer nod
 4 for an answer.
 5 MR. DYER:
 6 A. Oh, I agree with exactly what he said.
 7 EARLE, Q.C.:
 8 Q. Would you also agree with me, gentlemen, that
 9 in terms of encouraging the culture of safety,
 10 that it is of paramount importance that when
 11 management or when the organization gets it
 12 wrong, they have got to acknowledge that to
 13 the employees?
 14 MR. PRITCHARD:
 15 A. Yes, if the management get it wrong, we can
 16 stand up and be recognized when we do get it
 17 wrong.
 18 EARLE, Q.C.:
 19 Q. Thank you. Now don't worry I'm not going to
 20 now announce how you got it wrong and ask you
 21 to do a public confession.
 22 MR. PRITCHARD:
 23 A. I just wanted to make sure you recognize we're
 24 not all perfect.
 25 EARLE, Q.C.:

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1 Q. And I appreciate actually, quite frankly, that
 2 you have come here and said that on the fit of
 3 the suit, issues of comfort perhaps clouded
 4 our vision of what was really wrong. That's
 5 outstanding of you to do that, and certainly I
 6 perceived myself as being like a dentist with
 7 certain other witnesses on that issue in that
 8 I felt like I was pulling teeth when asking
 9 questions in that area, and thank you,
 10 gentlemen, for being forthright on that. The
 11 next area I'd like to canvas with you is the
 12 relationship with contractors and you people
 13 use a lot of contractors is my understanding.
 14 I'm not totally familiar with the Husky
 15 organization, but I suspect you're not a lot
 16 different than the other two companies, in
 17 that you may have everything from people who
 18 come in to do campaign maintenance on your
 19 facility through contractors to individuals
 20 who, while they are in every way looking like
 21 an employee, are actually individual
 22 contractors to you, and just about every
 23 arrangement in between where you have
 24 companies with a number of employees on your
 25 facility long term on the shift rotation and

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1 everything like that. Have I got it right
 2 that there's a wide variety of contractual
 3 arrangements?
 4 MR. PRITCHARD:
 5 A. There is a wide variety of contractors, yes.
 6 EARLE, Q.C.:
 7 Q. And it seems to me that there's a line that is
 8 pretty important from a functional point of
 9 view. You've told us that a qualifying
 10 condition for becoming a contractor is
 11 adopting your HSEQ standards. Again am I
 12 correct on that?
 13 MR. PRITCHARD:
 14 A. That's correct, the HOIMS brochure is issued
 15 with the contracts. Depending on the
 16 complexity of the scope, we would understand
 17 what requirements we would expect from that
 18 contractor from the areas of HOIMS.
 19 EARLE, Q.C.:
 20 Q. Yes. Well, for instance, I think you would
 21 insist that a contractor off your
 22 installation, whether it's a supply boat
 23 contractor or a helicopter contractor, have an
 24 occupational health and safety committee that
 25 would be part of meeting your HSEQ standards?

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1 MR. PRITCHARD:
 2 A. And if by regulation they require that.
 3 That's also a component of the HOIMS that they
 4 regulator requirements are complied with.
 5 EARLE, Q.C.:
 6 Q. Yes. Would you agree with me that from your
 7 point of view of monitoring this on a day to
 8 day basis, that it's really one thing when
 9 you're dealing with those contractors who are
 10 on your installation, and quite another thing
 11 when you're dealing with a contractor like
 12 Atlantic Towing, or Canship, or Cougar, any of
 13 those contractors who work with you in an
 14 integrated fashion, but you're not amongst
 15 their employees, if you will, on a day to day
 16 basis?
 17 MR. PRITCHARD:
 18 A. We are not amongst their employees, but we do
 19 take a keen interest on their operations. I
 20 did mention in testimony if there's incidents,
 21 we review the incidents, significant incidents
 22 with them, we have discussions and look for
 23 improvements in their operations. We do have
 24 quarterly contractor meetings whereby we give
 25 our expectations out, and we also listen to

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1 feedback regarding the operations in general,
 2 and that might be collectively amongst these
 3 contracting communities.
 4 EARLE, Q.C.:
 5 Q. Yes, but I notice, for instance, in your
 6 contractor with Cougar, you had a requirement
 7 that they report to you incidents, correct?
 8 MR. PRITCHARD:
 9 A. Correct.
 10 EARLE, Q.C.:
 11 Q. With your catering contractor, the reality is
 12 that those incidents are going to occur right
 13 under the eyes of your management, so the
 14 reporting of them is going to be basically
 15 something that's got to happen because you see
 16 it anyway with someone like your catering
 17 contractor, but with an organization, and I'm
 18 not pointing the finger especially at Cougar,
 19 but with an organization at a distant from you
 20 like Cougar is, your more dependent upon their
 21 good faith in compliance in terms of reporting
 22 incidents to you, there is the potential for
 23 them to, if you will, filter the reports?
 24 MR. PRITCHARD:
 25 A. I think it's very much the same parallel to a

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1 safety culture offshore. When you're
 2 communicating with the contracting community,
 3 if you demonstrate that openness and fairness
 4 with a contracting community, they will
 5 respond accordingly as well. If you treat
 6 people fair and square, you'll get some
 7 respect and you'll get some dialogue going,
 8 and that's the way that we see making a
 9 continuous improvement.
 10 EARLE, Q.C.:
 11 Q. I understand that's your philosophy and how
 12 you wish to go forward, and I'm exploring, if
 13 you will, the challenges. Now along these
 14 lines, because I want to have an understanding
 15 of what you mean when you say you expect them
 16 to involve or take on your HSEQ requirements,
 17 as I understand it, and heaven knows I may be
 18 a little bit out of my depth there, for
 19 instance, in your processing module on the Sea
 20 Rose, you have a myriad of valves and these
 21 valves have very high specifications, and in
 22 accordance with those specifications the
 23 valves will have to be changed out from time
 24 to time, they have a life, and it's not like
 25 the tap in your bathroom when the faucets drip

