

**Phase II Written Submission to
The Honourable Robert Wells, Q.C**

Commissioner

Offshore Helicopter Safety Inquiry

**By
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Leader of the Newfoundland and Labrador
New Democratic Party**

April 15, 2011

*Phase II Presentation to the Offshore Helicopter Safety Inquiry:
Lorraine Michael, MHA, Signal Hill – Quidi Vidi, Leader, New
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I would like to thank the Commissioner for the opportunity to make this submission.

I also want to reiterate that my work on this issue is done in memory of those people lost in the crash of Cougar Flight 491 on March 12, 2009. We owe it to them and their families, as well as the women and men who continue to fly offshore on a daily basis to make our offshore as safe as possible.

In that spirit I offer these thoughts and concerns on the situation today regarding the improvement of safety for all those who work in the offshore oil industry.

I understand my submission must be directly related to the findings of the Transportation Safety Board. I believe the observations and concerns I list below are related to those findings.

As I noted in my previous presentation to the Commissioner, I do not have a lot of technical knowledge about the various aspects of helicopter operation or safety.

I am a politician and the leader of the province's New Democrats, and as such my concerns and my expertise are about people. I know their safety comes first in any consideration — *before* any other consideration.

I read with interest the Commissioner's report and applauded his recommendations. I also was heartened to hear the provincial government say it would support the Commissioner's recommendations.

I read with interest the report of the Transportation Safety Board investigation into the crash of Cougar Flight 491, and its recommendations. I was pleased to hear the federal minister say the federal government would "support the intent of the TSB recommendations to improve helicopter safety."

*Phase II Presentation to the Offshore Helicopter Safety Inquiry:
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Minister Strahl noted the federal government would “work cooperatively with the Canada Newfoundland Offshore Petroleum Board (C-NLOPB) to do all we can to maintain and enhance the safety of Canadian aviation.”

The Premier and some of her ministers have said similar things in the House and in the press.

What concerns me is the lack of tangible work that has been done on either set of recommendations by either level of government since those announcements.

Since the federal government publicly stated they would “support the intent” of the TSB recommendations the Newfoundland and Labrador the public has heard little more.

This reflects a similar silence from the provincial government, who, outside of promises to get working on your recommendations, have offered nothing tangible.

With the release of their report, the TSB noted 16 interconnected factors contributed to the tragedy. On that day, I called on government — both levels — to implement their recommendations immediately.

The CNLOPB, the agency responsible for offshore safety, issued a release stating they would review the recommendations. At the time of this writing nothing more has been issued from the CNLOPB on this. Two months have passed.

This is not good enough. People are flying back and forth every day from the oil rigs on S-92As, without any indication that all the factors addressed by the TSB have been mitigated, or even addressed.

The TSB has recommended certification rules be changed to require all S-92As to be able to fly for 30 minutes after the loss of main gearbox oil, and for the FAA (an American agency) to assess whether

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a 30-minute “run-dry” requirement is adequate for helicopters operating in extreme environments.

In the House I have brought to the attention of the provincial government more on-going concerns regarding the suitability of S-92 helicopters for offshore oil industry service.

I asked government, in light of Sikorsky bringing out a replacement Main Gear Box (MGB) which must be inspected every ten hours — because it still cracks — what were they doing to address these safety concerns.

I did not get a clear answer.

Most people would not feel comfortable driving a car that needed to be checked every ten hours.

I asked the Premier in Question Period, in light of Sikorsky’s plans to introduce *yet another* redesign of its MGB for the S-92A — a “Phase III” — and their refusal to specify its “run-dry” capacity, would government demand replacement helicopters be brought in to service in the province’s offshore.

I did not get a clear answer.

Federal New Democrat MP Jack Harris brought similar questions to the fore in Ottawa.

Yet the people of this province see little or no action, and hear nothing more than assurances from the Premier and ministers that they are busy working on the issue.

Mr. Commissioner, I have real concerns whether or not this make of helicopter — the Sikorsky S-92A — is appropriate to service our offshore industry.

No level of government or the CNLOPB is willing to come forward with any information that would allay my concerns, which are shared

*Phase II Presentation to the Offshore Helicopter Safety Inquiry:
Lorraine Michael, MHA, Signal Hill – Quidi Vidi, Leader, New
Democratic Party*

by many in the offshore oil industry, their families and loved ones, and the public at large.

