

ISSUES FOR CONSIDERATION

TERMS OF REFERENCE (excerpt)

Purpose

The purpose of this Inquiry is to determine what improvements can be made so that the Board [Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB)] can determine that the risks of helicopter transportation of offshore workers is as low as is reasonably practicable in the Newfoundland and Labrador Offshore Area.

General Mandate

The Commissioner's mandate will be to inquire into, report on and make recommendations in respect of matters relating to the safety of offshore workers in the context of Operators' accountability for escape, evacuation and rescue procedures while traveling by helicopter over water to installations in the Newfoundland and Labrador Offshore Area, in compliance with occupational health and safety principles and best industry practices.

Specific Mandate

Specifically the Commissioner shall inquire into, report on, and make recommendations in respect of:

- (a) safety plan requirements for Operators and the role that Operators play in ensuring that their safety plans, as represented to and approved by the Board are maintained by helicopter operators,*
- (b) search and rescue obligations of helicopter operators by way of contractual undertakings or legislative or regulatory requirements,*
- (c) the role of the C-NLOPB and other regulators in ensuring compliance with legislative requirements in respect of worker safety.*

OVERARCHING ISSUES

1. Should there be a degree of separation within the C-NLOPB between offshore helicopter regulation and other offshore industry regulation?
2. Are the risk management systems of oil operators and helicopter operator sufficient and adequate to ensure the risks of helicopter transport are as low as reasonably practicable in the Newfoundland and Labrador offshore?
3. What is the role of organizational safety culture in offshore helicopter transport?
4. What are the most appropriate practices, standards and forms of interaction between the C-NLOPB and the following:
 - (a) industry (including suppliers and providers);
 - (b) industry associations;
 - (c) regulators of associated services;
 - (d) other domestic and foreign oil and gas regulators; and
 - (e) worker representatives;

and are these interactions sufficient to ensure requirements that are understood, timely, achievable and enforceable?

5. Does the C-NLOPB use best practices in relation to its regulatory role in helicopter transport safety?

SPECIFIC ISSUES

6. What is the appropriate standard of first response search and rescue that the C-NLOPB should require of all operators in the Newfoundland and Labrador offshore?
7. Are there circumstances, other than declared emergencies, when a rescue helicopter should be dispatched to assist a transport helicopter?

8. Should there be a more formal protocol regarding the roles of the Department of National Defence and the helicopter operator regarding first response?
9. Are operational limitations on helicopter transport, in addition to those dictated by Transport Canada, required to ensure the standard of first response search and rescue is able to be maintained at all times? (*Note: For example, operational sea states, night flight and low visibility.*)
10. Should the C-NLOPB impose additional operational requirements on operators to ensure that the risk from helicopter travel in the Newfoundland and Labrador offshore is as low as is reasonably practicable? (*Note: For example, safety systems, auxiliary fuel tanks, location of and restrictions on seating, safety screening, etc.*)
11. Can helicopter transport safety be affected by the capacity of the helicopter transport fleet and, if so, what role should the C-NLOPB play in the determination of fleet capacity?
12. What are the appropriate standards of offshore helicopter safety training to ensure that the risk to passengers is as low as is reasonably practicable, both during training and helicopter transport?
13. What personal protective equipment and clothing is necessary for helicopter passengers and pilots; what are the standards, and should the C-NLOPB require guidelines to ensure such equipment and clothing is properly fitted?
14. Are changes needed to maximize worker and pilot participation in the development, implementation and monitoring of helicopter safety initiatives and activities?
15. Should offshore workers have a level of personal accountability for their own safety in helicopter transport? (*Note: For example, clothing to be worn under the suit, fitness training and reporting.*)
16. Does the C-NLOPB exercise sufficient oversight of the oil operators, aviation contractors and subcontractors to ensure that the risk to workers from helicopter transport is as low as reasonably practicable?
17. Should the C-NLOPB and oil operators' safety aviation audits include reviews of past responses to declared emergencies and emergency preparedness exercises?

18. What information from the helicopter operator about flight operations should the C-NLOPB require the oil operators to provide to offshore workers? *(Note: For example, alert service bulletins, airworthiness directions, incident reports, information regarding departures from normal flight times, routines and the reasons.)*
19. Does the C-NLOPB have sufficient resources and expertise, including access to independent aviation expertise, to evaluate whether a proposal or plan for helicopter transport from industry ensures that the risks of helicopter transport are as low as reasonably practicable?
20. Should the C-NLOPB more directly involve itself in studies and research in Newfoundland and Labrador, and in other jurisdictions, to improve safety where offshore oil industry uses helicopter transport? *(Note: For example, North Sea studies on preventing inversion of ditched helicopters and enhancement of passengers' ability to escape.)*
21. Should there be safety conferences for all parties involved in offshore helicopter transport, and if so, how often should they be held?
22. How often should the C-NLOPB review its regulations, guidelines and standards with respect to offshore helicopter transport?

NOTE

- N.B.** It should be understood by the parties that the choice of the foregoing topics as issues does not imply that the Commissioner will necessarily make recommendations in respect of all or any particular issues.

Recommendations will be made at the sole discretion of the Commissioner after investigation as required by the Terms of Reference and the receipt of submissions from the parties.