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1 too much, you change them valve, you have a
 2 spec on the thing that says after, I don't
 3 know, 15,000 hours or 500 days or whatever,
 4 this valve should be changed out?
 5 MR. PRITCHARD:
 6 A. So we have a planned maintenance program, yes.
 7 EARLE, Q.C.:
 8 Q. Yeah, and an example I'd like to put to you,
 9 if you were to receive, as I suspect you
 10 sometimes do, a notification from a
 11 manufacturer after one of these valves or a
 12 number of these valves have been put in place
 13 that actually the spec is not met, they're not
 14 going to last as many hours as the spec
 15 required, and they give you another figure
 16 which is lower, would you then just accept
 17 that and change the valves in accordance with
 18 that schedule, alter your maintenance
 19 schedule, or would you do a risk assessment in
 20 terms of those valves, because, you know, the
 21 manufacturer is saying, look, we missed on the
 22 specification?
 23 MR. PRITCHARD:
 24 A. In general, we would just simply comply with
 25 the recommendations. Of course, depending on

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1 how many number of valves you've got in the
 2 system and the capabilities of the vendor to
 3 support you in that number of changes, would
 4 determine if you are capable physically of
 5 making those changes. If we were not
 6 physically capable of making those changes to
 7 the manufacturer's spec, we would look at the
 8 duties and do some risk assessment there.
 9 EARLE, Q.C.:
 10 Q. So if it was -- let's be simple and say it's
 11 10,000 hours and the notice comes in it's only
 12 good to 5,000 hours, and you look at it and
 13 say, changing these out is going to take a
 14 major maintenance shut, one of these ten days
 15 to three week things that you have every so
 16 many months, therefore, we can't do it, that's
 17 a circumstance in which you do a risk
 18 assessment?
 19 MR. PRITCHARD:
 20 A. Yeah, it's never quite as simple as that
 21 because in a process plant you may have valves
 22 of the same specification, but different
 23 duties. You may have a similar valve in an
 24 oil train and a water train. So obviously
 25 when you do your risk assessment, you would

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1 evaluate that the potential hazards that may
 2 occur, you know, one with oil, and obviously
 3 one with water, and you would evaluate the
 4 levels of risk with that in mind.
 5 EARLE, Q.C.:
 6 Q. And if I understand what you're saying, Mr.
 7 Pritchard, you know, a valve that is defective
 8 and starts leaking water over the deck is not
 9 the same proposition as a valve that's
 10 defective and leaking oil over the deck?
 11 MR. PRITCHARD:
 12 A. That would be a fair statement.
 13 EARLE, Q.C.:
 14 Q. Yes.
 15 MR. PRITCHARD:
 16 A. Not that we wish to have any leakage, of
 17 course, but that's the --
 18 EARLE, Q.C.:
 19 Q. But in terms of risk, it puts you in a -- if
 20 we go back to the matrices that were used by
 21 some of the other companies, it would put you
 22 in a different block?
 23 MR. PRITCHARD:
 24 A. Correct.
 25 EARLE, Q.C.:

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1 Q. Yeah. So if you didn't have to disturb your
 2 cycle, you would not do any kind of risk
 3 assessment? If it was possible for you to
 4 make the change within the newly advised time
 5 by the manufacturer, you would accept that to
 6 change out within the 5,000 hours through your
 7 own maintenance processes?
 8 MR. PRITCHARD:
 9 A. That would be the general approach, yes. We
 10 would look at the specific issue to see if it
 11 was to your working one -- let's say, a high
 12 pressure gas, we may take a bigger look at
 13 that to see what does this really mean to us,
 14 but if it was on the domestic water system,
 15 then, yes, we would just accept that in our
 16 maintenance program.
 17 EARLE, Q.C.:
 18 Q. And I take it when you say adopt your HSEQ
 19 approach to your contractors, then you would
 20 expect the contractor to adopt a similar
 21 approach?
 22 MR. PRITCHARD:
 23 A. Indeed.
 24 EARLE, Q.C.:
 25 Q. Okay. So in the area of notices from the

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1 manufacturer for the aircraft, in this case
 2 Sikorsky, if Sikorsky comes out next week with
 3 a notice that a bearing in the rotor has to be
 4 changed within 1,000 hours of flying time as
 5 opposed to the original spec of 2,000 hours of
 6 flying time, tell me how adopting your HSEQ
 7 system tells you that Cougar should behave in
 8 that circumstance?
 9 MR. PRITCHARD:
 10 A. I'd have an expectation that Cougar would
 11 comply fully with the bulletin or the service
 12 requirements issued by the FAA -- or Sikorsky,
 13 rather.
 14 EARLE, Q.C.:
 15 Q. So you're basically, as I hear it, saying we
 16 don't expect you to second guess the supplier
 17 or the aviation authority in any fashion, you
 18 can take the supplier or the aviation
 19 authority's notice to you as being solid, we
 20 don't expect you to conduct any independent
 21 assessment of that notice, even though it is a
 22 significant change from your original
 23 expectations?
 24 MR. PRITCHARD:
 25 A. Can you give me that question again?

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1 EARLE, Q.C.:
 2 Q. What you say to the contractor is you get a
 3 notice, and now -- remember our example, we've
 4 gone from 2,000 hours to change out the
 5 bearing down to 1,000 hours. Original spec
 6 2,000 hours, new spec from the manufacturer,
 7 1,000 hours, and that comes from the
 8 manufacturer or it may even come from aviation
 9 authority, whether it's the FAA in the States
 10 or Transport Canada's Avionics Division here
 11 in Canada, even though it is a very
 12 significant change from the original
 13 expectation, you would not expect your
 14 contractor to conduct any further assessment
 15 of the wisdom of that, they've got it from the
 16 manufacturer or they've got it from the Civil
 17 Aviation authority, that's good enough for
 18 you, they will be appropriate in relying on
 19 that?
 20 MR. PRITCHARD:
 21 A. So the manufacturer is best placed to put
 22 those proposals forward, and, you know, if
 23 that's sanctioned by the FAA or Transport
 24 Canada as being satisfactory, then, yes, that
 25 would be my expectation that they follow that.

