

16 September 2016

Kim Philips  
OHS Initiative Project Manager  
Natural Resources Canada  
By Email: [kim.philips@canada.ca](mailto:kim.philips@canada.ca)

**Re: IAGC Comments on the Atlantic Offshore Occupational Health and Safety (OHS) Initiative through the OHS Regulations Consultation (Phase 1)**

Dear Ms. Philips:

The International Association of Geophysical Contractors (“IAGC”) appreciates the opportunity to comment on Phase 1 of the Atlantic Offshore Occupational Health and Safety Initiative (“OHS Initiative”).

The IAGC is the international trade association representing all segments of the geophysical industry, including companies that provide geophysical services, data acquisition, data ownership and licensing, data processing and interpretation, and associated services and products to the oil and natural gas industry. IAGC member companies play an integral role in the successful exploration and development of onshore and offshore hydrocarbon resources through the acquisition and processing of geophysical data.

IAGC supports adoption of streamlined OHS regulations for offshore oil and gas exploration and development in Canada. We understand the current consultation process represents phase 1 of the initiative to develop regulations for replacing the transitional regulations set to expire in December 2019. Further, we understand the Canada-Newfoundland and Labrador Offshore Petroleum Board and the Canada-Nova Scotia Offshore Petroleum Board as the regulators of OHS matters in its respective administrative area. However, it is imperative that consistency exist in the respective areas as the regulations are interpreted and applied to geophysical and geological (G&G) operations.

Generally, IAGC is concerned the drafted OHS Initiative language is more applicable to and seemingly drafted for exploration and development operations and ‘marine installations’ such as platforms and other fixed/semi-fixed structures. We request, that

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where appropriate, exemptions be provided to G&G vessels. Seismic survey activities are temporary and transitory and by their very nature are not marine installations or structures.

The association is concerned, both through application of the transition regulations currently, and the draft OHS Initiative language that costly and unnecessary requirements exist for obtaining compliance and ultimately permits to operate offshore Newfoundland/Labrador and Nova Scotia. IAGC encourages the inclusion of a lighter mechanism for obtaining approvals for companies that do not require the full submission and verification of documentation when the company's procedures have been fully evaluated in previous years. Furthermore, the requirement for "demonstrating" compliance with the regulations for every operation is redundant. IAGC understands that this is more connected with implementation by regulators rather than the wording of the regulations but as this is a consultation on policy intent it is a key matter.

The definition of a "Competent Person" and a "Qualified Person" are likely to impede timely and efficient compliance with the OHS Initiative by limiting experts within G&G companies seeking permits from insuring compliance. IAGC suggests amending the draft language to redefine who would be eligible to assert compliance, thereby reducing the need for third party review of all requirements included in the draft.

Specific concerns over definitions:

- "*Competent person*" means a person who is a qualified person and that has knowledge of the Act and the regulations with respect to the hazard or danger or assigned work.
- "*Qualified person*" means a person who has adequate knowledge, training and experience (or combination thereof) of work, hazards of work and means of controlling the hazards.

The *competent person* definition coupled with the historical application of regulations, that inspections must be from a third party, makes it impossible to use the reports from routine inspections that are carried out by a *qualified person* and accepted in other parts of the world. IAGC suggests this burden can be eased by explicitly stating that a qualified person may be an employee of the operator seeking compliance under the OHS Initiative and ultimate regulations.

Suggested definition: "*Qualified person*", who may be an employee of the operator seeking OHS regulatory compliance, means a person who has adequate knowledge, training and experience (or combination thereof) of work, hazards of work and means of controlling the hazards.

The competency requirement is there to ensure that the requirements of the Act and regulations are met. Rather than being obliged to conduct additional inspections there could be a mechanism to make a *qualified person* 'competent' after the inspection. The

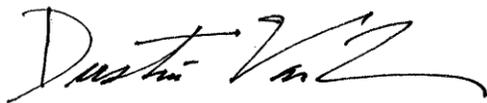
association looks forward to further consultation on how the draft language may be amended for efficiency and compliance purposes.

Suggested definition: “*Competent person*” means a person who is a qualified person and that has knowledge of the Act and the regulations with respect to the hazard or danger or assigned work. The requirement for competency can be fulfilled after the work as long as this is documented.

IAGC members operate globally and function under industry adopted standards, standards which lead to safe and efficient acquisition of geophysical data. The draft OHS Initiative language is overly prescriptive; we request more flexibility be provided for purposes of compliance given the global nature of the G&G industry.

Thank you again for the opportunity to comment on Phase 1 of the OHS Initiative and look forward to continued involvement as the process of developing regulatory language moves forward. Should you wish to discuss our submission in more detail, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Dustin Van Liew". The signature is fluid and cursive, with the first name "Dustin" and last name "Van Liew" clearly distinguishable.

Dustin Van Liew  
Director, Regulatory & Governmental Affairs  
International Association of Geophysical Contractors