Even more disturbing is what I continue to hear from workers in the offshore.

In my previous presentation to the Commission, I spoke of a work culture tainted by secrecy and fear of reprisal. I am sorry to report that it appears worker's fears are not being allayed. It appears from what I have been told that workers still fear speaking up on safety issues.

To this day, despite all the recommendations and all the high-minded statements by politicians both here in this province and federally, I get calls from workers who work offshore, and are afraid to speak up on safety issues through formal channels.

I am still receiving communications from offshore workers regarding serious work safety issues they do not feel are being properly addressed by either the companies they work for, or the C-NLOPB.

Nevertheless, the fact that I *am* approached like this speaks to the dysfunctional nature of the work culture that continues to exist offshore.

Such a culture is the antithesis of what is needed to ensure that all safety concerns, from the frivolous to the serious, are aired, discussed and resolved in an atmosphere of complete openness and trust.

As the Commissioner has noted in his report, the immediate creation of an independent offshore safety authority is the best way of truly establishing an open culture of safety in the offshore oil industry.

Such an authority would be able to very publicly set about ensuring all TSB recommendations — and any other safety concern — were addressed and implemented. It is something the Commissioner has recommended.

*Phase II Presentation to the Offshore Helicopter Safety Inquiry:
Lorraine Michael, MHA, Signal Hill – Quidi Vidi, Leader, New
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My concern is both levels of government — now in receipt of all recommendations from both investigations — seem unwilling to commit to clear timelines about how to proceed.

The agency responsible for overseeing safety in this province also seems to have no sense of urgency. To date we have no idea what the CNLOPB will do regarding the TSB recommendations. It appears they have yet to conclude their review.

Safety is always an immediate concern. These long delays breed more anxiety, concern and fear among offshore workers, families and loved ones, and the people of the province.

What concerns me is the evidence that the CNLOPB *still* does not release safety information in a timely manner. We have seen that clearly with other offshore safety issues that have arisen over the past few months.

What concerns me is that as time passes, safety concerns are trumped in the public eye by other pressing matters, and the public forgets about these issues.

Mr. Commissioner, pressure must be placed on all responsible government agencies to act on the TSB recommendations, and act in a responsible and appropriate manner that is truly in the best interests of the workers in the offshore industry and the public.

Mr. Commissioner, I believe the S-92A must be removed from servicing the offshore oil industry in this province, until it can be proven truly capable of a 30-minute run dry capability.

In other parts of the world we are seeing more and more concerns about this helicopter's suitability for offshore service.

While this may seem drastic and costly, I believe the evidence is there for this action, and the costs pale in comparison to the profits reaped by both the oil companies.

*Phase II Presentation to the Offshore Helicopter Safety Inquiry:
Lorraine Michael, MHA, Signal Hill – Quidi Vidi, Leader, New
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The costs pale in comparison to the risks we are currently asking men and women who work offshore to take so they can provide for themselves, their families and loved ones.

I have done some research on this issue and I would like to offer the Commissioner a suggestion as to what I see as an alternative to the S-92A.

The Eurocopter EC225 Super Puma Mk II+ is a long-range passenger transport helicopter developed by the European manufacturer Eurocopter, the world's largest and most respected designer/manufacturer of civil helicopters.

It is a twin-engine aircraft which can carry up to 24 passengers along with 2 crew and a cabin attendant. With a range of 857 kilometres the EC225 is currently used to service the European offshore oil industry by companies like Bond (UK), Bristow (UK) and CHC (UK/Norway).

It has a true 30-minute run dry capability.

This is a rotocraft experts have called a “very viable alternative” to the S-92 and which some industry observers say is now preferred by some operators to the S-92 because of the S-92’s main gear box problems.

Mr. Commissioner, we are counting on you to emphasize the urgency of allaying the fears people have regarding the continuing operations of the Sikorsky S-92A helicopter.

If these machines cannot be certified, and certified immediately, to meet the requirements of safe operation in the offshore, then they should be not used.

You are in a unique position to apply pressure to all the agencies involved to address this urgent issue.

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**I thank the Commissioner for the opportunity to make these
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