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1 EARLE, Q.C.:

2 Q. So you don't see any case to be made, can you,

3 of the swiss cheese model, that because one of

4 the holes might have gotten a little closer to

5 a lineup, that maybe another slice of cheese

6 should be put in there?

7 MR. PRITCHARD:

8 A. I think in this case the manufacturer and the

9 FAA are the most knowledgeable people to make

10 that -- give that information.

11 EARLE, Q.C.:

12 Q. And I take it when you have an auditor look at

13 the activities of a contractor, whether

14 aviation or not, again that's what they're

15 checking against, the compliance with

16 manufacturer's spec or the aviation authority,

17 so that if the bearing is changed out at 998

18 hours, that that's fine?

19 MR. PRITCHARD:

20 A. That's correct.

21 EARLE, Q.C.:

22 Q. But if they change it out at 1,015, that might

23 well generate an observation or a finding?

24 MR. PRITCHARD:

25 A. That would be correct.

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1 EARLE, Q.C.:

2 Q. Yeah. Now in the area of audit and

3 observations and findings -- I think it's

4 slide 65 of the presentation, Madam Registrar.

5 You can see we have a number of the findings

6 here, and if we look at the third one, "Ensure

7 that pilots and maintenance engineers have

8 representation on the HSE Committee", which

9 strikes me being a pretty important finding

10 because these are people with significant

11 technical expertise in their areas in a very

12 technical industry, and I note that it's

13 marked "closed", but the question is when was

14 it closed.

15 MR. WILLIAMS:

16 A. It's my understanding -- I don't have the

17 exact date of closure. I can get that

18 information for you. The audit was conducted

19 in November of 2008, and I know there were two

20 audits of Cougar by the same auditor in 2009.

21 One was associated with the aviation safety

22 review as part of that return to service. A

23 second audit was conducted in the fall of 2009

24 as well. So I can't give you the date of

25 closure, but I know between -- somewhere

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1 between 2008 and 2009, November, 2009, that

2 was closed.

3 EARLE, Q.C.:

4 Q. Well, that's what I was wondering about

5 because actually in some of your evidence when

6 you were talking about the actions that might

7 be registered as a result of one of these

8 FOCUS cards, I think it was you alluded to the

9 necessity of not having these things

10 outstanding too long, that there had to be a

11 closeout on these things, there had to be some

12 follow-up to make sure that hazards were

13 remedied, etc. Do you not have a fixed period

14 of expectation that a finding in an audit

15 should be closed out?

16 MR. WILLIAMS:

17 A. Yes, there is an expectation, and typically

18 when we conduct an audit and the company being

19 audited provides a response to us, it's

20 expected that the closure dates or the plan of

21 action by that company would include target

22 dates for closure, and the action that would

23 be taken to remedy the finding or the

24 observation. Unfortunately, I don't have that

25 particular information with me at this time.

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1 EARLE, Q.C.:

2 Q. So it's a bit like the government departments

3 when the Auditor General comes around, they

4 want to have the announcement of how they're

5 going to respond to the Auditor General's

6 findings right there for inclusion with this

7 report so they don't look too bad. You would

8 expect that the contractor's response to the

9 audit, which would, I take it, be part of the

10 audit, would specify a closeout time?

11 MR. WILLIAMS:

12 A. Correct.

13 EARLE, Q.C.:

14 Q. And do you have any sense of what the general

15 limitation on that would be?

16 MR. WILLIAMS:

17 A. It depends on the nature of the finding or the

18 observation, and what that finding or

19 observation may represent to the company in

20 terms of changes to their systems, or in terms

21 of a risk to safety of operations.

22 EARLE, Q.C.:

23 Q. Well, would you agree with me that this was

24 really in terms of that kind of system a

25 fairly important finding?

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1 MR. WILLIAMS:
 2 A. Yes.
 3 EARLE, Q.C.:
 4 Q. So, I mean, is this something that could have
 5 waited six months to be closed out?
 6 MR. WILLIAMS:
 7 A. It would be expected that when they would have
 8 scheduled their next meeting, that the
 9 representation would have been included from
 10 both groups that were missing or not
 11 participating in the HSE Committee.
 12 EARLE, Q.C.:
 13 Q. And the next meeting would be a month time
 14 basis?
 15 MR. WILLIAMS:
 16 A. It depends on their regular scheduled
 17 meetings, whenever that may have been. Their
 18 requirements are under federal jurisdiction.
 19 I'm not too sure what their requirements are
 20 for the scheduling of meetings.
 21 EARLE, Q.C.:
 22 Q. I wonder could you gentlemen undertake to
 23 supply us with some more information on that
 24 because I think this is important in terms of
 25 the helicopter safety system to have a good

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1 understanding of, you know, what -- how once
 2 something comes up, it's brought to a
 3 conclusion, and doesn't hang around out there,
 4 you know, waiting for an accident to happen to
 5 remind somebody that they should have done
 6 something about this. So could we --
 7 MR. DYER:
 8 A. Yes.
 9 MR. PRITCHARD:
 10 A. Yes.
 11 MR. WILLIAMS:
 12 A. Yes.
 13 EARLE, Q.C.:
 14 Q. So could we have that, Mr. MacDonald? Thank
 15 you.
 16 COMMISSIONER:
 17 Q. Are you looking, Mr. Earle, for all of these
 18 items on this list or any particular --
 19 EARLE, Q.C.:
 20 Q. Well, what I'm more interested in, and what I
 21 think you would be more interested in, is not
 22 so much the closeout dates for these
 23 individual ones because they're history now,
 24 so much as what -- what, if any, is the role
 25 and expectation so that we have a sense of how

