

## Spicer, Roberta (NRCAN/RNCAN)

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**From:** Phillips, Kim (NRCAN/RNCAN)  
**Sent:** 22-Mar-21 7:01 AM  
**To:** Spicer, Roberta (NRCAN/RNCAN)  
**Subject:** Fwd: Draft Offshore Occupational Health and Safety Regulations  
**Attachments:** OHS Regulations Stakeholder Comments\_TechnipFMC.DOCX

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Late submission.

Sent from my iPhone

Begin forwarded message:

**From:** David Crane <david.crane@technipfmc.com>  
**Date:** March 22, 2021 at 12:05:43 AM ADT  
**To:** "Phillips, Kim (NRCAN/RNCAN)" <kim.phillips@canada.ca>  
**Subject:** RE: Draft Offshore Occupational Health and Safety Regulations

Good day Kim,

Please see attached comments.

We look forward to providing additional comments once posted in the Canada Gazette this summer.

Regards,  
David

David Crane, P. Eng.

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**From:** Phillips, Kim (NRCAN/RNCAN) <kim.phillips@canada.ca>  
**Sent:** Friday, March 5, 2021 3:01 PM  
**To:** Phillips, Kim (NRCAN/RNCAN) <kim.phillips@canada.ca>  
**Subject:** Draft Offshore Occupational Health and Safety Regulations  
**Importance:** High

Hello,

As you are aware, Natural Resources Canada, together with federal and provincial partners and regulators, have been working to develop new Occupational Health and Safety (OHS) regulations for the Canada-Newfoundland and Labrador and Canada-Nova Scotia offshore areas.

You have been identified as a key stakeholder who contributed comments in earlier phases of engagement that took place between 2016 and 2018. We are interested in obtaining your input on the draft regulations now, to ensure we have captured all perspectives ahead of pre-publishing in *Canada Gazette*, Part I, which is anticipated in summer 2021.

To ensure the regulations are completed as quickly as possible, you will have **2 weeks** to review and provide comments by **March 19, 2021**.

Attached is a short paper that provides further detail, a copy of the draft regulations, and a template to be used for submitting your comments.

I am available in the coming weeks if you wish to discuss the regulatory process or the regulations further.

Kind Regards,

Kim Phillips  
Senior Regulatory Officer | Agente principale de réglementation  
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**STAKEHOLDER COMMENTS ON DRAFT CANADA- NL OFFSHORE OCCUPATIONAL HEALTH AND SAFETY REGULATIONS**

Reviewer/Comments From: TechnipFMC

#	Section of Draft OHS Regulation	Problem with Insufficient Protection Against the Hazard	Problem Created from Technical or Commercial Perspective	Proposed solution/changes
1.	28(1) Fire Team Equipment		Any foreign vessel or rig would have Fire team equipment in accordance with other international standards such as IMO, SOLAS, BS EN as well as class requirements. The vessel crews are trained and drilled with the use of the fire fighting gear that is onboard. The types and quantities are also included on the Class/Flag state approved Fire and Control Plans. Any changes to the type and quantity also voids this plan. Canada – Newfoundland and Labrador Offshore Marine Installations and Structures Transitional Regulations allows for additional standards to be considered if the workplace is a ship used for construction or for geotechnical or seismic work.	Suggest including internationally and industry recognized standards or classification society endorsement. Particularly for vessels/rigs inducted for short term programs. Introducing new life saving equipment to which the crews are trained and familiar with adds risk with no added value.
2.	46 (1) (j) Prescribed equipment		Foreign vessels and rigs would be outfitted with respiratory protection that meets the requirements of other acceptable standards such as BS EN. Section 47 Respiratory Equipment states that the equipment should conform to CSA. These sections are worded differently.	Suggest wording as “conforms to” the CSA standard.
3.	96(1) Elevators and Manlifts		Any foreign vessel or rig would have elevators that are designed, constructed and maintained in accordance with other international standards such as ISO, BS EN etc. There have been many Regulatory Query approvals of these standards in the region. The concern here	Suggest including internationally and industry recognized standards or classification society endorsement.

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			would be that if these standards are not identical, and without the opportunity to submit for an exemption, the elevator may not be able to be used while in Canada. This would then introduce additional hazards such as extensive manual handling, fatigue etc.	
4.	111 (1) Means of Protection		Any foreign vessel or rig would have fall arrest systems and components accordance with other international standards such as BS EN. There have been many Regulatory Query approvals of these standards in the region. The concern here would be that if these standards are not identical, and without the opportunity to submit for an exemption, this may not be used. In the event of fixed fall arrest systems, the inability to use these systems would introduce other risks.	Suggest including internationally and industry recognized standards or classification society endorsement.
5.	126 (2) Loose Lifting Gear		While ASME are the standards referenced for loose lifting gear, even when fully compliant with these codes there are additional requirements under CAPP guidelines that are enforced. For example the inspection criteria for Loose lifting gear under ASME is annually, however when bringing in a foreign vessel the expectation is that loose lifting gear is inspected every 6 months as per the CAPP guidelines.	Get consultation from enforcement party regarding what should be included as regulation.
6.	166(2)(b)		Requirement has become too restrictive. Latest text states: <i>...unless they are the installation manager referred to in section 193.2 of the Act or the offshore construction manager</i>	Consider reverting to previously proposed text: <u><i>The DSS appointed by the dive contractor must not have any other role assigned to them for the period of time that the dive activity takes place, unless that role is considered to be a significantly senior role on board.</i></u>

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

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				This will allow for a qualified night superintendent, or senior diving supervisor, to act as the DSS if required.
7.	170(2)(a)	at least one member of the dive team at the dive site at all times holds a valid diving medical technician certificate;  Problem occurs if injured diver is the DMT.		Consider revising such that a member of the dive team holding a valid diving medical technician certificate must be on site, and on surface, at all times.
8.	170(2)(b) 170(3)(b)		During a typical offshore dive campaign, the dedicated medic will perform the pre/post medicals. This medic typically does not have a DMT certification.	Medic may perform pre/post medicals under guidance/directive of a diving physician specialist
9.	170(3)(e)		The wording defines that only the Life Support Package meets the requirements of IMCA D 052.	Rephrase such that Reception facility is also required to meet IMCA D 052
10.	1(1)		Definition of 'Diving Physician Specialist'.	While TechnipFMC fully supports the role of a Canadian based/qualified/trained physician to support diving operations, there is still concern relating to the definition of 'Diving Physician Specialist'. As this is a new program with the Royal College, we have no visibility on the uptake of the diploma by qualified individuals hence the concern that there may be times when there is not a person available, with the requirements outlined in the definition, to support the diving program.