

Copter inquiry urges big changes
Safety regulation must be independent and 'vigorous'
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The four-volume report by commissioner Robert Wells into offshore helicopter safety was delivered to the offices of the Canadian-Newfoundland and Labrador Offshore Petroleum Board in St. John's on Wednesday. (Paul Daly / CP)

KEY RECOMMENDATIONS:

ST. JOHN'S, N.L. — Major recommendations from a report released Wednesday into the safety of Newfoundland offshore helicopter travel:

- An independent safety regulator should be established to oversee safety in the province's offshore and it should be funded, if possible, by the provincial and federal governments.
- If provincial and federal funding isn't available for a safety regulator, the creation of an autonomous safety division within the Canada-Newfoundland and Labrador Offshore Petroleum Board should be considered.
- The Defence Department and the offshore helicopter operator need a protocol so each knows what the other's aviation resources are, how response efforts will be deployed and under what circumstances.
- Information about airworthiness directives and incident reports should be promptly communicated to passengers by notices posted on the helicopter operator's website.
- The pilot or co-pilot should be required to give a briefing to passengers before offshore flights begin dealing with expected flying conditions and any other information that

could lessen the anxiety of passengers.

- A ban on night flying should continue and a decision to resume the flights should be made by a committee that includes representatives from the offshore petroleum board, the helicopter operator, oil companies and workers.
- The offshore petroleum board should set goals for physical fitness of workers in preparation for safety training after consulting with oil operators, worker representatives, trainers and medical experts.

Source: Canada-Newfoundland and Labrador Offshore Petroleum Board

ST. JOHN'S, N.L. — It's time for a truly independent agency to oversee the safety of workers in Newfoundland's offshore oil industry, says the head of an inquiry created after a deadly helicopter crash.

Commissioner Robert Wells calls for a structural shakeup that would give workers — along with the public — a decision-making voice.

The province needs more "proactive and vigorous" regulation now more than ever as companies seek oil far from shore, Wells said in an interview.

"Safety should never, ever be taken for granted," he said.

"Oil operators are going further afield into deeper and more dangerous waters. Therefore, the emphasis on safety has to be absolutely top-notch.

"If we didn't learn anything else from the Gulf of Mexico, we learned how important safety is — not only for the human lives that were lost, but the damage to the environment."

Critics have accused the Canada-Newfoundland and Labrador Offshore Petroleum Board of a conflict of interest because it is tasked with developing offshore resources to the maximum extent while also protecting workers and the environment.

Wells makes 29 recommendations in his report on the inquiry launched after Cougar Flight 491 crashed into the North Atlantic last year.

He dedicates the four-volume document to the 15 offshore workers and two pilots who died that day — and to Robert Decker, the sole survivor.

Wells said his top recommendation is to establish an offshore safety body or an autonomous division within the C-NLOPB, which regulates the industry.

He is urging federal and provincial governments to set up a separate offshore safety agency as was done in Norway, Australia and the United Kingdom.

It will be up to Ottawa and the province, which share responsibility for offshore oversight, to act on the report.

The C-NLOPB established the inquiry after Cougar Flight 491 went down on March 12, 2009.

Burch Nash, a deck operator on the Sea Rose oil platform, died that day.

"They need to put safety first and put it by itself," said his widow, Marilyn Nash. "At least then it will be the only thing they're working on.

"They need to make sure this is not going to happen again," said the mother of three daughters aged 16, 17 and 23.

"Having to tell your children that their father died going to work is not exactly a pleasant thing to tell them. I wouldn't want to see another family go through what we've gone through."

Wells, a retired justice with the Supreme Court of Newfoundland and Labrador, was asked to assess whether helicopter travel is as safe as possible to offshore oil sites more than 300 kilometres east of St. John's.

He heard evidence over several months starting in October 2009. It included powerful testimony from Robert Decker, the only survivor, who said the top safety measure has to be ensuring that helicopters stay in the air.

Decker was a 27-year-old weather and ice observer when he boarded Cougar Flight 491. He said it would have been "next to impossible" for passengers in interior seats to escape from a seat-side window, as he did. The Sikorsky S-92 helicopter was instantly filled with water and it sank as fast as it fell from the sky, he testified.

Decker described a survival suit that leaked, and said the training he received wasn't nearly adequate to prepare him. He said the key to his calm response and miraculous escape was the number of times he'd fallen into cold sea water during summers sailing on Conception Bay.

At least 700 people work offshore, often in three-week shifts, at any given time.

Wells said they deserve a stronger voice and more access to information on safety issues.

"After catastrophic disasters over the years, the most recent being the Deepwater Horizon tragedy in the Gulf of Mexico in 2010, we are beginning to understand that we are all stakeholders now," his report concludes.

The cause of the Cougar Flight 491 disaster is still under investigation by the Transportation Safety Board. It has already cited a loss of oil pressure after two titanium studs securing the oil filter assembly to the Sikorsky S-92's main gearbox snapped in flight. Oil flowing through the main gearbox helps power the chopper's rotor drive.