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1 long these kinds of issues can remain
 2 outstanding.
 3 COMMISSIONER:
 4 Q. Okay.
 5 EARLE, Q.C.:
 6 Q. Now while I'm in the area of timeframes and
 7 expectations for closing out issues, I want to
 8 turn to the HUEBA, and the -- you know, I'm
 9 not deaf, I heard the companies when they said
 10 it took too long, so that's -- not wanting to
 11 go there again, but I would like to hear the
 12 observations of the two safety professionals
 13 on how we could improve that kind of
 14 situation. It really seems to me observing
 15 this and certainly if there comes a times when
 16 I get to make some representations, I don't
 17 think it will be any surprise to anybody here,
 18 particularly the Commissioner, that we will be
 19 saying this open ended, no timelines, kind of
 20 situation that the HUEBA went through with
 21 people being involved with this being
 22 perceived as volunteers who came when they
 23 could to meetings is just not good enough, and
 24 I'd like to have the observations of you
 25 gentlemen on how we can deal with time

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1 structures and deliver -- I think the phrase
 2 that's often used is "deliverables" in terms
 3 of safety improvements. Can you give us your
 4 reflections on that as it relates to the
 5 HUEBA?
 6 MR. WILLIAMS:
 7 A. Mr. Commissioner, in my role with Husky since
 8 2006, and actually since 2005, I was
 9 participating with the various CAPP Committees
 10 in the evolution or the adoption of the HUEBA
 11 device, so I do have some kind of insight into
 12 the challenges and the work that went on
 13 throughout that time period. As our joint
 14 panel acknowledged, it certainly took too
 15 long, and, Mr. Earle, we recognize that fully.
 16 We are looking forward to the lessons learned
 17 effort now being conducted by CAPP with
 18 regards to the challenges associated with that
 19 particular matter and the time it took to come
 20 to a rightful conclusion and adoption and
 21 implementation of a breathing device for our
 22 personnel travelling offshore. I think there
 23 were many factors that played a role in that
 24 effort, and that there was conflicts,
 25 technical challenges, medical challenges,

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1 training issues that had to be overcome
 2 between the differences between Nova Scotia
 3 and Newfoundland. You know, it was a first
 4 device to be used in the, I guess, civil world
 5 in terms of our type of industry for a
 6 compressed breathing device, so the people who
 7 worked on the various task force and
 8 committees engaged as many knowledgeable
 9 people as they could over the time period. In
 10 2005, there was a risk assessment, and in
 11 2006, there was a workshop in Halifax with the
 12 technical knowledge of people from different
 13 parts of the world, working with the HUEBA
 14 task force trying to come to a conclusion,
 15 overcoming hurdles with respect to training
 16 and medical aspects. So in summary, in terms
 17 of coming to some final recommendations, I
 18 think it's fair to say that the time it took
 19 from the time we recognized we wanted to have
 20 a device until the time we actually got to
 21 implement it, there were many technical issues
 22 to be resolved by people who, as you say, came
 23 and worked in and out throughout the task
 24 force and had to get acquainted with it, but
 25 there didn't seem to be an ability to -- let

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1 me begin by saying that everybody who was on
 2 that task force over that period really
 3 recognized the value of that device, however,
 4 there were no easy solutions, and although it
 5 took too long, a particular strategy in terms
 6 of planning may help, but I don't know of any
 7 particular solution I can offer today outside
 8 of the lessons learned that will guide us in
 9 the future. Unfortunately, I don't have any
 10 recommendations to offer to the Inquiry today.
 11 EARLE, Q.C.:
 12 Q. Well, let me ask you another question, maybe
 13 you have considered this, maybe you haven't,
 14 would the process have benefited from a system
 15 where a smaller group of people were seconded
 16 to work with CAPP on that, rather than the
 17 system where you had people who had large
 18 responsibilities otherwise having to deal with
 19 this as one of many issues?
 20 MR. WILLIAMS:
 21 A. The process may have benefited from that type
 22 of approach, yes.
 23 EARLE, Q.C.:
 24 Q. I'm not sure which type of approach you talk
 25 about, the approach of seconding people or the

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1 approach of having people who had 15 other
 2 things on their plate?
 3 MR. WILLIAMS:
 4 A. No, not from the aspect of others having --
 5 other people having other things on their
 6 plate, because I think the individuals who
 7 were working on the task force devoted the
 8 time and effort in a timely manner as best
 9 they could, but I'm suggesting that a task
 10 force that was focused on a particular issue
 11 may function in terms of a more timeliness
 12 manner as opposed to, you know, the people who
 13 were in part time participating on the task
 14 force on a periodic basis. So there may be
 15 some value in terms of the future adoption of
 16 a device or a process or guideline. So there
 17 may be some value in a specialized task force
 18 or a designated task force to conduct that
 19 work on behalf of the industry.
 20 MR. DYER:
 21 A. And I think it's fair to say, Don, that we are
 22 equally interested in seeing the results of
 23 the lessons learned with CAPP on this event.
 24 Clearly this is a learning for everybody and
 25 an education for all of us in dealing with a

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1 new device, an uncertified device, and
 2 something that had posed medical risk to
 3 individuals. So the fact that it took a long
 4 time is acknowledged, however, we're very sure
 5 that we made the right decisions, even though
 6 it took a long time to make sure we introduced
 7 the device to individuals to go offshore.
 8 EARLE, Q.C.:
 9 Q. The contract with Helly Hansen for the suits,
 10 we can debate how it arose, but clearly in the
 11 end, on the initial contract, nobody appeared
 12 to have the task of making sure the suit
 13 fitted, you know, John Jones, okay, let's get
 14 a suit and make sure it fits you, which is
 15 where we ended up in the end of this thing,
 16 and the process ended up with some mix and
 17 match suits, large bodies, small heads, and so
 18 on. Do you have, and I've asked the other two
 19 companies this, do you have any thoughts on
 20 what went wrong that the contract didn't
 21 clearly specify a responsibility on somebody's
 22 part to do that?
 23 MR. PRITCHARD:
 24 A. We did have Helly Hansen go to the heliport in
 25 that six week period as the new suit became

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1 part of our operation, so we did have Helly
 2 Hansen there, and, I guess, it wasn't
 3 distinctly sign posted in the contract to say
 4 check the seals, but implicitly it was their
 5 piece of equipment, they would understand how
 6 they were operate and work in the intended
 7 environment. So having Helly Hansen there
 8 fitting them up and sizing them at that time
 9 was an expectation that they would look at the
 10 arrangements per individual.

