

Spicer, Roberta (NRCAN/RNCAN)

From: Fanning, Bill <Bill.Fanning@akersolutions.com>
Sent: 19-Mar-21 12:00 PM
To: Phillips, Kim (NRCAN/RNCAN)
Subject: FW: Draft OHS Regs. - Request for Comments
Attachments: NRCAN_OHS Regs_review comments_Fanning_3.19.2021.docx

Importance: High

Try again.

From: Fanning, Bill
Sent: Friday, March 19, 2021 12:25 PM
To: kim.phillips@canada.ca.
Subject: Draft OHS Regs. - Request for Comments
Importance: High

Hi Kim,
Please see my comments; not too many and trust they are helpful.

In summary, aside from the obvious delay in implementation including, FORRI, my comments are limited to ensuring alignment between OHS and FORRI vis a vis, a goal-based regime and use of international standards wherever possible.

In speed reading the document, I found that the approach to inclusion and reference to codes and standards is inconsistent. A summary Codes & Standards table would be helpful in showing each sections applicable default code & standard as well as acceptable alternative codes & standards (*I suspect the process alone of constructing such a table will reveal some gaps and opportunities for improvement*). I also found a few areas where the term, "as soon as feasible", in the context of when audits s/b performed after an upset condition, which is very subjective and have made some recommendations how to tighten up.

Regards,
Bill

Bill Fanning
Senior Advisor, Topside & Facilities
Aker Solutions
Mobile: +1 709 770 7725
E-mail: bill.fanning@akersolutions.com

Aker Solutions Canada Inc.
Visiting address: Suite 305 Atlantic Place, 215 Water Street, St. John's, Newfoundland and Labrador
Postal address: Suite 305, 215 Water Street, St. John's, NL, Canada A1C 6C9
Registered in Canada, business no. 801170630



If we cannot do a job safely, without harm to people or the environment, we will **not** do the job.



This e-mail and any attachment are confidential and may be privileged or otherwise protected from disclosure. It is solely intended for the person(s) named above. If you are not the intended recipient, any reading, use, disclosure, copying or distribution of all or parts of this e-mail or associated attachments is

strictly prohibited. If you are not an intended recipient, please notify the sender immediately by replying to this message or by telephone and delete this e-mail and any attachments permanently from your system.

STAKEHOLDER COMMENTS ON DRAFT CANADA- NL OFFSHORE OCCUPATIONAL HEALTH AND SAFETY REGULATIONS

Reviewer/Comments From: _____
 Bill Fanning, Senior Advisor, Aker Solutions Canada, March 19, 2021

#	Section of Draft OHS Regulation	Problem with Insufficient Protection Against the Hazard	Problem Created from Technical or Commercial Perspective	Proposed solution/changes
1.	<p>5 Occupational health and safety management system - Auditing (2)</p> <p>The auditing referred to in paragraph 205.015(2)(g) of the Act must be carried out at as soon as feasible after the following occurrences and, in any event, at least once every three years:</p> <p>5 Improvements (3) The operator must implement any improvements identified during the audit referred to in paragraph 205.015(2)(g) of the Act as soon as feasible.</p>	<p>“at” is redundant. “as soon as feasible” can be very subjective.</p> <p>“at least once every three years”.</p> <p>Same as above i.e. “as soon as feasible” is very subjective.</p>	<p>Too subjective terminology.</p> <p>IMO once every three years is a pretty low standard of due diligence. What is the basis for 3 years? Is three years a known and accepted industry standard?</p> <p>Same comment per above. Also, need to be consistent in use of the term followed by, “at least _____ every _ years”.</p>	<p>Consider alternate use of terms like, “expeditiously” and in any event blah blah...</p> <p>Use accepted and relevant industry benchmark.</p> <p>Use accepted and relevant industry benchmark.</p>
2.	<p>30 Emergency drills and exercises (2) (e)</p>	<p>States, “(e) all drills and exercises are repeated as soon as feasible after any significant change to the emergency plan or to the work or activities at the workplace for which an authorization has been issued.”</p>	<p>Same comment per above. Also, need to be consistent in use of the term followed by, “at least _____ every _ years”.</p>	<p>Use accepted and relevant industry benchmark.</p>

STAKEHOLDER COMMENTS ON DRAFT CANADA- NL OFFSHORE OCCUPATIONAL HEALTH AND SAFETY REGULATIONS

Reviewer/Comments From: _____

3.	112 Rope access Alternative Standards (3)	States, "A requirement in the code to conform to a standard in respect of equipment is satisfied by instead conforming to one of the following standards, as applicable:"		It would be very constructive to include a "Summary OSH Regs. Codes & Standards Table" that for each section shows the default code & standard as well as acceptable alternative codes & standards that apply.
4.	OHS Regs. & FORRI	Important there is alignment between OSH Regs. and FORRI regs. as far as overarching principles i.e. goal based regulatory regime and acceptance/optimal use of appropriate international codes and standards wherever possible.		
5.				
6.				
7.				
8.				
9.				