

Phillips, Kim (NRCan/RNCan)

From: Shepherd, Donald <Shepherd.Donald@atlantictowing.com>
Sent: Thursday, September 15, 2016 9:39 AM
To: Phillips, Kim (NRCan/RNCan)
Cc: Brownlow, Tim
Subject: RE: Atlantic OHS Regulations Initiative Stakeholder Consultation - Follow-up
Attachments: Atlantic Offshore OHS Initiative Comments 160830.docx

Ms Phillips,

Thank you for the opportunity to comment on the draft Atlantic OHS Regulations guidance document. I hope you will find our comments helpful, and I believe the overall spirit follows the direction that Transport Canada is following in updating their technical regulations, whereby they are making extensive use of reference to international standards while ensuring specific Canadian requirements are maintained.

We look forward to participating in the next round of discussion as well.

Do you have a link to the web site with the uploaded comments?

Thanks and regards,

Don Shepherd



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From: Phillips, Kim (NRCan/RNCan) [<mailto:kim.phillips@canada.ca>]
Sent: Monday, September 12, 2016 10:49 AM

Atlantic Offshore Occupational Health and Safety Initiative
Stakeholder Consultation Comments

Atlantic Towing (ATL) participated in Stakeholder Consultation Sessions held in Halifax, Nova Scotia and St John's, Newfoundland and Labrador. We appreciate the opportunity to take part in this consultation and offer our comments for consideration. Where possible, we have referenced the applicable Point Number in the Proposed Policy Intent for Phase 1 of the Atlantic OHS Regulations.

A. Applicability

1. ATL recommends that the "Workplaces" definition, which currently excludes Supply Vessels and Standby Vessels, amongst others, be further clarified to exclude Anchor Handling Tug Supply Vessels and Multi-Purpose Supply Vessels carrying passengers or occasionally engaged in construction support activities. Our rationale for this suggestion is that all Canadian Flag vessels are already covered by a comprehensive technical and safety rule set, including;
 - i. Canada shipping Act
 - ii. SOLAS (Safety of Life at Sea)
 - iii. Maritime Labour Convention
 - iv. CLC/MOHS
 - v. Class Rules covering construction and equipment standards (DNV-GL, Lloyd's Register, ABS or BV), recognized by Transport Canada
 - vi. The IMO SPS Code, while not ratified by Canada, also provides a recognizable international technical standard for ship safety and construction (including accommodation standards, stability, etc.)
 - vii. Specifically with respect to carriage of passengers to/from oil field installations, all vessels so engaged are required to obtain a Passenger Certificate, issued by Class under the authority of Transport Canada.
2. We note that the RQ process has set a precedent for accepting international standards in lieu of the transitional regulations (C-NLOPB decisions from July, 2015 to May, 2016, for example). It would therefore seem appropriate to accept that ships in compliance with these regulations be recognized in any new OHS regulations for the Accord areas.
3. In general, we strongly recommend that overlap of regulations between rule sets be eliminated and that existing Canadian and applicable international regulations be incorporated "by reference", to ensure currency, rather than drafting duplicate regulations which will require ongoing maintenance.

- B. Notwithstanding our general remarks above, we have provided specific comments on individual points below.

Atlantic Offshore Occupational Health and Safety Initiative
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| Point | Comment/Recommendation |
|-------------------|---|
| 1, 2 | Definitions – clarify “equipment”. As written this would include every item on the vessel |
| 7 | This is already covered for ships by the Ship Sanitation Certificate, and MOHS regulations |
| 13 | Small vessels of the types noted under A above do not carry dedicated housekeeping crew. ATL suggest that this is a typical item where vessels with less than 60 POB be exempt in any case. |
| 13 | “Waste material” should be defined in any case – does this, for example, include contents of cabin bins? |
| 17 | Does this include toilets in cabins, as well as communal wash places? Standards for accommodation details on ships are already addressed by Canada Shipping Act, MLC requirements. Further, a 150mm lip over the raised floor of a toilet module in a cabin would constitute a tripping hazard. |
| 25 | For ships, Canada Shipping Act and Class rules govern material requirements and MOHS defines monitoring and measuring. |
| 32-34 | On small vessels (suggest limit of POB <60, in line with SPS Code division), changing facilities as defined are not always practical. Further “employee” definition should be consistent with Transport Canada definition per application of MLC requirements, wherein the requirements apply to those POB signing ship’s articles. |
| 35 | If this were applicable, how would it be monitored or verified? These are practices generally followed, but what would be considered “objective evidence” when a Board inspector audits an installation or vessel? |
| 42 | Personnel per cabin should be governed by MLC requirements, including definition of “employee” as noted in 32-34 above. Passenger certificates allow 4 persons per cabin. |
| 45 | Per 13, this is not practical on a small vessel without a dedicated housekeeping crew. The application of this part should be restricted to MODUs, Accommodation Vessels or perhaps those with a minimum capacity of 240 POB. The ships are governed by MOHS regulations. |
| 48-55 | MOHS regulations govern food safety practices aboard ships. |
| 58 d | Suggest clarifying that Marine First Aid, with backup communications to on-shore support (per CLC) is what is intended by “medical supervision”. On ships, dedicated medical staff are not carried on board. |
| 60 | The Canada Shipping Act, MLC and Class rules set environmental standards for ships. It is strongly suggested that all referenced standards are marine-based as that is what ships and floating structures internationally are constructed to. |
| 99-100 | Suggest clarifying that a Permit to Work system addressing the immediate condition of the space, and CLC compliance, are the intent of this statement. |
| Structural Safety | Canada Shipping Act, SOLAS, Class rules and MOHS requirements cover these requirements. Suggesting referencing these standards or removing this section to avoid duplication |
| 165 | “Ship’s Ladder” should be defined. Is this all fixed ladders on the ship, or is this intended to refer to temporary/portable ladders fabricated by ship’s crew? Fixed ladders must all be constructed/installed per Canada Shipping Act. |