11 EARLE, Q.C.:

12 Q. So from your perspective, Helly Hansen fell
 13 down on the job?

14 MR. PRITCHARD:

15 A. What I'm saying is Helly Hansen were there,
 16 it's their suit, they understand how that suit
 17 operates and works.

18 EARLE, Q.C.:

19 Q. I'll take that as a "yes", Mr. Pritchard.

20 MR. PRITCHARD:

21 A. I'd just like to say that Helly Hansen were
 22 there, it's their suit.

23 EARLE, Q.C.:

24 Q. Taking you back to the helicopters in this
 25 instance, the issue of emergency response

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1 time, a simple question for you, gentlemen, do
 2 you have any understanding that it is more
 3 than a question of the application of money to
 4 bring response time of wheels up one hour of
 5 Cougar in St. John's, to a response time of
 6 under one half hour such as we get day time
 7 from the Cormorants in Gander?

8 MR. PRITCHARD:

9 A. I think Cougar are the best people to have
 10 that discussion with. It's certainly not a
 11 question of money in respect of us for our
 12 commitments to the safety of the workforce. I
 13 mentioned before that the duties, the first
 14 response duties of the Cougar SAR helicopter,
 15 can be varied. I think the Cormorant
 16 helicopter is kitted up more specifically for
 17 a kind of winch SAR type operations dedicated
 18 in that manner, whereas our first response SAR
 19 duties cover multiple scenarios.

20 EARLE, Q.C.:

21 Q. Well, let me ask you this then, if it can be
 22 done -- because I think we all appreciate what
 23 a difference five minutes in the North
 24 Atlantic can make, let alone a half hour in
 25 the North Atlantic. Is Husky committed, if

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1 it's possible, to bringing down the first
 2 response time from the current minimum
 3 threshold of one hour?

4 MR. PRITCHARD:

5 A. So this is not a question of money, this is
 6 really a question of the practicalities and
 7 capabilities of how we can respond to an
 8 incident. So, yes, we are interested in
 9 pursuing wheels up times that can be improved.

10 EARLE, Q.C.:

11 Q. Thank you. We had some discussion of a
 12 reporting of incidents, and I notice your
 13 contract requires Cougar to report to you
 14 instances with their helicopters other than in
 15 your employ; in other words, on trips other
 16 than your own, and the question was asked have
 17 they been reporting instances or incidents in
 18 other locations, and I understand the answer
 19 was "no", but I take it they do report to your
 20 incidents if they are flying for Terra Nova or
 21 Hibernia in Newfoundland, is that correct?

22 MR. PRITCHARD:

23 A. We do get information regarding trips to and
 24 from the other facilities or events that have
 25 occurred on those other facilities.

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1 EARLE, Q.C.:

2 Q. Yes, so there was - about three years ago
 3 there was an incident with one of the S-92s
 4 having to fly back from Terra Nova, so about
 5 90 percent of the way is my understanding on
 6 one engine. One engine had been shut down.
 7 Would you have been notified of that?

8 MR. WILLIAMS:

9 A. Can you repeat that again?

10 EARLE, Q.C.:

11 Q. About three years ago there was an incident
 12 where one of the S-92s was flying back from
 13 Terra Nova and very shortly after it left the
 14 Terra Nova installation, one engine had to be
 15 shut down, so it had to fly back to St. John's
 16 on one engine instead of two. Would that have
 17 been--it wasn't your flight, would that have
 18 been reported to you?

19 MR. WILLIAMS:

20 A. I'm not acquainted with that particular
 21 incident being reported to us. I am
 22 acquainted with a Hibernia flight, I believe
 23 in 2008.

24 EARLE, Q.C.:

25 Q. Hibernia flight again was an engine oil

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1 situation?
 2 MR. PRITCHARD:
 3 A. Those type of events are reported to us,
 4 specific event.
 5 EARLE, Q.C.:
 6 Q. Yes, and that's what is more important, I want
 7 to really understand is it your expectation
 8 that that sort of incident will be reported to
 9 you and is it your understanding that they
 10 have been reported to you?
 11 MR. PRITCHARD:
 12 A. Yes, our expectations are that those type of
 13 incidents are reported to us, they are. Our
 14 communications off to the workforce, go off to
 15 the platform, we have a public folder
 16 established where we register those kind of
 17 events and that allows even the onshore people
 18 to access that common folder for that level of
 19 information.
 20 EARLE, Q.C.:
 21 Q. And Mr. Pritchard, I think you're telling me
 22 though about how things are since March, the
 23 return to service. I want to know what was
 24 your expectation prior to March 12th, was it
 25 any different in terms of those types of

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1 incidents, if there was an incident of that
 2 nature with HMDC or with Terra Nova, would you
 3 have expected that it would have been reported
 4 to you?
 5 MR. PRITCHARD:
 6 A. Yes.
 7 EARLE, Q.C.:
 8 Q. And would you then have communicated that to
 9 your employees?
 10 MR. PRITCHARD:
 11 A. It depends upon the nature of the event.
 12 Significant events would be reported back to
 13 the OIM and JOHS and distribution operator, so
 14 the significance of the event and obviously
 15 since March 12th we're a lot more sensitive to
 16 events than we were prior to.
 17 EARLE, Q.C.:
 18 Q. I don't think you can get much more
 19 significant without an accident than loss of
 20 an engine, so -
 21 MR. PRITCHARD:
 22 A. Yeah, for sure and those types of events are,
 23 it's not a big population offshore, but the
 24 population do talk to one another and
 25 therefore even, I'll say not a distinct

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1 communication route the people would
 2 understand anyway, so we would get that
 3 information out to the population.
 4 EARLE, Q.C.:
 5 Q. The more important it is to get--I realize -
 6 COMMISSIONER:
 7 Q. If you were getting close to finishing, I
 8 would have no objection, but I wouldn't do so
 9 without asking the group because I'm well
 10 aware that some people may have commitments to
 11 family or something like that.
 12 EARLE, Q.C.:
 13 Q. Mr. Commissioner, I have better news than
 14 that. I'm finished. (laughter).
 15 COMMISSIONER:
 16 Q. Well before we close for the day then, I'll
 17 ask--let me see, counsel for the families, Mr.
 18 Martin, will you be having questions?
 19 MR. MARTIN:
 20 Q. I have about two questions and it will only
 21 take ten minutes or so, but if it's your
 22 desire to proceed tomorrow morning, then
 23 that's fine with me.
 24 COMMISSIONER:
 25 Q. And you'd have a few questions probably, would

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1 you Ms. O'Brien?
 2 MS. O'BRIEN:
 3 Q. I do have two very brief questions.
 4 COMMISSIONER:
 5 Q. Well I'm in your hands. If it's a matter of
 6 perhaps finishing this up this afternoon and
 7 it doesn't cause problems for anybody, I would
 8 be quite prepared to do it. But if it does
 9 cause problems for anybody, please tell me and
 10 we'll adjourn until tomorrow morning.
 11 MR. MACDONALD:
 12 Q. We're happy to stay.
 13 COMMISSIONER:
 14 Q. All right then, if that's all agreed, we will
 15 carry on for a few minutes. You gentlemen are
 16 okay with that, are you?
 17 MR. DYER:
 18 A. Yes, indeed.
 19 COMMISSIONER:
 20 Q. Okay then, Mr. Martin
 21 MR. TREVOR PRITCHARD, MR. DONALD WILLIAMS, MR. KENNETH
 22 DYER
 23 EXAMINATION BY MR. JAMIE MARTIN
 24 MR. MARTIN:
 25 Q. Thank you, Mr. Commissioner. I shouldn't be

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1 too long, as I indicated to you. My line of
 2 questioning is actually directed at slide 68
 3 if the Registrar can put that on the screen
 4 please? And it's a line of questioning that
 5 I've explored with other companies and other
 6 witnesses at this proceeding and it concerns
 7 the role of the C-NLOPB and I'll make a few
 8 observations before I ask the question. I do
 9 recall Mr. Roil when he was asking you a
 10 question of one of the witnesses, I think it
 11 was the joint panel, he referred to the
 12 evidence of Mr. Andrews, who was legal counsel
 13 of the Board and I think Mr. Roil paraphrased
 14 part of his evidence in saying that the Board
 15 doesn't take responsibility for safety, so by
 16 extension, logical extension is obviously the
 17 companies, I think Mr. Roil paraphrased Mr.
 18 Andrews. He's not saying they don't regulate
 19 because I don't think Mr. Andrews said that,
 20 he said they don't take responsibility but
 21 there's clearly a subtle distinction between
 22 taking responsibility and regulating, but I'll
 23 address that to the C-NLOPB at a later date.
 24 The second point I note is your slide and I
 25 stand to be corrected if the others provided

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1 more detailed information, but your slide is
 2 more detailed in terms of the interaction and
 3 it may be attributable to the fact that the
 4 issue has been raised, not only by myself but
 5 by other legal counsel and by other presenters
 6 and I'm not criticizing you for it, but I
 7 think you glossed over it. Maybe there were
 8 other things that you wanted to get to in your
 9 presentation, so I don't think a lot of time
 10 was spent on this slide and I'd like to
 11 explore it a little bit more, and the other
 12 observation I'm going to make is that when Mr.
 13 Pike appeared before the Board and he had
 14 probably the unenviable position of having to
 15 go first and probably not fully anticipating
 16 what as to follow, and I recall Mr. Pike's
 17 evidence in part was yes, we get a lot of
 18 reports, yes, we get JOHS committee meetings,
 19 yes, we'd have some discussions with the
 20 companies, but it was unclear to me and I
 21 think it was unclear to some others in the
 22 room, that we don't know exactly what the C-
 23 NLOPB does with the information. I think at
 24 one point in time you said, yeah, those
 25 minutes get filed away in filing cabinets, so

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1 I'm exploring this area for a particular
 2 reason and I'd like to just explore it with
 3 you a little bit more as well, because I do
 4 acknowledge that the Board has, you know,
 5 issues associated with drilling, issues
 6 associated with production, the granting of
 7 authorizations, they have a broad mandate and
 8 you do as well. I mean, you are the operators
 9 and you have to perform your job, but I'm just
 10 wondering in terms of the latter part, the
 11 second part of that slide and I do acknowledge
 12 that health and safety is discussed at your
 13 daily meetings, at your weekly meetings and
 14 you do have your quarter meetings with the
 15 board, at least that was the evidence of the
 16 other operators, but how much--my question is
 17 this: in percentage terms, how much
 18 information, what percentage of your time is
 19 spent actually interacting with the Board on
 20 safety issues? I'm not looking for a precise
 21 percentage but I'm kind of getting the
 22 impression that not a lot, I mean, I'm not
 23 suggesting you paid lip service to it, but
 24 what percentage of your time is actually
 25 dedicated to interacting with the Board?

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1 Anyone prepared to comment on that?
 2 MR. DYER:
 3 A. That's a difficult question to answer, of
 4 course, to quantify -
 5 MR. MARTIN:
 6 Q. Oh I know, I know, it's very difficult to
 7 quantify it, but just in general terms because
 8 you'll see operations, environment, you get
 9 drilling issues, you have production issues.
 10 MR. DYER:
 11 A. What makes it so hard to quantify is that
 12 there would be different people in our
 13 organization in those respective areas equally
 14 conversing with people in the Board's office
 15 in different departments as well, so if we
 16 take the Sea Rose, for example, the Board
 17 nominates a safety officer and that's my
 18 contact when I want to discuss safety
 19 initiatives or issues equally in reverse,
 20 that's the Board's--I'm the safety officer
 21 contact with the regulator as well. Drilling
 22 would have the exact same process;
 23 environment, benefits, so individually I may
 24 talk to the Board once a week. Depending on
 25 the situation I may engage in formal meetings,

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1 but for the most part, the Board let's us
 2 manage our business and they audit, inspect to
 3 demonstrate--so we can demonstrate compliance.
 4 MR. MARTIN:
 5 Q. And they audit twice annually, is that
 6 correct?
 7 MR. DYER:
 8 A. They do three inspections and one audit a year
 9 on the Sea Rose specifically.
 10 MR. MARTIN:
 11 Q. But those audits pertain to issues other than
 12 safety issues?
 13 MR. DYER:
 14 A. Those audits are general in nature, they don't
 15 come as a safety issue as, you know, they're
 16 identified, they are general inspections and
 17 audits and it's meant to be a collective, do
 18 three inspections first and roll up to a
 19 formal audit once a year of our facility. It
 20 does capture both an onshore and an offshore
 21 component, so the regulator will spend several
 22 days in our office first and then travel
 23 offshore for several days as well.
 24 MR. MARTIN:
 25 Q. But perhaps, I mean when the Board is recalled

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1 I think it's in the week of February 15th,
 2 perhaps that's a question not only I will
 3 explore, I'm sure other counsel will explore
 4 as well because we really don't know enough
 5 about--and I don't think, Mr. Commissioner,
 6 that you know enough about that interaction,
 7 other than some, you know, some general
 8 descriptive slides that have appeared before
 9 you. I'm not asking you to get into specific
 10 detail because quite frankly I don't have
 11 paperwork other than some letters, for
 12 instance that the Board wrote to companies on
 13 HUEBA, as a matter of fact, I'll say in
 14 fairness to the Board that they took a
 15 proactive stance on that, obviously it didn't
 16 result in any previous speedy resolution of
 17 the issue, but perhaps I'll direct that issue
 18 to the Board when they reappear on the 15th of
 19 February, I believe. My final query and I
 20 asked that to one of the other companies as
 21 well, is that the evidence or the presentation
 22 of Lorraine Michael who is the leader of the
 23 Newfoundland and Labrador New Democratic
 24 Party, do you, as a panel, do your recall her
 25 presentation, I'm going to ask you a specific

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1 question, but are you aware of the contents of
 2 her presentation?
 3 MR. WILLIAMS:
 4 A. Sure.
 5 MR. MARTIN:
 6 Q. And she put out as one of, I think five or six
 7 issues, the one I'm specifically addressing is
 8 her recommendation for an independent safety
 9 board outside the jurisdiction of the existing
 10 Canada and Newfoundland and Labrador Offshore
 11 Petroleum Board. Have you, as individuals or
 12 have your companies given any thought to that
 13 as to what might be some of the pros and cons
 14 of going down the Norwegian route, I think she
 15 called it, any comments on that?
 16 MR. PRITCHARD:
 17 A. I think that's for the Federal and Provincial
 18 Governments to get established, obviously the
 19 C-NLOPB is both Provincial and it is for them
 20 to decide, I mean, you know, we will follow
 21 what we need to follow. I can't really offer
 22 you anything more than that. The Board are,
 23 in our eyes, acting independently, you know,
 24 from the production side to the safety side,
 25 we don't see any kind of interaction there.

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1 MR. MARTIN:
 2 Q. Okay, any other comments, any experiences with
 3 that Board in Norway that you might have had
 4 directly or indirectly?
 5 MR. DYER:
 6 A. No, I've had no experience either with the
 7 Norwegian model. I understand the Board has
 8 worked with the Norwegian organizations in
 9 terms of understanding what their model looks
 10 like and how they can improve their own or
 11 make some changes.
 12 MR. MARTIN:
 13 Q. Thank you, that's all the questions I have,
 14 Mr. Commissioner, thank you very much, thank
 15 you gentlemen.
 16 COMMISSIONER:
 17 Q. Ms. O'Brien.
 18 MR. TREVOR PRITCHARD, MR. DONALD WILLIAMS, MR. KENNETH
 19 DYER
 20 EXAMINATION BY MS. KATE O'BRIEN
 21 MS. O'BRIEN:
 22 Q. If I might go to slide 64 of the panel's
 23 presentation, please? So I have a question
 24 here on--I'm sorry, I must need to go to slide
 25 65, the next slide for me please, this one

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1 here. When you were--I know Mr. Earle just
 2 asked you a question on it, but it's the third
 3 point there that I'm wondering about, when you
 4 gave your initial evidence, I don't think I
 5 fully understood the explanation that you gave
 6 as to, you know, what this--I'm referring to
 7 the finding there to ensure that pilots and
 8 maintenance engineers have representation on
 9 the HSE committee and I wasn't--your
 10 explanation, I don't think I was fully
 11 understanding and certainly you did mention
 12 the JOHS committees and I'm not really sure
 13 I'm clear on what's the HSE committee, as
 14 opposed to the Occupational Health and Safety
 15 committee, so I was wondering if you could
 16 give a little bit more explanation about, you
 17 know, what these committees are and what that
 18 finding was specifically addressing?
 19 MR. WILLIAMS:
 20 A. It's my understanding that the HSE committee
 21 as referenced here is a very similar
 22 organization within Cougar as we refer to as
 23 our JOHS, so it's a committee that would meet
 24 on a regular basis, it would have formal
 25 representation from employees to various

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1 departments within the organization, as well
 2 as management. The observation here noted
 3 that other departments within Cougar
 4 Helicopters have been represented, but these
 5 two particular groups, which represents a
 6 significant portion of their organization, had
 7 not had representation on that committee.
 8 MS. O'BRIEN:
 9 Q. Okay. And would your--I asked this of the
 10 previous panel for Suncor about whether
 11 there'd be any communication with--this would
 12 really be Cougar's JOHS committee, their HSE
 13 committee, would there be any communication
 14 from that panel to your organization, other
 15 than review of their minutes in an audit?
 16 MR. WILLIAMS:
 17 A. Typically these committees, if the function in
 18 the organization, the intention of these
 19 committees is that they work within the
 20 facility or the company of which they're
 21 employed, such as on the Sea Rose FPSO, we
 22 have an Occupational Health and Safety
 23 Committee or JOHS committee that maintains or
 24 contributes to the advancement of safety in
 25 that facility. Also on shore we, within Husky

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1 Energy, we have our onshore OHS committee, or
 2 JOHS committee that contributes and works
 3 towards the development of health and safety
 4 within our onshore. Each of our offshore
 5 facilities have their own committees, so the
 6 primary function is that they work for the
 7 safety within that facility and that's the
 8 intention of the Cougar HSE committee is that
 9 the departments that are employed within that
 10 building, within that company, work towards
 11 the advancement development and safety at
 12 Cougar Helicopters and look at the various
 13 health and safety issues that may be presented
 14 there. There may not be, and there isn't to
 15 my knowledge, any formal communication between
 16 Cougar and say our onshore committee, although
 17 I know there is communication periodically
 18 amongst our offshore committees and there is
 19 informal as well as formal communications on a
 20 bi-annual basis with the C-NLOPB.
 21 MS. O'BRIEN:
 22 Q. Okay, the question really comes from the fact
 23 that certainly for these pilots a big part of
 24 their workplace, which is the helicopters
 25 themselves, of course, overlaps with one area

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1 of the workplace for your workers and so I'm
 2 wondering whether you think there would be any
 3 benefit to having these two groups
 4 communicate, given that these committees are
 5 about safety at the workplace and they really
 6 are--there's an overlap in what their
 7 workplaces are?
 8 MR. WILLIAMS:
 9 A. I think that's an important observation. You
 10 know, we don't want our groups working in silo
 11 (sic), so I think there is maybe an
 12 opportunity for improvement in terms of the
 13 communication and interaction. We're all
 14 interrelated in terms of our activities and
 15 good communications certainly would lead to
 16 improvements.
 17 MS. O'BRIEN:
 18 Q. Okay. My last question -- I'm sorry, that
 19 really wasn't one question, but anyway, the
 20 last one I have refers to the confidential
 21 exhibit 149, which is your helicopter
 22 operations manual, and I'd ask if we could go
 23 to page 18 of that document, and on page 18 or
 24 thereabouts is where -- it's an area we looked
 25 at earlier and that's where your contract sets

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1 out the requirements, training and experience
 2 requirements for the flight crew. I think
 3 we've gone past. While that's being brought
 4 up, I think I can continue on with my
 5 questioning. Would those requirements, and
 6 there was -- it was a table set out there with
 7 very specific requirements, you know, the
 8 pilots had to have so many hours of this type
 9 of -- here it is in front of us. So for so
 10 many hours of flight hours, so many pilot in
 11 command hours, et cetera. Would these
 12 requirements have come from Husky Energy?
 13 Would those have been your requirements to
 14 Cougar?
 15 MR. DYER:
 16 A. No, not at all. These requirements would come
 17 from Cougar and as you can see in the initial
 18 version, Cougar base operations did sign off
 19 on these. From what I understand, these were
 20 also in the contract, but now the document is
 21 referenced in the contract and the information
 22 is actually going to stay in this document.
 23 So Husky does not have the expertise to
 24 provide that information. It would come from
 25 Transport Canada.

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1 MS. O'BRIEN:
 2 Q. Okay. So that's what I wanted to be clear.
 3 So a similar answer to what Suncor gave. You
 4 rely on Cougar to provide those
 5 qualifications?
 6 MR. DYER:
 7 A. Absolutely.
 8 MS. O'BRIEN:
 9 Q. Okay. Those are all my questions. Thank you
 10 very much.
 11 COMMISSIONER:
 12 Q. Thank you, Ms. O'Brien. Gentlemen, before we
 13 adjourn, it's not that I have questions, but I
 14 would make a couple of observations, and the
 15 discussion which you've provided on an
 16 explanation of safety culture and how it's
 17 developed, I found it very, very helpful.
 18 MR. PRITCHARD:
 19 A. It was but one page, Mr. Commissioner, and
 20 there's --
 21 COMMISSIONER:
 22 Q. Um?
 23 MR. PRITCHARD:
 24 A. It was but one page of text for me to read,
 25 but you could write a book on this.

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1 COMMISSIONER:
 2 Q. There's no question about it, and I've been
 3 reading since I took on this work, and it does
 4 seem to me based on my readings, and things
 5 like the discussion today, that a safety
 6 culture, probably outside of an actual detail,
 7 is one of the most important things that we
 8 may be dealing with in this.
 9 MR. PRITCHARD:
 10 A. Absolutely.
 11 COMMISSIONER:
 12 Q. The other thing that I would ask you to
 13 reflect on, and it came up this afternoon in
 14 the questioning, timeliness of things, of
 15 actions, and I don't want to prejudge what the
 16 issues are which will be decided in the next
 17 five or six weeks probably as to what we will
 18 really focus on, but I have a feeling that
 19 timeliness is going to be an issue, timeliness
 20 for various aspects of the work, so that
 21 things, as someone put it this afternoon, are
 22 not left open ended, and that's a discussion
 23 that I suspect we'll have later on in this
 24 whole process. In the meantime, thank you
 25 very much for your presentation. Now we would

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1 then adjourn until Wednesday morning, I take
 2 it, Mr. Roil?
 3 ROIL, Q.C.:
 4 Q. Yes, because we have DND scheduled for
 5 Wednesday, which would mean that tomorrow we
 6 wouldn't have any witnesses.
 7 COMMISSIONER:
 8 Q. Tomorrow we will not sit, but Wednesday
 9 morning at 9:30 we'll commence with DND.
 10 (CONCLUDED 4:50 P.M.)

1 CERTIFICATE

2 We, the undersigned, do hereby certify that
3 the foregoing is a true and correct transcript of a
4 hearing heard on the 25th day of January, 2010 at
5 Tara Place, 31 Peet Street, Suite 213, St. John's
6 Newfoundland and Labrador and was transcribed by us
7 to the best of our ability by means of a sound
8 apparatus.

9 Dated at St. John's, NL this
10 25th day of January, 2010

11 Cindy Sooley
12 Discoveries Unlimited Inc.
13 Judy Moss
14 Discoveries Unlimited Inc.

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